

HDC CONCESSIONS POLICY

Scope and Definition

This policy will apply to all concessions granted for operation at Horsham Museum, parks, open spaces and car parks owned by Horsham District Council (HDC).

HDC may amend this policy as and when it deems it necessary to do so.

The definition of a concession covered within the terms of this policy is: “A fixed term consent to trade from Horsham District Council owned land, where no Council building exists for exclusive use, or significant land occupation takes place”.

Any request requiring a business lease or street trading licence will not fall within the remit of this policy and will be dealt with by HDC’s Property Team or Licensing Team respectively.

Any concession licence offered by HDC grants the licensee the right to use the site in common with HDC and members of the public for the purpose defined by the licence.

HDC may suspend or vary operation of a concession subject to the licence on 24 hours’ notice or immediately in the event of an emergency if repair works to HDC’s land or facility are to be carried out.

HDC reserve the right to suspend a concession if a public event is to take place depending upon the location of the concession and type of event. Advance notice will be given whenever this is the case.

Policy Context

This policy gives guidance on how to fairly manage expressions of interest in a fair, open and transparent way leading to the successful take up of commercial concessions opportunities for Horsham District. This policy assists HDC in supporting local businesses and enterprises to gain a platform to start, grow and succeed.

All concessions offered will be considered in the context of Council policies, strategies and plans. More information about HDC’s plans can be found on our website at www.horsham.gov.uk

The overall aim of this policy is to identify, develop and maximise additional commercial opportunities, including the enhancement of existing facilities, services and attractions. The provision of new facilities will be encouraged to promote and enhance the character of the designated areas.

Aims and Objectives

This policy aims to:

- ensure a fair, transparent, and consistent approach to granting concessions, which is co-ordinated through the appropriate procedures for planning, marketing and management.
- ensure that HDC adopts a proactive approach in enabling commercial activity in the District which are a high quality and fit well with local needs and aspirations.

- encourage and promote activities that fit in with approved local strategies and add to the attraction of the District.
- encourage increased commercial activity across the District to provide a greater economic benefit.

Responsibilities

The authority to make decisions regarding the granting of concession licences at the Museum or in Parks and Open Spaces sits with the Head of Leisure and Culture in consultation with the Cabinet Member for Leisure, Culture and Green spaces and in Car Parks with the Director of Resources in consultation with the Cabinet Member for Finance and Resources. Any decision in both areas will only be taken following consultation with relevant Ward Members.

The Parks and Countryside and Parking Teams will be responsible for liaising with other officers, including where necessary, legal and insurance officers regarding terms and conditions of each license to ensure suitability while protecting HDC's interests.

Concession Bid Process

HDC has identified sites which may be suitable for concessions, and these are set out in the Appendix to this policy. Notification of how the concession sites will be made available to the market will be advertised locally through HDC's website, social media and through the Economic Development Team.

All bids relating to parks and open spaces will be assessed by the Parks and Countryside Team and bids relating to car parks will be assessed by the Parking Team and those at Horsham Museum by the Museum Team, all in consultation with the Property Team in accordance with the criteria set out for determination of the concession which will be published alongside the advertised concession opportunity.

Decision and Approval

All bids will be assessed based on the Licence Fee offer, giving consideration to the quality of offer, appearance and style of trading unit, sustainability and environmental practices, required consents to trade, relevant accreditations, health and safety qualifications, track record of business, pricing structure and menu choice.

Traders will be advised to apply promptly for seasonal concessions once the application process is open. While it is intended for all pitches to be licensed by the start of each season (1 March – 31 October), it will be at HDC's discretion to accept bids and grant licences throughout the year for vacant sites. Any trader who wishes to operate in the winter season (1 November – 28 February) should submit a bid setting out their proposal.

This policy does not commit HDC to approving any bids. It retains the right to not issue licences for concessions.

Completion of Agreement

The successful applicants will be advised by the responsible officer from the Property Team who will confirm what documentation the applicant is required to provide in order for their licence to be completed.

All concessions must provide the following, where relevant:

- Valid Public Liability Insurance to the value of a minimum of £10 million
- Valid Employee Liability Insurance
- Risk Assessment specific to the proposal for the agreed site
- Equipment Safety Certificate
- Environmental food safety & Hygiene certificates
- Evidence of level 4 or higher classification as set out on the food.gov.uk web page for food and drink providers
- Duty of Care Waste Transfer Note and/or appropriate evidence of method of recycling, litter and refuse disposal
- Bank and other references may be required for larger concessions plus any other necessary relevant certification.
- Identification documents such as a passport or driving licence and also bank account details if the licence is an individual.

All concession licences give the named concession operator of the licence permission to operate at an agreed location under the terms and conditions as set out in the licence. It may be accepted by HDC that the licensee may substitute an alternative operator in order to continue trading during periods of absence due to extenuating circumstances, subject to prior written agreement from HDC.

Concession Licences will be issued for an appropriate term depending on the type of concession, whether it is available to trade throughout the year or on a seasonal basis, the need to ensure fair competition and also the opportunity to encourage new business and entrepreneurship.

Fees

The Licence Fee will be payable in advance of the start date by the applicant for the Term of the concession licence unless an instalment plan has been agreed.

An administration fee, full payment for the agreed licence period and any legal costs incurred in preparation of the licence are required in advance of the start date by the applicant unless an instalment plan has been agreed.

In addition, should the concession operator require the use of electricity or water, and they are available at the agreed site, HDC will recharge for the full cost of consumption and waste by the concession operator during the agreed licence period.

In the unlikely event that any other consents are required such as planning permission the applicant will need to have obtained and paid for prior to approval themselves.

Monitoring and Review

Annual evaluation forms from traders will be reviewed to ensure fair and transparent practices and inform future development of concessions. Any trader or relevant parties

dissatisfied with this policy, or its procedures can make a complaint using HDC's Complaints Procedure which can be found on the Council's website.

Cancellations

If an operator chooses to cancel their licence prior to the end of the term, the Council reserves the right to retain up to 50% of the fee. In exceptional circumstances, this fee may be waived.

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Appendix

Concession Categories

There may be opportunity to offer the following type of concessions at the potential concession locations listed below

Ice cream and Soft Drinks	Ice cream vans, gelato and specialist sellers (not an exclusive list)
Food and Drinks	Hot drinks, slushes and milkshakes, snacks, sandwiches, themed cuisine (not an exclusive list)
Leisure and Art	Fixing bikes, skateboard parts, art supplies, etc. (complementary to current activities) (not an exclusive list)
Other	Saunas, pop up cinema etc. (not an exclusive list)

Potential locations for different concession types mentioned above

There should be no direct competition to local business or existing concessions.

1. Parks and Open Spaces

Site	Notes
Chesworth Farm	Main access via Queensway, Horsham.
Horsham Park	Concessions to operate from within the Park, sites to be agreed with the Parks & Countryside Team, taking into account the various uses for the park throughout the week.
Leechpool and Owlbeech Woods	Main car park off Harwood Road.
Henfield Commons	Any decision regarding this site will also need approval from the Henfield Commons Joint Committee.
Open space exceptions	There may be small areas of open space and car parks not mentioned exclusively in the above list which may be identified in the future and dealt with as an exception.

2. Car Parks

Details of all Horsham District Council managed car parks are available at <https://www.horsham.gov.uk/parking>

3. Horsham Museum, Courtyard

There are no catering facilities at Horsham Museum.