

Item No.	Classification Open	Date: 27 May 2015	Decision Taker: Cabinet Member for Public Health, Parks and Leisure
Report title:		Setting fees and charges for British Cycling BMX National Series event to be held at Burgess Park, 19-21 June 2015	
Ward(s) or groups affected:		Faraday	
From:		Strategic Director of Environment & Leisure	

RECOMMENDATION

1. That the Cabinet Member for Public Health, Parks and Leisure agrees the proposed non-statutory fees and charges for the BMX National Series event with an implementation date of 1 June 2015.

BACKGROUND INFORMATION

2. The Burgess Park BMX track opened in August 2013 providing an important contribution to the Olympic legacy in Southwark. Since the track opened a number of British Cycling sanctioned regional level events have been held at the track. In late 2014 British Cycling announced the award of a prestigious BMX National Series Event to take place at Burgess Park over the weekend of 19-21 June 2015
3. This report sets out proposals for the fees and charges to be applied for this BMX National Series Event taking place at Burgess Park.
4. The Medium Term Financial Strategy (MTFS) and the corporate income policy require that:
 - Fees and Charges are set to a level, at a minimum, that is appropriate except where this conflicts with council policy, would lead to adverse revenue implications or would impact adversely on vulnerable clients
 - Income generation is maximised by seeking income streams in line with council policies and priorities.

KEY ISSUES FOR CONSIDERATION

5. The proposed fees and charges for the BMX National Series Event are set out in Table 1 below. The fees have been arrived at following consideration of a number of factors, including; advice from British Cycling, operational costs, benchmarking data from other host venues, and sensitivity i.e. the impact that the fees charged will have on the customers' ability to pay and the take-up of services.

Table 1: Proposed fees and charges BMX National Series 19-21 June 2015

Parking £5/vehicle/day	£5/vehicle/day
Friday Night Practice	£5/rider
Trade (non Catering)	£25/day – 6mx3m gazebo pitch plus 1 vehicle
Team Area – Track Side	£60/event duration - 6mx3m
Team Area – Track Side	£30/event duration - 3mx3m
Team Area – non Track side	£50/event duration - 6mx3m
Team Area – non Track side	£25/event duration - 3mx3m
Club Area	£25/event duration - 6mx3m
Club Area	£15/event duration - 3mx3m

Resource implications

6. There are a number of costs related to the operation of the BMX National Series Event including staffing, infrastructure hire, professional advice, security, first aid. British Cycling offers the host venue the sum of £5,000.00 as a contribution to these costs, but actively encourages all host venues to apply appropriate event charges.
7. The proposed fees and charges are expected to generate an income of £9,000.00.
8. It is anticipated that the cost of hosting this event will be offset in full by the total of the fees and charges income and British Cycling's contribution.

Community impact statement

9. The levels of fees are comparable to BMX National Series events hosted elsewhere and in alignment with the guidance from British Cycling. British Cycling's Event's Development Officer has been consulted on the proposed Fees and Charges and is satisfied with this information.
10. Officers have given particular consideration as to the decision sought in this report might affect individuals and groups having a protected characteristic under the Equality Act 2010, and have concluded that the adoption of the proposed fees and charges does not discriminate against any group in the community, either directly or indirectly.

Consultation/ Notification of Fees

11. Consultation was undertaken on the formulation of the fees and charges with British Cycling.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. This report seeks approval of the non-statutory fees and charges associated with the British Cycling National Series BMX event as outlined in this report. The recommendations will be effective from 19-21 June (inclusive) if approved.
13. As the proposed fees listed in Table 1 are new fees that have not previously been charged and do not fall within the scope of any existing authority to make a charge in the council's parks and open spaces, the introduction of any new charge is a decision for Cabinet collectively under section 3C of the council Constitution. However, under the Constitution the Leader of the council may at any time vary the delegation of executive functions in a number of ways, including to specify that a decision is to be taken by a particular decision maker; in this instance, the Director of Legal Services confirms that the Leader has exercised that power in order to delegate to the Cabinet Member the decision to approve the report recommendation.
14. The proposed fees and charges are intended to be consistent with corporate policy, in particular the Medium Term Financial Strategy.
15. Section 93(1) of The Local Government Act 2003 enables the Council to charge for providing discretionary services. The power in the Act is subject to the requirement that the Council is not prevented from charging for the services by virtue of any other legislation. The Director of Legal Services is not aware of any specific legislative provision which would prevent the Council from relying on these powers to charge.
16. The power to charge for a service under the Act is also subject to the duty to make sure that, taking one financial year with another, the income from charges made from a service does not exceed the cost of the provision of the service. The Council is, therefore allowed to set the level of the charge for each discretionary service that it thinks fit and considers reasonable, subject to those charges not exceeding the costs of the provision. The report advises that the recommended fees and charges have been set following consultation with British Cycling.
17. Whenever a decision of this nature is made it is essential that officers should take into account the general duty contained within the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. The report explains that an equality analysis has been undertaken for the purpose of identifying particular sections or groups within the local community who are likely to use the track and its facilities and assessing the impact of the proposed fees and charges on potential users, especially those with protected characteristics as defined in the Act. Paragraph 10 advises that the introduction of the proposed fees and charges would not have a discriminatory or other adverse effect on any section of the community.

Strategic Director of Finance and Corporate Services (E&L/15/009)

18. The strategic director of finance and corporate services notes the recommendations in this report for non-statutory fees and charges for 2015/16 for the BMX National Series event, with an implementation date of 1 June 2015.
19. In the event that the cost of hosting this event exceeds the income, this will be met within the wider service budget.

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director Environment and Leisure	
Report Author	Des Waters, Head of Public Realm	
Version	Final	
Dated	May 2015	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional	27 May 2015	