

GENERAL PURPOSES COMMITTEE

14 NOVEMBER 2019

FOOD AND BEVERAGE CONCESSIONS: AMENDMENT TO PROHIBITED STREET DESIGNATION AT THE WHARF: CONSULTATION RESPONSES

1.0 Purpose of Report

- 1.1 To report back to the Committee on the outcome of the consultation responses on the proposal to amend the prohibited street designation to exclude the Town Wharf Car Park from the existing designation to support phase two of the concessions project.

2.0 Background Information

- 2.1 The District Council's Commercial Strategy sets out the principles for the Council to adopt an innovative and entrepreneurial approach that achieves positive annual financial contributions for the Council.
- 2.2 The concessions project identifies opportunities to generate a commercial income from food and beverage licenses on Council land and supports the Council's commercial ambitions and values of embodying a commercial and business-like approach to operational activity.
- 2.3 One of the sites identified for phase two is the Town Wharf car park in Newark. The Wharf is currently designated as a prohibited street for the purposes of street trading and the parameter of the Town Wharf car park, is shown in **Appendix A**. Street Trading is defined as the selling or exposing or offering for sale of any article (including a living thing) in any street under schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 2.4 The General Purposes Committee on 5 September 2019 passed a resolution to begin the formal process to amend the prohibited street designation of The Wharf Car Park. This would exclude the Wharf car park as a prohibited street and enable the Council to licence food and beverage providers to operate for a financial return to the Council. The proposed location for a concession at the Wharf car park will be behind the pay and display machines and therefore will not impose on an existing car parking space. The formal process requires the Council to undertake a 28 day public consultation (including mandatory consultation with the Police and local Highways and a public notice in the newspaper).

3.0 Proposals

- 3.1 Public consultation was open for comments from 12 September to 10 October 2019 with a public notice in the Newark Advertiser (**Appendix B**) and notification issued to Nottinghamshire Police, Via East Midlands (Highways) and Newark Town Council.
- 3.2 Newark Town Council responded to the consultation with No Objections to the proposals. No other representations or comments have been received on the proposal.

3.3 This proposal is to only exclude the Wharf Car Park from the prohibited street designation at The Wharf. The remainder of the Wharf would remain within the existing prohibited street designation. This would seek to maintain a form of regulation from unauthorised traders.

4.0 **Proposed Timetable**

4.1 The full process and indicative timescales are included below:-

| Activity | Timescales |
|---|--|
| Feedback on comments and responses on the Consultation to the General Purposes Committee with a recommendation to pass the resolution to exclude the Town Wharf Car Park from the prohibited street designation at The Wharf. | 14 Nov 2019 |
| A Public Notice stating the resolution has been passed and that the Town Wharf Car Park has been excluded from the prohibited designation (adverts to be placed across two consecutive weeks) | Week 1: 21 Nov 2019 Week 2: 28 Nov 2019 |
| The Town Wharf Car Park is now excluded from the prohibited street designation (28 days after the final public notice has been placed) | 26 Dec 2019 |
| Advertise the concession opportunity including press release, application form to be uploaded to Council Website | Jan 2020 – Feb 2020 |
| Concession to start on site | Apr 2020 |

5.0 **Equalities Implications**

5.1 An EQIA checklist been completed which has determined that there are no equalities implications.

6.0 **Financial Implications – FIN19-20/5977**

6.1 There is a one off cost associated with placing a public notice in the newspaper. The public notice for the consultation comments described in 3.1 cost approximately £106. There will be a further cost of approximately £215 for two public notices.

6.2 The costs for the public notices will be funded from the Commercialisation and Major Projects Team and will be refunded from the concession income. Utilising the knowledge and experience from phase 1, it is expected the income generation from the Wharf Car Park to be approx. £4k-£6k per annum.

7.0 **Community Plan – Alignment to Objectives**

7.1 This proposal supports the Council objective ‘Generate more income, improve value for money and increase residents’ satisfaction with the Council’. This proposal will also provide a new source of income for the Council will contribute to funding the Council’s aspirations as detailed within the Community Plan 2019-2023.

8.0 Comment of Director

8.1 This proposal supports the commercial concessions project which aims to generate new revenue through offering concessions on Council owned sites and demonstrates the Council's commercial vision as set out in the Council's Commercial strategy which was approved by Council in 2017.

9.0 RECOMMENDATIONS that:

- a) a resolution be passed to amend the prohibited street designation of The Wharf to exclude The Wharf Car Park and;**
- b) the approach and timeline for operating a food and beverage concession on the Wharf Car Park as outlined in 4.1 of the report be approved.**

Reason for Recommendations

To support the progression of phase 2 of the concessions project.

Background Papers

General Purposes Committee – Food & Beverage Concessions: Amendment to Prohibited Street Designation at the Wharf (5 September 2019)

For further information please contact Natalie Cook, Projects Officer, Commercialisation & Major Projects Business Unit on ext 5275.

Sanjiv Kohli
Deputy Chief Executive/Director - Resources

The Wharf and The Town Wharf Car Park



Public Notice in Newark Advertiser (Published on 12 September 2019)

**Newark and Sherwood District Council
Local Government (Miscellaneous Provisions) Act 1982**

Street Trading

In accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the Council gives notice of its intention to pass a resolution to exclude the Town Wharf Car Park from the existing prohibited street designation at The Wharf, Newark. Any persons wishing to make representations on this matter should do so before 10 October 2019 in writing to the Commercialisation & Major Projects Business Unit, Newark and Sherwood District Council, Castle House, Great North Road, Newark, NG24 1BY. A copy of this notice is available from the date of publication until 10 October 2019 at the Council's Offices, Castle House, Great North Road, Newark, NG24 1BY where it may be inspected during opening hours.

J Robinson Chief Executive