

## REVIEW OF CAFES IN PARKS

**Head of Service/Contact:** Ian Dyer, Head of Operational Services

**Urgent Decision?(yes/no)** No

**If yes, reason urgent decision required:**

**Annexes/Appendices (attached):** Annex 1 – Location Suitability Table

**Other available papers (not attached):** Minutes of the meetings of the Community and Wellbeing Committee, 14 June 2016, 9 October 2017.

### Report summary

To review the provision of cafes in parks and open spaces.

### Recommendation (s)

That the Committee:

- (1) Approves the proposals for provision of cafes in parks as set out in section 6 of this report.
- (2) Agrees that once applications are received and the initial review process is complete that the final decision on preferred operators be delegated to the Head of Operational Services in consultation with the Chairman of the Community and Wellbeing Committee.

## 1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The establishment of a business selling refreshments within our parks or open spaces could support the council's Key Priorities of "keeping our Borough Clean and Green" and "Managing our Resources". Providing café facilities may enhance the public's enjoyment of the park and may generate a new source of income for the Council.

# Community and Wellbeing Committee

12 June 2018

## **2 Background**

- 2.1 At the June 2016 meeting of the Community and Wellbeing Committee, members agreed in principle for officers to explore the sale of refreshments from part of the pavilion in Auriol Park. After a series of negotiations with an independent provider, the Auriol Park Café opened for business in 2017.
- 2.2 At the October 2017 meeting of the Community and Wellbeing Committee, a question from the public was received by the Committee which asked it to consider a proposal to build a community Café in Alexandra Park.
- 2.3 In response to this request, the committee made a commitment to review current café operations, both internally run (such as the café facility in Bourne Hall) and independently run (such as the café facility in Auriol Park). As both facilities started trading around the same time, comparisons could be made to judge the success of both models. This information would then be used to inform proposals for further café sites across the borough.

## **3 In-house cafe facility at Bourne Hall**

- 3.1 When the Bourne Hall café catering contract expired in 2017, members agreed to a proposal to bring the facility in-house, operated and managed by the Council's staff.
- 3.2 The in-house cafe has been trading for about a year and the facility has proved popular with the public and deemed a success both operationally and financially.
- 3.3 Based on this initial success, there are now proposals to extend the facility on to the patio, which adjoins Bourne Hall. This extension will allow visitors to enjoy refreshments whilst taking in views of the park and the pond.
- 3.4 In contrast to offering café facilities in parks, operating the Bourne Hall Café in-house posed a low risk to the Council. The infrastructure to support the café was already in situ and the facility benefits from a comfortable, heated, indoor seating area with toilet facilities and continuous footfall all year round, as users visit the library, museum, exhibitions and other events held at the venue.

## **4 Privately owned and managed café facility in Auriol Park**

- 4.1 In 2017, a small area of Auriol Pavilion and adjoining patio was leased by the Council to an independent café provider.
- 4.2 The first year of trading has revealed some challenges, mainly due to low footfall and lack of covered seating during the colder months.

# Community and Wellbeing Committee

12 June 2018

- 4.3 The lack of toilet facilities for customers has also raised concerns and there have been repeated requests from the public for the decommissioned toilets, located on the outside of the Pavilion, to be reopened. However, the cost to the Council linked to reopening and maintaining these toilet facilities far exceeds the rental income received from the café lease.
- 4.4 To develop the business, the proprietor of the business has applied for and been granted permission to extend their offer by building a removable conservatory adjacent to the current kiosk. This will offer customers a comfortable, sheltered place to sit and will allow the proprietor the opportunity to trade all year round.
- 4.5 Furthermore, there is a push from the proprietor to increase footfall in the park by offering more events and attractions, current ideas include outdoor table tennis tables and a running track.

## 5 Considerations for further proposals

- 5.1 A great deal has been learnt from evaluating these first operating models. Key points to consider are:
  - 5.1.1 Length of lease to ensure viability of investment versus protection of Council asset.
  - 5.1.2 Permissions required i.e. planning consent and approval from Fields in Trust, which applies to parks that have been granted Queen Elizabeth II status and King George V Playing Fields.
  - 5.1.3 Provision and upkeep of sheltered seating area.
  - 5.1.4 Provision and upkeep of toilet facilities.
  - 5.1.5 Pressure on the Council for more or improved facilities, activities and events to ensure continuous footfall, which must be balanced against the cost of administration, capital investment, revenue required to upkeep facilities and simply the desire of others for quiet enjoyment of the parks and open spaces.

## 6 Proposals

- 6.1 On balance, officers propose that the opportunity to provide cafes in parks should be advertised to independent operators who will be invited to submit an application and business plan detailing their proposals.
- 6.2 Interested parties will be advised upfront of their obligations to obtain all necessary consents and fund the provision and upkeep of all buildings, seating areas and existing or new toilet facilities.
- 6.3 Proposals will be accepted for both static and mobile facilities and officers will review each application based on its suitability and viability for each location (please see **Annex 1** for location suitability table).

# Community and Wellbeing Committee

12 June 2018

- 6.4 Proposals for new buildings will only be accepted for temporary structures, which can be removed if the business discontinues for whatever reason. In this case, the Council will request a bond to enable us to return the land to its original condition should the need arise.
- 6.5 For parks with lower footfall, applications for high quality mobile catering facilities will be welcomed and licences could be granted for seasonal or specific days. This option may suit ice-cream vendors or other established mobile catering operatives. Mobile operatives would not be expected to provide toilet facilities.
- 6.6 It is recommended that the Committee delegates the final decision on preferred operators including length of lease/licence (once the review process is complete) to the Head of Operational Services in consultation with the Chairman of the Community and Wellbeing Committee.
- 6.7 As catering provisions are already in place at the Harrier Centre/Poole Road Recreation Ground, Bourne Hall, Auriol Park, Nonsuch Park and Ewell Court Park, they have been excluded from the locations for which proposals will be considered (**Annex 1**).

## 7 Financial and Manpower Implications

- 7.1 Officer time will be required from Legal/Property Services, Finance and Operational Services.
- 7.2 There may be some costs involved with advertising the business opportunity, advertising the disposal of open space where applicable and the preparation of leases/licences.
- 7.3 **Chief Finance Officer's comments:** Proposals will need to be carefully investigated to ensure that the Council is not exposed to potential ongoing costs or obligations.

## 8 Legal Implications (including implications for matters relating to equality)

- 8.1 There will be legal implications in preparing Heads of Terms and Leases/Licences.
- 8.2 **Monitoring Officer's comments:** Prior to moving this proposal forward, the Legal Team should be asked to undertake reports on title for all proposed sites to ensure that there are no restrictions on having fixed or mobile food outlets within the parks and open spaces. Further consideration needs to be given to the approach the council intends to take in relation to each site such as whether the opportunities will be by way of tender or if a more general application process will be undertaken. This is particularly important if a lease of more than 7 years is being considered at any site as the council has a legal obligation to obtain the best consideration possible in these circumstances. In addition, any disposal of open space including the leasing of an area requires the disposal to be advertised.

# Community and Wellbeing Committee

## 12 June 2018

### **9 Sustainability Policy and Community Safety Implications**

- 9.1 Officers are keen to ensure that all proposals for café provisions in parks are sustainable and do not cause extra burden on council resources.
- 9.2 In addition, operators will need to consider measures to ensure the safety of their staff and other park users, refuse disposal and the extra litter that may be generated because of their outlet.

### **10 Partnerships**

- 10.1 The success of this proposal will rely on forming strong partnerships with independent café proprietors and managing the relationships between the incoming proprietor and existing park stakeholders.

### **11 Risk Assessment**

- 11.1 There is a risk that there will be little interest in this new opportunity or that a lot of officer time is spent negotiating with potential operators and proposals fail to come to fruition.

### **12 Conclusion and Recommendations**

- 12.1 It is recommended that the Committee approves the proposals set out in section 6.
- 12.2 It is recommended that once the initial review process is completed, the final decision on preferred operators is delegated to the Head of Operational Services in consultation with the Chairman of the Community and Wellbeing Committee.

**WARD(S) AFFECTED:** (All Wards);