



**GOSPORT**  
Borough Council

## **Concessions Policy**

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Gosport Borough Council is committed to equal opportunities for all:

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## **1.0 Scope and Definition**

- 1.1 This policy will apply to all concessions granted for operation along the seafront and in the parks, gardens and open spaces owned by Gosport Borough Council.
- 1.2 The Council holds the discretion to amend the policy and fees charged as deemed necessary.
- 1.3 The definition of a concession covered within the terms of this policy is: "A fixed term consent to trade from Council owned land, where no Council building exists for exclusive use, or significant land occupation takes place".
- 1.4 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 the Council's Property Team or Licensing Team respectively.
- 1.5 Any concession licence offered by the Council grants the licensee the right to use the site in common with the Council and members of the public for the purpose defined by the licence.
- 1.6 The Council 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 the Council's land, facility or any adjoining foreshore are to be carried out.
- 1.7 The Council may 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.

## **2.0 Policy Context**

- 2.1 The 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 Gosport. The policy assists the Council in supporting local businesses and enterprises to gain a platform to start, grow and succeed.
- 2.2 All concessions offered will be considered in the context of Council policies, strategies and plans. More information about the Council's plans can be found on our website at <http://www.gosport.gov.uk>
- 2.3 The overall aim of the 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.

### **3.0 Aims and Objectives**

#### **3.1 This policy aims to:**

- 3.1.1 ensure a fair, transparent, and consistent approach to granting concessions, which is co-ordinated through the appropriate procedures for planning, marketing and management.
- 3.1.2 ensure that the Council adopts a proactive approach in enabling commercial activity in Borough which are a high quality and fit well with local needs and aspirations.
- 3.1.3 encourage and promote activities that fit in with approved local strategies and add to the attraction of the Borough.
- 3.1.4 encourage increased commercial activity across the Borough to provide a greater economic benefit.

### **4.0 Responsibilities**

- 4.1 The authority to make decisions regarding the granting of concession licences vests with the Economic Development Board but for concessions of up to a year decisions can be taken by chief officers acting in consultation with the Borough Treasurer and Borough Solicitor, under the scheme of delegation set out in the Council's constitution.
- 4.2 The Property Team will be responsible for:
  - 4.2.1 promoting and marketing the available concessions each year
  - 4.2.2 maintaining current information on the Council's website
  - 4.2.3 reviewing bids for completeness and offering guidance on queries
  - 4.2.4 liaising with other officers, including where necessary, legal and insurance officers regarding terms and conditions of each license to ensure suitability while protecting the Council's interests

### **5.0 Evaluation of Concessions**

- 5.1 Each concession licence holder will be invited to complete an annual evaluation questionnaire. Any data gathered from questionnaires will be reviewed to help shape future provision and decisions.

### **6.0 Concession Bid Process**

- 6.1 The Council 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 given as appropriate either as previous concessions expire or as determined by the Head of Housing and

Property. Only bids for concessions set out in this policy will be considered at the appropriate time and no other bids will be considered.

- 6.2 Upon a concession site becoming available it will be advertised with bids invited for submission through the Council's online procurement portal, Proactis. Recent licence holders and those who have requested information about available concessions will be directed there for details.
- 6.3 Concession details, including pitch availability, dates and fees will be displayed on the Council's website once available, together with a link to Proactis. Additional marketing via social media and press advertising may be considered to increase awareness of licence availability when necessary.
- 6.4 All bids will be assessed by the Property Team in accordance with the criteria set out for determination of the concession which will be published alongside the advertised concession opportunity.
- 6.5 Applicants must complete the online application form on Proactis and follow the instructions for submitting all supporting documentation by the stated deadline and will receive acknowledgement their application has been successfully received or requires additional information to be assessed.

## **7.0 Decision and Approval**

- 7.1 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.
- 7.2 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, it will be at the Council's discretion to accept bids and grant licences throughout the year for vacant pitches.
- 7.3 A decision will be made by Economic Development Board or the appropriate officer with delegated authority giving due consideration to a report setting out the concession opportunity and recommendation on the bids received.

## **8.0 Completion of Agreement**

- 8.1 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.
- 8.2 All concessions must provide the following, where relevant:
  - 8.8.1 Valid Public Liability Insurance to the value of a minimum of £10 million
  - 8.8.2 Valid Employee Liability Insurance

- 8.8.3 Risk Assessment specific to the proposal for the agreed site
  - 8.8.4 COVID-19 Safety measures Assessment (if appropriate)
  - 8.8.5 Equipment Safety Certificate
  - 8.8.6 Environmental food safety & Hygiene certificates
  - 8.8.7 Evidence of level 4 or higher classification as set out on the food.gov.uk web page for food and drink providers
  - 8.8.8 Duty of Care Waste Transfer Note and/or appropriate evidence of method of litter and refuse disposal
  - 8.8.9 BKSA/IKO or equivalent Instructor certification required for all water sport activities
  - 8.8.10 Bank and other references may be required for larger concessions plus any other necessary relevant certification.
- 8.3 All concession licences give the named Trader 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 the Council 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 the Council.
- 8.4 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.
- 9.0 Fees**
- 9.1 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.
- 9.2 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.
- 9.3 In addition, should the concession operator require the use of electricity or water, and they are available at the agreed site, the Council will recharge for the full cost of consumption and waste by the concession operator during the agreed licence period.
- 9.4 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.

- 9.5 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 Licence Fee referred to in 9.1.

## **10.0 Monitoring and Review**

- 10.1 The policy is a live document and it will be regularly reviewed. Any significant amendments to the policy will be made subject to approval from the Economic Development Board.
- 10.2 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 the Concessions Policy or its procedures can make a complaint using the Council's Complaints Policy.

## Appendix

### Concession Categories

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

<b>Ice cream and Soft Drinks</b>	Ice cream vans, gelato and specialist sellers (not an exclusive list)
<b>Food and Drinks</b>	Hot drinks, slushes and milkshakes, snacks, sandwiches, themed cuisine such as vegan (not an exclusive list)
<b>Water Sports Hire</b>	Kayaks and canoes, paddleboards, pedalo hire (not an exclusive list)
<b>Leisure and Art</b>	Fixing bikes, skateboard parts, art supplies, towels etc. (complementary to current activities) (not an exclusive list)
<b>Other</b>	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.

<b>Wider Area</b>	<b>GBC land and building ownership within this area</b>
Alver Valley East	The Alver Valley open countryside BMX track and Pump Track Alver Valley East Car park 17 <sup>th</sup> Century Village (open summer months) Play area
Alver Valley West	The Alver Valley open countryside Café and toilet Play Area
Stokes Bay	Promenade and beach Bayside Café and Pebble Beach Café Picnic/grass areas and wildgrounds Stokes Bay Sailing Club and Gosport Angling Club Adventure Golf and tennis courts Lifeboat Station Car Parks x 6 and Public toilets x 3 Petanque pitches Stanley Park and gardens Alverbank Hotel Beach Huts Kayak and paddleboard hire Diving Museum Splash Park
Lee-on-the-Solent Seafront	Promenade Shingle beach (excluding area owned by the crown and in line with any byelaws) On the Water Café/Restaurant



	Car parks x 4 and Public toilets x 3 Clifflands and grassed area Lee Sailing Club and Elmore Angling Club 17 Wooden Beach huts Splash Park, play area and skate park Olympia Amusement Arcade, pool room and sandwich bar
Lee Recreation Ground	Recreation ground, football pitches and playground Scout Hut and Horticultural Society building Pavilion, Bowls Club and Green Public toilet
Falkland Gardens	Ornamental gardens (with proximity to ferry landing stage and bus interchange) Public toilet
Hardway	Footpaths and green area adjacent to shore Walkashore pontoon Car Park x 2
Walpole Park	Open park for recreation Café & Model Yacht Club (Compass Point) Large Car Park x 1 Fitness and play equipment and games area Cockle pond and boating lake
Gosport Park	Recreation ground, rugby pitches and playground (with former Leisure compound) Rugby Club Pavilion and Bowling Club and green Car Park Scout hut
Leesland Park	Open recreation park Playground and skate park
Elson Recreation Ground	Recreation ground, football pitches and play areas Car Park Pavilion and changing room Gosport and District Sports Association for the Disabled Centre (GADSAD)
Anglesey Gardens / Foster Gardens	Open space Bowling Club, pavilion and greens Dog Training School
Rowner Green	Recreation ground with cricket pitch, pavilion and playground Car Park and Public Toilet Adjacent Woodland and Rowner Copse
Bridgemary Park	Open space Bowling Pavilion and Green Skate Park and play area Car Park
Privett Park	Recreation ground with football and cricket pitches Cricket Club pavilion Football Club enclosure No 2 Pavilion changing rooms and public toilet No 3 Pavilion store Car Park

Forton Recreation Ground	Open recreation ground with playground and games area Bowling pavilion and green Youth centre building
Grove Road Recreation Ground	Open recreation ground with playground and games area
Nobes Avenue Recreation Ground	Recreation ground with football pitch, changing room pavilion and playground Public toilet
Brookers Field	Recreation ground with football pitches and Pavilion Car Park
Howe Road Recreation Ground	Recreation ground with football pitch and pavilion Car Park
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.