

Arun District Council

REPORT TO:	Economy Committee – 1 February 2024
SUBJECT:	Kiosk Lettings Strategy
LEAD OFFICER:	Sam Horwill, Property, Estates, and Facilities Manager
LEAD MEMBER:	Councillor Roger Nash - Chair of the Economy Committee
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: Options presented in this report will support the Council's Vision in respect of fulfilling Arun's economic potential. Encouraging the development of the district as a key tourist destination, supporting and enabling improvements and activities to increase visitor spend.	
DIRECTORATE POLICY CONTEXT: This report is presented within the context of Section 123 of the Local Government Act 1972, and the Councils Asset Management Strategy.	
FINANCIAL SUMMARY: The proposed Kiosk Lettings Strategy will enable the Property, Estates, and Facilities service to maximise the income stream from kiosk sites with a clearly defined approach to realising these opportunities and achieving best value.	

1. PURPOSE OF REPORT

- 1.1. To present to members the proposed Kiosk Lettings Strategy for adoption, which outlines a clear methodology for identifying, marketing, and managing seasonal and mobile trade opportunities across the district.

2. RECOMMENDATIONS

- 2.1. That committee approves the adoption of the proposed Kiosk Lettings Strategy.
- 2.2. That committee delegates authority to the Group Head of Technical Services to make minor amendments to the strategy including to the appended list of sites to which it applies.

3. EXECUTIVE SUMMARY

- 3.1. To present to members an option for a streamlined approach for identifying, selecting, and appointing seasonal and mobile traders across the district.

4. DETAIL

- 4.1. Previously the Council has referred to seasonal trade opportunities across the district as 'concessions'. While some concession opportunities continued to operate under existing arrangements, any new and pop-up type concessions were withdrawn at the announcement of Covid-19 lockdowns.
- 4.2. Concessions are resource intensive to implement and manage, and therefore the Council has not made any new or pop-up type concession opportunities available since the Covid-19 lockdowns.
- 4.3. The current uncertainty regarding Central Government funding means that Councils need to identify alternative methods of generating income. As a result there has been increasing pressure on Councils to generate income from their assets. The aim of the Kiosk Lettings Strategy is to provide a broad set of principles for the Council to streamline the management of seasonal and mobile trading opportunities, enabling these locations to be actively occupied from the 2024 summer season onwards and contribute to the Councils revenue income stream.
- 4.4. The term 'concession' is misleading, it suggests a charitable or subsidised rent arrangement. Seasonal and mobile trading opportunities across the district should instead be referred to as kiosk sites, and should be managed in a commercial fashion (with due regard to local social and economic benefits) in accordance with the proposed strategy.
- 4.5. The proposed Kiosk Lettings Strategy is attached as an appendix to this report.
- 4.6. In summary the strategy sets out the classification of kiosk sites, the need for periodic review of asset classification, a methodology for marketing and selection of operators, and a set of requirements and principles to govern all kiosk lease and license agreements.

5. CONSULTATION

- 5.1. Relevant internal client services have been consulted in the preparation of the proposed strategy, and will have input into the marketing and selection process when identifying new kiosk site operators.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1. To not adopt the proposed Kiosk Lettings Strategy – Without the adoption of this strategy there will be no clear approach to the ongoing management of kiosk sites.
- 6.2. To propose amendments to the Kiosk Lettings Strategy – This will impact timings ahead of the 2024 season and may therefore limit the offers received or the ability of officers to have kiosk sites occupied this year.

7. COMMENTS BY THE GROUP HEAD OF FINANCE AND SECTION 151 OFFICER

- 7.1. The proposed Kiosk Lettings Strategy will enable the Property, Estates, and Facilities service to maximise the income stream from kiosk sites. The outcome of implementing the strategy should provide a useful revenue stream that contributes to improving the Councils financial resilience.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1. There is as risk that without the adoption of this strategy, the Council will fail to realise the full and best value of its kiosk site assets.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 9.1. The strategy outlines that disposals shall be compliant with S123 of the Local Government Act 1972 (both in terms of best value and disposals of public open space). This should be adhered to once the strategy is implemented with records kept of how it has been complied with.

10. HUMAN RESOURCES IMPACT

- 10.1. Although this strategy outlines a streamlined approach to marketing and management, the reintroduction of 'concessions' will generate an effectively new workstream for the service. However, the implementation of the Kiosk Lettings Strategy is expected to be deliverable within the existing resource of the service.

11. HEALTH & SAFETY IMPACT

- 11.1. There are no additional health and safety impacts from the proposals of this report.

12. PROPERTY & ESTATES IMPACT

- 12.1. The ongoing management of kiosk sites will rest with the Property, Estates, and Facilities service, under lease or otherwise.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 13.1. The recommendation of this report has no direct equalities impact.
- 13.2. The proposed strategy includes the consideration of social value with regards to bid assessments and operator selection.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

- 14.1. The proposed strategy includes expectations in terms of plastics use and recycling obligations for kiosk operators, which are to be included in the terms of all lease and license agreements.

14.2. The proposed strategy requires operators to demonstrate an awareness of flood risk by registering for the Environment Agency's free flood warning service and produce business flood plan's where deemed necessary.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1. There are no specific crime and disorder implications.

16. HUMAN RIGHTS IMPACT

16.1. Under The Human Rights Act 1998 it is unlawful for the Council to act in a way which is incompatible with the European Convention on Human Rights. The aim of Human rights is the individual – it is about putting the individual centre stage. This will sometimes mean consulting individuals or groups of individuals before designing services. Individuals are then able to point out how a proposal would affect their dignity, freedom independence etc before the proposal is adopted.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1. There are no specific FOI or Data Protection implications.

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BACKGROUND DOCUMENTS:

[2009-2014 Corporate Asset Management Strategy](#)