

Summary Sheet

Council Report

Cabinet/Commissioner Decision Making Meeting – 11th April 2016
Commissioner Julie Kenny (for decision)
Councillor Lelliott

Title

RMBC Fairs and Charges Report

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Caroline Bruce, Interim Strategic Director, Environment & Development Services

Report Author(s)

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Ward(s) Affected

All Wards are potentially affected depending on applications for fairs.

Executive Summary

To consider the Fairs and Charges Report 2016 for the Borough in accordance with RMBC Audit requirements.

List of Appendices Included

None

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Title : RMBC Market Fairs and Charges Report – 11th April 2016

1. Recommendations

- a) **To approve the 2016 fairs schedule as detailed in section 4.1**
- b) **To reject three additional fairs applications due to objections received.**
- c) **To approve that all charges for 2016/17 are held at current levels.**

2. Background

- 2.1 Rotherham Market Service reviews the Borough Fairs applications annually and provides a report containing recommendations for Cabinet approval.
- 2.2 All current and registered fairground operators are required to apply to the Market Service for consent to hold a fair in Rotherham. In the case of existing fairs, consent for a fair to run again is usually granted provided the landowner is in agreement and no complaints were received from residents or third parties.
- 2.3 For applications to hold new or additional fairs the Markets Service will take into account the views of the landowner, representations from the Showmen's Guild, the views of local residents and health and safety considerations.
- 2.4 Nationally the Showmen's Guild reports that income from fairs is in decline. Operators are therefore keen to identify new fairs to generate revenue and support the sustainability of an industry that the Guild argues delivers attractive cultural events that support community cohesion. The Guild has also made representations that the current charges for operating fairs should be reduced to reflect the reduction in margins for fairground operators.
- 2.5 On the first day of the fair the Markets Operations Manager will undertake the Fairground Risk Assessment to ensure complete safety throughout which includes:-
 - Adequate emergency procedures and escape routes.
 - Slip and trip hazards.
 - All fairground rides to have a valid Amusement Device Inspection Procedures Scheme (ADIPS) tested certificates.
 - Operators public liability insurance must be valid and cover any accident to the value of £5M.

Subject to the operator meeting all requirements the Markets Operations Manager will give full consent and allow the fair to open. Any failure to adhere to the Fairground Risk Assessment will result in a closure notice being issue.

3. Key Issues

- 3.1 To consider and approve the current fairs schedule.
- 3.2 To reject the additional fairgrounds due to resident and RMBC Green Spaces objections.
- 3.3 To agree no change in the charge for operating a fair for 2016/17.

4. Options considered and recommended proposals

- 4.1 There have been no material concerns raised about the holding of fairs on the current schedule. The Markets service therefore recommends approving the current fairs schedule for 2016 as follows:-

• Victoria Park	14 th April - 17 th April
• Spring Fair Herringthorpe	19 th May - 22 nd May
• St Pauls Kimberworth	16 th June - 20 th June
• Clifton Park	28 th June - 3 rd July
• Clifton Park	24 th August - 30 th August
• Greasborough RC	1 st September - 4 th September
• Rotherham Show	10 th September - 11 th September
• Wood Lea Common	12 th September – 17 th September

- 4.2 New Fairground Applications were received for

4.2.1 **Bramley Park 7th May – 14th May**

Residents have expressed concerns regarding this location as listed in section 5. The Markets Service has considered the objections and concerns and agrees to recommend rejecting this fair application.

4.2.2 **Greenlands Park North Anston 6th July – 10th July**

RMBC Green Spaces Manager has concerns for Greenlands Park as listed in section 5. The Markets Service has considered the objections and concerns from Green Spaces and previous history of objections from local residents and agrees to recommend rejecting this fair application.

4.2.3 **Bow Broom 12th May – 15th May**

Ward Members have reported strong objections to this fairground from local residents as listed in section 5. The Markets Service has considered the objections and concerns and agrees to recommend rejecting this fair application.

- 4.3 The Showmen's Guild has made representations asking that the charge for operating a fair be reduced to reflect declining income for fairs operators. The Markets Service has considered but does not support this request, instead recommending another year at the same charges.

- 4.4 Consideration has also been given to the potential to increase charges to increase revenue to the Council. The revenue from operating fairs is

reducing and it is not considered that there is sufficient scope to increase charges at this stage.

5. Consultation

- 5.1 Consultation with the applicants and residents took place in January 2016 for the three new applications.
- 5.2 Land owner approval has been obtained from the RMBC Green Spaces for the Bramley Park Fairground, but Bramley Parish Council has cascaded objections and concerns from local residents in respect of the following :-
 - Visitor parking problems.
 - Heavy good vehicles access and egress.
 - Noise disturbance for residents.
- 5.3 Objections to the fairground at Greenland Park North Anston have been received from RMBC Green Spaces. Previous applications to hold fairs at this location have generated objections from local residents and ward members arising from concerns about vehicular access and disturbance to local residents.
- 5.4 For the proposal to hold a fair at Bow Broom Recreation Ground objections were received from RMBC Members on behalf of residents within the close proximity to the Bow Broom. The objections can be summarised as:-
 - In the main people were against the sighting of a fair on the Bow Broom Recreation Ground with some quite strong views expressed by some long standing neighbouring residents.
- 5.6 The consultation exercise for the three new applications for fairs has revealed objections from residents, RMBC Members and the Green Spaces service and therefore officers are recommending these applications are rejected.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Once approved the Market Service will give full consent to applicants within three working days.

7. Financial and Procurement Implications

- 7.1 The Markets service recommends approving the existing schedule of fairs and rejecting the new applications.
- 7.2 As detailed in sections 2.4 and 4.3 of this report, the Showmen's Guild has made representation to RMBC requesting a reduction in charges due to the difficult trading conditions for this industry. Officers have considered this request and recognise the challenges within this sector and therefore recommend freezing the charges at the 2015/16 level. The

schedule for each venue is detailed below and will generate charges to fairs operators of £12,641.63.

Venue	Operator	Charges	Days Open
Victoria Park	W Percival	£952.00	4
Spring Fair Herringthorpe	W Percival	£2,000.00	4
St Pauls Kimberworth	A Moran	£470.00	5
Clifton Park	J Holmes	£1,664.00	6
Clifton Park	W Percival	£1,664.00	6
Greasborough RC	W Percival	£820.00	4
Rotherham Show 2016	All Applicants	£4,561.63	2
Wood Lea Common	J Holmes	£510.00	4
Totals	8	£12,641.63	35

7.3 The fairs income is split 50:50 with RMBC Leisure Green Spaces Service (which supports part of the financial costs to maintain these areas) and the Markets Service. The Rotherham Show fairs income is split 50:50 with the Events Team to financially support the Rotherham Show operating costs.

7.4 Market Service Management costs for these fairgrounds are minimal.

8. Legal Implications

8.1 No Legal implications within this report.

9. Human Resources Implications

9.1 No Human Resources implications within this report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 These fairs can provide positive experiences for families and young people. To meet safeguarding duties full Enhanced DBS certificates will be in place for 2016.

11 Equalities and Human Rights Implications

11.1 No Equalities and Human Rights Implication within this report.

12. Implications for Partners and Other Directorates

12.1 No partners and other directorate implications other than those considered within this report.

13. Risks and Mitigation

13.1 Any risks to the Council are mitigated by the consultation carried out beforehand and by the site specific risk assessments undertaken prior to the fairs opening.

14. Accountable Officer(s)

Approvals Obtained from:-

Robert Harrison – RMBC Principal Finance Officer EDS.

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