

Ernest Stevens Trust Management Committee

Report of Head of Neighbourhood Services

Parks Licensing Scheme

Purpose

1. To inform the Ernest Stevens Trust Management Committee of proposals to manage Personal Trainers operating in Council owned Parks and Open Spaces.

Recommendations

2. It is recommended that:-
 - The Ernest Stevens Trust Management Committee note the content of the report.

Background

3. Following the meeting of the Ernest Stevens Trust Management Committee on the 24th October 2022, the Parks Development Team have been working with Legal Services to develop a protocol and agreement to manage Personal Trainers operating in Council owned Parks and Open Spaces.
4. It is the view of Officers that the most appropriate way to manage Personal Trainers would be to operate a permit system, with each application being renewed and reviewed on an annual basis. This system has been used successfully by a number across the country.
5. Any permit would include a number of Terms and Conditions including:

Registration

- The Personal Trainer (PT) must be Registered with the Council to carry out fitness training or small-group activity sessions in Council owned Parks and Open Spaces.
- For the Council to consider an application for a permit, the Registrant must complete and submit an Application Form.

REGISTRANT'S OBLIGATIONS

- This ensures the PT's sessions proceed smoothly and safely and do not interfere with other users, neighbours or local traffic.
- The permit will set out the areas of the park eligible to be used and the operational times.

LICENSING AND ENVIRONMENTAL HEALTH

- Ensuring the PT has the appropriate licences to use and play music during the fitness sessions.

ASSESSMENT AND MONITORING

- This will set out the monitoring process of the activity to ensure it operates in line with the terms and conditions.
- This will also set out the information required to be recorded by the PT's for future analysis.

PERMIT FEE AND PAYMENT

- Ensuring the PT understands the permit fee and the process for payment.

INSURANCE AND LIABILITY

- Ensuring the PT has the appropriate insurance cover to operate on Council owned Parks and Open Spaces.

TERMINATION AND CANCELLATION

- This section will set out the terms of cancellation of the permit by both the Council and the PT.

GENERAL PROVISIONS

- This section will set out any other legal requirements, concerning this type of permit.

6. Based on the above, Parks Development documents and procedures will need to be updated to ensure they are robust and fit for purpose.
7. A review of the application form will also be undertaken alongside these Terms and Conditions. A set of standard letters regarding the acceptance and approval of the booking will be developed. All of these documents will be reviewed by Legal Services and presented to a future meeting.

Finance

8. Any charges relating to the permit will be charged in line with the Councils approved fees and charges.

Law

9. Section 1 of the Localism Act 2011 provides Councils with the general power of competence to do anything that individuals generally may do, subject to Sections 2 to 4, and Section 105, 117-123 of the Charities Act 2011 gives power to authorise dealings with charity property (as amended by the Charities Act 2022).

Risk Management

- 10 There are no material risks presented by this report.

Equality Impact

11. The proposals contained in this report are consistent with the Council's Equality and Diversity Policy.

Human Resources/Organisational Development

12. None.

Commercial/Procurement

13. None.

Environment/Climate Change

14. The proposals in this report do not have any direct impact on the environment or climate change.

Council Priorities & Projects

15. This decision will improve the quality of the green spaces.

Developing Green Space: Providing a framework of good quality and accessible community space, parks & nature reserves with interconnecting green networks.

This proposal is not anticipated to have any implications for current activity.

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Ed Bradford
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List of Background Papers

None.

Appendices

None