

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	City Growth and Resources
<b>DATE</b>	24 April 2018
<b>REPORT TITLE</b>	Local Authority Markets
<b>REPORT NUMBER</b>	PLA/18/005
<b>DIRECTOR</b>	Steve Whyte
<b>CHIEF OFFICER</b>	Richard Sweetnam
<b>REPORT AUTHOR</b>	Dawn Schultz
<b>TERMS OF REFERENCE</b>	2.3

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### **1. PURPOSE OF REPORT**

- 1.1 To seek approval for Aberdeen City Council to create local authority markets when delivering events in Aberdeen.

### **2. RECOMMENDATION(S)**

That Committee:-

- 2.1 Approve the establishment and holding of annual markets at the events detailed in this report, in accordance with section 27 of the Local Government and Planning (Scotland) Act 1982;
- 2.2.1 Delegate authority to the Chief Officer – Operations and Protective Services to establish, hold, manage, regulate and administer the markets referred to above in accordance with section 27 of the Local Government and Planning (Scotland) Act 1982, to otherwise exercise all powers under section 27 in relation to those markets (except the power to make byelaws) and to take all decisions relating to the day-to-day administration of those markets.

### **3. BACKGROUND**

#### **Events in Aberdeen**

- 3.1 The established and reputable City Events Team within City Growth manages a number of events in conjunction with other Council services, where more than one stall is present.
- 3.2 In the annual programme there are a number of events which have been identified as having a market associated with the delivery of a special outdoor activity. The definition of a market is where goods are offered by more than one seller for sale by retail to the public. However, the trading element at Aberdeen City Council's events does not dominate the core element of the

occasion, and is included to add value to the experience of those who are attending for a specific purpose.

- 3.3 The primary focus of festivals, fairs and other special outdoor activities is for pleasure rather than for trading however market trading will usually provide an element of activity at these events. Therefore, the difference between festivals, fairs and events and regular markets is in the size or frequency of the gathering rather than any other factor.
- 3.4 Following the creation of the Aberdeen 365 events group, and the ongoing delivery of the City Centre Masterplan, Aberdeen City Council is focussed on the creation and reinstatement of active spaces that are respectful to business and residents in the surrounding area where a balance between civic and event use of spaces is established. This will allow the management of the public realm space more effectively.
- 3.5 The creation and maintenance of an attractive street scene is key when the City Events Team are delivering events, and where market stalls are included, this seeks to enhance the shopping offer, mix and experience for residents and visitors whilst ensuring neighbouring businesses and the local environment is not negatively impacted on.
- 3.6 In 2017, the City Events Team strengthened its relationship with a number of organisations in the city including Aberdeen & Grampian Chamber of Commerce, Aberdeen Inspired and the Aberdeen City & Shire Hotels Association, allowing detailed discussions of planned activities with neighbouring businesses to develop opportunities for business benefit. This was proven to be an effective approach while delivering events of scale with an economic impact including the Tour Series and the Great Aberdeen Run where levels of economic activity were increased while working with, and developing local business opportunities.

### **Local Authority Markets**

- 3.7 Section 27 of the Local Government and Planning (Scotland) Act 1982 empowers local authorities to establish and hold regular markets. Local authorities may also impose conditions for the use of the market and impose such charges as are sufficient to recover expenses.
- 3.8 There are several advantages to establishing local authority markets. Where events are managed by local authorities, good local management and strategic vision by the council can help with providing a sense of place, cultural awareness, access to local quality crafts and unique sponsors merchandise which make a valuable contribution to choice and diversity in shopping.

### **Markets at Events**

- 3.9 In the development and delivery of a vibrant event programme in Aberdeen, consideration is given to the frequency and duration of events, the impact on the local amenity and where there may be an impact on retailers suffering loss

of business. Where possible, early engagement with partners, allows the City Events Team to put in place safeguards to ensure that appropriate spaces are used for event purposes and supporting activities including traders stalls to avoid any detriment. By developing the offer at events, City Growth aims to drive increased visitors and additional economic spend. A core aim of the Regional Economic Strategy is increasing employment levels by working with businesses and partners to increase employment opportunities. This can be achieved by supporting the development of small and medium enterprises while promoting leisure and cultural offerings.

- 3.10 Through the delivery of events, the City Events Team are aware of the appropriate event licencing policy and procedures that need to be applied, and always seek to ensure that events are licensed in a proportionate and effective manner.
- 3.11 Through the established Safety Advisory Group (SAG) in Aberdeen which has representatives from a number of council services including Licensing, Environmental Health and Road Services, as well as all emergency services, the group are keen to ensure compliance with local licensing requirements and conditions through the development and delivery of individual event manuals and contingency plans.
- 3.12 These plans allow the City Events Team to demonstrate the necessary experience and skills when developing and managing events, and a clear direction for the content of the event desired by Aberdeen City Council through the Aberdeen 365 events strategy.
- 3.13 The City Events Team are aware that there are already a number of markets operating in Aberdeen city centre, and where appropriate, seek to work with existing market operators to avoid clashes at identified spaces. Opportunities for joint working and recommendations to improve and grow the existing market offer in the city are also considered.

### **Proposed Events for Local Authority Markets**

- 3.14 The following annual events will support a local authority market:

- The Tour Cycling Series, Aberdeen City Centre
- Aberdeen Highland Games, Hazlehead Park
- Armed Forces Day, Union Street
- BP Big Screen, Duthie Park
- Celebrate Aberdeen, Union Street
- Great Aberdeen Run, Union Street, Union Terrace & Union Terrace Gardens
- In Town Without My Car Day, Union Street
- Aberdeen Fireworks Display, Aberdeen Beach
- Christmas Lights Switch On Parade, Union Street

## **4. FINANCIAL IMPLICATIONS**

- 4.1 The creation of annual local authority markets managed by the City Events team will ensure that trading at an event will be professionally delivered, monitored and will add value to the city events offer.
- 4.2 Section 27 of the Local Government and Planning (Scotland) Act 1982 allows the council to make such charges in relation to the use or for entrance to a local authority market or market buildings as will be sufficient to meet the expenses of the authority in carrying out their functions under this section.
- 4.3 Aberdeen City Council will not charge suppliers attending or participating in event markets as detailed in this report, and will meet their responsibilities in relation to markets at events from existing approved event budgets.
- 4.4 In the long term, the creation of annual local authority markets managed by City Events should encourage activities that positively contribute to footfall in key city locations, which in turn is likely to have a positive impact on the retail businesses in the area.

## 5. LEGAL IMPLICATIONS

- 5.1 The creation of local authority markets can only be done within the strict parameters of Section 27 of the Local Government and Planning (Scotland) Act 1982. This allows Aberdeen City Council, where appropriate, to provide sites, stalls, stands, electricity etc., and in particular impose conditions for the use of the market by stall holders, make charges in relation to the market to cover the authority's expenses, make byelaws regulating the market or do such other things expedient for the purposes of the market. These conditions would be determined separately for each event, and the scale of the local authority market to be included.
- 5.2 The conditions imposed on annual local authority markets will reflect existing market provisions of safe, accessible activities, and will be subject to local determination enabling local authorities to adapt to their own requirements. Where appropriate market activity will be subject to the event management process supported by the Safety Advisory Group (SAG) in Aberdeen for consistency.

## 6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
<b>Financial</b>	Any event contracts will seek to mitigate financial risk to the Council and the necessary procurement processes will be undertaken to adhere to procurement legislation and the internal Procurement Regulations.	L	
<b>Legal</b>	As above at paragraph 5.1.	L	

<p><b>Employee</b></p>	<p>The City Events Team is currently staffed by one full-time Senior City Events Officer, two full-time City Events Officers and one full-time City Events Executive. The successful delivery of the city events programme is dependent on a fully-staffed team.</p> <p>Events are a core part of Aberdeen City Council's business as a large number of services are responsible for supporting the organisation, management and delivery of the events programme, which is a key strand of the Regional Economic Strategy.</p> <p>To ensure the most appropriate use of staff time and resources in delivering events in Aberdeen, officers from the team work with colleagues in other Council services including City Growth, Cultural Services, Licensing, Environmental Services and Traffic Management to ensure the safe coordination and delivery of events.</p>	<p>M</p>	
<p><b>Customer</b></p>	<p>Events and participation by the Council provide an opportunity to promote and enhance the long-term economic prosperity of Aberdeen and the wider region by attracting additional visitors to the city on account of the event. In turn this attracts additional commercial activity in the city and officers will work with business customers to maximise both the benefit of the event on city-centre businesses and provide information on the event itself.</p> <p>Supporting and delivering a diverse programme of city events is expected to improve the customer experience by:</p> <ul style="list-style-type: none"> <li>•Enhancing the reputation of the city for staging local, national and international festivals and events;</li> <li>•Better positioning of Aberdeen as a leisure tourism destination for those looking for new and unique event</li> </ul>	<p>L</p>	

	<p>experiences</p> <ul style="list-style-type: none"> <li>•Providing city infrastructure that attracts and supports external event organisers</li> </ul> <p>There are several advantages to establishing Local Authority markets. Where events are managed by local authorities, good local management and strategic vision by the council could help with providing a sense of place, cultural awareness, access to local quality crafts and unique sponsors merchandise which make a valuable contribution to choice and diversity in shopping.</p> <p>The City Events team also works closely with a number of partners including EventScotland, VisitScotland, Aberdeenshire Council, Visit Aberdeenshire, the Aberdeen City and Shire Hotels Association (ASCHA) and Aberdeen Inspired so that events held in Aberdeen present opportunities accessible to local business and offer exciting activities to support the weekend leisure destination break market and maximise the opportunities for securing net additional benefit to businesses in the city and wider region.</p>		
<b>Environment</b>	None		
<b>Technology</b>	None		
<b>Reputational</b>	<p>Collaborating with local, regional and national partners improves our use of resources and maximising financial leverage to secure an event. By working in partnership the Council is able to share the workload and take lead or supporting roles where appropriate, without compromising the level of service delivered.</p> <p>The Council is a member of VisitAberdeenshire and Aberdeen Inspired. At a strategic level, it has a key role in the long-term development of tourism in the city and north east of Scotland. Aligned to</p>	L	Aberdeen City Council will control the local authority markets at the time of agreed events, minimising the risk of clashes/un authorised trading at high profile

	<p>this, is its corporate role in providing confidence to the events market that the Council supports the attraction of the 'right' event for the city, and the contribution to wider economic, tourism and City Centre Masterplan objectives.</p> <p>The risk to the Council would be managed through specific contracts for each event between the organiser and the Council.</p> <p>There is a reputational risk to the Council if an event does not develop as planned. This is mitigated by the experience of Council officers in securing and supporting the delivery of local, national and international events and a robust internal and external communications plan for any and all events.</p> <p>Aberdeen's city events programme is key to the destination promotion that Aberdeen City Council, VisitAberdeenShire, Aberdeen Inspired and VisitScotland currently undertake.</p> <p>Should this diverse and engaging programme not continue, then Aberdeen could potentially cease to be an attractive destination for visitors and local residents with economic spend being distributed elsewhere in Scotland and event organisers considering alternative delivery locations.</p>	<p>city events.</p> <p>Aberdeen City Council can determine in respect of any markets it may wish to control, with KPI's that require – high quality content, good range of products on offer, accessibility etc.</p>
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## 7. OUTCOMES

<b>Local Outcome Improvement Plan Themes</b>	
	<b>Impact of Report</b>
<b>Prosperous Economy</b>	Capacity could be created in the events programme in future to develop opportunities for additional market trading opportunities to support the development of an events programme that maximises economic benefit for the city, its businesses and wider region, and showcases a legacy of the region's capability on the national and international event stage.

<b>Prosperous People</b>	There may be some public/media interest in the parts of the city events programme that involve participation by Elected members and/or officers.
<b>Prosperous Place</b>	<p>As well as the benefits of this approach to the delivery of the events programme itself, outwith the region it will provide a positive signal that Aberdeen is a competitive location for specific events (international, national and regional).</p> <p>Aberdeen's city events programme is key to the destination promotion that Aberdeen City Council, VisitAberdeenshire, Aberdeen Inspired and VisitScotland currently undertake.</p> <p>Should this diverse and engaging programme not continue, then Aberdeen could potentially cease to be an attractive destination for visitors and local residents, with economic spend being distributed elsewhere in Scotland and event organisers considering alternative delivery locations.</p>
<b>Enabling Technology</b>	The use of technology in the development and delivery of events in the city will be given consideration, as the Council moves to develop its relationship with a digital partner in the future.

<b>Design Principles of Target Operating Model</b>	
	<b>Impact of Report</b>
<b>Customer Service Design</b>	None
<b>Organisational Design</b>	None
<b>Governance</b>	None
<b>Workforce</b>	None
<b>Process Design</b>	None
<b>Technology</b>	None
<b>Partnerships and Alliances</b>	None

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	Not required
<b>Privacy Impact</b>	Not required



<b>Assessment</b>	
<b><u><a href="#">Children's Rights Impact Assessment/Duty of Due Regard</a></u></b>	Not applicable

## **9. BACKGROUND PAPERS**

9.1 None

## **10. APPENDICES (if applicable)**

## **11. REPORT AUTHOR CONTACT DETAILS**

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### **HEAD OF SERVICE DETAILS**

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