

Comhairle nan Eilean Siar

Policy for the Letting of Comhairle Land within Stornoway Town Centre



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Policy for the Letting of Comhairle Land within Stornoway Town Centre

INTRODUCTION

- 1.1 The use of Stornoway Town Centre for market trading has increased and diversified over the past number of years. Over this time, and especially since the introduction of the Civic Hub in Perceval Square, it has become evident that greater control is required over the letting of areas.
- 1.2 This policy will clarify the booking process to be adopted and also address the areas of concern that have been highlighted following recent years' experience within Stornoway Town Centre.
- 1.3 The key objective of the provision of space in Stornoway Town Centre for let is to promote and showcase Hebridean culture and produce. Provision will also be made to accommodate the showcasing of other cultures, entertainment, charitable and promotional events.
- 1.4 The areas for let are principally pedestrianised and will be restricted to stalls which meet the key objectives, the areas are not to be used as retail outlets for hot (cooked) foods and drink and vehicles, including trailers, will be excluded from these areas other than for initial set-up and dismantling.

AREAS FOR LETTING

- 2.1 The areas available for letting will be restricted to the Civic Hub (Perceval Square), two identified locations at Carn Gardens and on Point Street adjacent to the Town Hall (to the west of the Town Hall customer entrance). These areas currently have planning permission granted for use as temporary markets and are shown in Appendix 1.
- 2.2 Due to difficulties encountered in the past with access for emergency vehicles, obstruction to shop fronts and enforcement actions required, the letting of areas on Cromwell Street, Francis Street, and Point Street will not be available.
- 2.3 Due to high demands on parking within Stornoway Town Centre, the car parks under the control of the Comhairle are not to be taken out of use for commercial activities. The only permissible exceptions to this rule are as follows and applications should be made to the Director of Technical Services eight weeks in advance of the event:
 - (i) during the Lewis Carnival week, in early August, and the Christmas Lights week, in early December, when the Director of Technical Services, in consultation with Stornoway Members, is authorised to make arrangements with the event organisers to facilitate the set-up of support events or activities; and
 - (ii) During any events such as detailed in section 3.2 where vendors can make application to the Director of Technical Services.
- 2.4 Individual promotional events utilising up to six parking spaces in Car Parks (excluding the short term pay and display areas) may be permissible as determined by the Comhairle and delegated to the Director of Technical Services.

- 2.5 For major local events, such as detailed in section 3.2, authority will be delegated to the Director of Technical Services to allow a car park to be used exclusively by event organisers. The parking area in Bayhead, Stornoway, for the avoidance of doubt, will be deemed to be within the Stornoway Town Centre.
- 2.6 There are other areas of land out-with the ownership of the Comhairle which may be suitable for various events. Applicants who cannot be accommodated on Comhairle-controlled land can request details of potential alternative venues and landlord's contact details.
- 2.7 No vehicles, including trailers, are permitted on the areas for letting other than for initial set up and dismantling. Traffic regulations specific to the area must be obeyed at all times.

CONTROL OF LETS

- 3.1 Lets will be administered by the Director of Finance and Corporate Resources through the Customer Services Team.
- 3.2 During major events and celebrations the areas for let will be reserved specifically to support these events. The relevant organising committees will be delegated authority by the Comhairle to control access to these areas for the duration of the event. The use of the areas must be in accordance with this policy although the operating times may be relaxed.

Examples of major events and celebrations are:

- Hebridean Celtic Festival;
- Lewis Carnival;
- Royal National MOD;
- Christmas Lights Ceremony;
- Hogmanay Celebrations.

Other local or national events may also be considered to fall into this category as determined by the Comhairle and delegated to the Chief Executive. The Comhairle also reserves the right to cancel prior bookings giving two weeks advanced notice if an event which is considered more in line with the key objective becomes a priority.

- 3.3 Operating times for commercial lets will generally be restricted from 8am to 8pm on Thursday, Friday and Saturday unless licenced otherwise. Stalls must be removed at the end of each day, unless under exceptional circumstances and with the prior agreement of the Comhairle.
- 3.4 Spaces for stalls in Perceval Square are identified as detailed in Appendix 2. 11 spaces (measuring 3m x 2m) have been identified, which will be allocated on booking. Charges will be applied as detailed in the effective charges schedule.
- 3.5 Bookings will be accepted between three months and one week in advance of the event. Block bookings of up to three months will be accepted. All applicants must be over the age of 18 years old.
- 3.6 All bookings must be made by a Responsible Person who has accepted the terms of the Responsible Persons Brief as detailed in Appendix 3.

- 3.7 That all bookings will be made through the Customer Services Team following the stated booking procedures, and must state the proposed activity complying with the conditions specifically identified in this Policy Document, the conditions on the sale of hot (cooked) foods and drink, and the exclusion of vehicles, including trailers, in 1.4 are to be highlighted to potential users.
- 3.8 All waste must be removed from the sites and the surfaces washed down, as appropriate, after each use. All commercial waste producers have a duty of care for their waste and are therefore responsible for the disposal of their commercial waste according to the Waste (Scotland) Regulations 2012; commercial waste producers should also participate in recycling services to meet their obligations under these regulations. For any waste or recycling related queries please contact Zero Waste Western Isles on 01851 70 99 00 or recycling@cne-siar.gov.uk
- 3.9 Any damages to surfaces or ancillary equipment must be reported immediately to the Customer Services Team.
- 3.10 Comhairle nan Eilean Siar reserves the right to recharge users for cleaning or repairs should the area be left in an unacceptable condition.
- 3.11 Comhairle nan Eilean Siar reserves the right to refuse or cancel bookings where applicants do not comply with this Policy or conditions of use stated in the Responsible Person's Brief.
- 3.12 All users of the Civic Hub must hold a valid Public Liability Insurance Policy and must be available to review on request.

APPLICATIONS FOR PITCHES

- 4.1 Applicants wishing to book a pitch should do so by completing a Consent Application form (**Appendix 4**) and submit the completed form to the Customer Services Team within the Town Hall. Application forms will be provided by the Customer Services Team.
- 4.2 Each application will be assessed against the Comhairle's Policy for the Letting of Comhairle Land within Stornoway Town Centre.
- 4.3 Applicants wishing to renew their consent should follow the same process as detailed in section 4.1. If the applicant proposes a variation to their original application these must be highlighted within the consent form.
- 4.4 Where an application has been made and the applicant is compliant with the Comhairle's Policy and there have been no substantiated complaints, no enforcement issues and all fees have been paid on time, the consent will be approved. Applicants will be informed of the outcome of their application within 3 working days of receipt of their completed application form.

CHARGES

- 5.1 Charges will be as set out in the Charges Schedule.
- 5.2 Where mains electricity is made available this may be from a metered source and subject to a charge per kWh used. This will also be subject to a minimum charge. When the source is not individually metered there will be a fixed daily charge.

- 5.3 Where mains water is made available this may be from a metered source and subject to a charge per m³ used. This will also be subject to a minimum charge. When the source is not individually metered there will be a fixed daily charge.

Comhairle nan Eilean Siar

Schedule of Charges for the Letting of Comhairle Land Within Stornoway Town Centre

Effective from August 2018

COMMERCIAL LETS

- 1.1 A commercial let is defined as being one where a hirer plans to use the let for the purposes of making a profit through admission charges or the sale of goods/services.
- 1.2 The commercial rate is £1 per m² (measured by the size of the stall) for each day. This charge is applicable whether the full day, or only part of the day is used.

NON-COMMERCIAL LETS

- 2.1 There will be no daily charge for non-commercial Lets.

DISCOUNTS

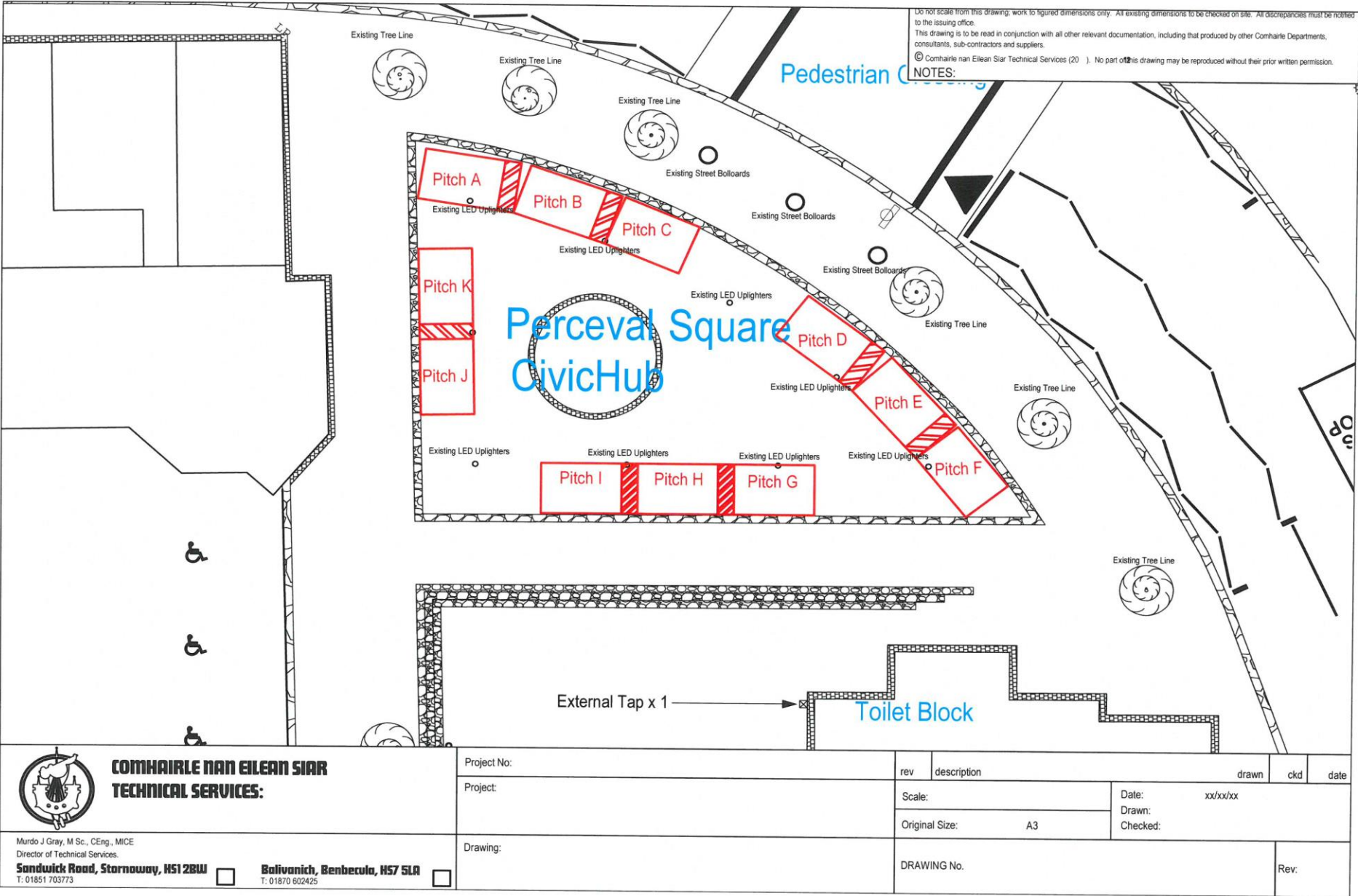
- 3.1 There will be no charge for Charitable Organisations if they are running their own stalls. Traders who are booked under the umbrella of a Charitable Organisation will be expected to pay the full rate unless they also have charitable status.
- 3.2 A discount of 50% will be applied to the daily rate where block bookings of three months are made and paid in advance.

UTILITY SERVICES

- 4.1 Where mains electricity is provided, this may be from a metered source and charged at the rate of 20p per KWh. A minimum charge of £20 will be applied, whether the source is individually metered or not.
- 4.2 Where mains water is provided, this will be from a metered source and charged at the rate of £2 per m³. A minimum charge of £20 will be applied, whether the source is individually metered or not.

DAMAGES

- 5.1 If there are damages or cleaning costs arising from a particular Let, the Comhairle will seek to recover these from the Responsible Person prior to permitting that person or organisation to make any further bookings.

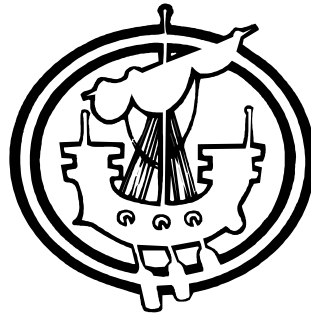


Do not scale from this drawing, work to figured dimensions only. All existing dimensions to be checked on site. All discrepancies must be notified to the issuing office.
 This drawing is to be read in conjunction with all other relevant documentation, including that produced by other Comhairle Departments, consultants, sub-contractors and suppliers.
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NOTES:

COMHAIRLE NAN EILEAN SIAR
TECHNICAL SERVICES:

Murdo J Gray, M.Sc., CEng., MICE
 Director of Technical Services.
Sandwick Road, Stornoway, HS1 2BW **Bolivanich, Benbecula, HS7 5LA**
 T. 01851 703773 T. 01870 602425

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Letting of Comhairle Land within Stornoway Town Centre

FUNCTIONS BOOKING PROCEDURES

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1. Application of Let
2. Conditions of Let
3. Security Brief
4. Fire Precautions Brief
5. Accident/Injury Brief
6. Site Brief

APPLICATION OF LET

1. All applications to let must be made on the Consent Application Form supplied by Comhairle nan Eilean Siar. Applications shall be made a **minimum of 7** days prior to the proposed date of the let. Applicants must be over 18 years old.

Lets are granted to the person making the application and are not transferable. Stornoway Town Centre shall only be used for the purpose specified in the conditions of let.

CONDITIONS OF LET

2. Areas of let can be used for community events such as a music venue, promotional events, and market trading stalls. To ensure the best use is made of the let areas all lets must follow the following procedure:

- a. All lettings must be booked through the Comhairle at least one week before an event. Provisional bookings can be made by the submission of a completed Consent Application Form to the Town Hall Customer Services email address civichub@cne-siar.gov.uk;
- b. All lets must appoint a Responsible Person who is to collect the vehicle bollard key;
- c. The Civic Hub (Perceval Square) is limited to a maximum of 11 stalls, unless otherwise agreed by the Comhairle;
- d. The hirer shall ensure that they have all necessary licences, consents and insurance in place, in particular a valid street trading licence issued from Comhairle nan Eilean Siar and Public Liability Insurance. Application forms are available at http://www.cne-siar.gov.uk/licensing/eusd/eusd_marketoperator.asp;
- e. Market trading can only take place between the hours of 8 am to 8 pm, Thursday, Friday and Saturday. Stalls must be removed at the end of each day unless under exceptional circumstances and with prior agreement of Comhairle nan Eilean Siar;
- f. On approval of the Consent Application payment must be made in advance at the time of booking. The commercial rate is £1 per m² (measured by the size of the stall) for each day. This charge is applicable whether the full day, or only part of the day is used;
- g. There is no charge for Non Commercial or Charitable Lets;
- h. Where mains electricity is provided, this may be from a metered source and charged at the rate of 20p per KWh. A minimum charge of £20 for each day will be applied, whether the source is individually metered or not;
- i. Where mains water is provided, this will be from a metered source and charged at the rate of £2 per m³. A minimum charge of £20 for each day will be applied, whether the source is individually metered or not;
- j. The Comhairle shall have the right to cancel a booking if it requires the use of the Civic Hub (Perceval Square), Carn Gardens or Point Street for another function and cannot reasonably hold that function in another area or on another date. In the event of such cancellation two weeks notice will be provided with a full refund of

the booking fee will be given out but the Comhairle shall not be liable to pay any compensation;

- k. The Comhairle shall have no responsibility for any property not belonging to it which may be lost, damaged or stolen;
- l. The hirer shall be responsible, and where there is more than one hirer they shall be jointly and severally responsible for making good any damage to the let area/areas.

SECURITY BRIEF

- 3. All lets are to ensure that:
 - a. No persons under the influence of drugs or alcohol are permitted to run a stall or to be part of any performance/function on the Square;
 - b. No excisable liquor is to be drunk on the site;
 - c. Anyone behaving in an unruly or rowdy manner and is called upon to leave the let area and if fails to do so the Responsible Person is to call the Police.

FIRE PRECAUTIONS BRIEF

- 4. Each let must ensure:
 - a. A Responsible Person is appointed and will be responsible for all fire precautions during the let;
 - b. The Responsible Person is familiar with the fire assembly point;
 - c. That in the event of a fire the Responsible Person must ensure that ALL members of the public leave the area in an orderly manner and that all running is prohibited.

ACCIDENT/INJURY - BRIEF

- 5. Each let must be in possession of a First Aid box. If a serious accident should occur please contact the Emergency Services.

Any other incidents: These should be reported to the appropriate authority. If a major incident occurs please contact Faire.

Emergency Contact Details:

Emergency Services (Fire, Police and Ambulance): Dial 999
Faire Dial 701702

SITE - BRIEF

- 6. Please ensure that the Responsible Person has read and fully understood the **Letting of Comhairle Land within Stornoway Town Centre – Responsible Persons Brief** and that these rules are adhered to at all times.

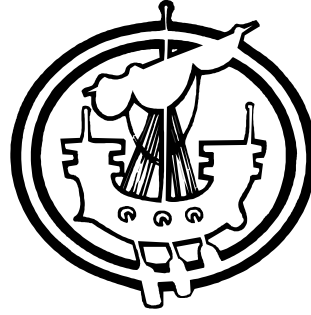
Cleanliness. – All areas used in the let must be left clean and tidy. All waste must be removed from all areas that are let in accordance with the Policy. A supplementary charge may be levied should additional cleaning be required following the let.

Stalls - Any stalls used must be removed at the end of each day.

Damages/breakages – Any damages or breakages must be reported to Technical Services on 01851 822679 as soon as possible.

Access – Vehicles, including trailers, are excluded from the let areas other than for initial set up and dismantling. Access to the Civic Hub will be by the drop down bollards next to Leverhulme House. The key will be issued during the briefing of the Responsible Person.

Vehicle Parking – Parking is not permitted on the areas for let.



Letting of Comhairle Land within Stornoway Town Centre

RESPONSIBLE PERSONS BRIEF

STORNOWAY TOWN CENTRE FUNCTIONS - BRIEF

As a Responsible Person I certify that I have been fully briefed and I am aware of my responsibilities and abide by the following rules, which include-:

- a. My area of responsibility;
- b. The location of fire appliances within my area of responsibility;
- c. Ensure that clearly defined fire evacuation routes are maintained;
- d. The fire assembly point;
- e. A First Aid box will be available;
- f. Ensuring that no person under the influence of alcohol or drugs is permitted to run a stall or take part in any function within the boundaries of the area of let;
- g. Ensuring that anyone behaving in an unruly or rowdy manner is called upon to leave, failure to do so the Police must be called;
- h. Ensuring that no excisable liquor is drunk within the boundaries of the area of let;
- i. No vehicles, including trailers, will be permitted on the area for let except for initial set up and dismantling;
- j. I have received the vehicle bollard key (if applicable) and agree to return it to the Comhairle the next working day;
- k. I have received the utility keys (if applicable) and agree to return them to the Comhairle the next working day;
- l. Ensure that all areas which are let are left in a clean and tidy condition;
- m. The number of stalls must not exceed the maximum capacity, and all Street Traders are to hold valid street trading licences issued by Comhairle nan Eilean Siar plus a Public Liability insurance policy;
- n. Market trading can only take place between the hours of 8 am to 8 pm, Thursday, Friday and Saturday. Stalls must be removed at the end of each day, unless under exceptional circumstances and with prior agreement of the Comhairle.

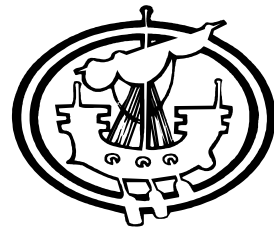
Print Name.....

Signature.....

Date.....

Witness.....

Comhairle nan Eilean Siar



Street Trading Consent Application Form

Please complete a separate application form for each pitch if you wish to be considered for more than one. I/we submit the following particulars:

1. Applicant

Name.....

Address.....

.....

Postcode.....

Telephone Number.....

Email Address.....

2. Trading name (if any).....

3. Description of articles to be sold and evidence of how they meet the Policy for the Letting of Comhairle land within Stornoway Town Centre:

.....
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.....
.....
.....

4. Have you traded in Stornoway before? If yes, give details:

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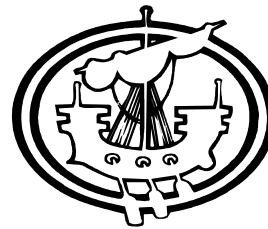
5. Please confirm you have all insurance documents in place (where applicable) Y/N.....

6. If No, please provide details.....

7. Please confirm you hold all necessary License to trade Y/N, if No please explain

.....
.....

Comhairle nan Eilean Siar



8. Please state how you dispose of the waste from the pitch?.....

.....

9. Do you require a power supply or water?.....

10. Preferred trading pitch no. (preferred trading pitch not guaranteed).....

11. Proposed days and times of trading.....

.....

Signed..... Date.....

Print Name.....

Email Address.....

For Official Use Only

Date Application Approved.....

Amount Paid.....

Pitch Allocated.....

Signature.....