# Policy for the Use of Council Owned Land and Open Spaces

# Updated October 2022

**Introduction**

The development of an exciting events programme is a vital element of our recently agreed culture framework; it will enable the borough to promote the best locations and activities, showcasing local talent, tapping into artistic and sporting excellence whilst celebrating cultural heritage and diversity. The programme should result in enhancing the area’s tourism profile and support and sustain economic growth.

Events also make a major contribution to the wider agenda of community cohesion and well‐being. Participation can raise ambition, increase life chances and provide positive activities that can divert people away from antisocial behaviour. Well‐designed events can contribute to improved educational attainment and health and well‐being.

An events programme must be managed effectively and delivered within agreed resources. Event management should be robust; to ensure events are delivered safely and successfully. The council has several functions to fulfil with regard to the delivery of events:

* A supporting role to work with event organisers to protect public safety
* As an event deliverer, hosting and resourcing events
* As an enabler working in partnership with external organisations to support and/or deliver high quality relevant events.

The Policy reflects:

* The importance of outdoor events to the economy and the community
* The demand from promoters to hold events in NEL
* The difficult balance needed to maximise event benefits while minimising the challenges that are faced in holding them.
* An understanding that a good range of events enhances the vitality, self‐image and reputation of North East Lincolnshire.
* A recognition that as events evolve and develop it will be necessary for this Policy to evolve and develop accordingly.
* That working with partners to provide a programme of safe and well managed events will be of benefit to residents, businesses and visitors.

The benefits of outdoor events include:

* A positive contribution to the local economy
* Developing community cohesion bringing local people together, whether as participants or spectators
* Raising the profile of NEL at regional, national and international levels
* The generation of income to the council which contributes to supporting the Council and Place priorities
* Promoting sport and physical activity which encourages regular participation and benefits the health and well‐being of the boroughs residents.
* Providing opportunities for local and national charities to raise funds.

**Policy Objectives**

The objectives of the policy are to:

* Ensure effective planning and management of events
* Maximise safety for those working and attending events
* Ensure the adherence to Licensing Objectives
* Ensure that events protect and enhance the environment, meeting community needs and promote economic growth
* Provide a framework for the application process to seek approval for outdoor events
* Ensure pre‐event consultation takes place
* Minimise the impact of events on the residents and businesses of the borough
* Set out a scale of charges for events
* Provide clarity on which council owned parks and open spaces are available as outdoor event spaces
* Develop the existing events programme with events throughout the year to optimise the impact of events on our economy.

**Event Application**

The size and type of the event determines how to apply and the fees payable.

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| **Size** | **Audience Capacity**  | **How to Apply** |
| Small | Under 500 | Submit Event Notification Form  |
| Medium | 500 to 5,000 | Submit Event Notification form and Event Management Plan  |
| Large | Above 5,000 | Submit Event Notification form and Event Management Plan and all supporting information |

\* Audience capacity is the maximum number of people expected at the event at any one time. All events will be required to comply with the guidance provided by the Purple Guide to Health, Safety and Welfare and Other Events http://www.thepurpleguide.co.uk/

Professional firework displays must comply with Health & Safety Executive Guide HSG 123.

Guidance on how to organise an event and a link to the event notification form is available on the Councils website <https://www.nelincs.gov.uk/licensing/organising-an-event/>

**For Small Events**

* The event organiser submits an ESAG form a minimum of 8 weeks before the event date.
* The form is assessed and a license and conditions of hire document are issued if permission is granted.
* The ESAG Form contains questions and guidance on the areas needed to consider before holding an event.
* A risk assessment and evidence of Public Liability Insurance (minimum £5m) is required for all events held on council land.

**For Medium Events**

* The event organiser submits an ESAG form a minimum of 3 months before the event date.
* Where an event is considered to have significant impact on an area, site or residents, or requires a considerable emergency services operation, event organisers will be asked to submit an event management plan.
* The form is assessed by the Event Safety Advisory Group and a license and conditions of hire document are issued if permission to use the land is granted.
* The ESAG form contains questions and guidance on the areas needed to be considered before holding an event.
* A risk assessment and evidence of Public Liability Insurance (minimum £10m) is required for all events.

**For Large Events**

* An initial discussion with the ESAG co-ordinator recommended and is followed up with the submission of a draft Event Management Plan at least 6 months before the event.
* If further development of the plan is necessary a timescale greater than 6 months may be required.
* Consultation with the Event Safety Advisory Group will take place and a series of multi-agency event planning meetings may be called, the event manager will be invited to attend these meetings.
* If the timescale for event planning is not met, Landlords’ consent may be withdrawn meaning you do not have permission to use the land for your event.
* A risk assessment and evidence of Public Liability Insurance (minimum £10m is required for all events.

All submissions are to be made via the Council Website <https://www.nelincs.gov.uk/licensing/organising-an-event/>

**Event Management Plan**

Organisers of large events will need to produce a plan which will be subject to consideration by the Event Safety Advisory Group. The plan must include but is not be limited to:

* Access Provision
* Cancellation procedure including adverse weather conditions
* Child and vulnerable adult protection
* Complaints procedure
* Concessions and caterers
* Crowd management
* Emergency control arrangements
* Entertainment
* Environmental / Sustainability impact
* Equal opportunity statement
* Event communication plan including named contacts
* Fire safety and evacuation
* First aid / medical
* Food safety
* Infrastructure
* Licensing requirements
* Lost children and property procedures
* Marketing
* Noise management
* Public liability insurance
* Risk assessments
* Sanitary provision
* Security and stewarding provision
* Site plans
* Production and event timetable
* Traffic management
* Transport management
* Waste management

**Licensing, Permissions & Insurance**

Event organisers must ensure that all required permissions and licenses are acquired in an appropriate and timely manner including but not necessarily limited to:

* + Consent to use council land
	+ Performing Rights Society (PRS)
	+ Phonographic Performance Limited (PPL)
	+ A Temporary Events Notice (TEN) or time limited premises licenses may be required.
	+ Permission from the Civil Aviation Authority (particularly for the use of drones)

The event organiser must provide evidence that they hold adequate insurance appropriate to the scale and nature of the event.

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| **Size** | **Audience Capacity**  | **Indemnity** |
| Small | Under 500 | £5,000,000 |
| Medium | 500 to 5,000 | £10,000,000  |
| Large | Above 5,000 | £10,000,000 |

The insurance needs to cover the whole period of the event from start to finish and includes times when the public are generally not present such as event set‐up and break‐down.

Employers Liability is required and should cover staff, contractors and volunteers.

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| --- | --- | --- |
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**Event Safety Advisory Group Advice (ESAG)**

The following will be used by ESAG to consider the safety of an event to be held on Council land. Information will be considered during the application process to ensure that the organiser has planned the event with due consideration of the objectives of this policy and the requirements for holding an event on council owned land.

* Public safety and security issues
* The organisers awareness of the financial implications of delivering the event
* The ability of the organisers to effectively plan, manage and control the event
* Impact upon the environment and damage limitation
* Impact of the event on regular users of public spaces, stakeholders and local residents (including those living close to but outside of the immediate event footprint)
* Timing of the event
* Size of event, numbers attending or numbers estimated to attend
* Impact on transport and traffic infrastructure to support the event e.g. parking, increased use of public transport and road closures.
* Type of event
* Opportunities for local participation
* The ability to demonstrate commitment to the Council’s equal opportunities statement
* Legal constraints
* Compliance with conditions specific to the event location
* Compliance with statutory requirements as required by the council as the Highways or Environmental Health and Licensing Authority e.g. noise disturbance and food hygiene
* Compliance with the Animal Welfare Act
* Compliance with reasonable requests made by the Event Safety Advisory Group, these should be provided in a timely manner and the response to the requests will be taken in to consideration in the decision to allow the use of council land.

**Council approval process as Landlord**

All events will require consent from the council in the capacity as landlord for the area the event is being held. This is provided by the licensing team who will take advice on event safety from ESAG before issuing consent.

**Consultation**

The level of consultation will be dependent upon the scale and location of the event with reference to the impact on its surroundings. The consultation process may include consultation with:

* Council staff to ensure the planned event fits with other planned activity and the council’s wider policy framework
* This Policy
* Internal sections of the council
* Emergency services
* Transport providers
* Local ward councillors
* External partners specific to an event location
* Communities of interest specific to the event (such as local residents and businesses that may be affected by the event)

A consultation plan will be agreed between the Event Organiser and the Event Safety Advisory Group to ensure that all relevant parties that may be affected by the event are consulted.

**Event Safety Advisory Group**

The ESAG has specific terms of reference but any event may be referred to the Group if significant safety issues are identified. The purpose of the group is to take an overview of all events taking place in the Borough, paying particular attention to days where a series of events are scheduled, to ensure the joint impact on the borough and surrounding areas infrastructure is understood, and those involved in the event have the capacity and capability to deliver a safe event as defined in the relevant statutory guidance.

The remit of the Group is therefore to advise on whether an event should proceed on safety and not any other grounds. Landlords’ consent may be withdrawn upon advice by ESAG on safety grounds only.

**Fees and Charges**

The fees for holding outdoor events are set out in the supporting document - Outdoor Event Fees. The Application Fee, Hire Fee and Reinstatement Deposits (if applicable) are payable once consent has been granted. If payment is not received in a timely manner permission to use the land will be withdrawn.

The fees applied depend on whether an event is:

* Commercial
* Charity (National)
* Charity (Local)
* Community

**Commercial**

These events provide a commercial benefit to a profit making business or operation including product launches, corporate events and other marketing and promotional activities for profit making organisations. Events organised by commercial organisations that are aimed primarily at improving public health and wellbeing will be considered separately to purely commercial events. Please contact the ESAG co-ordinator if you feel your event falls into this category.

**Charity**

Events organised by registered national or local charities and are predominantly fund raising events for the benefit of the charity. Locally based charities will be exempt from the majority of fees outlined in this policy. National Charities will need to make a case to the Council for any exemption to be applied to the fees and the primary consideration for waiving any fee will be on the contribution of the event to local priorities and outcomes.

**Community**

Any event organised by not for profit, community or voluntary groups that directly benefits residents and visitors.

The classification of the event type is subject to officer discretion and may affect any of the following:

* Whether an application is accepted
* The application and hire fees being charged or waived
* The length of time needed for an application to be considered
* The nature and duration of the consultation to be undertaken

**Application Fee**

This covers the costs of processing the application. If the same or similar event is held at the same location on a number of occasions during any calendar year then a single application can be submitted and will incur only a single application fee.

**Hire Fee**

This fee covers the cost of hiring the site. If electricity is provided on site and an organiser wants to use the electricity then a standard daily usage fee will also be charged. The daily fee will be reviewed annually and for 22/23 it will be £10 per day.

**Reinstatement Deposit**

A refundable deposit may be required to be lodged with the council in advance of the event where there is a potential risk of damage to the physical environment. The deposit will be required at the time the hire fee is due and will be used to fund any repairs or damage caused by the event. The minimum deposit will be £500. This figure could be up to a maximum of £3,000 depending on the size and nature of the event and will be discussed and agreed with the event organiser as part of the application process.

**Licensing Fees**

Under the Licensing Act 2003, if your audience is 499 or more at any one time (this figure includes audience, staff and performers) you will need a premises license to stage an event that includes regulated entertainment, sale of alcohol or late night entertainment. For further information on license fees please contact the Licensing Team (see contact details section). The council pays for an annual license for events staged in the main event spaces and event organisers will be required to meet the requirements of the license for events at these areas. If the activity is for less than 500 people a Temporary Event Notice (TEN) may be required.

**Waste Management**

Event organisers are required to have arrangements in place to minimise waste, promote recycling and where unavoidable, dispose of waste. All cleansing during and after the event must be carried out by the Event Organiser. If the event organisers’ arrangements are not sufficient and result in an increased service level being provided by the Council the costs will be charged to the event organiser and will be taken from the agreed reinstatement deposit. If an event organiser wishes to use the council waste service at their event to deal with waste management they should contact cleanandgreen@nelincs.gov.uk

**IMPORTANT NOTE**

The organiser is expected to remove all waste by the day after the event. The Council will remove any waste left longer than this time and we will recover the costs of this from the reinstatement deposit.

**Advertising the Event and Flyposting**

Posters advertising the event can only be placed at agreed locations. Event organisers should speak to the Council Highways team to ensure posters advertising the event are only placed in approved locations and that any posters are removed after the event. Any posters not placed in approved locations or left in place after the event will be deemed as flyposting and enforcement action will be taken against the event organiser including the cost of removal being charged to the event organiser and being taken from the agreed reinstatement deposit.

**IMPORTANT NOTE**

It is expected that all posters will be removed within 3 days of the event. Any posters left after this time will be removed by the Council and the costs of removal will be taken from the reinstatement bond.

**Road Closure Costs**

Where road closures are required to comply with Highway Regulation and Enforcement, a fee will be made to the event organiser for these formal road closures. The appropriate provision should be made to consult and/or contract with a Traffic Management Company or qualified Stewarding Company to assist with road closures. The current fees are available here <https://www.nelincs.gov.uk/roads-parking-transport/traffic-and-road-safety/traffic-regulation-orders/>

**Parking bay suspensions**

Where the event organiser requires parking bay suspensions to be put in place, a fee will be charged to the event organiser. In addition, if a car park is closed or partially accessible on an event day due to an event a percentage loss of income (relative to normal usage) may also be required from the organiser.

**Monitoring of events**

An Officer will monitor large events to ensure compliance with the policy and the location hire agreement. Where the council is required to provide staffing, equipment or other resources to the event, the costs for such resources may be charged to the event organiser.

**Sustainable Events**

The Council is committed to working with event organisers to improve the sustainability of events by protecting and enhancing the environment, meeting social needs and promoting economic success. Event organisers will be asked about their plans for sustainability at the application stage, including how they plan to:

* Support the local economy
* Minimise waste, water and energy use
* Encourage public transport and sustainable food
* Communicate with everyone involved with the event
* Minimise environmental impact by for example minimising the use of single use plastics

**General Regulations**

The following general regulations will apply to all events.

**Hours of Operation**

This will include both the duration of the event itself and the rigging and de‐rigging of the event site. The requirements will be specific to event locations. The terminal hour is determined by the open spaces premises licenses.

**Noise Levels**

Permissible noise levels will be dependent on specific locations and their individual requirements. A Noise Management Plan may be required to mitigate any potential noise disturbance. Reference should be made to the Noise Council’s Code of Practice for Environmental Noise Control at Concerts.

**Health & Safety**

The enforcing authority for health and safety for most outdoor events are the Councils’ Environmental Health, Health and Safety Teams. ESAG reviews the event notification forms and event management plans to ensure a risk assessment has taken place. ESAG works with event organisers and other agencies to ensure events are run safely.

**Food Safety**

Where the event involves the provision of food or has food franchises all traders should be adequately vetted to the satisfaction of Regulatory Services before being permitted to trade. If so required by an officer of Regulatory Services any food trader presenting a significant food safety risk should be instructed by the Licensee to cease trading. Sufficient time should be allowed for checks of food businesses which operate outside North East Lincolnshire.

**Transport Management**

Transport management is a major concern for events. Event organisers must liaise with the Council Highways Team and act on any appropriate guidance. Robust Transport and Traffic Management Plans should be drawn up as part of the event planning process for events where significant numbers of people will be travelling to an event.

**Vehicle Parking**

Approval must be obtained for onsite vehicle parking in relation to an event whether for the event organisers, participants or spectators.

**Animal Welfare Charter and Giving Animals as Prizes.**

All events including animals must comply with Animal Welfare Policy.

* The conditions for hiring or letting any of the Councils’ facilities – premises or land – shall include a clause specifically banning the provision of live creatures, animals or fish, as prizes. The Council opposes the giving of animals as prizes because:
* a) No preparation of animal housing, feeding or how the animal should be kept is available
* b) The prize winner may have little knowledge about the pet’s husbandry requirements in question or how to be a responsible owner
* c) The prize may be accepted without proper consideration or thought to the animal in question The Council encourages other private premises or landowners to follow this lead. Licensing officers will ensure that licensees are aware of their duty of care under the Animal Welfare Act 2006.

**Sanitary Provision**

The appropriate numbers and types of toilets must be provided for the anticipated number of people attending the event. It is the responsibility of the event organiser to ensure suitable provision and you cannot rely purely on any public conveniences in or near your event footprint.

**Important Note – events add to the numbers of people who would be in our towns, villages and parks on any normal day. We therefore expect all event organisers to provide adequate toilet provision for people that are attracted to the borough, or to any particular part of the borough, to participate in the planned event. Event organisers will need to demonstrate what additional provision they are providing. A license to use council land will not be provided without evidence that adequate toilet provision will be in place.**

**Environmental Protection**

Every effort should be made to minimise environmental impact and maximise the “green” production of events using recyclable and/or reusable products and materials. Reducing the amount of plastic waste will improve our environment, our health and the well‐being of animals. The Council encourages event organisers to reduce their use of single use plastics at events.

The release of helium balloons and paper lanterns powered by tea lights are not permitted to take place on Council land.

**Drones**

Only qualified and licensed pilots should be used to fly drones and permission to fly drones from council land is required. Guidance on the use of drones is available on the council website <https://www.nelincs.gov.uk/licensing/organising-an-event/>

**Community Safety**

The safety and security of event visitors, organisers and other members of the public must not be compromised by any event. It is the duty of all event organisers to make such provisions necessary as to ensure this is the case. Key items for consideration are:

**Security & Stewarding**

Security & stewarding personnel are key to ensuring the safety of all people in and around an event. All events must provide appropriately trained and briefed staff in positions to maintain crowd control, provide public information and to enforce any applied restrictions on entry and behaviour within the space, as well as to implement procedures in an accident or emergency situation. All staff working in a security role must be qualified to the appropriate level with the Security Industry Authority (SIA).

**Child and vulnerable adult protection**

Protecting vulnerable people is a fundamental part of the safety management of an event. Organisers are expected to make such efforts as necessary to remove the risk of the abuse or mistreatment of vulnerable people at events and to take appropriate measures if event staff identify situations of abuse or mistreatment whether related to the event or not. Event organisers will be expected to submit a child and vulnerable adult protection policy statement and lost children procedure as part of their application for the event, particularly if the crowd profile is mainly children and young people

**Medical & first aid provision**

Event organisers must carry out a medical risk assessment, considering such things as the activities, the numbers, types and age groups attending, access and egress, the site and structures, and other health, safety and welfare issues. Provision of adequate numbers and types of first aid and medical resources should be based upon published guidance such as HSG195

**Signage**

Signage within an event site should be clear to read using commonly understood language and symbols and be positioned such that it can be seen from a reasonable distance by event attendees. All main sanitary, medical and safety facilities, as well as emergency exits, should be signposted throughout the event site. Where signage and/or advertising are used outside of the event site, guidelines around outdoor advertising must be adhered to.

**Legislation, Regulations and Guidance**

All events must conform to relevant legislation, including but not limited to:

* Health & Safety at Work Act 1974
* Health & Safety (First Aid) Regulations 1981
* Data Protection Act 1994 and 1998
* Equality Act 2010
* The Management of Health & Safety at Work Regulations 1999
* RIDDOR 1995
* Town and Country Planning Act 1947 and 1990
* Licensing Act 2003
* The Children’s Act 1989
* Temporary Demountable Structures Guidance 2007
* Fire Regulatory Reform (Fire Safety) Order 2005
* Firework Regulations 2004
* Safety at Sports Ground Act 1975
* Private Security Industry Act 2001
* Environmental Protection Act 1990
* Noise Act 1996
* The Control of Noise at Work Regulations 2005
* Council Byelaws

**Publicity & Advertising**

Using outdoor banners, posters or any other media must comply with the council’s guidelines on advertising in public spaces. Advertisers must have permission from the land owner or Council. Where unapproved fly posting can be linked to an event, the event’s organiser will be deemed in breach of their contract with the council and will subsequently incur any associated costs arising through the council having to remove such material.

Communicating the details of an event to attract residents and visitors is an important part of event planning. All events submitted via ESAG will be included on the Councils event calendar.