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Public Space Events Policy

**Introduction**

Events are a vital element of Torbay’s cultural offer, and as well as showcasing talent, tapping into artistic excellence and celebrating cultural heritage and diversity, events make a major contribution to the wider agenda of community cohesion and well-being, and make a contribution to the economic well-being of the area. Participation, including volunteering opportunities, can raise horizons, increase life chances, tap into potential, and raise aspirations as well as providing positive activities that can contribute to health and well-being.

Events have to be managed effectively and contained within the agreed budgets and resources in the same manner as any other council function. Therefore, the purpose of this policy is to:

* Set out principles and procedures, with the aim of providing clear and transparent processes for events organisers.
* Provide a clear structure and processes by which all groups and organisations must work within.
* Form part of a binding contract for event organisers wishing to use Torbay as a location.
* Provide consistent control, management and monitoring of events in Torbay especially during pre-event consultation and planning.
* Provide the guiding principle for all outdoor events in Torbay, supplemented by other policies that are site specific to venues that need additional practical considerations or are sensitive in other ways.

**Our Ambitions**

The policy aligns itself with Torbay Council’s Corporate Plan 2015-2019. In order to create a Council fit for the challenges of the future, we will focus on creating a prosperous and healthy Torbay. The principles supporting these ambitions are:

* A prosperous Torbay
* A healthy Torbay
* Delivering for the future
* Use reducing resources to best effect
* Reduce demand through prevention and innovation
* Integrated and joined up approach

Events and associated activity positively contribute to our ambitions by untapping vast depths of potential, creating a strong sense of community, improving the health and wellbeing of our residents and supporting a culture of innovation and imagination.

**Event classification and lead times**

(Small, large, new and high risk events)

The size classification for an event will be based around the expected ‘audience capacity’. This is the maximum number of people expected to be at the event at one time, and not the total number of people who may experience the event throughout the day(s). The event classification will determine the amount of time that a full application must be submitted prior to the event taking place. In addition, new and high risk events will need additional consultation time to be considered by the Council’s Events Team and the Public Safety Advisory Group (PSAG), please refer to ‘Event notification procedures and the Public Safety Advisory Group Policy.’

To request to stage an event on Council land outline information must be submitted to the Council before any formal event management plan paperwork is submitted, in order to seek agreement to stage an event on a specific site for a specific period of time which will be agreed by the Council. Once approval is received, event organisers may go ahead with the ‘Application to use Council Land’ form and accompanying Event Management Plan.

* **Small events are event with up to 499 participants/audience.**
* **Large events are event with more than 500 participants/audience.**

**Small events** are events with audience capacity numbering 499 or below. Once a request to stage an event on Council land has been granted, full applications for small events must be submitted a minimum of twelve calendar weeks before event set up on site begins. Where an event is new or considered to have potential for significant impact on an area, site or residents, or where it has proven difficult to achieve appropriate event planning paperwork in the past it will be considered as a new or high risk event regardless of estimated audience size (see below).

**Large events** are events with an audience capacity of 500 or more. Full applications for large events must be submitted a minimum of twelve calendar weeks before event set up on site begins. Unless it is considered to be a new or high risk event (see below).

**New or high risk events** will need additional time to be considered and for plans to be fully worked through and understood in collaboration with the Public Safety Advisory Group (PSAG). New and high risk events will need to allow at least twelve months’ notice to be fully considered by PSAG and events officers and for all elements to be adequately in place.

**Criteria for agreement to an event**

The following criteria will be used to determine whether initial approval will be given to a specific event, final approval will be subject to a full application and event management plan being submitted. These criteria should be read alongside the application process to ensure compliance with the objectives of the Events Policy and the requirements for holding an event. Applicants will also need to refer to the Council’s Use of Council Land – conditions of use which will accompany the application form.

* Security and public safety issues
* Effect on the fabric of the area and damage limitation and meeting site specific limitations
* Effect of event on regular users of public spaces, stakeholders and local residents i.e. is the event to be fenced off and a charge made for entry?
* Timing of the event
* Size of location, numbers attending or numbers estimated to attend, an outline site plan showing the positions of permanent structures, toilets, first aid, emergency vehicle access, stalls, marquees, performance areas etc.
* Impact on transport infrastructure to support the event e.g. parking, increased use of public transport and road closures
* Quality of the event
* An outline risk assessment
* The creation of opportunities for local participation
* The ability to demonstrate the impact of the event on local business
* No financial risk to Torbay Council for events which are external to the Council
* Legal constraints
* Compliance with conditions specific to the event location

**Application to use Council land and Event Management Plan**

Upon initial approval of the event, event organisers need to complete and return the ‘Application to use Council land form’ and return it along with an event management plan which must be provided to, and may be subject to scrutiny by, Torbay Council’s events manager or representative, and the Public Safety Advisory Group (PSAG) please refer to Torbay’s Event Guidance Document [www.torbay.gov.uk/hold-an-event](http://www.torbay.gov.uk/hold-an-event)

Where it is considered appropriate by any member of the PSAG, the event organiser will be required to present the event management plans to a meeting of the PSAG for direct questioning and scrutiny.

Information required within the event management plan will be:

* Access provision
* Child and vulnerable adult protection statement
* A detailed site plan showing the positions of permanent structures, toilets, first aid, emergency vehicle access, stalls, marquees, performance areas etc.
* Impact on transport infrastructure to support the event e.g. parking, increased use of public transport and road closures
* Proof of valid and current public liability insurance (minimum cover £5million) (organiser to additionally have copy of public liability insurance certificates for third party suppliers/providers of services for the event), the Council’s insurance officer may request an increased amount after reviewing the application.
* Crowd management plan
* Emergency control plan
* Environmental impact assessment
* Equal opportunity statement
* Event communication plan
* Fire procedures and fire risk assessments
* Health and safety risk assessments
* Medical plan / first aid provision
* Food safety plan
* Noise management plan
* Lost child procedure
* Marketing plan
* Full risk assessments
* Sanitary plan
* Security and stewarding provision
* Production and event timetable
* Transport infrastructure plan
* Waste management plan
* Disposal of grey water
* Protection of the land and reinstatement
* Full traffic management plan

The level and extent of the information needed may vary depending on the size of the event. For small events where certain items from the above list are not considered as relevant, there is still expected to be written consideration of each item, even where this is simply highlighting the non-requirement to provide plans for this area.

Failure to submit an appropriate event management plan will result in an application being refused.

**Fees and Charges**

All events are charged a refundable deposit fee. This is returned in full if no damage has occurred to the land (or any of its fixings) during the event.

The level of risk is dependent on how many and what type of vehicles will be present on site or used for the event. The greater the size/weight and amount of vehicles increases the risk of damage.

Please note the prices below will apply to events taking place from 1 April 2017 to 31 March 2018. The core event Season is Easter to the 30th September to allow for reinstatement over the winter months. Consideration will be given to an event outside of these dates.

**Deposit fee**

A refundable deposit will be required to protect against potential financial risk to the council. This deposit will be due at the time the hire fee is due and will be used to fund any repairs for damage caused by the event. An inspection of the site will occur after the event has been vacated and any reinstatement costs agreed with the event organiser. Should any funds remain after repairs are completed, the remainder will be refunded. Where the damage deposit is not sufficient to pay for damage caused, the organisers will remain liable for all additional costs. Where no damage has been caused to the site the deposit will be returned.

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| **Deposit fees for use of council land** |
| **Expected Attendance** | **Low Risk** | **High Risk** |
| Up to 500 | £100.00 | £300.00 |
| 501-1000 | £300.00 | £900.00 |
| 1000+ | £1000.00 | £3000.00 |

**Charges**

There is a £100 non-refundable administration charge for all events.

The Council currently offers a **100% subsidy** for registered charities and community groups using Council land, including set up and take-down days.

**Commercial organisations will usually be referred to undertake a tender process.**

Full payment of all fees must be made and cleared a minimum of 10 working days before any event arrives on site.

**Costs to the council**

Torbay Council staff will monitor events in situ, to ensure compliance with this policy and the location hire agreement. The costs of these visits are not recharged. However, where the Council is required to provide staffing, equipment or other resources to the event, the cost of such resources will incur an additional charge to the event organiser.

Where possible these costs will be agreed before the event, but when an unforeseen situation arises which requires immediate action by Council staff this action may be taken without negotiation. Where the event organiser is responsible for this situation they will remain liable for costs incurred by such action.

**Licensing and Permissions**

Event organisers are responsible for ensuring that all required permissions and licences are acquired in an appropriate and timely manner. This will include, but is not limited to:

* Consent to use council land
* Planning permission
* Advertising consent
* Temporary events notice (TEN) or time-limited premises licence may be required by event organisers. These do not constitute permission to use the land.

Hours of use for all council land is between 08.00 and 23.30 hours. No work is to be permitted between the hours of 23.30 and 08.00 hours unless agreed by the Council in special circumstances. Licensing times will vary depending on the specific site. In general entertainment can take place between 10.00 - 23.30 hours. Events must confirm they wish to use the Council's Entertainment licence. If they do they must comply with its conditions

The Council own a number of sites with an associated premises Licence for Entertainment and Alcohol. All related conditions must be adhered to by the organiser if they wish to operate within the Council Licence. These sites and conditions can be found on the website at: licensing@torbay.gov.uk or by contacting the Events team: events@torbay.gov.uk

**Environment**

**Hours of operation** for both an event and set up of event infrastructure must be detailed in the application process. Careful consideration should be given to the affect the hours of operation will have on residents and others using the open space.

**Noise** some events will require an independent acoustic consultant on site to provide continual monitoring of noise levels other events will require a noise plan to be developed prior to the event and noise output monitored during the event. Community Protection will be consulted on all applications and may require noise mitigation measures to be put in place. For further information contact karl.martin@torbay.gov.uk

**Transport Infrastructure** should be a major concern for large events. Event organisers must liaise with Torbay Council’s highways and parking sections and act on appropriate guidance. A robust transport management plan should be submitted as part of the application process. Contact: highways@torbay.gov.uk and/or parking@torbay.gov.uk

**Waste management**. Organisers must make their own arrangements for the collection and disposal of waste. Larger events might well require professional refuse collection.

It is the event organiser’s responsibility to arrange removal of all rubbish from the site. You will not be permitted to use any council skip/litter bins for disposal without prior agreement. The Event Organiser should ensure that the site is regularly litter picked during the event and at the end of each day to ensure that the Council’s obligation under the Environmental Protection Act 1990 – Code of Practice on Litter and Refuse is discharged. The Council’s contracted waste management operator Tor2 can help with waste management. The Events Team can assist with this. Contact: events@torbay.gov.uk

Any additional costs for clearance of litter arising from the event incurred by Torbay Council will be invoiced to the Event Organiser.

A waste management plan must be submitted as part of your Event Management plan as above.

**Sanitary provision** an appropriate number and types of toilets are provided to service the anticipated number of people at events. Where public toilets are to be used, the Events Team may request the event organiser pay for additional cleaning/servicing of these facilities or that temporary accessible, wheelchair friendly toilet facilities be provided.

The number of toilets required will depend on the number of people expected to attend your event, based on the British Standard. Note; the table below shows a general guideline for an event over a 6 hour period. These figures may be too high for short duration, non-peak period events such as community events and garden parties, or too low for events with high levels of fluid consumption.

Female conveniences:

1 toilet per 100 females

Male conveniences,

1 toilet per 100 males, plus 1 urinal per 150 males

1 toilet for every additional 600 males plus 1 urinal per 175 males

When siting toilets remember to make them accessible and allow room for queues. Cleaning and emptying the toilets is also a vital consideration, and is lighting if you are planning an evening event.

Please submit details of your proposals to include method of disposal, and if toilets are hired, the name and address of the hire company. Include your Sanitary plan as part of your Event Management plan as above.

Public Toilets supplied by Torbay Council are not guaranteed and arrangements should be confirmed at least twelve weeks prior to the event. (A charge will be applicable for additional operating hours). These fees will apply from the published operating times.

**Outdoor advertising**. The display of banners and posters must only be done so with permission from the land owner and local authority. The Council has a number of designated banner sites. Details can be requested by emailing: banners@torbay.gov.uk. 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. Where possible, prosecutions will be taken and future applications from offenders will not be accepted.

Event organisers can place a promotional vehicle or movable sign on the designated event area i.e. Paignton Green, in agreement with the events team, as long as the movable sign or promotional vehicle complies with Planning regulations (28 day rule). A fee of £30 per day for a charity or community group is payable, the fee for commercial operators is negotiable in line with the charge for town centre sales/promotions.

**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. Consideration should be given to:

**Security and stewarding**, depending on the type of event appropriately trained and briefed staff should be in position to maintain crowd control, enforce any applied restrictions on entry and behaviour within the space, as well as 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 protection**, organisers are expected to make such efforts as necessary to remove risk of the abuse or mistreatment of children 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 protection policy statement and lost children procedure as part of their application for the event. All event organisers have a ‘statutory duty of care’ especially to children and vulnerable adults, event organisers must ensure that all providers of children’s activities have a Disclosure and Barring Service check, where appropriate (see <https://www.gov.uk/government/organisations/disclosure-and-barring-service> ),and submit a lost children procedure was part of their application.

**First Aid** cover must be provided by the event organiser, a medical plan will be required as part of your Event Management plan (as above) and resources such as an ambulance or medical centre may be required to be on site. Suggested organisations who may be able to assist include The Red Cross and St Johns Ambulance.

**Fire Safety** the event organiser is responsible for the safety at the location. A fire risk assessment will be required as part of your Event Management plan (as above) and the fire service should be made aware of any large events. Access for emergency services must be kept clear at all times.

**Food/Alcohol.** All catering units using Council land must be rated 3\* or above under the national food rating scheme**.** Proof of this will be requiredas part of your application process. Caterers are required to have the appropriate food hygiene certificates if high-risk food products (i.e. cooked meats, burgers etc) are to be served at the event. No event with alcohol is permitted without the relevant licence from Torbay Council’s Licensing Team and permission from the Events Team. Contact: licensing@torbay.gov.uk and/or events@torbay.gov.uk

**Road Closures**

Torbay Council must be informed of **ANY** proposed temporary road closures for an event. A Temporary Traffic Regulation Order may be required. For further advice please contact Parking Services direct on 01803 207695.

All applications must be received a minimum of 12 weeks in advance of the proposed date of the event. Please submit a printed map to include road names, the event location and all proposed road closure(s).

If the Council agrees to your proposal for a temporary road closure this will be followed by a 5 day consultation period to inform the Emergency Services and Stage Coach Ltd. This allows for any objections to be raised at an early stage.

Your application must also fulfil the following criteria:

1. The Event Organiser will advertise the event in the local press at their own expense and pay any administrative costs associated with any road closures or possible parking suspensions required.
2. The Event Organiser will liaise directly with the Police and relevant Council departments required in order to hold the event.
3. The Event Organiser will comply with the Public Safety Advisory Group requirements as well as their own legal responsibilities in holding the event.
4. The Event Organiser will be responsible for the placing and removal of all advisory and diversionary route signs and barriers associated with diverting traffic and for any cost thereof.
5. The Event Organiser will be responsible for providing clear directional and information signage at your event. Multilingual signs may also be required. All signage placed on/or adjacent to the public highway must be agreed with the Highways department and placed out by a qualified person. When the highway is to be closed for an event to take place, signage must be placed out 7 days prior to the event taking place.
6. The Event Organiser will be responsible for ensuring access for all emergency vehicles during the period of the road closure.
7. The Event Organiser will provide evidence of a current Public Liability Insurance policy for the event to Torbay Council.

**Parking Suspensions**

Please contact Parking Services if you wish to suspend the parking on/around the road where your event is to take place. The Council is legally obliged to inform the public of their intention to suspend any parking. Notices and cones will then be placed out 7 days prior to the parking suspension taking place. There will be a cost for this legal process to take place

**Insurance**

The Council requires proof of the existence of your Public Liability Insurance cover until this is received; permission to hold the event is unable to be granted. Event Organisers are required to hold a current policy of Insurance in respect of Public Liability or Third Party risks (including products liability where appropriate). The relevant limit of indemnity shall be no less than £5M but it remains the responsibility of the organiser/operator having taken independent professional advice to determine the appropriate level of cover having regard to the nature of their operation and the perceived level of risk. The council reserves the right to require a higher limit if deemed necessary.

All contractors and performers need their own Public Liability cover and depending upon the nature of your organisation and the proposed event other insurances may also be required. The event organiser should obtain and retain a copy of the Public Liability Insurance details for any exhibitor, performer/group, sub-contractor, caterer or Third Party etc. whom they have instructed/authorised to appear at the event. It is not sufficient just to ask if insurance is in place; evidence will be required in the event of a claim.

**Note: All documentation must be produced no later than twelve weeks before the Event date. Failure to comply may result in the council refusing to grant permission for the holding of the event.**

**Additional Requirements**

A detailed site plan showing the positions of stalls, marquees, arena, exhibition units, car parking etc. and list of programme items is required. In respect of races etc. a detailed route plan which must also show location of route marshals must be provided. This will be provided as part of your Event Management Plan as above.

**Legislation, regulations and guidance**

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

* Health and Safety at Work Act 1974
* The Management of Health and Safety at Work Regulations 1999
* Town and Country Planning Act 1947 and 1990
* Licensing Act 2003
* Managing crowds safely: a guide for organisers at events and venues
* Torbay Council General Conditions for Recreation Land
* Torbay Council Water Policy
* Event Safety a Guide for Organisers
* Torbay Public Safety Advisory Group
* Purple Guide available at [thepurpleguide.co.uk](https://www.thepurpleguide.co.uk)
* Managing crowds safely guide available at [hse.gov.uk/pubns/books/hsg154.htm](http://www.hse.gov.uk/pubns/books/hsg154.htm)

Useful websites:

[www.hse.gov.uk](http://www.hse.gov.uk)

[www.torbay.gov.uk/licensing](http://www.torbay.gov.uk/licensing)

[www.torbay.gov.uk/planning](http://www.torbay.gov.uk/planning)

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

[www.torbay.gov.uk/hold-an-event](http://www.torbay.gov.uk/hold-an-event)