

**4<sup>th</sup> December 2017**

**Community and Housing Committee**

**Events on Open Spaces - Fees and Charges/Procedure/Protocol**

**Report of:** Dawn Taylor – Business Support Services Manager

**Wards Affected:** All

**This report is:** Public

**1. Executive Summary**

- 1.1** To update existing Terms and Conditions for Events on Open Spaces to ensure up to date procedures/legislation.
- 1.2** To introduce some new categories on the fee and charges (Appendix A).
- 1.3** Recommended amendments to fees and charges in respect of events on open spaces for commercial and community events are incorporated into the budget setting process to take effect from the following financial year.

**2. Recommendation(s)**

- 2.1** Members to agree the new categories on fees and charges schedule (Appendix A).
- 2.2** Members to agree the introduction of the on-line application form (Appendix C) and payment form for requests for events on open spaces from 1<sup>st</sup> April 2018.
- 2.3** Members to agree the amendments in Terms & Conditions (Appendix B), with immediate effect.

**3. Introduction and Background**

- 3.1** Events requested to be held on Council land such as outdoor keep fit classes/boot camps, sponsored events /charity walks, family fun days, corporate team building days, outdoor cinemas etc are subject to applicants applying for permission and paying a fee prior to the event once approved.

**3.2** The current system for applicants applying for permission to hold events on Council Land was put in place following a decision made at the Retail Community and Culture Panel meetings on 15 November 2011 and 8 February 2012. The current procedure is detailed below with the information from the Councils website: -

*“On deciding on your event and where you would like to hold the event you are required to read and sign terms and conditions, complete application form, submit copies of required documents i.e. risk assessment, public liability insurance, DBS check of event staff who will come into direct contact with children at the event.*

*Check if you need License – if you are planning to provide certain types of entertainment (singing, music, dance, drama) and/or the sale of alcohol you will need to apply for a licence. You can download the application forms and detailed guidance on the Licensing Act 2003 from [www.legislation.gov.uk](http://www.legislation.gov.uk)<<http://www.legislation.gov.uk/>*

*If you require more information on licensing in Brentwood please contact the Licensing team on [licensing@brentwood.gov.uk](mailto:licensing@brentwood.gov.uk) : or visit page on website for licensing.*

*Once we have received your application, officers will acknowledge your application and then assess the application and forward on their recommendation(s) to the Chief Executive and Chairman of Community Panel and/or Vice Chairman for a decision under delegated powers. Ward Members will also be consulted on any application(s) in their ward and asked for feedback prior to decision.*

*Once decision has been made Officers will advise the applicant of the decision, if it is decided that the event is able to go ahead the hire fee will now be requested in full prior to the event and an invoice will be issued. For larger events a bond will also be required and held until after the event in case of damages to land after the event. For details of fees see below.*

*Litter picking post event – a fee for this will be mandatory for large events unless the applicant contracts to deal with litter. (Refer to fee schedule below)*

*Refer to Terms and Conditions in respect of damage to land, trees, property etc following and event, but after events officers will access grounds and any damage will be charged for.*

## Current Fees for 2017/18 - Hire of Public Open Spaces for Other than Sport

*Items marked # require a deposit, Bond or other mechanism to cover reinstatement costs in the event of damage*

*Note: Price is for use of the space, other licences are not included (see note above)*

*Price for use of large open spaces (King Georges Playing Field and The Brentwood Centre)*

*Large Events - Using more than 1/2 Field and over £5 highest admission price to residents - £2,102.00 + VAT per day Medium events - use of more than 1/2 field and under £5 highest admission price- £736.00 + VAT per day*

*Small events use of less than 1/2 field - £ 316.00 + VAT per day*

*Keep fit sessions - no cordoning off field £38.00 + VAT per session (up to 2 hours) or if regular classes can pay £154 (which would allow one class per week on open spaces)*

*Litter picking post event - 95.00 + VAT per day*

*Non-commercial or charitable events (following approval by ward members 50% discount off above fees)*

*Price for use of other open spaces < 50 Ha - Daily charge for use of space - £316 + VAT per day.”*

- 3.3** Applicants for large events (events with 500 plus participants expected to attend) also are required to attend the Council's Safety Advisory Group (SAG) which is chaired by the Council's Licensing Manager and attended by representatives from partners such as ECC, Essex Police and Fire Officers.
- 3.4** The Terms and Conditions (Appendix B) and Application Form (Appendix C) have been updated to ensure current and up to date and have now included a section about Fireworks and Officers consider that only professional firework displays run by organisers who are members of British Pyrotechnists Association as such they will adhere to the BPA professional industry standards for these events.
- 3.5** Three new fee categories have been included within the fees and charges options for clarity.

## **4. Issue, Options and Analysis of Options**

- 4.1** Fees and charges, Officers are recommending the current fees are all increased by 3% within the fees and charges report, and that the following categories are to be considered for inclusion with effect from 1<sup>st</sup> April 2018.

- Wording for Keep fit sessions (for both one off sessions and regular annual classes) to be amended to read “Outdoor activities such as Boot Camp, keep Fit, Yoga, Forest Schools, Orienteering events etc”
- New category for family events/celebrations (other than usual enjoyment of parks such as picnics/ball games etc). We are recommending there is no fee for this category, however, if the activity included things such as erecting a bouncy castle, gazebo, family festivals etc that we would request they gain permission and complete the application form and submit risk assessments etc as appropriate for the event. This category is not currently covered, and officers have often had requests for such events that do not fall within any of the current event categories.
- New category for Event organisers booking multiple large events – if an organiser is booking multiple events in advance, i.e. 10 events in a 12-month period (to be paid 6 monthly) in advance they will receive a 25% discount if paid on line prior to the events.

**4.2** Currently once an applicant has permission from the Chair of this panel and the Chief Executive (and them taking on board comments from Ward Members) officers send an invoice for the event to the applicant; we are from 1<sup>st</sup> April 2018 going to cease sending out invoices for approved applications and set up an on-line payment form for them to pay, this will ensure that the fee is paid prior to the event.

## **5. Reasons for Recommendation**

- 5.1** Including new categories on the fees and charges will clarify areas that have not been included previously to help make the procedure more comprehensive and clear.
- 5.2** Introducing on-line payment form for applicants (from 1<sup>st</sup> April 2018) to use rather than invoicing will ensure payment is received prior to event – the applicants would only be given the link to this on-line form once the event has been given approval.
- 5.3** The original application will also from 1<sup>st</sup> April 2018 be an on-line application form with mandatory categories (i.e. attaching relevant paperwork such as risk assessments, site plans, insurance policies, at the point of applying), this is in keeping with a modern Council and providing an efficient and effective system.
- 5.4** Ensuring that the Terms and Conditions (Appendix B) and the Application Form (Appendix C) are up to date with procedures and legislation.

- 5.5** For safety reasons on Council owned land the Council will not permit any Firework displays apart from professional organised displays whereby the organisers are members of the British Pyrotechnists Association and adhere to BPA professional industry standards.
- 5.6** New categories as detailed in section 4 are introduced for clarity further to listening to feedback from applicant's that did not previously fit into any of the existing categories. The discount for multiple events for large events will help the organiser's plan events in advance to secure the discount. To receive the discount the applicant will need to pay in advance.

## **6. References to Corporate Plan**

- 6.1** To ensure the provision of efficient and effective services to our residents and businesses.
- 6.2** A Modern Council – providing increased customer satisfaction in the quality of Council services.

## **7. Implications**

### **Financial implications**

**Name & Title: Jacqueline Van Mellaerts, Finance Service Manager and Deputy Section 151 Officer**

**Tel & Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk**

- 7.1** The fees and charges referred to in this report will inform the 2018/19 budget setting process.

### **Legal Implications**

**Name & Title: Daniel Toohey, Legal Services Manager and Monitoring Officer**

**Tel & Email: 01277 312860/daniel.toohey@brentwood.gov.uk**

- 7.2** Publishing the Council's fees and charges as well as providing transparency satisfies legal process. The power to charge in these circumstances is by use of the Council's general power of competence under the Localism Act 2011. It should be noted that the Department for Communities and Local Government has gone out for consultation on whether the Secretary of State should use his powers under section 151 Local Government and Housing Act 1989 to make regulations to prohibit, limit or repeal powers of local authorities to charge for park runs in public parks.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

**Health & Safety implications**

**Name & Title: David Wellings, Health & Safety Officer**

**Tel & email: 01277 312518/ david.wellings@brentwood.gov.uk.**

- 7.3 The Health and Safety implications include the Council's arrangements to enable legal compliance with statutory responsibilities for using the Council's public open spaces.

**8. Appendices to this report**

Appendix A – Fees and Charges – Open Spaces

Appendix B - Events on Open Spaces Terms & Conditions

Appendix C - Application Form

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