

# Folkestone & Hythe District Council Events Management Policy 2018

## Folkestone & Hythe District Council Events Policy

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## 1. Introduction

- 1.1. Folkestone & Hythe District Council owns and manages numerous areas of land in the district and currently facilitates a significant number of varying events within these areas each year. This policy will detail the Council's goals in facilitating the staging of events. The accompanying **Events Management Procedures Guidance** will outline what is required / expected of event organisers when planning or facilitating events in and around the district.
- 1.2. The Council understands that each park and open space is used by a variety of people for a range of purposes. This is why the Council will go through careful planning and consultation so that benefits from events can be maximised, while keeping disruption to any specific location, the local environment, local residents and the local business community is kept to a minimum.
- 1.3. This policy applies to events on land and parks owned or managed by the District Council, or are large scale events on private land that require specific traffic and/or safety management planning.
- 1.4. It is recommended that small scale events on private land, which do not require specific permissions, but which involve high risk activity are nevertheless recorded on the District Council's EventApp see s 8.8.

## 2. Benefits to the Community

- 2.1. Well organised festivals and events are recognised for their ability to produce benefits for the local economy, bring life to an area, create interest in the area and reflect the District's cultural diversity.
- 2.2. This policy will focus on events that take place in the District Council owned parks and open spaces.
- 2.3. This document provides a framework for events and festivals in the district. It recognises that major events represent business, cultural, leisure and sporting assets and make a positive contribution to the perception of an area, help to stimulate economic activity and enhance social and cultural wellbeing.
- 2.4. The Folkestone & Hythe district has an established history and tradition of hosting events and festivals. There is a comprehensive and diverse range of activities from music, historic, arts and cultural events to community events that have direct links to the well-being and cohesion of the local community.
- 2.5. Through the facilitation of events, the Council can promote itself as a place of business, culture and community. Many additional benefits can be drawn from facilitating events with each event potentially benefiting different sectors of the community and local businesses. A cross section of the community will need to be represented throughout the programme of events and consideration will also need to be given to the impact events will have on local businesses, communities and residents.

2.6. The benefits associated with events can include:

- An improved awareness of Council owned and managed land
- Opportunities for young people through performance and employment
- A cultural boost to the local community
- Development of a strong community
- Improvements on cross community relations
- A boost to the local economy
- Business opportunities both at and surrounding events
- A source of income for local projects through fundraising
- Enhancing the image of the district
- Stimulating inward investment

2.7. The District's events and festivals are an integral part of delivering core elements of the Council's Corporate Plan and Economic Development Strategy.

### **3. Aims and Objectives**

3.1. The aim of this Events Management Policy and the accompanying Events Management Procedures Guidance is to outline how events in the Folkestone & Hythe district should be run for the benefit of the district, its residents, the event organisers and those who attend events.

3.2. To achieve this aim, the council will seek to achieve the following objectives:

- Will work towards ensuring effective forward planning and management of events, with public safety and the minimisation of public nuisance always being a priority.
- Ensure that events are being run with due regard to the correct and current legal requirements as well as industry best practice and specific Council policies.
- Events are planned and run with sufficient environmental protection policies in place to ensure the protection of the district's assets and with minimal disruption to the environment and wildlife.
- Sufficient and thorough consultation will be carried out with key stakeholders in a timely fashion to maintain a diverse programme of events that are suitable and have been accepted by the wider local community.
- The range and number of events are sensitively increased across the district to maximise income for the Council and local businesses where possible, while ensuring that the disruption or nuisance to affected communities is kept to an acceptable level.
- To encourage the local community to organise events that are popular and well attended
- To ensure events contribute to and enrich the cultural diversity, vibrancy, economic vitality of the district.

- To ensure that event organisers are aware of their responsibilities and that these are fulfilled.

## 4. Type of Events

4.1. Most events differ depending on their scale, location, content, purpose and target audience. It is easy to recognise that a large music concert will require significantly more planning, have an increased impact locally and will incur higher associated costs than a small community fair. However, particular elements of planning / consultation and indeed costs are relevant whatever the size or content.

4.2. Through the 'type of event' classification, hire charges, licence fees and other associated costs can be determined along with the level of planning and the appropriate notice required to plan effectively for an event. Events can be classified according to the following considerations:

- **Purpose:** What is the purpose of the event? Is it a community led project, a commercial venture, a private event or a corporate event? (see section 5)
- **Scale:** How many will attend? Are there any special considerations? (see section 6)
- **Content:** What is the content of the event? (see section 7)
- **Licensing:** Does the event provide licensable activities, such as the sale of alcohol, the provision of music / performance / facilities for dancing or late night refreshment? (See licensing section for full list of licensable activities)
- **Duration and Timings:** The duration and proposed timings of the event
- **Location:** What is the proposed location of the event? (see section 9)
- **Impact:** What are the likely impacts on the local community?
- **Stakeholder interest:** What involvement will there need to be for Police, Highways agency, Ambulance services etc.

4.3. From these considerations the Council will gain an indication of any negative impact of an event on the district or the district's residents. This will influence the Council's decision on whether an event will be granted permission to proceed.

## 5. Purpose of the Event

### Community Event

5.1. When the event is organised by the community for the community, it is free to enter/attend and is not for the purpose of selling or promoting a commercial product, it shall be deemed as a "Community Event". Further to this, community events are generally not-for-profit, but can still be regarded as a "Community Event" if they are fundraising through charging entry to an event. This can only be considered where all monies gained through entry charges, trader's fees, caterer's fees and any other means go directly to benefiting the community or a non-exclusive community organisation. Ultimately the decision lies with the Council as to whether an event is considered a "Community Event."

## Charity / Fundraising Events – Local and National

5.2. This category includes events that are organised by not – for – profit organisations but can also include events run by commercial companies for charitable fund raising e.g. bike rides and charity runs. These events will need to benefit the district and local residents.

## Commercial Events

5.3. Commercial events are deemed as events that provide a beneficial gain to a particular individual, group or company, be it financial or promotional. The following events are classed as commercial events; however the list below should not be considered exhaustive:

- Corporate events
- Commercial Music, Cultural, Theatre or Comedy, Concerts or Festivals
- Marketing and promotional activities for profit making organisations (not charitable or fundraising)
- Circuses
- Fun Fairs
- Private events e.g. a wedding reception / private party / large picnic

5.4. An event can fall into more than one category e.g. events can be community-led and also be considered commercial. The final decision on how an event is classified will rest with the District Council.

## **6. Scale of the Event**

### Small Scale Events

6.1. Small events are classified as those with a potential attendee and staffing level of under 500. Organisers will need to limit capacity to the agreed level accordingly. (Events using a temporary event notice are limited to 499 attendees.)

### Medium Scale Events

6.2. Medium scale events are defined as those with a potential attendee and staffing level of between 500 and 4,999. Organisers will need to limit capacity to the agreed level accordingly.

### Large Scale Events

6.3. Large scale events are classified as those with a potential attendee and staffing level of between 5,000 and 9,999. Organisers will need to limit capacity to the agreed level accordingly.

## Special Events

6.4. These are defined as:

- Any event with attendance and staffing levels of 10,000 or more will be classified as a special event.
- Any event that the District Council considers to be particularly disruptive, it might be deemed as a special event, even if the potential attendee and staffing level is under 10,000.

6.5. The District Council will take into consideration the impact of both the maximum attendance at any one time and the total footfall of the event. It will also be the decision of the Council as to whether the total footfall or maximum attendance at any one time should be used to determine the scale of an event that spans multiple days.

6.6. The scale of an event will determine the required notice period to be given to the District Council to enable sufficient planning, and the level of fees and charges. See the Council's website for more information on event timeframes and fees and charges. [www.folkestone-hythe.gov.uk](http://www.folkestone-hythe.gov.uk)

## Major (Strategic) Event

6.7. These events may be large or small but require extensive planning and very high security. Examples are large public spectacles which have national and/or international significance, such as a. Royal visit, Tour de France, Olympic Torch Relay, G8 Summit, etc.

## **7. Content of the Event**

7.1. The content of the event will be a determining factor in the decision to grant permission to stage the event. The Council will consider each application individually to ensure there is a broad spectrum of events that benefits the community and local businesses. In addition to these considerations, the Council reserves the right to determine the types of events deemed suitable for Council-owned and managed land. The final decision on suitability will rest with the District Council.

7.2. Special consideration will need to be given to events of a sensitive nature. Further consultation will be required from the District Council on events such as:

- Political rallies or events organised by groups affiliated with political organisations
- Events featuring adult or offensive content
- Events featuring animals
- Events featuring performances by children
- Religious events
- Events organised by extremist organisations

- Demonstrations

7.3. Such events might be required to submit additional material to support their application. This might include, but is not limited to a copy of an “Animal Welfare Policy”, for an event. The District Council will provide further advice on this. Events featuring performances by children may require details of safeguarding policies.

## **8. Location of the Event**

8.1 Events at different types of locations or specific places within the Folkestone & Hythe district are subject to different requirements and different procedures need to be followed for these places, as set out in the Events Management Procedures Guidance.

### Radnor Park

8.2 The use of Radnor Park for events is restricted to 28 days per calendar year and can only be held on Radnor Park between 1st June and 30th September, due to planning legislation.

8.3 Events on Radnor Park must not commence before 7.30am and must end by 10.30pm. No music is to be played before 10am or after 10.30pm.

### The Leas

8.4 There are covenants that control the type of event that can be held on The Leas. Every event, including for the bandstand, is subject to the agreement of the Radnor Estates which will need to grant permission in writing.

8.5 The Leas does not have planning permission for use for events so therefore the number of days use for events is limited to 28 days.

### Sandgate Road Pedestrian Precinct

8.6 Kent County Council have authorised Folkestone & Hythe District Council to grant consent for events to be held on the pedestrianised length of Sandgate Road. Although this is a highway, a road closure is not required to use this area.

8.7 Folkestone Town Centre Management will be consulted about any proposed events to ensure that there are no other activities or bookings for the Precinct. KCC Highways have given permission to Folkestone Town Centre Management to allow the hire of the Precinct for other purposes.

### Private Land

8.8 Organisers of ‘small events’ on private land are not required to notify the Council unless a high risk activity is being undertaken in which case an application should be made on EventApp.

8.9 For any type of event, other than a 'small event' on private land, the event's organisers must submit an application to the Council, following the timescale as set out in the Events Management Procedures Guidance (available on the Council's website).

### Council-owned land

8.10 See section 9.

## **9. Council Commitment on Events**

9.1 The Council will:

- Enable events to be held on Council land, including granting permission to use Council land, subject to the application procedures and considerations outlined in this policy.
- Make available through EventApp, application forms, template documents and guidance to enable the organiser to notify the Council of an event, apply to use Council land, apply for a road closure and plan a safe event.
- Process applications for events being held in the district and formalise relevant permissions, where appropriate.
- Offer advice to event organisers in respect of their responsibilities to ensure the health and safety of staff, participants and the public attending their event.
- Give agencies, who are members of the Safety Advisory Group (see section 9.11 for details), access to event application documentation to scrutinise. Safety Advisory Group members will contact event organisers direct to discuss any issues. Safety Advisory Group meetings can also be convened for major and high risk events.
- Aim to provide further learning opportunities for event organisers, in the form of seminars and develop a mailing list in order to disseminate relevant information.

## **10. Events on Council Land**

10.1 The following activities are not permitted on Council land:

- Lantern releases
- Balloon releases, except where the materials used are fully biodegradable
- The use of live animals as prizes
- Circuses which include live animal acts.
- Bonfires, unless prior permission is sought and granted.

10.2 Showman's Guild rules in respect of established rights will not apply to any area of Council land.

10.3 In most circumstances, the Council will operate a first come, first served policy when it comes to reserving and granting permission for events on Council land, with the exception of Radnor Park. However, where restrictions apply to Council land, or there are multiple requests for an event location on the same date, then the Council will

determine a fair and balanced allocation of events between different applicants, in line with the aims and objectives of this policy.

10.4 In deciding whether to grant or refuse permission to use Council land for an event, the following factors will be considered. Please note that this is an indicative, but not exhaustive, list:

- the suitability of the land for the event that is being planned
- the availability of the land for booking
- the receipt of sufficient documentation, including insurance, from the organiser within the required timeframe
- whether any invoice for a deposit and/or fee for the use of the land has been promptly paid
- whether any covenants, planning restrictions or licencing limitations may be affected by a proposed event
- the permission of the landowner for the event, where the land concerned is managed, but not owned, by the Council
- whether the proposed event complies with equality and discrimination legislation
- whether the event will bring positive benefits to the District
- whether the event or the event organiser has attracted genuine complaints to the Council in the past, or the Council holds a reasonable belief that such complaints may occur in respect of a proposed event. The types of complaints, whether actual or potential, that may be considered include, but are not restricted to, the following:
  - Flyposting carried out by the event organiser, or on their behalf
  - Litter left after an event, or other negative impacts on the environment resulting from an event, including damage to Council land or property
  - Noise complaints
  - Failure to comply with restrictions applied to a previous event
  - Safety concerns raised by the public, Council Officer, or a member of the Safety Advisory Group.
  - Anti-social behaviour or concerns in respect of community safety

## **11. Charges for Events**

11.1 Council charges for land hire for the purpose of an event will be based on the nature of the event being held. These charges are set annually as part of the Council's review of fees and charges.

11.2 A refundable deposit may be charged in accordance with the Council's and Folkestone Parks & Pleasure Ground Charity fees and charges at the time.

11.3 Charges for the use of Council land will be payable in accordance with the Council's and Folkestone Parks & Pleasure Ground Charity fees and charges at the time. 100% of the fee still applies in the event of a cancellation.

11.4 The Council reserves the right to recover any costs from the event organiser which the Council incurs in making good damage caused to its property by the event. This may be over and above any deposit sum, where one has been taken.

- 11.5 Events generating increased use of public conveniences (whether within the event perimeter or in the vicinity thereof) which results in additional cleansing and restocking costs to the Council, may be charged in accordance with the Council's and Folkestone Parks & Pleasure Ground Charity fees and charges at the time. This may also apply where the organiser has requested that the Council keep public conveniences open outside of their usual hours.
- 11.6 For Major Events, permission is given for use of council land in the form of a Conditional Agreement (CA) previously known as a Licence to Occupy. A charge will be made for drafting the Licence, in accordance with the Council's Fees and Charges Schedule at the time.
- 11.7 A charge will apply if a Temporary Events Notice is required, for example where the event includes the sale of alcohol.
- 11.8 KCC Highways Agency will issue a charge for a road closure.
- 11.9 In the case of any conflict between this policy and the Council's Fees and Charges Policy the latter takes precedence over this Events Management Policy.

## **12. Review**

- 12.1 This policy will be reviewed every 5 years. Minor alterations to the policy can be approved by the Corporate Director Strategic Development with responsibility for events in consultation with the Cabinet Member responsible for the service. Any substantive alterations to the content of the policy will be approved by Cabinet.