

Folkestone & Hythe District
Council
Events Management Procedures
Guidance
2018

Folkestone & Hythe District Council

Events Management Procedures Guidance

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1. Introduction

- 1.1 This procedural guide is designed to be read in conjunction with the Events Management Policy. It details the process for applying to hold an event in the Folkestone & Hythe district.

2. How to Apply

- 2.1 There is a single point of entry for events in the district via EventApp on the Council's website (see www.folkestone-hythe.gov.uk/events). The website also provides relevant information on running an event in the district in the form of a toolkit.
- 2.2 An event application to the Council will be required if the event meets any one or more of the following criteria. Please note that this is an indicative but non-exhaustive list and applicants should contact the Events Officer if in doubt.
- Event is to be held on Council-owned land or Folkestone Parks and Pleasure Ground Charity Land (Radnor Park, East Cliff, The Warren, The Durlocks, Morehall Recreation Ground, Canterbury Road Recreation Ground and Lower Sandgate Road).
 - Event requires a Temporary Events Notice and the event is in a public setting (see section 7 for details on events that require a Temporary Events Notice).
 - The event is of an unusual nature, or comprises elements or locations which could be deemed high risk to participants or the public.
 - The event is to take place over a number of days.

3. Responsibilities of Event Organisers

The Event Organiser should:

- 3.1 Complete the application forms to be found online in EventApp. A link to EventApp can be found on the Folkestone & Hythe District Council web site and pay any fees due at the time of the application (upon receipt of an invoice). Deposits for certain events shall also be required to be paid in advance (see <https://www.folkestone-hythe.gov.uk/events/event-fees-and-charges>).
- 3.2 Respond promptly to any queries raised by the Council or member of the Safety Advisory Group to an application as generated by the EventApp messaging system.
- 3.3 Provide the Council with evidence of public liability insurance of not less than £5 million for the event. Event organisers must ensure that any additional participants also have appropriate insurance to the same extent.
- 3.4 Provide evidence of separate public liability insurance of £5 million for mechanical and animal rides, inflatables and firework displays, where

appropriate. Other high-risk events as determined by the Council's Insurance Officer might also require separate public liability cover, including those of stall holders as appropriate.

- 3.5 Provide public liability insurance that complies with KCC Highways requirements, where a road closure is required.
- 3.6 Provide an event safety management plan, traffic management plan, medical plan and copies of appropriate current safety certification and risk assessments for events, including mechanical and animal rides, inflatables and firework displays. The absence of this could invalidate any insurance policies.
- 3.7 Confirm that any catering or food outlets are food registered with the relevant local authority and that they have checked food hygiene ratings for all food and catering outlets. It is strongly advised that only food businesses rated 3, 4 or 5 are engaged.
- 3.8 Ensure compliance of all the legislative requirements for the event, including Health and Safety requirements. Organisers of air displays must provide a copy of the approval from the Civil Aviation Authority. For high profile air displays / flypasts etc. all information must have been submitted and agreed at least 3 months ahead of the event even if the final flying programme has not been decided.
- 3.9 Ensure that music events have a Noise Management plan. Large music events involving high powered amplification can cause disturbance to those living in the vicinity. The Council Code of Practice on Noise Control at Concerts provides guidance on the level of noise for urban venues such as parks. A maximum Music Noise Level and the timings will be agreed with the event organiser. Although setting the noise limits in terms of decibels is convenient, it does not always take into account the intrusiveness of low frequency noise. It can be the frequency imbalance which causes disturbance. Therefore it may be necessary to set additional criterion in terms of low frequency noise or apply additional conditions.
- 3.10 Ensure the accuracy of information given on behalf of the organisation represented and that there is legal authority to enter agreements on behalf of that organisation. This is required on the events application.
- 3.11 Ensure that any permissions documentation issued by the Council for the use of Council land is signed by a member of the organisation with the required authorisation, in accordance with the organisation's constitutional arrangements.
- 3.12 Ensure the event is run according to the submitted plans.
- 3.13 Ensure that Council land, property and the surrounding environment is not adversely affected by the event, including the clearing of rubbish and the making good of any damage, to the Council's satisfaction.

3.14 Ensure that there is no illegal flyposting; flyposting will not be permitted (see <https://www.folkestone-hythe.gov.uk/environmental-protection/bins-and-your-environment/fly-posting>).

4. Event Application Timescales

4.1 Please refer to Section 4 of the Events Management Policy for definitions of event types. The below table shows the notice period required regardless of the type of event i.e. whether charitable, commercial or community event depending on the nature and scale.

Required notice period for different types and location of Events

Type/Location of Event	Minimum Notice (including the submission of required documentation)
Major Event (regardless of whether on Council or Private land)	4 months
Other Events on Council-owned Land (except Radnor Park events)	3 months
Events on Radnor Park (Folkestone Parks & Pleasure Grounds Charity Land)	By 15 th February in the year of the event.
Events requiring Road/Right of Way Closures	4 months
Other Events (except 'small events) on Private Land	3 months

4.2 An event application may be submitted up to 18 months in advance for established events, or 12 months in advance for all other events to reserve the land, subject to the full documentation being received in line with the timescales set out below. Priority is therefore given to established events within the district.

4.3 The Council reserves the right to reject an event application where these timescales are not adhered to, or where the correct documentation has not been submitted.

4.4 Any changes, alterations or additions to the event format by the event organiser may not be considered less than 28 days before the event date, unless it is of a sufficiently minor nature that it can be accommodated within the timescales available.

4.5 Should the event organiser not comply with timescales resulting in the event not going ahead, the Council will not be liable for any costs paid out by the organiser in preparing for the event.

Road Closures

- 4.6 Where a proposed event requires a road closure or is taking place, partially or fully, on the highway full and complete documentation must be submitted not less than 4 months prior to the proposed event date. This is to give Kent County Council Highways enough time to issue the road closure.
- 4.7 Applicants for road closures are strongly advised to discuss their road closure 6 months in advance of their event. Kent Police and KCC Highways do not consider the Town Police Clauses Act fit for purpose so these will only now be issued in exceptional circumstances. Events that have relied on TPCA closures previously should discuss the appropriate means of closure 6 months in advance of their event otherwise their application is at risk.

Radnor Park

- 4.8 Due to the popularity of Radnor Park there are a limited number of dates available. Events can only be held on Radnor Park between 1st June and 30th September in each calendar year.
- 4.9 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.
- 4.10 Applications for events at Radnor Park can be submitted up to 12 months in advance of a proposed event. All applications must be received by 15th February of the calendar year in which the proposed event is to be held. If, by 15th February, requests for the park exceed the number of available dates, applications will be considered in accordance with the community benefits set out in section 2.6 of the Events Management Policy. In addition, consideration will be given to whether an organiser has been allocated a date for Radnor Park in the previous three years.
- 4.11 Applications made after 15th February will be considered, but only if dates are available. Priority will always be given to applications made before 15th February.
- 4.12 Applicants will be informed by 2nd week of March of the calendar year in which the proposed event is to be held whether their application for a Radnor Park event has been successful, and the date allocated. For consideration of any application the full documentation required by the deadline including, as a minimum, an Event Management Plan, Risk Assessment and evidence of Public Liability Insurance, must be submitted with the application.

The Leas

- 4.13 There are covenants that control the type of event that can be held on The Leas. Every event, including the bandstand, is subject to the agreement of the Radnor

Estates which will need to grant permission in writing. This agreement will be sought by the Events Officer on receipt of the events application.

Sandgate Road Pedestrian Precinct

- 4.14 Kent County Council have authorised the 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.
- 4.15 Folkestone Town Centre Management need to be consulted about any proposed events to ensure that there are no other activities or bookings for the Precinct as KCC highways have given permission to Folkestone Town Centre Management to allow the hire of the Precinct for other purposes.

Major Events

- 4.16 Applications for Major Events, whether on Council or private land, require significant partner and Council input through the Safety Advisory Group. Therefore applications should be submitted in full at least four months in advance of the proposed event date.

5. Events on Council Land

- 5.1 Formal permission for the use of Council land for events is given in the form of a Conditional Agreement. Use of Council land is subject to the Terms and Conditions contained within it. A fee for the drafting of the Conditional Agreement will be made in accordance with the Council's and Folkestone Parks & Pleasure Ground Charity Fees and Charges Schedule (see <https://www.folkestone-hythe.gov.uk/events/event-fees-and-charges>).
- 5.2 The Conditional Agreement is issued through EventApp. Permission is not granted until it has been issued.
- 5.3 Where a proposed event requires a road closure or is taking place, partially or fully, on Council land (with the exception of Radnor Park), full and complete documentation must be submitted not less than 4 months prior to the proposed event date. This is to give Kent County Council Highways enough time to issue the road closure.
- 5.4 Where the Council is unable to give permission for the use of Council land, an alternative date or location may be offered, where appropriate, to enable the event to take place.
- 5.5 Where the Council is unable to give permission for the use of Council land, and there are no suitable alternatives, the event organiser will be informed as soon as is reasonably practicable. In these circumstances, the Council is not

responsible for any costs that the event organiser may already have incurred in preparing for the event.

- 5.6 All payments must be made through EventApp by credit/debit cards. Cheques and cash will not be accepted.

6. Events requiring Road Closures

- 6.1 Some events may take place, partially or fully, on the highway, or pedestrians may use the highway to access or spectate at an event. In these circumstances, it may be necessary to close part or all of a road.
- 6.2 Closing roads can have a significant impact on local people, and should therefore only be considered where absolutely necessary for an event to go ahead safely.
- 6.3 An application for a road closure will be addressed as part of an event application. Road closure requests can be considered by KCC Highways for their authorisation under the Highways Act.
- 6.4 Road closure notices have been, historically, administered either by the Council or by KCC Highways, depending on the nature of the closure. The Council have issued closures under the Town Police Clauses Act but KCC Highways and the Police no longer consider this legislation to be fit for purpose. The District Council will continue to issue TPCAs but event organisers must discuss the most appropriate means of closure first with KCC Highways.
- 6.5 If a road closure is being considered for the event, organisers should address their traffic management plans at least 6 months before an event application. An application will be required to be made to KCC Highways at least 3 months ahead of an event requiring a road closure.
- 6.6 There is a charge for a road closure. Temporary closures using the trained marshal scheme as employed by the event organiser will not incur any additional charges from either the District or County Council.
- 6.7 It is the responsibility of the event organiser to ensure they have the permission of Kent County Council Highways, and appropriate closure documentation where applicable, for any events on the highway.
- 6.8 Closing a public road, footway, footpath or verge without a lawful closure order is illegal.

7. Temporary Events Notices

- 7.1 Some events may require a Temporary Events Notices (TENs), regardless of whether they are held on Council or private land. These are required where the event involves a licensable activity for which the premises concerned do not

have an existing licence. Applications must be made at least 10 working days before the event. Under some circumstances this can be 5 working days. An application for a TENS will be refused if made less than 5 clear working days in advance of the event.

7.2 Licensable activities include the following:

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment (including live music, recorded music, dancing, performance of plays, indoor sporting events)
- The provision of late night refreshment (hot food after 2300 hours)

7.3 A charge is payable for a Temporary Events Notice.

7.4 The application process for a Temporary Events Notice is dealt with by the Business Support (Licensing) Team contact licensing@folkestone-hythe.gov.uk. Additionally there are restrictions on the number of TENS that can be issued for a site. Please contact Business Support (Licensing) for further information.

7.5 The Police and the District Council's Environmental Protection Team can object to the issue of a TENS if the event is likely to cause noise, crime and disorder, compromise public safety or affect the safeguarding of children, young persons or vulnerable adults.

8. Enforcement

8.1 The Council reserves the right to check that an event organiser is managing an event in accordance with the event plans submitted and the terms and conditions of land use granted under the Conditional Agreement, where the event is held on Council land.

8.2 Any breach of these agreements based on a Council inspection or a substantiated complaint from a third party will provide grounds for the Council to be able to refuse permission for an event organiser to hold the same event in subsequent years or other events on Council land.

8.3 The Council may choose to take legal action to enforce the terms of the Conditional Agreement.

The Council has statutory powers that can enable it to immediately stop any events on its land where there is an imminent or substantial risk of injury.

9. Cancellations and Refunds

- 9.1 The Council reserves the right, at its sole discretion, to cancel any event booked on Council land due to poor weather, unsuitable ground conditions or exceptional unforeseen circumstances. In these circumstances, the Council is not responsible for any costs that the organiser may already have incurred in preparing for the event. The decision for cancellation will rest with the District Council.

10. Complaints

- 10.1 Complaints regarding the Council's administration of events will be dealt with in line with the Council's corporate complaints procedure. Details are available at www.folkestone-hythe.gov.uk