



# Colchester Borough Council Events Policy



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## **Introduction and Context**

Approximately 211,000 visitors came to Council-owned venues in 2018/19. Colchester Borough Council is committed to enabling events and operates a variety of venues across the borough. All of these venues are able to host a wide range of events, from charitable through to full commercial events. A diverse, well-managed, programme of events can provide many benefits to the town, promoting Colchester as a vibrant place for business, culture and community and ensuring the safe enjoyment of both residents and visitors attracted to the borough.

A well-managed and appropriate events policy helps bring these positive benefits to the borough. Many of the events held in the Council's venues are managed by the Council's wholly-owned commercial company, Colchester Amphora Trading Limited (CATL) and specifically by their Colchester Events Company team. However, even where its company hires out the venue or manages an event, the Council retains a role as a regulating authority; with responsibility for matters such as licensing, environmental protection and planning.

This Events Policy therefore sets out the Council's policy on events, across all of its venues, regardless of who the event organiser is. It promotes the aims of the Strategic Plan, including:

### **GROWTH**

- Help make sure Colchester is a welcoming place for all residents and visitors
- Promote inward investment to the borough
- Work with partners to create a shared vision for a vibrant town centre.

### **RESPONSIBILITY**

- Encourage re-use and recycling to reduce waste to landfill

### **OPPORTUNITY**

- Promote Colchester's heritage and visitor attractions to increase visitor numbers and to support job creation

### **WELLBEING**

- Encourage belonging, involvement and responsibility in all the borough's communities
- Work with Essex Police and partners in the Safer Colchester Partnership to make Colchester an even safer place

For the purposes of this Policy, an event is defined as:

*"A planned activity in a specific Council owned location, either indoors or outdoors, lasting for a limited period of time that will be attended by members of the public (whether paid or unpaid "admission") where the activity can reasonably be expected to attract a gathering of people that would not otherwise be expected as part of the normal course of daily business in that location at that time".*

## **Aims and Objectives**

The aim of this Policy is to provide a clear framework for considering the programming of a variety of commercial and community events across Council venues. The Policy aims to enable a wide range of sporting, recreational, cultural, social and educational activities in line with the Council's strategic aims.

The Council's objectives are to:

- Support and enable cultural, educational and leisure activities which widen access and increase participation from all sectors of the community.
- Encourage activities that enhance the quality of life for visitors, encourage healthy living and promote diversity.
- Enable the Council to offer its venues for suitable commercial purposes to generate revenue from events which can be reinvested into venue maintenance and other service provision.
- Use local products, services and people where possible to encourage active citizenship and promote a positive image of Colchester regionally, nationally and, where appropriate, internationally.
- Attract visitors and events to Colchester to bring investment, jobs and prosperity to the local economy
- Promote Colchester as a destination with a strong heritage complemented by a vibrant contemporary culture
- Maximise the safety of event attendees and workforce to ensure that safety is placed as a priority in decision making
- Minimise disruption to residents and businesses
- Manage events so as to protect, preserve and enhance the historic nature of the Council's venues.

To meet these aims and objectives, events will fall into five broad categories:

1. Commercial events of local, national or international importance or significance that support the aims and objectives of the Events Policy and promote the borough to a wider audience and encourage visitors to the town and bring revenue to the Council and the local economy.
2. Local commercial events that generate revenue for the Council, including weddings, parties, meetings, receptions and other suitable private bookings.
3. Events organised by registered charities and/or voluntary groups for the purpose of raising money for local and national charities and/or community groups.
4. Events and activities that aim to enhance the environment of the parks, open space or borough venues that educate users, encourage participation and promote the leisure activities or opportunities available.
5. Civic events.

## **Events Programme**

The Council/CATL will seek to ensure a balanced programme of commercial, community and civic events as part of any approved programme. The majority of the planned programme will usually be confirmed at the start of each year but will evolve and change as necessary.

The Town Hall, Charter Hall, the Castle and Castle Park will be promoted for events of Civic importance and events which promote Colchester regionally, nationally or internationally, or are of wide-ranging interest.

Other venues, such as Old Heath Recreation Ground and St Botolph's Priory have been used this year and will continue to be used if considered appropriate to the diversity, scale and type of events. The Council will also consider using other sites it has not yet used, should they be considered suitable for different types of events.

As Colchester's principal venue for largescale outdoor concerts, Castle Park will host a programme of up to 6 place-making events each year. These events may use amplified music and produce sound levels up to 65dB(A) measured at the nearest noise sensitive properties. Other venues may hold up to 3 events per year (subject to licences).

The Council/CATL will give priority to those events that have a record of being well-promoted and well-managed with a safe and high-quality visitor experience.

Regular annual or bi-annual events will normally be given priority, but the Council/CATL will not guarantee the provision of any site to any particular event or organising body based on previous use alone; and can refuse events based on income, payment and performance history.

Organisers of "niche" or "political" events that may be aimed at a narrower or specific audience, and activities with minority or local interest, will be encouraged to utilise Colchester's other venues with more appropriate considerations such as size, location, purpose, activities; for example, being closer to their community/audience.

The Council reserves the right to priority use of its own venues and facilities above all others. For example, civic events including the Queen's Birthday Gun Salute and Remembrance Sunday will take precedent over all other events. Whilst these events are usually known far in advance, in exceptional circumstances this may include short notice changes that are beyond the Council's control, such as an unexpected General Election. The Council accepts no liability in such circumstances.

## **Permitted Events**

Examples of these would generally include:

- Civic events
- Arts and cultural events
- Musical concerts
- Firework Displays
- Fairs
- Drama events
- Historic re-enactment
- Military festivals
- Religious events
- Political activities
- Exhibitions
- Sporting and recreational events
- Children's activities
- Entertainment events
- Shows, exhibitions and craft fairs
- Bona fide Animal Breed Exhibitions or Shows
- Circuses (see Programme Exclusions)
- Guided and Sponsored Walking Tours
- Environmental and horticultural demonstrations
- Private events (weddings, parties etc.)
- Business and corporate events
- Other events not included here as approved by the Council.

## **Excluded Events**

These would generally include:

- Any event likely to provoke public disorder
- Any event that includes the use of performing animals, except those which are normally regarded as domesticated in the United Kingdom (eg horses, dogs, cats, birds used in falconry demonstrations, caged birds and rabbits) which may be used as an ancillary part of a performance
- Any event that includes animals as prizes, including goldfish at a funfair
- Any event that would cast doubt on the integrity of the Council or that the Council believes may be of questionable public morality
- Any event that includes balloon releases and Chinese lantern

The relevant Council Portfolio Holder will have the discretion and ultimate decision on determining whether a proposed event falls within the programme exclusions.

## **Private Events**

These will include weddings, parties, meetings and similar. These will all be available on a full commercial basis in competition with other local providers.

Council/CATL officers will use their experience to programme a full calendar of private events each year which will bring in revenue to the Council. All private events will meet all the necessary requirements for licences, insurance and health and safety and where relevant, consultation with the Borough Safety Advisory Group, as with all Council / CATL events.

## **Operation**

Event organisers must comply with completion of relevant documentation.-All events at Council locations are subject to specific terms and conditions which need to be agreed and signed prior to the event.

Operating hours for outdoor events will generally be between 9am to 11pm (excluding set-up and set-down). In exceptional circumstances an extension of these hours may be sought from the licensing authority for celebrations on festival days such as New Year's Eve and Bonfire Night, civic occasions, or where celebration of a significant local, regional or national event is required.

Although not always practical, whenever possible existing facilities such as the boating lake, café, and putting green should be accommodated throughout events and disruption be minimised (in consultation with the operators).

Firework displays and other pyrotechnics will only be permitted where they are an integral part of an event such as New Year's Eve and Bonfire Night celebrations, civic events, military festivals, historical re-enactments, certain musical concerts and private functions (by prior agreement).

Organisers of larger events will be encouraged to liaise directly with local residents to the venue to minimise any disruption or disturbance and limit the impact that their event might have on local communities.

## **Event Costs**

All events, regardless of size, have a cost to the Council (and its companies). The Council is unable to subsidise costs, for example; staff time, hiring of equipment and services, organisation, set-up and clear-down. These costs will be passed on to all event organisers where incurred.

While registered charities and non-profit making community groups may be offered a "charitable hire rate", costs will still be passed to the event organiser to ensure no additional burden on the Council (or CATL), although these costs will be kept as low as possible.

Flexibility to alter standard hire fees is delegated to the Councils events operator (CATL) or the Council's relevant Assistant Director, as per the needs of the business.

For certain events, usually by exception, the Council/CATL may enter into a commercial agreement whereby some or all of the advance payments may be waived (in instances such as profit share). This will be determined on a case by case basis by the Councils events operator (CATL) or the Council's relevant Assistant Director.

## **Damage to Venues and Severe Weather**

For all events, the Council/CATL will secure a bond from the organiser in advance for repairs and re-instatements following events.

The cost of any repair and reinstatement by the Council's approved contractors will be charged to the event organisers.

For outdoor events, the protection of the environment, wildlife and features will need to be considered when planning events and, in the event of wet ground conditions, the Council will require the event organiser to introduce additional ground protection measures to avoid excessive damage; which may include the use of protective matting and running boards, close supervision of vehicle movements or changes to event layouts.

In such circumstances, the Council/CATL may also require the event organiser to increase the value of the reinstatement bond prior to the event.

The Council will require evidence that the organiser has considered sufficient measures to protect the public in the event of dangerous weather conditions. In the case of severe winds creating dangerous conditions associated with trees on site or temporary structures – including but not limited to Inflatables and Marquees – the Council reserves the right to cancel the event if it is considered that public may be at risk. Such requirements will be at the events organiser's expense.

In the case of severe weather creating dangerous (or potentially damaging) wet ground conditions the Council reserves the right to cancel the event. If severe weather makes it necessary to cancel an event, the Council will not be liable for any costs. The decision to cancel an event due to severe weather is taken by a Council Assistant Director or Director, whose decision is final.

## **Insurance**

Organisers are required to obtain and provide evidence to the Council of Public and Employers Liability Insurance to a minimum value of £5million in line with national guidance (unless an alternative provision has been agreed by exception).

This minimum figure is subject to review and may be updated at any time on the advice of the Council's insurers. For some events, the Council may request a higher minimum value

Event promoters and organisers will be responsible for ensuring that all third-party suppliers and contractors are adequately insured.



## **Regulation of Events**

The Council (and CATL) look to provide a range of great events and activities in our venues and spaces, as per the aims set out in this Policy. We recognise the need to balance these aims with the environment (both within and around the event venues); as such the Council will require all event organisers to adhere to relevant guidance and procedures when holding events, including Licensing requirements, Environmental Protection guidance, Planning laws, as well as having event management plans and prioritisation of public safety.

Organisers of events are encouraged to work with residents and relevant authorities to minimise the impact of events on the community. Where considered appropriate by the Council/CATL, organisers will be required to inform local residents in advance of major events that may cause local disruption.

## **Advertisement Control**

Event promoters and organisers are required to comply with any legislation, including advertisement controls; as it is a criminal offence to display certain advertisements without the correct consents from the local planning authority. Illegal flyposting or other failures to comply with advertising restrictions could result in a 'Fixed Penalty Notice' or other legal/enforcement action by the Council, including court actions.

All materials displayed at the venue must be approved by the Council in advance and meet the required specification with regard to size, materials used and content. Approved advertising may then only be placed at the venue, at the locations and time period approved by the Council or other authorised persons.

## **Food Safety**

All food businesses (however big or small) at an event must provide evidence of food registration with the relevant local authority and food hygiene ratings for all temporary catering outlets.

## **Waste and Recycling**

The event organiser must provide a waste management plan which is approved by the Council. The waste management plan should show how the organiser will manage, recover and recycle or dispose of waste and street litter safely, and meet all environmental regulations and statutory requirements. Waste should be minimised and recycled as much as possible.

## **Licensing**

Organisers, during all licensable activities, shall be required to detail how they will meet the four licensing objectives:

1. The Prevention of Crime and Disorder
2. Public Safety
3. The Prevention of Public Nuisance
4. The Protection of Children from Harm.

Organisers are required to understand and put into practice Policies relating to Noise Control, the Sale of Alcohol, Proof of Age, Safeguarding Child and Adults, Registered Security and Drugs. Hire agreements will stipulate requirements and the Council and Safety Advisory Group will advise where relevant.

In accordance with the Licensing Act 2003, event organisers will be required to obtain all appropriate licenses and permissions from the relevant authorities, e.g. Temporary Events Notices, where these are not already provided for under the terms of a Premises Licence.

The event organiser is responsible for ensuring that all required licences are obtained in sufficient time and all conditions specified in these licences are adhered to. The costs for any licence shall be incurred by the event organiser.

The event organisers will be responsible for ensuring that their event complies with the relevant Temporary Events Notice or Premises Licence. Compliance will be strictly monitored by the Council's authorised officer, Designated Premises Supervisor or appointed deputy.

### Environmental Protection

Noise levels generated from an event need to be agreed in advance and kept at a reasonable level. Noise should not create an unreasonable impact on any business or residential premises in the vicinity of the event site. Events must also comply with The Control of Noise at Work Regulations 2005 for staff and contractors on site.

Consideration should be given to the suitability of events to meet our requirements at each venue. Each event is different and the Hire Agreement with the organiser will specify what is required. However, when entering into a Hire Agreement with an event organiser where loud amplified music (or another significant impact to residents or the environment) is expected then such Agreements will be discussed between CATL and the Council's regulatory service areas prior to confirmation.

For such events as may then be agreed, a plan for managing and monitoring sound levels (within permitted levels) for events will be required from the event organiser a minimum of 12 weeks in advance of each event. The event organiser will then be responsible for monitoring and recording levels during the event and for making adjustments (as required) to ensure compliance with the premises licence or noise regulations.

The organiser is expected to reduce sound levels on the day if conditions require it. Where appropriate a noise record shall be kept, for example, in the event of complaints. Following the event, if requested by the Council, the monitoring data collected by event organisers must be provided to the Environmental Protection Team.

Local residents in direct proximity to "large-scale events" (see definition below) including those with outdoors amplified music shall be notified of those events not less than 4 weeks before the event. The residents to be notified shall be indicated on a plan, which is to be agreed by the Council, before they are notified.

## **Safety Advisory Group (SAG)**

The first priority of any event should be human safety. Responsibility for safety rests with the organiser, but the Council and its partners have a duty to ensure all relevant health and safety guidance is followed. This is undertaken through the Safety Advisory Group (SAG).

The role of the SAG is to consider “large-scale” public events regardless of who owns the venue or land and advise organisers on the requirements, SAG is a multi-partner group including Police, Council, Fire and Highways. In general, “large-scale” public events will be considered as those where more than 500 people are expected to attend, although smaller events may require the involvement of the SAG depending on the event. The SAG remit also includes outdoor events which require a premises licence under the Licensing Act 2003, firework displays, carnivals, parades, music festivals and other large-scale events of a similar nature.

As the remit of the SAG is to advise on how to ensure public safety is maintained by event organisers, members of the SAG will expect to review a safety plan before any events. For the SAGs consideration, the premises license holder or event organiser must risk assess each event and produce a plan proportionate to the size and nature of the event being held. For “large-scale events” a written Event Management Plan (EMP) must be submitted (by the premises licence holder or event organiser) to the SAG.

Event organisers will be expected to actively participate in the SAG process as relevant. This includes adhering to event plans and/or details agreed with the SAG. Similarly, event organisers should comply with any instructions given by the Council’s Environmental Protection Team or other designated Council Officer. Failure to do so may result in the event being stopped or cancelled.

Every event should have a designated safety officer and event organisers will be required to provide evidence (where required by the Council) that they are complying with:

- All relevant Health and Safety Legislation, and
- The Council’s own Health and Safety Policy and procedures.
- If deemed necessary using predefined criteria, presentation of Event Safety Documentation may be required at a Safety Advisory Meeting.

When planning an event involving more than 10,000 people a minimum of 6 months’ notice should be sought. For an event involving between 500-10,000 people a minimum of 3 months’ notice should be sought. The final draft of the EMP should then be agreed no later than 6 weeks prior to the first day of the event.

The SAG may also co-ordinate safety debrief meetings post events so that future events may be improved. All issues will be discussed with the event organisers so that the safety risk can be resolved, as cancellation of an event is the last resort.

## **Traffic Management**

Events can involve increased levels of traffic. The Safety Advisory Group includes Essex County Council Highways representatives who can advise event organisers of traffic requirements that may need to be put into place. Organisers have a responsibility to notify and discuss traffic considerations with ECC highways for any large event.

## **Safeguarding Children and Adults**

Event organisers, their employees and contractors will be required to comply with the Council's Safeguarding Children and Adults Policy.

All organisers and promoters will be required to provide evidence of procedures for dealing with lost children.

The content of each event shall be considered by the Council and an age limit agreed with the Organiser. These limits will be monitored by the Council and failure to comply with them may result in the closure of the event.

## **Monitoring of Standards and Customer Satisfaction**

The Council/CATL will also monitor standards and customer satisfaction and will liaise with organisers to instigate improvements where appropriate.

Organisers and promoters of recurring events are required to carry out reviews of their events to learn from their experiences, to improve on the product being provided and the impact on local residents. The Council may require a clear Action Plan setting out the lessons learnt and the improvements to be incorporated in future years before approving subsequent events.

## **Review of the Events Policy**

Events are unique, therefore the challenges posed by each event are different. As events evolve and develop it may be necessary for the Events Policy to evolve and develop accordingly. All the partner agencies recognise the importance of events to Colchester and will work together to provide a programme of safe and well-managed events for the benefit of residents and visitors.

This Events Policy consequently will be reviewed by the Council every 3 – 5 years, minor changes will be considered by the relevant Assistant Director in consultation with the Portfolio Holder and where major changes are considered necessary the policy will be referred to a formal decision-making process.