Events Policy for the Hire of Pound Corner

Introduction

Ash Parish Council (the Council) is keen to support events within the Parish and values the role events can play in bringing communities together, promoting tourism, raising funds for charity and supporting local businesses.

The Council allows the use of Pound Corner for events.

It should be noted that that the Parish Council considers Pound Corner to be in a space dedicated as a quiet place of reflection for parish residents. Any events held on this ground must be complimentary to this ethos.

Purpose and Scope of the Policy

For the purpose of this policy, an event is defined as:

A planned activity outdoors at Pound Corner for a limited period of time that members of the public can attend. The activity can reasonably be expected to cause a public gathering that is not part of the normal course of daily business at that location and time.

This Policy relates to ONLY to activity on the small piece of land situated at Pound Corner owned and managed by Ash Parish Council. It does not relate to any wider event in the vicinity.

This Policy outlines the events procedure implemented by the Council.

Policy Objectives

The main objectives of this Policy are:

- Ensure, as far as is reasonably practicable, that all events held are safe and well organised.
- Support and encourage the hosting of events that will benefit the local community.
- Support the positive impact on Tourism of holding safe and well organised events in the Parish.

- Minimise any detrimental effects that the hosting of events may have.
- Make Pound Corner available for the use of public events so that further events can be encouraged in the Parish
- Ensure any event held in the Parish does not have an unduly negative effect on the local community and local environment.
- Ensure that use of Council Land for events is balanced with the needs of all users throughout the year, and that Council Land is protected from damage.
- The policy looks to protect Council Land from excessive wear and damage from events throughout the year.

Hireable Land

Address	Pound Corner, situated at the Corner of The Street and Chequer Lane, Ash
Area size	Approx 6 metres x 7 meters with trees, shrubs and seating
Days Available to Hire	7 days a week
Waste Arrangements	Event organiser to make their own arrangements for waste clearance. If waste is not removed, the event organiser will be recharged for the collection. Event organisers are encouraged to recycle as much as possible.
Electricity Supply	Not available
Water Supply	Not available
Lighting	Limited adjacent street lighting on highway
Live music	Permitted but with noise restrictions as a residential area
Music – time restrictions	Sunday to Thursday - 08.00 to 22.00 Friday & Saturday - 08.00 to 22.30
Music Licence	Organiser to notify performing rights society of music at event
Alcohol Licence	None
Lottery / Gambling / selling of raffle tickets	Not permitted
Commercial Sales	Not permitted
Gazebos	Not permitted
Parking Availability	Limited parking is available in the free of charge public car park opposite on The Street
Toilet Provision	Public toilets are available opposite at The Street car park. These are owned and managed by Dover District Council.

Legislative and Regulatory Framework

All events must conform to relevant legislation, including but not limited to the Health and Safety at Work Act 1974 and the associated statutory provisions.

Event organisers wishing to organise an event must follow best practice liaise with Dover District Council for advice on matters of public health, safety and welfare.

Event Administration

All applications for hire of Council land must be made by completing the Event Notification Form and by signing the Hire Agreement on the official templates.

The person making the application will be deemed to be the responsible Hirer save that, where an organisation is named, that organisation also shall be considered the Hirer and shall be jointly and severally liable with the person who signs the documents.

The application only becomes a booking when it is formally confirmed by the issue of the Permission to Occupy, which shall be given by Ash Parish Council's Clerk in writing via email and the Council reserves the right to refuse any booking at its discretion.

All communication with the Parish Council is to be by email via clerk@ashparishcouncil.gov.uk

The stages of the administration process are:

1) Event Organisers are to inform the Parish Council of their intention to hold an event at Pound Corner by submitting the **Event Notification Form** to the Parish Clerk together with:
   - Conditions of Hire
   - Event Management Plan **(NB Please use the CHRISTMAS TREE Management Plan if relevant)**
   - Risk Assessment
   - Public Liability Insurance Certificate
   - Site Plan
   - Temporary Event Notices (if relevant)

2) The Parish Council will review the application at their next scheduled Ordinary Meeting. These are held on the first Monday of each month (excluding bank holidays and August)

3) The Parish Council will review the documentation and resolve the following:
   - To issue a Permission to Occupy Notice to the Hirer
   - Refuse the application from the Hirer
   - To ask for further information or documentation so that the decision to issue a Permission to Occupy Notice may be considered at the next scheduled Ordinary Meeting of the Parish Council.

All bookings will be made on a provisional basis until all documentation is submitted. A firm booking, confirmed via the issue of the Permission to Occupy Notice, will only be made once the full documentation is received.

The Parish Clerk must be supplied with any documentation for approval at least one week prior to the Ordinary Parish Council meeting date so that it may be included in the Agenda. Please note no decisions may be made by Councillors if not included as an Agenda item.

It is the hirer's responsibility to allow enough time for Parish Council decisions to be made in their planning process, noting the Parish Council only meets once per month.

Submissions of the Event Notification Form less than 3 calendar months before the date of the Event will not be considered by Ash Parish Council.

Granting Permission for the Use of Council Land

Pound Corner is only available to hire by the following bodies:

1) Community
Defined as:
Organised by a constituted voluntary community group with the purpose of serving residents of a specific locality, or meeting the needs of people who share a cultural background or historic interest

2) Charity
Defined as:
Organised by a registered charity either raising funds towards, or awareness of, its published purpose, for the benefit of the district

PLEASE NOTE as the Parish Council considers Pound Corner to be in a space dedicated as a quiet place of reflection for parish residents any form of lottery, gambling or selling raffle tickets will not be permitted on the land.

In most circumstances, the Council will operate a first come, first served policy when reserving and granting permission to use for events on Pound Corner. However, where 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 which will include, but not limited to, receipt of the full documentation.

In deciding whether to grant or refuse, permission to occupy Council Land for an event, the following factors will be considered by Parish Councillors. Please note that this is an indicative, but not exhaustive, list:

- whether the event is likely to restrict the use of the of the Land by members of the public not attending the event
- whether the event is accessible to a family audience, no adult only events will be permitted
- whether the event is likely to damage Council Land
- 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
- the safety of the event.
- whether the event is likely to disadvantage neighbouring properties
- whether the proposed event complies with equality and discrimination legislation
- 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 planned event is in the interest of the Council and the residents of the Parish of Ash

Permission will only be granted upon receipt of the Event Notification Form, risk assessment, Event Management Plan, site map, public liability insurance and all other supporting documents as required.

And, If applicable, the event organizer has submitted an application to Dover District Council to be shared with members of Events Safety Advisory Group (ESAG) who will give their comments and advice providing the application has been submitted within a timely manner.

Should permission be given for use of council land, this will be in the form of a Permission to Occupy Notice sent by email to the event organiser.

Refusing Permission for the Use of Pound Corner

Where the Council does not give permission to use Council Land, there is no obligation on the Council to offer an alternative date or location.

Where the Council does not give permission to use Council Land, 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.

Charges for use of Pound Corner for Events

No hire fee is chargeable or deposit due for hire of the Land

Charges may be incurred by the event organisers if special arrangements are required to deliver the event.

The Council reserves the right to recover any costs from the event organiser which the Council incurs making good damage caused to its property (including the Council Land) by an event on a cost recovery basis.

Land Owner / Hirer Obligations

The Parish Council is responsible for:

- Considering applications to hire Pound Corner
- Issuing a Permission to Occupy Notice where Councillors have resolved that the event may take place
- Ensuring Pound Corner is made available to the Hirer at the agreed time of the event
- Provide a point of contact if required during the event

Event Organisers are responsible for:

- Seeking permission of Ash Parish Council for the hire of Pound Corner
- Submitting the relevant documentation to both authorities in a timely manner
- Ensuring the overall safety at your event as far as reasonably practicable
- Ensuring that health and safety arrangements in place to control risks
- Ensuring the competence of staff at your event to undertake their roles safely
- Checking all insurance documents, risk assessments and methods of work for contractors, stall holders, caterers etc
- The Health, Safety and Welfare of all members of staff, contractors and members of the public attending your event
- Informing Dover District Council of event plans
- Applying to Dover District Council for road closures
- Applying to Dover District Council for Temporary Event Notices where events involve a licensable activity

By notifying Ash Parish Council of an event in no way absolves the organiser from any health and safety responsibility nor does it infer that Ash Parish Council has any responsibility for health and safety in relation to the event.

Counter Terrorism Legislation in regard to events

Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on certain bodies, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”. This is known as the Prevent Duty. In complying with the Prevent Duty, there is an expectation that local authorities ensure that publicly owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views. Therefore, the hirer is not to use local authority resources to espouse violent and/or non-violent extremist views. The Government have defined extremism as “vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces.”

Enforcement

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 /Permission to Use, where the event is held on Council Land.

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 any other events on Council Land.

Where there is a breach of the terms and conditions contained within the Permission to Use, the Council may choose to take legal action to enforce these contractual rights.

Dover District Council has statutory powers that can enable it to immediately stop any events on Council Land where there is an imminent or substantial risk to public safety.

Public Liability Insurance

All events held on Council Land will need public liability insurance (PLI). The event organiser must provide the Council with evidence of PLI of not less than £5million (or such higher sum as may be notified by the Council) covering the Event. It is the responsibility of the Hirer to ensure that they obtain and inspect evidence of PLI policies from any and all other site users/additional participants/parties, to the same value prior to the Event date. The event organiser must not do anything that will or might constitute a breach of any statutory requirement affecting the Council Land or that will or might wholly or partially vitiate any insurance effected in respect of the Council Land from time to time.

PLI provides cover for legal liability of the insured party in respect of a claim from a third party for property damage, death, injury and illness.

The event organiser shall indemnify the Council against all losses, claims, proceedings, demands, costs, charges, expenses and damages whatsoever or howsoever arising out of

or in connection with the use of the Council Land under the provisions of any hiring permission granted, unless due to any act or neglect of the Council.

The use of the Council Land or any part thereof is entirely at the risk of the event organiser who shall be liable for any claim in respect of:

1. Personal injury or death arising out of the booking except to the extent that the same is due to any act or neglect of the Council or any person for whom the Council is responsible;
2. Loss of or damage to property whether real or personal and whether belonging to the Council or otherwise.