

Public Open Spaces Hire Policy

Introduction

The Council encourages the hire of outdoor open spaces, recognising the contribution that events make to the vibrant community and cultural life of the District's towns and villages and, in the case of larger events, to attracting visitors to enjoy the District's many attractions and contribute to its economic vitality.

This Policy provides advice and guidance on the Council's approach to hiring an outdoors Council-owned venue and can be used for all events regardless of size, although some parts may not be relevant for smaller events.

The Policy gives general advice that should be used when arranging any type of event, while recognising that events can be very diverse, ranging from a simple car boot sale, to a large outdoor carnival. It is likely that additional guidance will be required for specialist events and larger scale activities.

Stage 1 - Pre-planning

Detailed preplanning is essential to ensure the event is successful. The following should be considered at this stage:

- **Where.** Make sure the venue is adequate for the proposed event. Consider the impact on the local community, how easy it will be for people to get to the venue and any car parking requirements. Consider the suitability of the venue and any existing hazards, which may be on the site such as water hazards, overhead power lines etc. Consider whether or not emergency routes will be adequate.
- **When.** Consider the time of year, including the consequences of extreme weather conditions at an outside event. The day of the week and time will also need consideration regarding the nature of the event, noise and ease of travel etc. There may be a need to arrange lighting for an evening function. If large the event should not clash with any other major events in the area.
- **Who.** Identify the aims of the event. Are particular groups or types of people to be targeted, such as young children, teenagers, the elderly or disabled? If so, specific facilities may be required to accommodate them or additional stewards to ensure adequate safety standards are maintained.
- **What.** Decide on the type of activities to be held. Will there be any specific hazards such as animals or motor sports? If possible also try to establish the size of the proposed event and whether or not an entrance fee will be charged.
- **Specialist equipment.** Will the activities require the use of any specialist equipment such as bungee jumps, inflatable structures etc.? If so, does this equipment pose any specific hazards? Will a particular activity need barriers etc? Some equipment must have its own safety certificate in place before it can be used.
- **Code of practice.** For larger events there will be a need to comply with guidance particularly the *Code of Practice for Outdoor Events* published by the National Outdoor Events Association <http://www.noea.org.uk/default.asp?pageId=47>

which gives advice on structures, marquees, tents and electrical matters. The HSE *website* also contains useful information at <http://www.hse.gov.uk/event-safety/health-safety-topics.htm>

- **Welfare arrangements.** The organiser must estimate the number of attendees to the event and consider its duration. Toilet and first aid requirements should be based on these estimations. Advice is given in the *Code of Practice for Outdoor Events* referred to above. Temporary and any permanent toilets should be checked for adequacy and maintained during the event. The provision of drinking water will be necessary. Depending upon the scale of the event, refreshments and other facilities may be required. Provision also needs to be made for lost children, missing persons, baby changing and lost property.
- **Special permission.** A Premises licence or Temporary Event Notice (TEN) may be needed if the event consists of music, dancing, singing or similar, or if it includes a display or exhibition of boxing, wrestling, judo, karate or similar sport. Any sale of alcohol will also require a licence or TEN. Contact the Licensing Team for further details [INSERT WEBLINK]. A fee will be charged for a licence/TEN.
- **Insurance.** All events will require public liability insurance. All contractors and performers will also need their own public liability cover with a £5 million minimum Limit of Indemnity. Depending upon the nature of the organisation and the proposed event other insurances may also be required.
- **Timescale.** Set out the proposed timescale and allow as much time as possible to organise the event. Larger events need as much as 9 to 12 months planning. Some specialist advice may be required, and special permission could take time.
- **Event plan.** This should include all health and safety arrangements. Once all the issues referred to above have been addressed, keep records of the proposals as a formal plan for the event. This will help organisers when carrying out risk assessments.

Risk assessment

Organisers of events have a legal responsibility to ensure the Health, Safety and Welfare of any employees, volunteer helpers or contractors involved in arranging the event and to the public and participants attending. This should be ensured by carrying out a detailed risk assessment. All hazards associated with the event should be identified, the level of risk assessed and appropriate action taken to reduce these risks to an acceptable level. All events must comply with recognised safety standards and organisers must take all reasonable precautions to ensure the event takes place safely.

A formal record should be kept of the risk assessments. A simple guidance note and an example form is available at [INSERT WEBLINK]. Completed forms should be retained for future reference.

Where the event consists of more than one attraction e.g. a summer fete, a written risk assessment may be required for each activity. In these circumstances, the enclosed risk assessment form can be duplicated. Any contractors involved in the event should also carry out risk assessments and the main organiser should hold copies of these.

More information regarding risk assessments is available on the Health and Safety Executive website at <http://www.hse.gov.uk/event-safety/getting-started.htm>

Stage 2 - Organising the event

This section covers the detail of organising the event. During this stage the event plan should be kept up to date.

- **Establish a committee.** Identify specific responsibilities for all committee members. One person should be identified as the event manager and be responsible for liaison with other organisations, such as the council, the local police force and other emergency services. One person, with suitable experience, should be given overall responsibility for health and safety, and another person co-ordination and supervision of stewards.
- **Liaison.** Contact the local police, fire brigade, ambulance and first aid providers. Tell them about the event and ask them for advice. Decide what additional information is required regarding specific activities and make contact with the council and/or the relevant organisations. Other services may need to be contacted such as the Environment Agency for waterborne events on the River Thames.
- **Site plan.** Draw up a site plan identifying the position of all the intended attractions and facilities. Plan out and designate the entrance and exit points, circulation routes, vehicle access and emergency evacuation paths.
- **Emergency plan.** A formal plan should be established to deal with any emergency situations, which may arise during the event. The complexity of this will depend upon the size and nature of the event itself. A simple easy to follow plan will be acceptable for a small event. Organisers may have to liaise with the emergency services, local hospitals and the council's emergency planning officer and create a planning team to consider all potential major incidents and how to deal with them.
- **Temporary structures.** Many events will require temporary structures such as staging, tents, marquees, stalls etc. Decide where this equipment is to be obtained, who will erect it and what safety checks will be required. The location of any such structures should be identified on the site plan. Consider whether barriers will be required to protect the public against specific hazards such as moving machinery, barbecues, vehicles and any other dangerous displays etc. In some cases, barriers will need to have specified safety loadings depending upon the number of people likely to attend. Temporary structures should only be obtained from experienced suppliers.
- **Catering.** Ensure any caterers have been licensed by Wycombe District Council and that they will be sensibly positioned, such as away from children's activity areas and near to any water supplies if available etc. Adequate space should be left between catering facilities to prevent any risk of fire spread. Ask to see caterers' food hygiene certification, their menu and charges to ensure their prices are reasonable. On certain sites the Council has let the catering concessions and it will not be possible for organisers to provide their own catering arrangements without an agreement with the concessionaire.
- **Stewards.** Stewards at larger events must be fully briefed on all aspects of the event including crowd control and emergency arrangements. Written instructions,

site plans and checklists should be provided to them. It is important that stewards can be easily identified by the public and that they can effectively communicate with each other, their supervisor, the person responsible for health and safety, and the event manager.

All stewards should be properly trained and competent as they will need to be constantly on the lookout for hazards, which could develop during the event. They may also be required to guide vehicles, clear emergency exits, and sort out any behavioural problems. Specific training should be provided for basic first aid assistance and fire-fighting. Stewards may require personal protective clothing such as hats, boots, gloves or coats. For evening events, they may need to be issued with torches. At all day events, duty rotas will be required.

- **Crowd control.** The type of event and the numbers attending will determine the measures needed. Consideration will need to be given to the number and positioning of barriers, and the provision of a public address system.
- **Numbers attending.** The maximum number of people the event can safely hold must be established. This may be reduced depending upon the activities being planned. The numbers of people attending the event may have to be counted to prevent overcrowding. The number attending may also dictate the type of licence needed.
- **Provision for disabled people.** Specific arrangements should be made to ensure disabled visitors have adequate facilities, parking and specific viewing areas and can safely enjoy the event.
- **Security.** Depending upon the nature of the event, specific security arrangements may be necessary, including arrangements for securing property overnight. Cash collection should be planned and regular collections made to a secure area. Following risk assessment, stewards or helpers collecting cash may require money belts or other carrying facilities. Counting and banking arrangements should be given careful consideration.
- **On-site traffic.** Contractors and/or performers vehicles and other traffic should be carefully managed to ensure segregation from pedestrians. It may be necessary to only permit vehicular access at specific times and not during the event itself. Separate entrances should be provided for vehicles and pedestrians, with specific arrangements for emergency vehicle access. Car parking facilities will be required at most events and these will have to be stewarded. Consider where such facilities should be situated.
- **Off-site traffic.** Unplanned and uncontrolled access and egress to a site can result in a serious accident. Traffic control both inside and outside the site should be discussed with the police and Bucks County Council. Adequate signs and directions should be provided in prominent positions on the approaches to the entrances. If road closures, signs on the highway, traffic diversions and/or the placement of cones are required then an application must be made for a traffic regulation order and/or approval from the highway authority. Bucks County Council require a minimum of 3 months' notice.
- **Transportation.** The local rail and bus companies should be advised of larger events to establish if existing services will be adequate. Organisers will also need to liaise with them if road closures or diversions are intended.

- **Contractors.** All contractors should be vetted to ensure they are competent to undertake the tasks required of them. Wherever possible references should be obtained and followed up. Ask contractors for a copy of their safety policy and risk assessments. Always ask to see their public liability insurance certificate, which should provide a limit of indemnity of at least £5 million. Provide contractors with a copy of the event plan and arrange liaison meetings to ensure they will work within the specified parameters.
- **Performers.** All performers should have their own insurances and risk assessments and the same considerations will apply as for contractors. Where amateur performers are being used, discuss detailed requirements with them and ensure they will comply with the health and safety rules and event plan.
- **Facilities and utilities.** Where electricity, gas or water is to be used, detailed arrangements must be made to ensure the facilities are safe. All portable electrical appliances including extension leads etc. should be tested for electrical safety and a record kept. Any hired equipment should come with a certificate of electrical safety.
Where events are taking place outside, residual current circuit breakers should be used and if possible the power supply stepped down to 110 volts. All cables must be safely channelled to eliminate any electrical and tripping hazards. Potential hazards due to extreme weather should be considered for outside events. Portable gas supplies for cooking should be kept to a minimum in designated areas away from the general public. The same should apply to any fuel supplies items such as portable generators etc. Generators should be suitably fenced or barriered to prevent access from public areas. All these arrangements should be clearly shown on the site plan.
- **Contingency plans.** Consider the implications on the event of extreme weather conditions. Will the event be cancelled? Could specialist matting be hired in at short notice? Or could the event be moved to an alternative inside venue. This will involve considerable planning and may be unfeasible for anything other than the smallest events. There could also be other scenarios, which should be planned for, such as dealing with a disappointed crowd if the main attraction has not turned up.
- **Clearing up.** Arrangements will probably be required for waste disposal and litter clearance both during and after the event. Individuals should be assigned specific responsibilities for emptying bins and clearing the site. At some events there could be discarded hypodermic needles which need to be disposed of safely. This will require specialist training and equipment. The site must be returned to the Council in a litter-free, undamaged condition at the conclusion of the event – any and all damages will be charged for.
- **Risk assessments.** The risk assessment should be updated continually during this stage. Any remedial action with timescales should be specified in the updated event plan.

Stage 3 – Final preparations

Just prior to the event a detailed safety check will need to be carried out, to include the following:

- **Routes.** Ensure clear access and exit routes and adequate circulation within the site. Pay particular attention to emergency routes
- **Inspections.** A checklist is provided as an example. A walk-through inspection of the site should be carried out immediately prior to, during and after the event to identify any potential hazards and to check out communications are working. All defects should be noted along with the remedial action taken. These checklists should be retained.
- **Siting.** Make sure that all facilities and attractions are correctly sited as per the site plan. Be certain that the first aid facilities, fire extinguishers and any cash collection boxes are in place. Check waste bins are in their correct locations.
- **Signage.** Ensure adequate signage is displayed where necessary. This should include emergency exits, first aid points, information and lost children points and other welfare facilities such as toilets and drinking water.
- **Vehicles.** Check that all contractors, performers and exhibitors vehicles have been removed from the site or parked in the designated area before the public are permitted to enter.
- **Structures.** Ensure all staging, seating, marquees and lighting structures have been erected safely and that certification has been obtained from the relevant contractors as a record of this.
- **Barriers.** Check that all barriers and other protection against hazards are securely in place and there is no risk of falling from staging or other facilities.
- **Stewards.** Make sure that all staff have arrived and are in their correct location. Ensure all stewards are wearing the correct clothing for easy identification.
- **Lighting.** Check all lighting is working, including any emergency lighting.
- **Public information.** Make sure that the public address system is working and can be heard in all areas.
- **Briefing.** Check that all stewards and staff have been fully briefed and understand their responsibilities.

Stage 4 – After the event

- **Site condition.** After the event, another inspection should be carried out to make sure nothing has been left on the site which could be hazardous to future users. This inspection should identify any damage which has been caused during the event. Structures should only be left overnight with the full agreement of the Council and they must be left in a safe condition and safe from vandalism etc. Specific security arrangements must be put in place .
- **Accidents.** If an accident occurs, the names and addresses of witnesses should be obtained, photographs taken and a report made by the organisers. An accident form should be completed and a copy sent to the Council. A sample accident reporting form is available at [INSERT WEBLINK]. Organisers will also need to advise their insurance company. If any accident or dangerous occurrence is reported, action must be taken to prevent any further incidents taking place.
- **Claims.** Should any person declare an intention to make a claim following an alleged incident associated with the event, organisers should contact their insurers immediately. They may also require a completed accident form.

Other Considerations

Charging Policy

- **Charities and not for profit hires.** The Council supports voluntary, charitable and not for profit sporting hires of outdoor spaces by making sites available free of charge. Organisers still need to follow this Policy in organising their events and are required to submit the relevant booking forms and comply with all relevant national and local legislation and guidance.
- **Commercial events.** The Council charges sufficient fees to cover its costs of administering the hire. The charges are set each year and are available at [INSERT WEBLINK]
- **Large events.** Large events require much more input from the Council and impact on local residents to a greater extent. Fees for large events will be negotiated directly with event organisers.

Payment of all fees and charges must be made in full prior to the Due Date. If payment is not received the Council shall have the right to cancel the booking immediately. The Hirer will be liable for the full cost of the provision of any services (where available), e.g. electricity, water, marking of pitches etc over and above the hire charge for the event.

A deposit will be requested which would have to be paid to the Council 30 days prior to the Event which will be forfeited in the event of any damage or loss to the Venue, [or loss of keys in respect of removable bollards etc.] or held as part payment of any necessary making good. The Hirer will be liable for the full costs of any damage, so should this exceed the deposit the Council will issue an account.

Refusal of Booking and Cancellation

The Council reserves the right to refuse any application for the hiring of a Venue without being required to give any reason for such refusal. The Council reserves the right to withdraw permission to use the Venue. However, the Council will repay any deposits paid on cancelling a hiring but shall be under no liability for expense incurred or loss sustained by the Hirer as a result of the cancellation. If the organiser wishes to cancel the hire they shall be liable to the Council for the whole of the hire charge together with any additional expenses incurred by the Council, subject to the discretionary power of the Head of Community Services to vary this provision in appropriate cases.

The Council reserves the right to cancel any booking forthwith in the event that the Venue is affected by an emergency of any kind including severe adverse weather conditions or other exceptional circumstances in the Council's opinion. The Council will consider refunding part or all of any fees and charges paid and the amount shall be at the Council's sole discretion.

Catering

It is common place for outdoor events to provide some food facilities. These may vary from a low risk provision such as drinks and cakes; through to higher risk provisions such as barbecues.

Who has Legal responsibility for the food safety at an event?

- If the organiser is directly employing persons to provide food, whether they are paid or volunteers, the event itself will be classed as the food business under the Food Safety Act 1990.
- If the organisers contract with a food business to undertake the catering arrangements, they will be classed as the food business under the Food Safety Act 1990. However the organisers of the event are still likely to have some civil law liability if they do not ensure that the person they have contracted is carrying out matters in a safe fashion.

Why is food safety important?

- Some types of food poisoning organism can kill susceptible people. A food poisoning outbreak and/or significant breaches of food safety legislation can result in a prosecution, the penalties for which include heavy fines and even imprisonment. *(In a Crown Court the fine is unlimited and the imprisonment term is up to 2 years.)*

Organisers should therefore ensure that food operations for the day are carried out in a hygienic fashion by ensuring that they or their contractor(s) comply with the requirements of the following:

- Food Safety (General Food Hygiene) Regulations 1995; and
- Food Safety (Temperature Control) Regulations 1995.

The Council's Environmental Health Team will be pleased to discuss event requirements with organisers and offer advice in relation to food safety issues [INSERT WEBLINK].

Other Considerations

The organiser is responsible for the **supervision and control** of Event participants, officials, visitors and spectators. The organiser shall not interfere with or attach anything to any item of street furniture, park furniture or trees.

Pedestrians should be allowed unrestricted access along any **public footpath** located within the Venue unless a formal diversion order has been made. In addition with particular reference to **Higginson Park**, there is a requirement to maintain safe and unobstructed access to the Children's Play Area.

Specific conditions relate to **Fun Fairs** and organisers will supply full details of all side shows and rides and comply with and ensure that the operators of the rides comply with the guidance given in the publication *Fairgrounds and Amusement Parks – Guidance on Safe Practice* published by the Health and Safety Executive, and all other statutory requirements.

Noise nuisance is a particular concern for nearby residents and organisers should ensure that no noise nuisance shall be caused to occupiers of properties surrounding the Venue or users of the immediate surrounding area of the Venue.

All outdoor events must **cease at 22.30 hours** and all clearing up operations must be completed by 23.00 hours. The Council reserves the right to set earlier closure times for individual events where appropriate.

The **sale of alcohol** is strictly prohibited unless the relevant licence or permission has been obtained by making an application to Wycombe District Council in advance.

The organiser will not allow at the Event any exhibition, performance or entertainment in which **animals** are or might be involved unless agreed by the Council in advance.

The organiser will not permit the operation or release of any **high flying object**.

The Hirer shall not bring into the Venue any article of an **flammable or explosive** character or that produces an offensive smell, or CFC or any oil, electrical, gas or other apparatus without the written approval of the Council.

The use of any **public address system** at the Event must be agreed by the Council and must be operated so as not to cause a noise nuisance. Any necessary licences must be obtained by the Hirer.

The council does not allow **balloon or lantern releases** from any of our sites.

Any contravention of the Town and Country Planning (Control of **Advertisements**) Regulations 1992 or any amendments or variation thereto may be deemed a reason for the cancellation of a hiring or series of hiring. If there shall be any contravention of these requirements the organiser will reimburse the Council the cost of removing any such unauthorised or illicit advertisements or advertising material. No flyposting is permitted.

The Council is not responsible and will not accept liability for any **loss, damage, injury or death** howsoever, and by whomsoever caused, whether to property or person(s) sustained by any person in the Venue. The Hirer will indemnify the Council against all claims, actions, demands, proceedings, cost or awards in respect of any loss, damage, injury or death to persons or property engaged by or assisting the Hirer.

The Hirer must take out Public Liability Insurance Cover or Third Party Risks [including products liability where appropriate] for a minimum of £5 million (five million pounds).

No **collections, games of chance, sweep stakes, lotteries** or betting of any kind may be conducted at the Venue unless agreed by the Council.

For certain events the organiser will be expected to enter into a **legal agreement**.