



*Tendring*  
District Council

# Open Space Events Policy

**(Council Owned Land)**

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## **1. Introduction**

Support for and the development of an events policy in relation to events held on council land is important. It will enable the Council to promote the best locations and activities, display local talent, tap into artistic and sporting excellence and celebrate local cultural heritage and diversity.

The policy should help to enhance Tendring's tourism profile, helping promote and sustain economic growth.

Events make a major contribution to community cohesion and well-being. Participation in events has a number of social benefits, raising horizons, increasing life chances, supporting aspirations as well as providing positive activities that can divert antisocial behaviour.

Event management should be robust and ensure events are delivered in the best possible way in accordance with Council policies and priorities and with relevant health and safety legislation.

The Council has several functions to fulfil with regard to the delivery of events:

- A supporting role to work with event organisers to protect public safety.
- As an event deliverer, hosting and resourcing events.
- As an enabler working in partnership with external organisations to support and/or deliver high quality relevant events on council land.

The Open Space Events Policy reflects:

- The importance of outdoor events to the economy of the community.
- The demand from promoters and organisations to hold outdoor events in Tendring.
- The difficult balance needed to maximise event benefits while minimising the challenges faced in holding them.
- That alongside the benefits for tourism, a good range of events enhances the vitality and self-image of the District.
- That as events evolve and develop it will be necessary for the Events Policy to evolve and develop accordingly.
- The importance of working with partners to provide a programme of safe and well-managed events for the benefit of residents and visitors.

## **2. Priorities**

The Open Space Events Policy commits to actively supporting business enterprise and growth; outdoor events contribute to the following priorities:

- Attracting Investment
- Promoting Enterprise
- Inspiring Learning
- Welcoming Visitors
- Strengthening Partnerships

### 3. Contribution to Priorities

The benefits of outdoor events include:

- A positive contribution to the local economy.
- Developing community cohesion bringing local people together, whether as participants or spectators.
- Raising the profile of Tendring at regional, national and international levels
- The generation of income to the Council which contributes to supporting the Council's service priorities.
- Promoting sport and physical activity that encourages regular participation and benefits the health and well-being of the district's residents.
- Providing opportunities for local and national charities to raise funds.

### 4. Policy Objectives

The objectives of the policy are to:

- Ensure that organisers for effectively plan and manage events.
- Maximise safety for those working and attending events.
- Ensure the promotion of Licensing Objectives.
- Ensure that events protect and enhance the environment, meeting community needs and promote economic growth.
- Provide a framework for the application process to seek approval for outdoor events.
- Ensure pre-event consultation takes place, including with the Safety Advisory Group where appropriate.
- Maximise the opportunity for increased spending that makes a positive contribution to the local economy.
- Minimise any negative impact of events to the residents and businesses of the District.
- Ensure compliance with the Animal Welfare Act 2006 and other legislation at the time being.
- Set out a scale of charges for events.
- Ensure the recognition of areas as outdoor event spaces.
- Develop the existing events programme with events throughout the year to maximise the positive impact of events to Tendring's economy and general health and well-being of residents and participants.

### 5. Event Application

The size and type of the event determines fees payable.

Size	Audience capacity*	How to apply
Small	Under 500	Submit Outdoor Spaces Application Form In some cases an Event Management Plan may also be requested.

Medium	500 - 2000	Submit an Outdoor Spaces application Form and on request an Event Management Plan
Large	Over 2000	Submit Outdoor Spaces Application Form and an Event Management Plan

\* Audience capacity is the maximum number of people expected at the event at one time.

All events will be required to comply with the guidance provided by the Council's Officer teams and the Safety Advisory Group where relevant.

Professional firework displays must comply with Health & Safety Executive Guide HSG 123.

Guidance on how to organise an event on Council Land is available on the Tendring District Council's website.

An Event Management Plan may be required for smaller events if they are particularly significant in nature and would be requested at the time of application

### 5.1 Small Events

- The event organiser submits an open space application form a minimum of 8 weeks before the event date.
- An Event Management Plan is submitted where requested
- The application form is assessed by the Officer Team and a booking letter and conditions of hire document are issued, if permission is granted.
- The open space application form contains questions and guidance on the areas needed to be considered before holding an event.
- A risk assessment and evidence of Public Liability Insurance (minimum £5m) is required for all events.

### 5.2 Medium Events

- The event organiser submits an open space application form a minimum of 3 months before the event date.
- Where an event is considered to have significant impact on an area, site or residents, or requires a considerable emergency services operation, event organisers will be asked to submit an Event Management Plan.
- The application form is assessed by the Officer Team and a booking letter and conditions of hire document are issued if permission is granted.
- The open spaces application form contains questions and guidance on the areas needed to be considered before holding an event.
- A risk assessment and evidence of Public Liability Insurance (minimum £10m) is required for all events.
- Attend a meeting of the Safety Advisory Group

### 5.3 Large Events

- An initial discussion with the Officer Team is followed up with the submission of a draft Event Management Plan at least 6 months before the event.
- If further development of the plan is necessary, a timescale greater than 6 months may be required.

- In consultation with the Safety Advisory Group (SAG) a meeting will take place. A series multi agency event planning meetings may be called.
- If the timescale for event planning is not met, consent may be withdrawn.
- A risk assessment and evidence of Public Liability Insurance (minimum £10m is required for all larger events).

All submissions are to be made to:

[Clacton Town Square: events@tendringdc.gov.uk](mailto:events@tendringdc.gov.uk)

[Open Spaces: openspaceenquiries@tendringdc.gov.uk](mailto:openspaceenquiries@tendringdc.gov.uk)

## **6. Event Management Plan**

Organisers of large events will need to produce a plan, which will be subject to the approval of the Officer Team and the multi-agency Safety Advisory Group for the event (SAG). The Event Management Plan must also be presented at a Safety Advisory Group by the event organiser for advice and comment. The plan will include but not be limited to:

- Access Provision
- Cancellation procedure including adverse weather conditions
- Child and vulnerable adult protection
- Complaints procedure
- Concessions and caterers
- Crowd management
- Emergency Command, Control and Co-ordination Structure
- Entertainment
- Environmental / Sustainability impact
- Equal opportunity statement
- Event communication plan including named contacts
- Fire safety and evacuation
- First aid / medical
- Food safety
- Infrastructure
- Licensing requirements
- Vulnerable people and lost property procedures
- Marketing
- Noise management
- Public liability insurance
- Risk assessments
- Sanitary provision
- Security and stewarding provision
- Site plans
- Statement of intent
- Production and event timetable
- Traffic management including parking and on-site vehicle movement and access
- Transport management
- Waste management
- Sustainability

## 7. Licensing, Permissions & Insurance

Event organisers must ensure that all required permissions and licenses are acquired in an appropriate and timely manner including, but not necessarily limited to:

- Consent to use council land
- Performing Rights Society (PRS)
- Phonographic Performance Limited (PPL)
- A Temporary Events Notice (TEN) or time limited premises licenses may be required.

The council holds licenses for outdoor events in some of the open spaces across Tendring. The Officer Team and Licensing Service can advise whether a license is required depending on the size, nature and location of your event.

The event organiser must provide evidence that they hold adequate insurance appropriate to the scale and nature of the event.

Size	Audience capacity*	Indemnity
Small	Under 500	£5 million
Medium	500 -2000	£10 million
Large	Over 2000	£10 million

The insurance needs to cover the whole period of the event from start to finish and includes time when the public are generally not present such as event set-up and closedown.

Employers Liability is required and should cover staff, contractors and volunteers.

Size	Audience capacity*	Indemnity
Small	Under 500	£5 million
Medium	500 -2000	£10 million
Large	Over 2000	£10 million

## 8. Criteria for approval of an event

The following criteria will be used to determine whether approval will be given to a specific event. These criteria will be considered during the application process to ensure compliance with the objectives of this policy and the requirements for holding an event.

- Public safety and security issues.
- Health and Safety.
- The ability of the event organiser to manage the financial requirements of the event.
- The ability of the organisers to effectively plan, manage and control the event.

- The ability of the event organisers to effectively manage and incident / emergency at the event and an indication when they would call upon / escalate to emergency services.
- Impact upon the environment and damage limitation.
- Impact of the event on regular users of public spaces, stakeholders and local residents.
- Timing of the event.
- Size of event, numbers attending or numbers estimated to attend.
- Impact on transport and traffic infrastructure to support the event e.g. parking, increased use of public transport and road closures.
- Type of event.
- Opportunities for local participation.
- The ability to demonstrate commitment to Tendring District Council's equalities policy.
- Legal constraints.
- Compliance with conditions specific to the event location.
- Compliance with statutory requirements as required by the council such as the Environmental Health and Licensing Authority e.g. noise disturbance and food hygiene.
- Compliance with the Animal Welfare Act 2006 and TDC Animal Charter and other legislative requirements.
- Ability to demonstrate appropriate safeguarding arrangements.

### **9. Council Approval Process as Property Owner**

All events will require consent from the Council in the capacity as property owner for the area the event is being held. This is provided by the Council service upon whose land / or area of work the event is undertaken – Seafronts / Public Realm - Open Spaces, Parking etc..

Applications should be made in good time with a minimum allowance for small events of eight weeks with proportionately longer periods for larger events: see section 5. Applications should be made through the Council's application form on its web site and include all of the supporting documents and evidence set out therein.

Decision-making in the approvals process is delegated to the Council's Senior officers. Administration, assessment and information gathering may be done by other officers. Officers may elect to refer difficult or contentious cases to the relevant Portfolio Holder.

Applicants may request that officer decisions are reviewed by the relevant Portfolio Holder. The Portfolio Holder's decision (subject to democratic process) will be final.

Any concerns expressed by third parties about an approval granted will be considered through the Council's complaints procedure.

## **10. Consultation**

The level of consultation will be dependent upon the scale and location of the event with reference to the impact on its surroundings. The consultation process may include consultation with:

- The Events Officer (initial consultation) to ensure it fits within the Council Land / Open Space Events Policy.
- Internal sections / services of the Council.
- Emergency services.
- Transport providers.
- Local ward councillors.
- External partners specific to an event location.
- Communities of interest specific to the event.

A consultation plan will be agreed between the Event Organiser and the Events Officer to ensure that all relevant parties are consulted who may be affected by the event.

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

The Safety Advisory Group is made up of representatives of:

- TDC services: Licensing, parking, Emergency Planning, Environmental health etc
- Essex Police
- Essex County Fire and Rescue Service
- East of England Ambulance Service Trust
- HM Coastguard
- Essex Highways

The purpose of the SAG is to consider events in the context of their being important to our community. The SAG examines and advises in relation to the safety aspects of events so they can proceed in as safe a way as reasonably practicable

The remit of the Group is therefore to provide advice on the safety aspects of events. Property owners' consent may be withdrawn upon advice by SAG on safety grounds.

## **12. Fees and Charges**

The fees for holding outdoor events are set out in the supporting document Outdoor Event Fees. The Event Fee and Reinstatement Deposit (if applicable) are payable once consent has been granted.

The fees applied depend on whether an event is:

- Commercial
- Charity (National)
- Charity (Local)
- Community

### **12.1 Commercial**

These events provide a commercial benefit to a profit making business or operation including product launches, corporate events and other marketing and promotional activities for profit making organisations.

### **12.2 Charity (National / Local) / Not for Profit Organisations**

Events organised by registered national or local charities / not for profit organisations and are predominantly fund raising events for the benefit of the charity / not for profit organisation.

The Council acknowledges the benefit of charitable fund raising but also recognises that some charitable events can be of a commercial nature in terms of size, funds raised, dependency on using council land and impact on the community.

These charitable events / not for profit organisations will be regarded in the same way as events of a commercial nature and fees charged appropriately.

### **12.3 Community**

Any event organised by not for profit, community or voluntary groups that directly benefit the residents and visitors of the District, and do not provide significant advertising or other commercial benefit to a not for profit-making business or organisation.

The classification of the event type is subject of Officer / Portfolio Holder discretion and may affect any of the following:

- Whether an application is accepted
- The events fees charged
- The length of time needed for an application to be considered
- The nature and duration of the consultation to be undertaken

### **12.4 Event Fees**

This fee covers the cost of hiring the site.

**£200 per day – days of operation**

**£150 per day – set up / non operational**

**£30 per day - Community event**

The Portfolio Holder may waive fees for small community and charitable events and events of national significance and importance, and the rationale of this decision must be officially recorded

### **12.5 Cancellation Fee**

Event organisers may be charged an open space event Cancellation Fee at the point of booking.

In the event that you cancel your event, cancellation fees will be charged based on:

- 25% of your overall event fee within 90 days of the event date
- 50% of your overall event fee within 60 days of the event date
- 75% of your overall event fee within 30 days of the event date
- No refund within one week of the event date

### **12.6 Reinstatement Deposit**

A refundable deposit may be required to be lodged with the Council where there is a potential risk of damage to the physical environment from the event. The deposit will be required at the time the hire fee is due and will be used to fund any repairs or damage caused by the event.

**£500 - large event**

**£250 - medium event**

**£50 - small event**

### **12.7 Licensing Fees**

Under the Licensing Act 2003, if your audience is 499 or more at any one time (this figure includes audience, staff and performers) you will need a premises licence to stage an event that includes regulated entertainment, sale of alcohol or late night entertainment. For further information on licence fees please contact the Environmental Health & Licensing Team. The council pays for an annual licence for events staged in some event spaces and event organisers will be required to meet the requirements of the licence for events at these areas. If the activity is for less than 500 people a Temporary Event Notice (TEN) may be used.

### **12.8 Waste Management /Power /Water**

Event organisers are required to have arrangements in place to minimise waste, promote recycling and where unavoidable, dispose of waste. All cleansing during and after the event must be carried out by the event organiser. If the event organisers' arrangements are not sufficient and result in an increased service level being provided the costs will be charged to the event organiser. Some sites have access to power and water and a charge will be made for these services.

### **12.9 Road Closure Costs**

Where road closures are required the type of road closure and authority responsible for the road closure will be considered.

If the road closure falls under the Town Police Clauses Act 1847, the event will be required to comply with TDC's road closure policy. If the road closure requires action by the Highway Authority Essex County Council to comply with Highway Regulation and Enforcement, the event organiser will be required to liaise with ECC Highways..

The appropriate provision should be made to consult and/or contract with a Traffic Management Company or qualified Stewarding Company to assist with road closures.

## **12.10 Parking Bay Suspensions**

Where the event organiser requires parking bay suspensions to be put in place, a fee will be charged to the event organiser. For on-street suspensions, the organiser will need to liaise with the North Essex Parking Partnership. If a TDC off street car park is closed or partially accessible on an event day due to an event a percentage loss of income (relative to normal usage) may also be required from the organiser.

## **13. Monitoring of events**

The Events Officer will monitor the large events to ensure compliance with the policy and the location hire agreement. Where the Council is required to provide staffing, equipment or other resources to the event, the costs for such resources may be charged to the event organiser.

## **14. Sustainable Events**

Events are a vital part of our town's economy; attracting visitors and making Tendring a more vibrant place to live, work and visit. Event organisers have a responsibility when organising an event to minimise the negative impacts and maximise the benefits to the environment, people and the local economy.

Tendring District Council is committed to working with event organisers to improve the sustainability of events by protecting and enhancing the environment, meeting social needs and promoting economic success.

Event organisers will be asked about their plans for sustainability which should be included within their Event Management Plan if there is one, including how they plan to:

- Support the local economy
- Minimise waste, water and energy use
- Encourage public transport and sustainable food
- Communicate with everyone involved with the event

Where applicable sustainability matters should form part of the Event Management Plan.

## **15. General Regulations**

The following general regulations will apply to all events.

### **15.1 Hours of Operation**

This will include both the duration of the event itself and the rigging and de-rigging of the event site. The requirements will be specific to event locations. The terminal hour is determined by open spaces premises licences.

### **15.2 Noise Levels**

Permissible noise levels will be dependent on specific locations and their individual requirements. A Noise Management Plan may be required to mitigate any potential noise disturbance. Reference should be made to the Noise Council's Code of Practice for Environmental Noise Control at Concerts.

### **15.3 Health & Safety**

The enforcing authority for health and safety for most outdoor events are Tendring District Councils' Environmental Health / Health and Safety Teams. The Events Officer reviews the event application forms or event management plans to ensure a risk assessment has taken place. The team works with event organisers and other agencies to ensure events are run safely.

### **15.4 Food Safety**

Where the event involves the provision of food or has food franchises all traders should be adequately vetted to the satisfaction of Environmental Services food safety team before being permitted to trade. Any food mobiles must be members of the nationwide caterers association (NCAS) and be registered with their local authority as a food business.

If required by an officer of Environmental Services food team any food trader presenting a significant food safety risk should be instructed to cease trading.

### **15.5 Transport Management**

Transport management is a major concern for events. Event organisers must liaise with Essex County Council Highways Team, The North Essex Parking Partnership (on-street parking) and Tendring District Councils' parking team and act on any appropriate guidance. Robust Transport and Traffic Management Plans should be drawn up as part of the event planning process for events where significant numbers of people will be travelling to the event.

### **15.6 Vehicle Parking**

Approval must be obtained for onsite vehicle parking in relation to an event whether for the event organisers, participants or spectators.

### **15.7 Animal Welfare Charter**

All events including animals where animals are used for entertainment or used as security or personal pets on site with exhibitors must comply with Animal Welfare Charter and TDC Environmental Services team must be informed. Giving of any animal(s) as prizes in any way is prohibited.

### **15.8 Sanitary Provision**

The appropriate numbers and types of toilets must be provided for the anticipated number of people attending the event.

### **15.9 Environmental Protection**

Every effort should be made to minimise environmental impact and maximise the "green" production of events through the use of recyclable and/or reusable products and materials. Reducing the amount of plastic waste will improve our environment as a whole, our health and the well-being of animals. Tendring District Council encourages event organisers to reduce their single use of plastics at events.

The release of helium balloons and paper lanterns powered by tea lights are not permitted on Council land.

**15.10 Emergency Planning** : All events must have a clearly understood command, control and co-ordination structure to ensure effective and efficient response to an incident / emergency at the event. This should include at what point the response is escalated to the emergency services.

## **16. Community Safety**

The safety and security of event visitors, organisers and other members of the public must not be compromised by any event. It is the duty of all event organisers to make such provisions necessary as to ensure this is the case. Key items for consideration are:

### **16.1 Security & Stewarding**

Security & stewarding personnel are key to ensuring the safety of all people in and around an event. All events must provide appropriately trained and briefed staff in positions to maintain crowd control, provide public information and to enforce any applied restrictions on entry and behaviour within the space, as well as to implement procedures in an accident or emergency situation. All staff working in a security role must be qualified to the appropriate level with the Security Industry Authority (SIA).

### **16.2 Child and other Vulnerable Person Protection**

Child vulnerable person protection is a fundamental part of the safety management of an event. Organisers are expected to make such efforts as necessary to remove risk of the abuse or mistreatment of children and vulnerable people at events and to take appropriate measures if event staff identify situations of abuse or mistreatment whether related to the event or not. Event organisers may be expected to submit a child and vulnerable person protection policy statement and vulnerable people procedure as part of their application for the event.

### **16.3 Medical & First Aid Provision**

Event organisers must carry out a medical risk assessment, considering such things as the activities, the numbers, types and age groups attending, access and egress, the site and structures, and other health, safety and welfare issues. Provision of adequate numbers and types of first aid and medical resources should be based upon published guidance such as HSG195.

### **16.4 Signage**

Signage within an event site should be clear to read using commonly understood language and symbols and be positioned such that it can be seen from a reasonable distance by event attendees. All main sanitary, medical and safety facilities including vulnerable / missing persons and property, as well as emergency exits, should be signposted throughout the event site. Where signage and/or advertising are used outside of the event site, guidelines around outdoor advertising must be adhered to.

### **16.5 Prevent Duty**

The Council is under a legal duty to prevent dissemination of extremist views. In complying with the government expects local authorities to ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views.

The Council reserves the right to refuse consent for any event or to withdraw consent without refund at any stage if it reasonably considers that an organiser, event or proposed participant is likely to use the event to disseminate extremist views of any kind.

## **17. Legislation, Regulations and Guidance**

All events must conform to relevant legislation, including but not limited to:

- Health & Safety at Work Act 1974 etc
- Health & Safety (First Aid) Regulations 1981
- Data Protection Act 1994 and 1998
- Equality Act 2010
- The Management of Health & Safety at Work Regulations 1999
- RIDDOR 1995
- Town and Country Planning Act 1947 and 1990
- Licensing Act 2003
- The Children's Act 1989
- Temporary Demountable Structures Guidance 2007
- Fire Regulatory Reform (Fire Safety) Order 2005
- Firework Regulations 2004
- Safety at Sports Ground Act 1975
- Private Security Industry Act 2001
- Environmental Protection Act 1990
- Noise Act 1996
- The Control of Noise at Work Regulations 2005
- Tendring District Councils Byelaws
- The Purple Guide to Health & Safety & Welfare at Music & other Events
- The Green Guide Guide to Safety at Sports Grounds 2018
- Any other relevant legislation

## **18. Publicity & Advertising**

Using outdoor banners, posters or any other media must comply with the council's guidelines on advertising in public spaces. Advertisers must have permission from the landowner, Tendring District Council or Essex County Council where it may apply such as the highway. Where unapproved fly posting can be linked to an event, the event's organiser will be deemed in breach of their contract with the Council and will subsequently incur any associated costs arising through the Council having to remove such material. Guidance on advertising in public spaces can be found on

<https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers>

TDC's website provides information on advertisements which require express consent under the Advertisement Regulations, but are displayed without consent being granted.

[Tendring District Council | Planning enforcement - Who can complain and what we do next \(tendringdc.gov.uk\)](#)

Communicating the details of an event to attract residents and visitors is an important part of event planning. Event organisers can list events (hosted across Tendring) on the Essex sunshine coast via TDC website – [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk)

## **19. Filming and Photography**

For Filming & Photography on council land a different application procedure applies.

[Tendring District Council | Do you want to film or have a photo shoot on our land in Tendring? \(tendringdc.gov.uk\)](https://www.tendringdc.gov.uk)

For use of drones at events, further requirements may be sought.

Our guide for filming that involves drones is that they must be registered with the CAA, have insurance that specifically covers drone use (usually the £5m and £10m guidelines as per event sizes earlier in the policy) and sight of operations manual is requested.

While a different procedure applies to events, you may still need to meet many of the requirements set out in this policy.

For further guidance, please contact the communications team at Tendring District Council [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk)

## **20. Review**

This Policy will be reviewed after five years or in the event of changed legislation, guidance or other necessitating circumstance.