

Agenda Item 9

Executive Member	Councillor James Friend
Strategic Management Team Lead Officer	Steve Ruddy
Author	Paul Anderson
Telephone	01306 870613
Email	Paul.anderson@molevalley.gov.uk
Date	4 February 2014

Ward (s) affected	All	Key Decision	No
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Subject	Open Spaces Events and Letting Policy
RECOMMENDATIONS	
That the Open Spaces Events and Lettings Policy is approved.	

<p>CORPORATE PRIORITIES</p> <p>Access to Services – Helping residents to access the services they need</p> <p>Our Parks and Open Spaces are important facilities that are there for the benefit of everybody in our community. Equally, we know that events (such as funfairs) on our land can bring further benefits to the community, and that local people may want to use our land for special occasions (fetes, weddings etc).</p> <p>This Policy seeks to ensure a consistent approach to the use of our land that maintains community use and access, whilst enabling and balancing other 'one off' requests.</p> <p>The Policy has been developed to promote community participation in decision making at the Council and wherever possible to devolve decision making to local communities.</p>
<p>Environment - Maintaining the character and environment of Mole Valley</p> <p>Our parks and open spaces are a crucial part of the District's environment. This Policy sets a framework to ensure that any applications for the use of our land are handled in a sustainable way and maintain the quality of the parks and open spaces.</p>
<p>Value for Money - Delivering quality, value for money services</p> <p>The Policy sets out the charges that will be set for people wishing to hire our land to ensure that income from events is optimised.</p>
<p>The Executive has the authority to determine the Recommendations</p>

1.0 INTRODUCTION

- 1.1 The Council is often approached for permission for use parks and open spaces for a variety of reasons, such as private parties, filming and other events. Decisions around these requests are currently made within the Parks Team, in consultation with the relevant ward Members. The purpose of this report is to present a policy which will be used as a basis for making decisions on requests.
- 1.2 Whilst the Council owns its parks and open spaces, it is recognised that this is for the benefit of the communities it serves. Therefore, in addition to setting a policy for decision making, a key aim of this policy is to motivate and enable our communities to participate in the decision making process.
- 1.3 This will be achieved by decision making being devolved to Parish Councils, Residents Associations or recognised Community Organisations, who wish to have the power to make decisions on applications devolved to them.
- 1.4 Depending on the nature of these community organisations, different approaches to enabling this decision making will need to be put in place. The Council will work with individual organisations to facilitate this.
- 1.5 For any community organisations that don't want the devolved power, the Council will work with community groups on making decisions on applications for the use of the Council's parks and open spaces. We will operate under the principle of agreeing with the view of the local community, except where their view is contrary to the Council's policy or our legal responsibilities or is not objectively justified.
- 1.6 Preliminary engagement has been undertaken with community organisations about this proposed new approach to letting out the Council's parks and open spaces to ensure that the policy is one that they would welcome. As part of this, income from the hiring out of land will be retained by the community organisation. The Council will work closely with relevant organisations to ensure the smooth and effective rolling out of the policy.
- 1.7 The Policy clearly sets out the terms and conditions of hiring land for events, and sets out all of the issues which applicants will need to address. Therefore in addition to opening up the possibility of delegating decisions to community level we are also improving the application process, so that potential applicants can clearly understand the application process, what is required of them and how applications will be assessed.

Financial Implications: In devolving decision making to local communities, community organisations will be allowed to keep the income for the hiring out of the land. Based on income received in the last year, it is anticipated that the impact of this will be around £2,000 annually and will be accommodated within the Parks budget.

Legal Implications:

Section 101 of the Local Government Act 1972 and Local Authorities (Arrangement for the Discharge of Functions) Regulations 2000 allow the Council to devolve to parish councils' certain functions relating to services.

The policy is a guide to many of the factors that applicants need to take into account to ensure that the applicable legislation is complied with in terms of using Council land for private events; however it does not constitute legal advice, it is not intended to be a substitute for applicants obtaining their own specialist advice and applicants should not rely upon it as such. The Council and or the Parish Council (acting under devolved authority) can sign post applicants to appropriate sources of advice.

Parish Councils who want to determine applications in line with the agreed Policy will need to enter into a legal agreement with the Council to allow them to do this. The Council will draft these agreements, to ensure that all issues relating to delegation of authority, the decision making process and liability (including confirmation from the Parish Council that it will (i) provide an indemnity, and (ii) confirm it has the sufficient degree of control over the premises for the purposes of the Occupiers' Liability Act 1957) are addressed effectively and work with the Parish Council to support them as far as is appropriate in making the decisions.

The Council will need to share certain information with the Parish Councils who wish to have devolved authority to determine hire applications, and Parish Councils may need support and advice from the Council to ensure that they are fully aware of, and take into account, any legal restrictions on the proposed use of the land which is available to be hired out or which may interfere with the rights of any other users of the land, or the rights of neighbouring land owners/tenants. A process will need to be put in place to ensure that the information shared is kept up to date within a reasonable period and this can be developed in conjunction with the legal agreement to devolve authority to Parish Councils.

Other arrangements will need to be developed for other community organisations and the Council will work with them on an individual basis to put those in place.

2.0 OPTIONS

2.1 The preferred option is that Executive approves the policy. It will bring clarity and openness to the process for hiring the Council's land for events and provide confidence that all applications will be handled in a consistent manner. It will achieve this whilst also encouraging and promoting community involvement in decision making.

2.2 Alternatively, Executive can amend the policy, or request that officers undertake further work on the policy, to develop a revised version for approval.

3.0 CORPORATE IMPLICATIONS

Monitoring Officer commentary - All relevant legal implications have been taken into account and are set out above

S151 Officer commentary - All financial implications have been taken into account

Risk Implications – There are risks around devolving decisions to community level, which will need to be addressed and managed contractually through the legal agreement to be drafted by the Council, and providing support when applications are received. The Parks Team already has good working relationships with community organisations across the District, and it is considered that this initiative will further improve those. Therefore there will continue to be a dialogue between the Council and the community groups when applications are received.

Risks specifically related to the events themselves are addressed in the ‘Conditions for Events’ section of the Policy.

Equalities Implications – An equality impact assessment of the policy has been undertaken which identified no negative impacts on the community. Section 4.10 of the Policy addresses accessibility and equality issues. An equality impact assessment has been undertaken, which is attached at appendix 2.

Employment Issues - None.

Sustainability Issues – It is important to ensure that the land used is properly maintained so that it can continue to be used by the community afterwards. The requirements on the event organiser to ensure this is the case are addressed in the Policy.

Communications – If approved, Parish Councils and community organisations in the District will be advised about the new policy and in the case of Parish Councils, supported to have decisions devolved to them, if they choose to do so.

The Policy and application form will be published on the Council’s website for use by applicants.

BACKGROUND PAPERS

None

Mole Valley District Council Open Spaces Events and Letting Policy

1. Introduction

This policy sets out the Council's approach to allowing communities, partners and other organisations and groups to use the Council's open spaces for private and community events.

If Parish Councils choose to do so, they can work with the Council to have the power to make decisions on applications devolved to them, subject to completion of a legal agreement.

Other community organisations (Residents Associations, Village/Community Associations and Parish Councils, if that is their choice) will be consulted by the Council when an application is received. Their views will help to determine the outcome and in general, the Council would only reject the view of the relevant local group where it is contrary to the Council's policy or our legal responsibilities or is not objectively justified.

The Policy is in place to deliver against four objectives:

- Listening to residents and communities

Clear standards are set out, against which decisions for use of our open spaces will be made. In doing this, the Council will engage with local communities to ensure use of the land has the support of communities.

- Helping people to access the open spaces

Our open spaces are community facilities. In making decisions on applications, a key factor is ensuring the right balance between enabling people or groups to hold events and ensuring communities have good access to the spaces. The policy recognises the role of parks and open spaces in enabling good levels of health and wellbeing, and the role that accessing them has for individuals and communities

- Protecting the environment and character of Mole Valley

Our parks and open spaces are a key feature in what makes Mole Valley unique. This policy sets a framework to ensure that their quality is maintained, and hirers make good any damage that is done to the ground.

- Delivering Value for Money

The charging scheme that is in place for the use of parks and open spaces is one factor in the Parks budget, which allows the Council to continue to invest in maintaining and enhancing our facilities.

2. Context

Mole Valley District Council is responsible for the management of 309 hectares of the District's parks, gardens, open spaces, countryside, playgrounds, skate parks, allotments, cemeteries and closed churchyards.

The Council recognises the need for a variety of organised events making full use of the parks and open spaces and encouraging residents and visitors to enjoy the best that Mole

Valley has to offer. This policy will not only clarify what events will be permissible but also deliver further guidance as to the safety and security arrangements required of organisers to enable a vibrant and successful social events calendar to be implemented.

This policy will also outline which parks and open spaces are available for events and set out the associated charges. This policy will form the information pack and contain the necessary forms needed when booking an event. Completed forms need to be returned to Mole Valley District Council along with the relevant deposit and hire charges at least 30 days prior to the planned event to allow for consultation with local district councillors, parish councillors and residents' organisations.

A list of sites and suggestions of suitable events can be found under section 11 of this policy.

3. Definitions of types of events

Corporate Hire: Any event organised for profit or organised by an organisation for the sole use of their employees. Examples of these types of events would include employee-only sports days, a product launch or advertising, funfairs or circuses and corporate entertainment events.

Community Hire: Any event organised solely to raise funds for charitable causes, to raise the profile of local groups and associations, use by school or other educational establishments, faith groups seeking to provide events for the local community regardless of beliefs.

Private Hire: Any events not open to the public which have been organised by individuals or groups. These will be considered on a case by case basis and may be accepted provided they will cause only limited disruption to the enjoyment of the parks and open spaces by the general public.

National Events: These events will encourage public participation and will be welcomed onto Council sites where possible. These will be considered on an individual basis but still require the application form to be filled in.

Regular Hire/Sports Clubs: Certain sites and facilities (such as sports pitches or pavilions) may be hired under a licence or lease for sole use by certain sports clubs, private persons or groups and these applications will be dealt with in conjunction with the Estates Team who will arrange the licence or lease as required. Further details can be found under section 3.9.

4. Conditions for Events

4.1 General Conditions

Throughout these Conditions, "the Applicant" will refer to the person signing the application form, or if it is signed on behalf of a company or other organisation, this will refer to the company or organisation. 'The Council' will refer to Mole Valley District Council and any authorised officer acting on their behalf.

4.1.1 All applications must be made at least 30 days prior to the planned event and must be accompanied by the completed application form, deposit (if required), hire charge (if required), copies of relevant risk assessments, copy of public liability insurance in excess of £5,000,000 for any one claim and a planned timetable of actions.

4.1.2 Applications may be refused where, in the reasonable opinion of the Council:

- the grounds are, or are reasonably likely to be, in such a condition that it would be dangerous for the event to proceed
- the event is likely to cause an unacceptable level of disturbance to neighbours
- the use of the grounds is likely to be for a purpose other than that specified on the application form
- due to adverse weather conditions, the event will compromise the safety of those attending or is likely to cause unacceptable damage to the grounds

If the event cannot proceed due one of the above reasons, the Council will not be liable to pay any compensation to the Applicant.

4.2 Applicant's Responsibilities

These will be carried out by the Applicant or by persons under their direction.

- 4.2.1 The Applicant is liable for and should insure the Council against any damage or liability resulting from a claim or other proceedings arising from any injury, loss or damage to property or to any person during the preparation, duration and dismantling of the event. Such insurance shall be provided by an insurer in terms that are acceptable to the Council and should be for a minimum of £5,000,000 (five million pounds) for any one claim.
- 4.2.2 The Applicant will not be liable for any act of neglect of, or damage by the Council, its officers or contractors working on the Council's behalf.
- 4.2.3 The Applicant will provide the Council with the deposit (see section 11), and the Council has the right to retain the deposit should reinstatement of the grounds be needed or subsequent clauses of this agreement are breached.
- 4.2.4 The Applicant shall observe the Council's byelaws relating to Pleasure Grounds, Public Walks and Open Spaces in the Mole Valley District. A copy is available from the Parks Team. The Applicant will be responsible for adhering to any legislation, local or national in regards to their event. See section 8 for further details.
- 4.2.5 The Applicant is responsible for the collection and disposal of litter arising from the event and the grounds shall be left in a clean condition. Any clean up costs will be deducted from the deposit.
- 4.2.6 The Applicant will be responsible for obtaining all necessary licences and consents needed for the event.
- 4.2.7 No fittings, street furniture, planting or otherwise shall be removed or altered without the prior written permission of the Council.
- 4.2.8 The Council bears no responsibility for any equipment or items brought onto an event site. All items or equipment must be removed promptly following the end of the event and within the period agreed in advance with the Council.
- 4.2.9 The Applicant must return the site to the Council in a safe and useable state following the event. Should any additional work be required to reinstate the site following the event, the Council's reasonable costs for undertaking or procuring such work shall be deducted from the deposit and the Council may require the Applicant to pay additional charges.

- 4.2.10 Trees are an important asset to the parks and open spaces in Mole Valley so there are additional restrictions in relation to locating events, or part of the event, near any of the Council's tree stock. The Applicant will not attach signs to any tree on the site, allow vehicles to be parked beneath the canopy of the tree to reduce root compaction and no structure shall interfere with the tree in any way without prior written permission from the Council.
- 4.2.11 The Applicant should permit reasonable public access through the site but may occupy parts for their sole use if agreed in writing by the Council prior to the event. If permission is given, the Applicant shall take all reasonable steps to provide suitable and safe fencing and may display the permit from the Council to prove they have complied with this policy.

4.3 Safety and Security

The safety and security of event visitors, organisers, contractors and members of the public must not be compromised by any event.

- 4.3.1 The Applicant must nominate an event controller who shall be in charge of the safety and security of the event. This person would also be the licence holder if applicable.
- 4.3.2 The event controller (or its nominated substitute) must be present during the set up, operation and dismantling of the event.
- 4.3.3 Adequate provision for first aid and suitable supplies should be made and be available for the duration of the event.
- 4.3.4 The Applicant will provide risk assessments relating to the event and these must be submitted to the Council at least 30 days before the event. Risk assessments must cover the set up, operation and break down of the event and will be passed to the Safety Advisory Group (SAG) for its consideration.
- 4.3.5 Suitable stewards must be provided, especially if a large numbers of visitors are expected and/or where there is to be alcohol consumption.
- 4.3.6 If more than 500 visitors are expected, the Applicant will make the emergency services aware at least 30 days in advance of the event.

4.4 Catering

- 4.4.1 The Applicant must liaise with the Environmental Health Team at the Council regarding compliance with current food and hygiene regulations.
- 4.4.2 Barbeques may be used for catering purposes subject to the above condition being met.
- 4.4.3 Due to the risk to health posed by unsafe food, the Council reserves the right to require the Applicant, or the catering provider if different, to cease operating if there is evidence it is not complying with the food regulations in 4.4.1.

4.5 Alcohol

Under the following conditions, alcohol may be permitted:

- Any alcohol sold on site will be subject to the relevant licence having been obtained from, or a temporary event notice submitted to the Environmental Health Team at Mole Valley District Council by the Applicant or the event organiser.
- For further details or to make an application, please contact the Council's Environmental Health Team.
- Where the public may bring their own alcohol onto the site for agreed events, evidence of suitable stewarding and monitoring provision will need to be submitted.
- The Applicant will provide a written statement as part of the application to detail the suitable stewarding that will be provided and why alcohol should be permitted.
- Only plastic glasses may be used.
- The Applicant will be responsible for appropriate conduct of those present at their event and will need to clear any resulting litter or other matter prior to handing the site back to the Council.

4.6 Noise

Many events will have the potential to generate significant noise such that it will cause a nuisance to the local area. In consultation with Environmental Health, the Council, at the application stage, will consider attaching further conditions regarding operating hours and/or sound levels.

4.7 Admission Charges

The Council encourages Applicants to make events free of charge to the public to encourage participants to attend and to maximise attendance. In certain occasions, the Council may permit an admission fee to be charged following permission from the Executive. Details of admission charges should be forwarded to the Council at the application stage along with reasoning for their inclusion.

4.8 Funfairs and Circuses

These are likely to generate additional pressures on the local area, particularly in terms of noise from amplified music and equipment. Consultation with local councillors (District and Parish) and residents' organisations will be needed so any application needs to be submitted at least 60 days in advance to allow for a decision to be returned with suitable lead time for both the Applicant and the Council. Evidence will also need to be produced that the rides and equipment have been recently inspected and are fit for purpose. Circuses need to contact Environmental Health and Building Control to discuss their proposals and additional conditions may be added.

4.9 Football Pitch Bookings and Casual Hire

- 4.9.1 Football pitches may be booked by clubs wishing to secure their use for the season and any interested clubs should contact the Council by mid May for the following season. Applications for each site will be considered and the successful club will be sent a confirmation letter in July and will be asked to return the acceptance slip along with confirmation of their public liability insurance. Priority will be given to existing clubs however, should clubs only have one team, there may be the opportunity of

sharing a pitch if both clubs are happy to alternate use.

- 4.9.2 Casual hire of pitches during the season is considered and applications can be made to the Parks Team (or Brockham Badgers regarding pitches at Brockham Big Field). The Parks Team will check bookings to see if a pitch is available and will advise on the relevant charges. The Council is unable to provide nets, however line marking can be arranged at an additional cost.

4.10 Accessibility and Equality

- 4.10.1 The Council expects that any event taking place in public parks and open spaces is accessible to visitors with mobility impairments and be inclusive of differing ethnic and religious groups.

- 4.10.2 The Council retains the right to refuse any application if the aims of the organisation/ event are not in line with the public sector Equality Duty. The duty requires the Council to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation
2. Advance equality of opportunity between people who share a relevant protected characteristic and those who do not share it
3. Foster good relations between people who share a relevant protected characteristic and those who do not share it

The Equality Duty covers the following nine protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation).

- 4.10.3 The Council is keen to ensure that any event will be enjoyed by members of the public and should endeavour to encourage community cohesion and promote the local area. Therefore, any event which the Council interprets as not conforming to these ideals, encouraging any form of religious or political extremism or social disorder will be unsuccessful or terminated if in progress. The Applicant will not be entitled to any compensation from the Council for any expenses occurred.

4.11 Fitness Groups and Boot Camps

- 4.11.1 Fitness Groups or Instructors who use the Council's land for paid fitness training or classes are expected to pay for an annual licence to use the site. This will help protect the grounds from over-use, reduce the numbers of competing groups within the parks thereby protecting the interests of the fitness group or instructor and will protect the public from uninsured and unlicensed practitioners.

- 4.11.2 The Council will limit the maximum number of sessions per week per site to prevent the grounds from becoming damaged and the use of the site by the general public from being compromised. This will be agreed by negotiation between the Applicant and the Council and will form part of the eventual licence.

- 4.11.3 The Council will limit the number of instructors or fitness groups operating from each site to prevent damage to the site and to protect the interests of the Applicant. This will be set at one Fitness Group (or Boot Camp) per site and one private instructor.

4.11.4 The Fitness Group or Instructor will need to provide the Council with a copy of their Public Liability Insurance for a minimum of £5,000,000 (five million pounds) for any one claim which will need to be valid for the term of the licence.

4.12 Fires and Fireworks

4.12.1 Fires are not permitted on any Council site.

4.12.2 Privately operated barbeques are not permitted on any Council site without express written permission from the Council in advance of the event. The Council will, on occasion permit a barbeque for catering purposes subject to the conditions listed under section 4.5.

4.12.3 Fireworks are not permitted in any Council space unless the following conditions can be satisfied:

- A professional fireworks coordinator must be appointed and their details submitted to the Council for verification.
- Comprehensive risk assessments for the use of fireworks will need to be submitted for the attention of the Council and the Safety Advisory Group (SAG).
- Comprehensive insurance cover will be needed (and is unlikely to be given should the Applicant not have suitable competence in the use of fireworks).
- Written safe working procedures will also be produced and submitted with the application forms.
- The above list is not exhaustive and any proposed use of fireworks will have to be agreed by the Council's insurance officer and Health and Safety officer.

5. Advertising

The Council will help the Applicant promote their event and can offer the following assistance:

- The event can be publicised via the Council's website. This is available to do online and will be added to the list of events on the Council's website.
- Up to 6 posters (maximum size A2 - 420x590mm) may be attached to railings and entrances to the site.
- Banners with a maximum size of 1m x 3m may be placed either side of an entrance. The locations for banners and posters should be submitted with the application form and will need to be agreed before they can be installed.
- Both the above advertisements may be erected 28 days in advance of the event but must be removed within 2 days of the completion of the event. Should any advertisements still be in place after 2 days from the completion of the event, these will be removed by the council and a charge made.
- Neither posters nor banners described above should block sight lines for vehicles entering or leaving the site.

- Fly posting is illegal.
- The Council is open for expressions of interest regarding the use of space in Parks and Open Spaces for permanent advertising for non-event related items. Whilst this would fall outside the parameters of this Policy, any enquiries can be forwarded in the first instance to the Senior Parks Officer, MVDC, Pippbrook, Dorking, Surrey, RH4 1SJ.

6. Filming

The Council is keen to encourage future investment in the district through photography, film and television production using the wonderful surroundings found in this area. Any applications for filming purposes should fill in the form below and submit this with details of the proposed filming to the Council. The application will be considered by the Council and Councillors. Whilst there is no charge for this application, a fee will be charged by way of licence for the duration of any agreed filming. The Applicant will be informed of the Council's decision as soon as possible. Please take into consideration the following conditions when making your application.

- 6.1 The production company will need to provide evidence of Public Liability Insurance cover and indemnity for a minimum of £5,000,000 (five million pounds) for any one claim.
- 6.2 The production company will need to provide a detailed risk assessment identifying hazards, level of risk and controls or actions taken to reduce these risks. This is to ensure that the production company is managing their legal responsibility to ensure the health, safety and well being of their employees, volunteers and members of the public who are involved with their work. These will need to be provided 30 days before the expected start of filming on the site, however this may be reduced by prior agreement with the Council's Insurance Officer and Corporate Head of Service.
- 6.3 If road closures are needed, the Applicant will need to contact Surrey County Council Highways Department as they manage the roads around Mole Valley. They can be contacted by email at highwayinfo@surreycc.gov.uk, by post at Highways Information Team, Surrey County Council, Merrow Depot, Merrow Lane, Guildford, Surrey, GU4 7BQ or by phone on 0300 200 1003.
- 6.4 The Council expects that the production company will be sensitive when working around the local community and suggest that:
 - All neighbouring residents and businesses are kept informed as to the intentions of the production company by letter at least 7 days before filming. The contact name and details of the location manager should be included in this letter.
 - Noise and light pollution should be kept to a minimum, especially between 10pm and 8am.
 - Access to homes and businesses must be kept clear at all times.
 - Equipment must not cause a hazard to the general public and all cables should either be covered or rigged 2.6m above a footpath or 5.2m above a roadway.
- 6.5 The Council requires the production company to take care of the site, that any damage is repaired, any signs posted by the company are removed following

completion of the filming, any rubbish is removed and the site returned in the same state as it was handed over.

6.6 Permission for filming will be granted in the form of a licence from the Estates Team and the fees for filming will be discussed prior to the licence being issued. As a guide, the Council will charge an hourly rate for generating the licence along with a fee for hire of the site. For not for profit films and students, the hourly rate may be waived on the authorisation of the Corporate Head of Service.

6.7 Any closures of Council owned car parks will be charged, such charges will be determined by the Corporate Head of Service in consultation with the Car Parking Team.

7. Booking Your Event

7.1 All event requests will be reviewed to determine whether and under what conditions the event can be held. The safety of the public and the care of the site are key concerns and must be protected at all times. All events will need to abide by the above conditions and any failure to do so could result in the event being refused or shut down with immediate effect.

7.2 All Applicants must fill in the application form and this will need to be returned to the Council. The event request will be assessed and consulted with local councillors, parish councillors, residents' organisations and officers as required. If the event is found to be acceptable, the Applicant will be informed and a letter will be sent with details of the cost of the event, the deposit required and the Conditions of Hire agreement (or lease if appropriate).

7.3 Once the deposit and fee for the event have been returned along with a copy of the necessary insurance and further documents as required (signed copy of the Conditions of Hire agreement, method statements, further risk assessments for fireworks, inspection certificates for funfair rides etc.), the Council will issue a permit for the event to take place.

7.4 The deposit is based on the type of event and will be held by the Council in case any of the above conditions are breached and there is the need for the Council's contractors to clear litter, repair damage or reinstate the grounds following the event. Should the cost exceed the deposit, the Applicant will be invoiced for the additional cost.

7.5 The sites will be inspected before and after each event by an authorised officer acting on behalf of the Council who will report any breaches of the Conditions of Hire.

7.6 Events organised which are considered to be a corporate hire (see Section 3) will be charged the full fee. Events which are considered to be a community hire (see Section 3) may be eligible for a reduction or waiver of the fee. A decision by the Head of Service will be made regarding any reduction or waiver of the hire fee. Events which are considered to be a private hire (see Section 3) will normally be charged the full fee; a reduction may be offered if the event is considered to occupy a small enough portion of the site. The Corporate Head of Service will approve any such reduction to the hire charge.

8. Schedule of Events

Events will be allowed on the parks and open spaces when the Council considers the grounds to be in a condition suitable for the event to be held. All events will be considered on a case by case basis and consideration will be made regarding the type of event, the current and likely future ground conditions on the site, the likelihood of damage occurring to the site and potential harm that could befall members of the public, the organisers or people acting on their behalf. Where more than one event is planned at a site, sufficient time should elapse between events to allow the site to recover. This is expected to be between 4-6 weeks however the final decision will be taken by the Corporate Head of Service.

9. Legislation

Event organisers will need to be aware of the following legislation when planning their event. The Applicant is reminded that this list is not exhaustive and it is the responsibility of the Applicant to ensure that their event complies with all relevant legislation:

- **Town and Country Planning (General Permitted Development) Order 1985** - allows the temporary use of land for up to 28 days for a public event before planning consent is required.
- **Health and Safety at Work Act 1974** – applies to arranging and running an event and states employers (organisers) have a duty to ensure that, as far as reasonable, the health, safety and welfare of their employees is protected when at work. This duty also extends to the health and safety of members of the public, self employed people or contractors involved in the event.
- **The Management of Health and Safety at Work Regulations 1999** – these regulations require the employer (organiser) to assess the risks arising from work activities to employees and non-employees (including members of the public). This will allow control measures to be identified and eliminating risks or reducing them to an acceptable level.
- **Licensing Act 2003** – This covers the following licensable activities as defined in the Act – the sale by retail of alcohol, the supply of alcohol on behalf of a registered club, the provision of regulated entertainment and the provision of hot food and or drink after 2300 hrs and before 0500 hrs. The regulation of entertainment applies to recorded music or dancing being provided so the Applicant may have to obtain a licence from the Environmental Health Team at the council.
- **The Wildlife and Country Act 1981** – Focuses on protecting wildlife on site and highlights the care needed when laying out the site.

10. Reviewing the Open Spaces Events and Letting Policy

Mole Valley District Council will review this policy every five years.

11. Sites available for Hire

NB: This does not detail all of the parks and open spaces that the Council owns, but is those which are most commonly asked to be used. Requests for the use of any other sites should be directed to the Parks Team.

SITE	FACILITIES AVAILABLE	SUGGESTED EVENTS
The Woodfield, Barnett Wood Lane, Ashted	Wildflower Meadow Small woodland	Filming Conservation Workshops Corporate Hire (Product Launch, Photo Shoot)
Kingston Road Recreation Ground, Leatherhead	Football Pitch Toilets Changing Facilities Skate Park Playground Wildflower Meadow	Filming Community Events (Fun Day, Sports Day, Charity Stalls) Corporate Hire (Product Launch, Photo Shoot)
Forty Foot Recreation Ground, Leatherhead	Football Pitch Playground Adjacent Woodland	Community Events (Fun Day, Charity Stalls, Sports Events)
Redhouse Grounds, Randalls Road, Leatherhead	Playground Close to Leatherhead town centre and train station	Community Events (Fun Day, Charity Stalls)
Mansion Gardens, off Church Street, Leatherhead	Terraced Gardens Small pond Adjacent to River Mole	Filming Corporate Hire (Product Launch, Photo Shoot)
Riverside, off Emlyn Lane, Leatherhead	Grass area adjacent to River Mole	Community Events (Fun Day, Charity Stalls)
River Lane and the Splash, Leatherhead	Wildflower Meadows adjacent to River Mole	Filming Conservation Workshops
Cannon Court Recreation Ground, Cannon Grove, Fetcham	Playground Large Grass Area	Community Events (Fun Day, Dog Show, Sports Day, Charity Stalls) Corporate Hire (Product Launch, Company Fun Day)
Cock Lane Recreation Ground, Fetcham	Playground Football Pitch Tarmac Ball Court and Tennis Court	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls) Corporate Hire (Product Launch, Company Fun Day)
Kennel Lane Recreation Ground, off Hazel Way, Fetcham	Playground Adjacent Woodland Wildflower Area	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls) Corporate Hire (Product Launch, Company Fun Day, Photo Shoot)

Spring Grove ponds, Fetcham	Two Fishing Ponds, small woodland and meadow area	Conservation Workshops Community Events (Fun Day, Charity Stalls)
Land at Old Barn Hall, Church Lane, Bookham	Grass area behind Old Barn Hall	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls)
Lower Road Recreation Ground, Bookham	Grass Areas Playground Skate Park Basketball Half Court Football Pitches	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls)
Chrystie Recreation Ground, Dorking Road, Bookham	Football Pitches Playground	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls)
Meadowbank Recreation Ground, Mill Lane, Dorking	Football Pitches Playground Skate Park Grass Areas Changing Rooms Pond	Filming Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls) Corporate Hire (Product Launch, Company Fun Day) Funfair/Circus
King George V Playing Fields, Chart Gardens, North Holmwood	Football Pitches Pavilion with Kitchen, Changing Rooms and Toilets Playground Skate Park Wooded Area Pond and Stream	Filming Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls) Corporate Hire (Product Launch, Company Fun Day) Conservation Workshops
Chart Downs, Dorking	Playground Grass Area	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls) Funfair/Circus
Cradhurst Recreation Ground, Westcott	Playground Skate Ramp Grass Area	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls)
The Cotmandene, Dene Street, Dorking	Wildflower Meadows near Dorking Town Centre	Filming
Merebank Open Space, Merebank, Beare Green	Playground Tarmac Basketball Court Small Woodland Pond	Community Events (Fun Day, Sports Day, Dog Show, Charity Stalls)
Milton Gore, Coldharbour	Wooded Area	Filming Conservation Workshops Corporate Hire (Photo Shoot)

Ashtead Park (SWT Site)	Parkland setting with Wooded Areas, Ponds and Wildflower Areas	Filming Conservation Workshops Community Events (Fun Day, Dog Show, Charity Stalls) Corporate Hire (Product Launch, Company Fun Day, Photo Shoot)
The Nower and Milton Heath (SWT Site)	Wooded Areas with large Grass Expanses	Filming Conservation Workshops Community Events (Fun Day, Dog Show, Charity Stalls) Corporate Hire (Product Launch, Company Fun Day, Photo Shoot)
Deepdene Terrace, Dorking (SWT Site)	Wooded Area, far reaching views across surrounding area, Grass Areas. NB – Steep Slopes	Filming Conservation Workshops Corporate Hire (Product Launch, Photo Shoot)
Chart Park, Dorking (SWT Site)	Restored Wildflower meadow with reaching views across surrounding area Mausoleum of Hope Family NB – Steep Slopes	Filming Corporate Hire (Product Launch, Photo Shoot) Conservation Workshops

NB - SWT Sites – Managed by Surrey Wildlife Trust so they would receive any fees

12. Fees and Deposits

12.1 Fees

The charges will be updated annually as part of the Council's regular review of fees and charges. A current list of fees and charges is available on request from the Council.

12.2 Deposit

- Deposit for Corporate Hire: £500 per site
- Deposit for Community Hire: £250 per site
- Deposit for Private Hire: POA dependent on area used.



Application Form to hold and event in a park or open space in Mole Valley
(For casual football pitch bookings, please contact the Parks Team directly)

You must read the policy accompanying this form as it offers guidance and states the conditions that apply to hiring a park or open space for an event.

This application form provides the Council with a description of your event and will help the Council decide whether the event can proceed. Submission of this form does not automatically confirm your use of the venue.

Applicant Details

Contact name:

Organisation:

Postal address:

Postcode:

Web address:

Email:

Telephone:

Description of organisation:

Mobile:

Event manager (if different to above)

Telephone:

Mobile:

Financial responsibility

Please provide details of who should be invoiced if different to the applicant above.

Contact name:

Organisation:

Postal address:

Postcode:

Email:

Telephone:

Mobile:

Event overview

Name of event:

Park or open space required:

Date(s) of event:

Set up date:

Venue will be clear by:

Expected maximum visitors at any one time:

Target audience:

Is the event open to the public?

Is the event ticketed?

If yes, please give details of price and where/when tickets will be sold:

Licensable activities

Will the event include entertainment or the supply of alcohol:

If yes, please provide brief details of the proposed entertainment:

Will there be food vendors at the event:

(This includes food that is available either for sale or free)

Will there be any temporary structures for the event:

If yes, please give details:

Answering yes to any of the above may mean you require one or more licences. Please refer to the Open Spaces Events and Letting Policy or contact the Council for more information.

Event description

Provide a brief description of the event including what and who the event is for, the main components of the event and any performances you may have:

Describe the how the event will benefit the local community:

Does the event require stewarding and if so, how many would you expect to use and how will they be recruited?

Declaration

- I confirm that to the best of my knowledge that the above information is correct and accurate.
- I understand my application will be rejected if I give false or misleading information.
- I understand that by submitting this form I am not guaranteed use of the space and that this does not imply that the site has been booked for my event.
- I have read and agree to comply with the Open Spaces Events and Letting Policy.
- I understand that I am responsible for obtaining other necessary licences, consents and permissions as required.
- I agree to pay the hire charge and deposit upon confirmation that my application to hire the site has been successful and that these fees and the relevant additional paperwork must be submitted at least 30 days before the event.
- I agree to pay the Council's additional reasonable costs to clear litter, repair damage or reinstate the grounds following the event in the event that any of the Hire Conditions are breached.

Signed:

Print Name:

Date:

Please send this form including the attached pro forma risk assessment to -
Parks Team
Mole Valley District Council
Pippbrook
Dorking
Surrey
RH4 1SJ

Equality Impact Assessment

Open Spaces Events and Lettings Policy



What is being assessed?	Open Spaces Events and Lettings Policy
Department	Parks
Name of assessor/s	Paul Anderson
Strategic Management Lead	Steve Ruddy
Date	December 2013
Is this a new or existing function or policy?	New

Please note that guidance (revised in November 2013) for completing this template is available on the intranet. This template was also revised in November 2013.

Section 1: Introduction and background (see p.10 of the guidance)

Please describe your service or function. This should include:

- **The aims and scope**
- **The main beneficiaries or users**
- **The main equality, accessibility, social exclusion issues and barriers, and the 'protected characteristics'¹ they relate to (not all assessments will encounter issues relating to every protected characteristic)**

If this EIA is part of a project it is important to focus on the service or policy the project aims to review or improve.

The Council is often approached for permission for use parks and open spaces for a variety of reasons, such as private parties, filming and other events. Decisions around these requests are currently made within the Parks Team, in consultation with the relevant ward Members. The purpose of this report is to present a policy which will be used as a basis for making decisions on requests.

Whilst the Council owns its parks and open spaces, it is recognised that this is for the benefit of the communities it serves. Therefore, in addition to setting a policy for decision making, a key aim of this policy is to motivate and enable our communities to participate in the decision making process.

This will be achieved by decision making being devolved to Parish Councils, Residents Associations or recognised Community Organisations, who wish to have the power to make decisions on applications devolved to them.

Depending on the nature of these community organisations, different approaches to enabling this decision making will need to be put in place. The Council will work with individual organisations to facilitate this.

For any community organisations that don't want the devolved power, the Council will work with community groups on making decisions on applications for the use of the Council's parks and open spaces. We will operate under the principle of agreeing with the view of the local community, except where their view is contrary to the Council's policy or our legal responsibilities or is not objectively justified.

¹ More information and definition of protected characteristics can be found [here](#)

Preliminary engagement has been undertaken with community organisations about this proposed new approach to letting out the Council's parks and open spaces to ensure that the policy is one that they would welcome. As part of this, income from the hiring out of land will be retained by the community organisation. The Council will work closely with relevant organisations to ensure the smooth and effective rolling out of the policy. For those that want to take advantage of Parish Councils and community organisations have been made aware of the

The Policy clearly sets out the terms and conditions of hiring land for events, and sets out all of the issues which applicants will need to address. Therefore in addition to opening up the possibility of delegating decisions to community level we are also improving the application process, so that potential applicants can clearly understand the application process, what is required of them and how applications will be assessed.

Now describe how this fits into the Council's Corporate Priorities, Sustainable Community Strategy or other local, regional or national plans and priorities.

Access to Services – Helping residents to access the services they need

Our Parks and Open Spaces are important facilities that are there for the benefit of everybody in our community. Equally, we know that events (such as funfairs) on our land can bring further benefits to the community, and that local people may want to use our land for special occasions (fetes, weddings etc).

This Policy seeks to ensure a consistent approach to the use of our land that maintains community use and access, whilst enabling and balancing other 'one off' requests.

The Policy has been developed to promote community participation in decision making at the Council and wherever possible to devolve decision making to local communities.

Environment - Maintaining the character and environment of Mole Valley

Our parks and open spaces are a crucial part of the District's environment. This Policy sets a framework to ensure that any applications for the use of our land are handled in a sustainable way and maintain the quality of the parks and open spaces.

Value for Money - Delivering quality, value for money services

The Policy sets out the charges that will be set for people wishing to hire our land to ensure that income from events is optimised.

If you are not carrying out an equality impact assessment, briefly summarise reasons why you have reached this conclusion, the evidence for this and the nature of any stakeholder verification of your conclusion.

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Section 2: Analysis and assessment (see pp. 10-13 of the guidance)

Given available information, what is the actual or likely impact on minority, disadvantaged, vulnerable and socially excluded groups?

Indicate for each 'protected characteristics' whether there may be a positive impact, negative impact, a mixture of both or no impact.

Protected characteristics	Positive	Negative	No impact	Reason
Age			X	The Policy has been developed in line with the Council's Equality Policy and explicitly states "The Council expects that any event taking place in public parks and open spaces is accessible to visitors with mobility impairments and be inclusive of differing ethnic and religious groups" The Policy will not have positive or negative impacts but seeks to ensure that a equitable approach is taken to all applications to hire land.
Disability			X	
Gender reassignment			X	
Marriage and civil partnership			X	
Pregnancy and maternity			X	
Race			X	
Religion or belief			X	
Sex			X	
Sexual orientation			X	
Other aspects to consider	Positive	Negative	No impact	Reason
Carers			X	See above
Rural/urban issues	X			The policy allows decisions to be delegated to local communities which gives local communities more ownership and control over decision making.
HR issues			X	See above

What can be done to reduce the effects of any negative impacts? Where negative impact cannot be completely diminished, can this be justified, and is it lawful?

No negative impacts have been identified.

Where there are positive impacts, what changes have been or will be made? Who are the beneficiaries? How have they benefited?

The main positive impact is on community organisations rather than individuals or groups within any of the protected characteristics. However, in allowing decisions to be delegated to local community organisations, we are enabling decisions to be made by local communities in line with our policy.

Section 3: Evidence gathering and fact-finding (see p.14 of the guidance)

What evidence is available to support your views above? Please include:

- A summary of the available evidence
- Identification of where there are gaps in the evidence (this may identify a need for more evidence in the action plan)
- What information is currently captured with respect to usage and take up of services.
- What the current situation is in relation to equality and diversity monitoring (where relevant)

The Policy has been developed to ensure a fair and equitable approach is taken across the District to applications for using the Council's open spaces, with decisions delegated to local community organisations, where they want to take on this responsibility. As such, in developing the policy, it has not been considered necessary to undertake an analysis of the demography of the District or a specific exercise about the impact on the protected characteristics.

How have stakeholders been involved in this assessment? Who are they, and what is their view?

Community organisations have been engaged in the process to ensure that the approach to developing the policy is in line with their requirements.

Recommendations

Please summarise the main recommendations arising from the assessment. NB If it is impossible to diminish negative impacts to an acceptable or even lawful level the recommendation should be that the proposal or the relevant part of it should not proceed.

None

Section 4: Action Plan (see pp.15-16 of the guidance)

Actions needed to implement the EIA recommendations

Issue	Action	Expected outcome	Who	Deadline for action

Summary Sheet

Review date	
Person responsible for review	
Strategic Management Lead signed off	
Date completed	
Date forwarded to Policy Officer for publishing	

- Signed off electronic version to be kept in your team for review
- Electronic copy to be forwarded to the Policy and Performance Team for publishing