
REPORT FOR: CABINET

Date of Meeting:	18 February 2016
Subject:	Events Policy
Key Decision:	Yes
Responsible Officer:	Tom McCourt, Corporate Director of Community
Portfolio Holder:	Councillor Graham Henson, Portfolio Holder for Environment, Crime and Community Safety
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	All
Enclosures:	Appendix A – Events in Harrow Policy (including Application Forms and Proposed Charges) Appendix B – EqIA Appendix C – Summary of Proposed Changes Appendix D – Consultation Feedback

Section 1 – Summary and Recommendations

At Cabinet on 15 October 2015, Members approved the draft events policy for consultation purposes and noted that the outcome of the consultation would be reported back to Cabinet with any amendments considered appropriate, for final approval.

This report presents the findings from the consultation and makes recommendations for proposed changes.

Recommendations:

Cabinet is requested to:

- a. Note the outcome of the consultation undertaken.
- b. Note the amendments proposed to the policy (outlined in Appendix C) for final approval, including concessions and exemptions.
- c. Approve the final policy for adoption with immediate effect.
- d. Delegate authority to the Corporate Director of Community, following consultation with the Portfolio Holder for Environment, Crime and Community Safety, to make amendments to the policy.

Reason: (For recommendation)

To ensure that:

- The views of residents and businesses are considered and amendments made to the draft policy as appropriate.
- The council balances the need to hold events with its obligations to residents, businesses and visitors, ensuring that these activities continue to be regarded by all as safe, lawful, successful and fair.
- Members and the public are aware of what level of service will be delivered and
- How this will be monitored.

Section 2 – Report

1. Introduction

- 1.1 The council's overall strategy is to actively facilitate events and to promote the borough as a place of business, culture and community. The vision is "To enable the delivery of a diverse events programme that creates a vibrant place to visit whilst ensuring the sustainable use of Harrow's open spaces". The purpose of the policy is to empower and assist local communities to initiate, participate and manage events across the borough through an open and fair process and importantly, protect and support events that bring communities together and make a difference to the residents of Harrow.

1.2 For the purposes of this policy an “event” is defined as any activity in Harrow’s parks, open spaces or adopted highway which takes place over a limited period only, and which – whether open to the public or not – may restrict access to (all or some of) the open space, thus affecting the “normal” recreational use and quiet enjoyment of public facilities. This policy does not apply to events held on private property such as night clubs, bars, restaurants, community centres and function halls.

1.3 As noted in the Cabinet report of 15 October, the events policy sets out the key principles with which Harrow Council with its key partners will approach the authorisation and management of events within the borough. The principles are based on a range of requirements which arise from legislation as well as the council’s formally adopted policies. The approach is applicable to events that impact on the public realm, whether the event is held at publicly managed streets, parks or open spaces.

1.4 The objectives of this policy are to:

- Communicate clearly the council’s events policy to those who reside, work in or visit the Borough.
- Engage residents through inclusive and diverse events, ensuring clear and transparent events and charging policies.
- Ensure suitable use of parks and open spaces.
- Empower and assist local communities to initiate, participate and manage events.
- Enable the delivery of an events programme that creates a lively and vibrant experience by marketing outdoor event locations to raise the profile of parks and open spaces in the borough.

1.5 The key principles of the policy can be summarised as follows:

- Consistency of approach to events.
- Effective forward planning and management of events including maximising safety for those working on or attending events.
- Effective adherence to legislation, industry best practice and council policies.
- Better understanding and clarity of roles and responsibilities of all those involved.

- Effective protection of the borough's assets with minimal disruption to the environment and wildlife.
- Enhancing the borough's reputation.

1.6 This policy links directly to the council's corporate objectives of:

- Making a difference for Communities – for example by promoting social engagement and a sense of community respect, belonging and identity.
- Making a difference for Local Businesses – for example, by increasing footfall and promoting economic wellbeing.
- Making a difference for families – for example, by facilitating events in the borough.

2. Background

2.1 Until now the council has not explicitly stated what will be expected of promoters and organisers of events when operating in Harrow and how the council reaches a view on whether an event is practical or appropriate. By setting out the key principles the council aims to make the process transparent leading to more successful and efficiently planned events. The draft policy presented to Cabinet in October introduced an application process for events together with indicative fees and charges and sought approval for consultation to take place on the draft policy including fees and charges.

3. Consultation Process

3.1 Following the Cabinet meeting in October 2015, the council has undertaken extensive consultation (from 6th November to 31st December 2015) and has reviewed the responses received. The Community Engagement team publicised the web-link through the Community Champion network, as well as publicising it on the Harrow Council website, and through community groups. In addition, Park User Groups were consulted directly.

3.2 As a result of this consultation changes to the policy and its accompanying fees and charges are proposed. Appendix C outlines a summary of the changes proposed. Appendix D details the consultation results and the council response.

3.3 70 written responses were received from residents and the voluntary and community sector. 49 residents responded independently. 95% of the respondents were from Pinner. Other respondents included:

- 2 Members of Parliament,

- Pinner Association of Churches
- Becmead Avenue Residents Association
- Pinner West End Townswomen's Guild
- Pinner Association
- Harrow Recreation Ground Steering Group
- Harrow Recreation Users Association (Basketball Players, Harrow Rec Running Club, Harrow Bowls Club, Roxborough Road Residents Association, 3 Bridge Cricket Club, Harrow St Mary's Football Club) Metro Running Club
- Pinner Rotary Association
- North Harrow Community Partnership
- Friends of Canons Park
- Bernays Garden Community Group

3.4 Feedback from the written responses included:

- Fees are too high for voluntary/ non profit organisations.
- No costs for local charities, they will not be able to fund the events.
- Charges will not make a difference to the deficit and will take the heart out of the community.
- The Policy is needed but charges need to be fair.
- The timescales for applying are too long.
- Charity events should be exempt from paying because they raise cash for charities organised community events and do not have the money to pay charges.
- Special events should be exempt e.g. Remembrance Day, St Georges, fund raising events such as St Luke's fun run, Pinner Association of Churches etc.
- No objection to charging organisations holding events to raise money.

3.5 The on-line public consultation covered the following areas:

- The council's commitment to local residents, to assist with the growth, development and management of events
- Event sizes
- Environmental Impact of events
- Criteria used to determine whether permission for an event is granted
- Notification times
- Application fees

3.6 The on-line questions asked and responses received are detailed in appendix D. Of those responding, 27% were from formally recognised groups with 16% from a Park Users Group and 11% from other organisations.

4. Consultation Feedback and Council Response

- 4.1 Just over half of respondents (52%) agree with the council's commitment to local residents, to assist with the growth, development and management of events over the next 5 years. The majority of respondents agree with the event sizes proposed with circuses, funfairs and fireworks viewed as having the highest environmental impact. The majority of respondents asked for changes to the notification time. For example, 55% stated that 4 weeks was sufficient for small events with 77% stating that 16 weeks or longer should be the notification period for large events. We have considered this feedback and the written feedback received and as a result we have changed the notification periods to 4 weeks for small events, 8 weeks for medium events and 16 weeks for large events.
- 4.2 In answer to the question "what do you consider reasonable application fees for Charities/Parks Groups –
- 69% stated that there should be no fee for park friends groups,
 - 69% stated that the fee should be £20 for small charity events,
 - 55% stated that the fees should be £50 for medium charity events,
 - 37% stated that £200 should be the fee for medium/large events and
 - 27% stated that it should be £250 for large events.
- 4.3 We have considered this feedback and as a result we have changed the application fee to £50 and a concession of 80% (previously 40%) for events held by community organisations, schools, places of worship and registered charities, within the London borough of Harrow which results in an application fee of £10. This is lower than what was suggested by respondents. The council recognises that this will not cover the costs of administering these events however it will cover any gaps from its own funding given the added value that these events bring to the borough. Registered Community Groups including Park User Groups can apply for support from the Community Fund to facilitate events. The requirement for a separate deposit has been removed with the exception of circuses/funfairs where the £10,000 deposit remains. If the event is approved, the application fee will be deducted from the hire charges. If the application is rejected or if the event doesn't go ahead the application fee is non-refundable. For all events, an application needs to be completed.
- 4.4 In answer to the question "What do you consider reasonable hire charges for charities/Parks Groups –
- 74% of respondents state that there should be no fee for park friends groups and
 - 85% state that £50 should be charged for small charity events.

- 4.5 We have considered this feedback and are proposing an 80% discount for events by community organisations, schools, places of worship and registered charities within the London borough of Harrow. In response to consultation feedback we are proposing that this charge may be waived for Park User Groups. The waiver of fees will be at the discretion of the Corporate Director (or delegated to the Divisional Director) and Portfolio Holder following recommendation from the Community Engagement Team and considered on a case by case basis through the application process.
- 4.6 We have reviewed the consultation feedback on what those consulted consider to be reasonable hire charges for commercial events where for example, 56% state that the hire charge for small commercial events should be £400. As a result, we are proposing the hire charge of £400 for small commercial events and in line with the 49% of respondents, we are proposing a hire charge for medium commercial events of £800 per day. In line with 42% of respondents we are proposing a hire charge of £1,700 per day for large/special events.
- 4.7 In addition to the public consultation, the council's Overview and Scrutiny Committee has also reviewed the draft policy and made comments and suggestions which have been reviewed. This included the need for exemptions, the event size threshold and the level of discounts applied to community events.
- 4.8 Two of these areas have already been addressed earlier in this report. Additionally, as a result of feedback and benchmarking with other councils, a revised threshold for event size is proposed as follows:
- Small Scale Event – up to 499 (previously proposed 50-200)
 - Medium Scale Event – 500-1,000 (previously proposed 201-999)
 - Large Scale and Special Event – over 1,000 (no change).
- 4.9 The changes proposed as a result of the consultation process recognise the excellent contribution that our community groups make to the borough.

5. Concessions and Exemptions

- 5.1 As a result of the consultation and in line with the council's commitment to local groups, the application fee and hire charges have been reduced. The council is also proposing the following concessions and exemptions.
- An 80% discount for events by community organisations, schools, places of worship and registered charities based within the London borough of Harrow that have free entry and are open to the general public. In addition, the hire charge may be waived for Park User Groups.

- There will be no charge for specific civic events including, but not limited to, Remembrance Day. Additionally other exemptions may apply and will be considered on an individual basis.
- 5.2 The previously proposed deposit for events has been removed. The application fee will be used as the deposit and deducted from the hire charges. If the application is rejected or if the event doesn't go ahead the application fee is non-refundable. The exception is for circuses/funfairs where the deposit of £10,000 still applies.
- 5.3 The council recognises that this will not cover the costs of administering these events however it will cover any gaps from its own funding given the added value that these events bring to the borough.
- 5.4 In January, Cabinet approved the Social Value Policy and Initiatives. In line with this, the council has created a Community Fund and, registered community groups including Park User Groups can apply for support from this Fund to facilitate events. As part of the current procurement process external tenderers who bid for contracts for the council are asked to consider the community benefit aspect to their proposal. These can be in the form of apprentices, work placements or for short term contract a contribution to the Community Fund to support community and environment based local initiatives and projects. Applications are welcome from local, not-for-profit community or voluntary organisations registered with the Community Engagement Team or from un-constituted groups to facilitate events and to cover application costs.
- 5.5 As stated in the October Cabinet report, the council will go through careful planning and consultation so that benefits from events can be maximised while disruption to the specific location, the local environment, local residents and the local business community can be kept to a minimum.

6. Options considered

- 6.1 One option is to leave unchanged the proposals as originally considered by Cabinet in October 2015 but this option is not recommended as it is not in keeping with the council's commitment to consultation and considering responses. As a result, some aspects of the policy have been updated (as noted in this report) for consideration by Cabinet. The charging structure has also been revised in light of consultation responses.

Resources

- 6.2 Current staffing will be used and there is no requirement for additional staffing.

7. Community & Consultation

- 7.1 Consultation has taken place with key service managers to ensure that the policy aligns with service areas.
- 7.2 Consultation has also taken place with the wider community of Harrow and the results form the basis of this report.
- 7.3 The scale, content and impact of each event will be evaluated through the application process and a decision taken at that time on who needs to be consulted in relation to the event. Prior to deciding whether to grant approval for an event, consultation will take place with residents with properties immediately abutting the park/open space, ward councillors, local community groups/Interested Parties, responsible authorities (through the Safety Advisory Group), Portfolio Holder and Director or Nominated Deputy, as appropriate.

8. Performance Issues

- 8.1 This policy will be reviewed in light of developing practice, guidance and changing legislation as necessary and in any event every two years. At the time of review, consultation will take place with appropriate parties. Monitoring the effectiveness of the policy will include measures such as:
- Number of events successfully held
 - Percentage of applications agreed/denied
 - Diversity of events
 - Health and Safety statistics

9. Environmental Implications

- 9.1 The draft policy that approval is sought for will have a positive environmental impact. It recognises the value that effective event management brings to the overall economic viability of the borough. The council's overall strategy is to actively facilitate events and to promote the borough as a place of business, culture and community. The vision is "To enable the delivery of a diverse events programme that creates a vibrant place to visit whilst ensuring the sustainable use of Harrow's open spaces".

10. Risk Management Implications

- 10.1 This policy is not included on the Directorate or any other corporate risk register.

11. Legal Implications

- 11.1 Wedding Ceremonies: Wedding Ceremonies must be conducted in approved premises as per the Marriage and Civil Partnerships (Approved Premises) Regulations 2005. Therefore Harrow Council

cannot permit marriages within all its parks and open spaces, unless the park or open space is an approved premise. It follows that only wedding receptions can usually be permitted in parks and open spaces. See the private events section of the draft policy.

11.2 Harrow has the power to allow wedding receptions and other types of private events to be conducted in its parks and open spaces (and to recover its costs).

11.3 However this is subject to any limitations in pre existing legislation including a limitation contained in the Open Spaces Act 1906.

11.4 Section 10 of the Open Spaces Act 1906 provides

‘A local authority who have acquired any estate or interest in or control over any open space or burial ground under this Act shall, subject to any conditions under which the estate, interest, or control was so acquired—

- (a) hold and administer the open space or burial ground in trust to allow, and with a view to, the enjoyment thereof by the public as an open space within the meaning of this Act and under proper control and regulation and for no other purpose; ...’

11.5 Where Harrow parks and open spaces are affected by this Act, it may be possible to permit a private event in such spaces provided that the event organiser is informed that the park or open space must remain freely accessible to the general public while the event is being held.

11.6 The draft policy references legislation that may be applicable which an event organiser must comply with. However, the council is not responsible for informing event organisers of their legal obligations in relation to events or otherwise.

12. Financial Implications

12.1 The Events Policy will provide a clear and consistent approach on approving events held in public spaces including the fees structure. Appendix A summarises the application fees, hire charges and deposits applicable to different types/sizes of events. These are introduced to ensure that the full costs of providing the service are recovered, and in the cases of establishments entitled to concession and exemption, to recover a reasonable sum to part fund the cost of administering events in recognition of the added value the events that these groups bring to the community. Once the proposed fees in Appendix A are approved, they will be added to the Council’s fees & charges schedule and will be reviewed as part of the annual fees and charges setting process.

13. Equalities implications / Public Sector Equality Duty

Section 149 of the Equality Act 2010 sets out the Public Sector - Equality Duty which requires public authorities to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design of policies and the delivery of services so that the potential impact on any protected groups is identified and steps taken to mitigate or remove them.

An Equalities Impact Assessment (EqIA) has been carried out in relation to this draft policy and is attached to this report (appendix B). The EqIA did not identify adverse or disproportionate impact on any of the protected groups. Following consultation, the EqIA has been reviewed and no changes have arisen as a result.

Council Priorities

The council's vision:

Working Together to Make a Difference for Harrow

The policy supports the following council corporate priorities.

- Making a difference for Communities – for example by promoting social engagement and a sense of community respect, belonging and identity.
- Making a difference for Local Businesses – for example, by increasing footfall and promoting economic wellbeing.
- Making a difference for families – for example, by facilitating events in the borough.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 29 January 2016		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 1 February 2016		

Ward Councillors notified:	NO, as it impacts on all Wards
EqIA carried out:	YES
EqIA cleared by:	Hanif Islam

Section 4 - Contact Details and Background Papers

Contact: David Corby, Environmental Services Manager –
Community Engagement, dave.corby@harrow.gov.uk – 020 8424
1758

Background Papers: None.

Call-In Waived by the Chairman of Overview and Scrutiny Committee	NOT APPLICABLE <i>[Call-in applies]</i>
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