

Report to: **West Devon Hub Committee**

Date: **18th July 2017**

Title: **Events Policy Adoption**

Portfolio Area: **Cllr Robert Sampson, Commercial Services**

Wards Affected: **All**

Approval and clearance obtained: **Yes**

Urgent Decision: **No**

Date next steps can be taken: **After Full Council, 25th July 2017**

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Recommendations: That the Hub RECOMMEND to Council:

1. To approve the proposed policy as detailed in Appendix 1, subject to minor wording changes as delegated to the Group Manager, Commercial Services in consultation with the portfolio holder.
2. Once live, the policy is reviewed annually and the fees levied are reviewed as part of the regular WDBC fee & charge setting process

1. Executive summary

- 1.1. A review has taken place regarding the running of events held on Council owned land within West Devon and the South Hams.
- 1.2. This review included two public consultations. This report recommends that a revised policy, if approved, will come into effect from 1st April 2018.
- 1.3. The key change sees the new policy being applied consistently. The new policy is not designed to generate profit for the Council, instead it is designed to remove ambiguity and ensure that officers can more easily support event organisers by having a clear policy and charging regime to follow.
- 1.4. The administration fee for all confirmed event bookings is to be increased to £55 from its current £50 fee. This fee will apply to all event bookings and is non-negotiable.
- 1.5. Charges for the hire of any event land (other than when the right to hold the event is awarded via a tender process) are to be removed.

- 1.6. If a car park is required to be closed to enable the running of an event, then at the discretion of the Car Parks Senior Specialist, a fee equivalent to the estimated lost car park income will be levied where this can be justified based on historical data. Where it can be proved that additional car parking space is available within the town or parish despite the event being held, then no loss of parking charge will be made. For illustrative purposes only, an example of how this would be calculated is shown in appendix 2.

2. **Background**

- 2.1. The South Hams District Council Overview and Scrutiny panel recommended at its meeting on 19th November 2015 that a Member task and finish group was set up to review the events policy of the Council.
- 2.2. At the outset, Council officers discussed the issues and scope of the review with the relevant WDBC portfolio holder and agreed that formal involvement by WDBC in the review was unnecessary. This was due to the small number of events being held on WDBC owned land in comparison with those held on SHDC land. However, it was agreed that any public consultation would extend to WDBC event organisers and Members would input and review any review outputs prior to recommending adoption of a revised policy.
- 2.3. There is no specific events policy currently – a booking form is the only ‘policy’ in existence and this has led to deviations and inconsistencies in applying the current charging methodology. This issue has historically applied more in SHDC, but to help with consistency, it is recommended that WDBC adopt the same policy going forward.
- 2.4. A series of meetings between the Members and key officers were held. Two consultations with the public have also been undertaken, the first between June and August 2016, the second between March and April 2017. West Devon Members, West Devon Town and Parish Councils and past users of the West Devon land to hold events were all included in the consultations.
- 2.5. Based on the views of the majority of the Task & Finish Group, a set of guiding principles on which to base a new events policy were drawn up and these were agreed by the West Devon portfolio holders for Commercial Services and the Environment, along with the SHDC Overview and Scrutiny Panel in February 2017.
- 2.6. These principles were converted into a guide and policy document, which was circulated to all of the respondents to the first events consultation, along with all Members, town and parish councils and chambers of commerce in March 2017.
- 2.7. Overall, 10 responses were received. The chair of the SHDC Task & Finish group carefully considered the comments received but on balance, decided to keep the policy as drafted.

3. Outcomes / Outputs

- 3.1. The events task and finish group have concluded their investigation into the events process and policy. After two public consultations and with the assistance of the WDBC portfolio holder, they have now prepared a guide and policy document which they recommend is adopted for April 1st, 2018. This policy looks to remove ambiguity, inequality and inconsistency within the current operational arrangements. For information, the proposed policy was agreed by the SHDC Executive on 29th June 2017.
- 3.2. The changes from the current 'policy' and arrangements are as were agreed by the WDBC portfolio holder in February 2017. These are detailed below for reference:
 - 3.2.1. The administration fee for each confirmed event booking is to be increased to £55 from £50. This fee will apply to all event bookings and is now to be non-negotiable.
 - 3.2.2. No charge will be made for the hire of any event land (other than when the right to hold the event is awarded via a tender process).
 - 3.2.3. If a car park is required to be closed to enable the running of an event, then at the discretion of the Car Parks Senior Specialist, a fee for opportunity cost of lost car park income will be levied where this can be justified based on historical data. Where it can be proved that additional car parking space is available within the town or parish despite the event being held, then no loss of parking charge will be made. For illustrative purposes only, an example of how this would be calculated is shown in appendix 2.
- 3.3. Once set, the fees levied are to be reviewed as part of the annual fees and charges process. The policy should also be reviewed on an annual basis.
- 3.4. If approved by the Hub & Council, the policy will come into effect from 1st April 2018. However, it will be published and circulated to all prior event organisers & consultation respondents as soon as possible (as they may wish to be aware of the new policy ahead of their decision making for 2018/19 events).
- 3.5. On page 7 of Appendix 1, the new policy refers to the need for all waste created by an event to be removed by a registered waste carrier. Members should note that this will only be enforced by officers where it is felt there could be a breach of the Commercial Waste Regulations.
- 3.6. On page 11 of Appendix 1, the new policy refers to Food Hygiene requirements for any persons handling food. Members should note that this will only be enforced by officers where it is felt there is a serious risk to public safety.
- 3.7. The Council is not looking to make a profit from events and in any case, is precluded from doing so under Government legislation and Local Authority powers.

4. **Options available and consideration of risk**

- 4.1. This review was intended to improve the events process and proposed a suitable charging methodology. The Hub could opt to leave the current events process as is. However, this would leave room for inconsistencies in the application of the current 'policy' which is effectively only a booking form.
- 4.2. The review included public consultation. This was held twice, between June and August 2016 for the original guiding principles and in March/April 2017 for the revised guiding principles and policy. This was promoted via the Council's website, elected Members, press coverage and proactive contact with previous event organisers / consultees / chambers of commerce / town and parish Councils. Across both Councils, 26 responses (5 from West Devon) were received during the first period and 10 during the second (0 from West Devon).
- 4.3. The consultation responses were carefully reviewed before compiling the guide and policy shown in Appendix 1.
- 4.4. The subject of charging for events is highly emotive. The review has sought to achieve a practical solution which will limit impact on all groups, but which will achieve the aims of the Council to be consistent and fair in its dealings with event organisers.

5. **Proposed Way Forward**

- 5.1. Hub Committee are requested to approve the recommendations highlighted in this report and the appended guide and policy document (Appendix 1).
- 5.2. If required, the Group Manager, Commercial Services, in consultation with officers & the portfolio holder for Commercial Services will make minor amendments to the document shown in Appendix 1 and publish the policy as soon as possible. If approved, the new policy will come into effect from 1st April 2018, but changes to the application process to accommodate the new policy will also be made as soon as possible, in order for 2018/19 bookings to be made online.
- 5.3. Officers will ensure that the proposed fees and charges detailed in the new policy will be reviewed as part of the wider annual WDBC fee & charge setting process, scrutinised by the Overview & Scrutiny committee.

6. **Implications**

Implications	Relevant to proposals	Details and proposed measures to address
Legal / Governance	Y	The proposed policy has been built around recommendations approved by the SHDC Overview & Scrutiny Panel and WDBC portfolio holders in February 2017. The Council cannot derive a profit from fees and charges. The approach presented in this report is for the Council to recover its costs.
Financial	Y	The new events policy will remove some previous inconsistency in application of fees, making it simpler

		operationally to administer. The aim of the events policy is not to make a profit from events and therefore there will be a negligible impact on the Council's financial position.
Risk	Y	<p>A public consultation has been undertaken to aid the review of the Council's events policy. This was held in two stages - between June and August 2016 & March/April 2017. It was promoted by the Council's website, elected members, press coverage and proactive contact with previous event organisers, town and parish councils and chambers of commerce.</p> <p>Overall, 36 responses (5 from West Devon) were received. Officers in consultation with portfolio leads from both Councils and the SHDC Task & Finish group reviewed these responses before compiling the recommendations contained in this report and the proposed guide and policy.</p> <p>The subject of charging for events is highly emotive and the group members have sought to achieve a practical solution which will limit impact on all groups, but which will achieve the aims of the Council to be consistent and fair in its dealings with event organisers.</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	N/A
Safeguarding	N	N/A
Community Safety, Crime and Disorder	N	N/A
Health, Safety and Wellbeing	N	N/A
Other implications	N	N/A

Supporting Information

Appendices:

Appendix 1: A guide and policy to organising outdoor events in the South Hams and West Devon

Appendix 2: Example of how lost income from car parks would be calculated. *Note, this is shown for illustrative purposes only and this example is based on SHDC car parks.*

Background Papers: None

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Exec Director sign off	Yes
Data protection issues considered	Yes
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	N/A