

Events during the pandemic

The government have advised that in accordance with step two that outdoor gatherings can take place from Spring 2021. These events must be organised by a business, charity, public body or similar organisation and comply with the requirements detailed in the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021(The Regulations). As a result, there are additional requirements that we will be seeking from you in processing your event application. All such organisations must in accordance with the regulations take reasonable steps to limit the risk of transmission and provide a completed risk assessment. You must also ensure that you are complying with COVID-secure guidance (any relevant government guidance available from gov.uk) and keeping all precautionary measures updated and reviewed regularly. The council in consultation with public health (public health has additional powers to prevent events going ahead) are responsible for permitting or prohibiting organised outdoor events from taking place in their local area due to COVID19. Decisions will be made on a case-by-case basis, with consideration given to both the risks and the mitigations in place and, therefore it is essential that you supply risk assessments with any applications made. Failure to do so will result in automatic rejection of the application.

As a result, applications must be received 3 months before your event in order that the council can review your risk assessment and the measures you will be putting in place to limit the risk of transmission. This may all seem unduly burdensome, but the council are responsible for permitting or prohibiting organised outdoor events from taking place in their local area. We want as many events as possible to go ahead therefore this time will enable the council to review the risks assessments and the mitigations in place to as far as possible ensure your event goes ahead.

1 Terms & Conditions

- a. The following terms and conditions set out Amber Valley Borough Council's minimum requirements for permission to hold events on its land. Compliance with these terms and conditions does not affect the Event Organiser's statutory duties under various acts and regulations relating to the safety of employees, contractors and visitors during the build-up, event operation and break-down periods of their event.
- b. Amber Valley Borough Council has the right to enter events held on its land in order to check compliance with any or all of the terms and conditions specified in this document, but for the avoidance of doubt this clause does not absolve organisers from their statutory responsibility for public safety and pollution control.

2 Licensable Activities

- a. Where the Event Organiser wishes to carry out any licensable activity itself, no such activity shall be permitted to take place on the land unless:
 1. A Temporary Event Notice (TEN) is served upon the Council no less than ten days prior to the event, and
 2. The Council grants the TEN prior to the event, or
 3. A premises licence is in force at the premises to enable licensable activities to take place.
- b. For guidance on licensable activities, please contact the Licensing Section on 01773 841388.
- c. In addition to the conditions above the following conditions apply to licensable activities held at Crossley Park, School Lane, Ripley:
 1. The sale or supply of alcohol and the provision of late-night refreshments are not permitted.
 2. The terminal hour for regulated entertainment shall be 2100 hours and the premises shall close to the public no later than one hour after the terminal hour for licensable activities.

3 Costs & Payments

- a. All reasonable precautions shall be taken to ensure that no damage is caused to Council land or any fixtures and fittings contained within the boundary of the land during the event.
- b. A bond shall be paid (see separate payment schedule) to the Council prior to approval of the event. In the event of unreasonable damage or littering any and all costs for reinstatement of grounds, fixture and fittings and the collection, removal and disposal of litter, refuse and other waste to the satisfaction of the Council shall be deducted from the bond.
- c. The Event Organiser shall pay the full fee for use of Council land for the period defined in the event application form and the amount as specified in the payment schedule for events on Council land prior to approval of the event.
- d. The Council retains the right to withdraw permission for the event if full payment is not made prior to approval of the event.
- e. The Event Organiser shall pay all costs incurred from royalty collection services in respect of the public playing of licensed music (recorded or live) during the event named in section 6 of the event application form.
- f. Upon advanced cancellation of the event by either party the Council will refund all money paid in respect of the event named in section 6 of the event application form. Events cancelled during the event or set-up period due to safety, inclement weather or non-compliance with the terms and conditions may forfeit monies/bond paid in advance and may be liable for associated charges.

4 Public Liability Insurance

- a. The Event Organiser shall indemnify the Council against all actions, proceedings and claims made against the Council in respect of any loss, claim, demand, action, proceedings, cost, expense, damage or injury arising in any way from the event unless it is proved that the Council was negligent.
- b. Evidence of Public Liability Insurance covering the event to a minimum of £5 million shall be provided to the Council no later than 14 days prior to the event date.
- c. The Council retains the right to withdraw permission for the event if evidence of public liability insurance is not provided 14 days prior to the event.
- d. The Event Organiser shall ensure that all organisations / individuals participating in the event have sufficient Public Liability Insurance cover.

5 Advertising

- a. Any advertising material displayed in connection with this event must comply with the Town & Country Planning (Control of Advertisement) Regulations 1992 and Section 132 of the Highways Act 1980.
- b. The displaying of advertising signs on the highway or affixing them to structures, trees or works on the highway requires express consent. All signage must be removed immediately after the event.

6 Safeguarding Children & Adults at Risk

- a. Appropriate policies and procedures will be in place to place to safeguard the welfare of children and vulnerable adults.
- b. Appropriate arrangements shall be in place for missing and found children.
- c. Consideration shall be given to the provision of easily identifiable meeting points for event visitors.
- d. The Event Organiser shall ensure that all participants and their parents/carers (if under 18) are aware of any photographic/filming/video equipment that is going to be used.
- e. Where appropriate Event Organisers must obtain written permission from participants or their parents/guardians/carers to use the photographs in publicity, promotional or media material.

7 Health, Safety & Welfare

7.1 Employees

- a. If the Event Organiser is employing anyone (including use of volunteers) whether in their general activities or for the event then they are an employer and this falls within the Health and Safety at Work Act and associated regulations.

7.2 Safety Officer

- a. A suitably competent Responsible Person shall be appointed to act as the Safety Officer for the event. (This appointment does not absolve organisers from their statutory responsibility for public safety).
- b. The Safety Officer must be suitably trained and/or have experience or knowledge of safety matters appropriate for the event having regard to the size and nature of the event and the possible level of risks.

- c. The Safety Officer is the Responsible Person for fire safety during the event under the Regulatory Reform (Fire Safety) Order 2005.
- d. Special Requirements for Safety Officers at Large Events
- e. The Safety Officer shall be on site during the event, easily identifiable as the Safety Officer eg by wearing a high visibility fluorescent jacket or vest.
- f. The Safety Officer shall not be engaged in any other duties or activities that would prevent this responsibility being carried out.
- g. The Safety Officer must have the means to communicate with the people responsible for activating any part of the event's emergency arrangements.

7.3 Risk Assessment

- a. The Responsible Person (Safety Officer) shall carry out a detailed event risk assessment of the event covering all stages (build-up, event and break-down) and all activities in their control.
- b. The Responsible Person shall make and give effect to and suitable measures as necessary to reduce risk to a level that is reasonably practicable.

7.4 Fire Safety

- a. The Responsible Person (Safety Officer) shall make a suitable and sufficient assessment of fire risks to which event employees, volunteers, contractors and visitors are exposed.
- b. The Responsible Person must make and give effect to fire safety arrangements as are appropriate, having regard to the size of the event and the nature of the activities therein.

This will usually include:

- a. Elimination or reduction of risks from dangerous substances
- b. Fire detection
- c. Fire-fighting equipment
- d. Emergency routes and exits
- e. Procedures for serious and imminent danger and for danger areas
- f. Information to event employees, volunteers and visitors

7.5 Noise

- a. Reasonable steps shall be taken to protect event employees from noise that could damage their health.

- b. Consideration shall be given to neighbouring properties and event noise kept to reasonable levels at all times.

7.6 Event Safety Control

- a. An event safety control shall be set up at the event to act as a designated area for:
 - lost and found children
 - lost property
 - confiscated items
 - accident reporting
 - general meeting point
 - emergency control
- b. Where possible, event safety control must be sited so as to give a full view of the event.
- c. For large events a suitable building, portacabin or caravan must be provided as safety control for use by the Event Organiser, Council Officers and representatives of the Emergency Services.
- d. For large events safety control shall have a telephone and radio link with deputy, stewards and first aid posts.

7.7 Stewarding

- a. An adequate number of stewards must be provided at the event having regard to the size of the event and the nature of the activities therein.
- b. All stewards shall be briefed on the day (prior to people arriving) on matters such as health and safety, emergency procedures and the Event Plan and Emergency Plan (if applicable).
- c. Stewards shall:
 - be at least 18 years of age
 - be competent and be able to carry out their duties effectively
 - wear high visibility coats / waistcoats whilst on duty
 - investigate and deal with any disturbance or incident
 - not leave their assigned place of duty unless instructed to do so by the Event Organiser
 - report any serious problems or incidents to the Event Organiser immediately
 - not consume alcohol immediately prior to or during the event

7.8 First Aid Provision

- a. Adequate provision of first aid personnel and facilities must be provided for the number of people expected to attend and for the type of event.
- b. Adequate provision of suitable sign posting to first aid facilities must be provided at the event.
- c. The following gives a guide to the minimum first aid provisions:

Number of people attending	Number of First Aiders	Number of First Aid posts	Ambulances
Less than 500	Whilst not compulsory, first aid provision should be carefully considered for all events regardless of size.		
500	2	1	-
3,000	6	1	1
5,000	8	1	1
10,000	13	2	2

- d. All First Aiders shall be briefed on the Event Plan and Emergency Plan (if applicable) prior to the event.

7.9 Electrical Installations & Generators

- a. A suitably competent electrician shall install any installations, including wiring, switchgear and any generator and must provide a written certificate to the Event Organiser confirming electrical safety prior to the event commencing.
- b. All electrical installations, supply cables and equipment used at the event must be in a safe condition and suitable for external use with IP66 rated connectors used.
- c. Generators and/or electrical equipment, including switchgear, shall not be easily accessible to the public and may need to be barriered to prevent unauthorised access and/or interference.
- d. All portable electrical equipment brought onto the event site must be in a safe and serviceable condition.
- e. Evidence shall be available via certification and labelling that the electrical equipment is maintained correctly, within a valid time period, and that the equipment has been subjected to routine inspection and testing.

7.10 Electrical Supply Cables

- a. Electrical supply cables shall be positioned so they are not liable to physical damage eg not through door openings, across the surface of walkways/roadways and positioned so as not to cause trip/other hazard.

7.11 Gas Appliances

- a. Gas appliances e.g. cookers must have current written safety test certificate provided by a suitably competent person.

7.12 Pressure Vessels

- a. Pressure cylinders e.g. coffee machines must have current written safety test certificate provided by a suitably competent person.

7.13 Use of Gas Cylinders

- a. Gas cylinders shall be positioned away from ignition sources, gulleys, drains or other holes and securely fixed with the valve uppermost.
- b. Gas cylinders must be conspicuously signed 'LPG Highly Flammable'.
- c. All fittings must be compatible with the type of cylinder/equipment in use and be in good serviceable condition.

7.14 Events after Dark

- a. Adequate lighting must be provided in all areas to be used by the employees, contractor or visitors after dark.

7.15 Toilet Facilities

- a. Adequate toilet facilities must be available during the event.
- b. For large events additional portable toilets must be provided if there are insufficient toilets at the event location or nearby.

7.16 Inflatable Entertainment Equipment

- a. Any bouncing castles or similar inflatable entertainment equipment must have a current annual inspection certificate provided by a registered inspector as part of the Pertexa Inflatable Play Accreditation (PIPA) scheme.
- b. Inflatable entertainment equipment shall be secured to the ground in accordance with equipment manufacturer's instructions.

- c. Inflatable entertainment equipment must not be used when the wind or gusts are in excess of the maximum safe wind speed specified by the equipment manufacturer.
- d. Inflatable entertainment equipment must be sited well away from possible hazards such as overhead power lines or other obstacles with hazardous projections (eg tree branches).
- e. Inflatable entertainment equipment must be attended at all times. The equipment controller must determine the minimum number of attendants needed to operate the device safely, and ensure that at least these numbers of attendants are on duty when the device is in operation.
- f. The operators of any inflatable entertainment equipment shall be in possession of a suitable anemometer or other device capable of accurately measuring wind speeds at regular intervals.
- g. The operators of any inflatable entertainment equipment shall be 18 or over.
- h. The Event Organiser must take any necessary action to ensure the safety of the public if it is apparent that an inflatable entertainment equipment controller is failing to do so.

7.17 Fairground Rides & Amusement Devices

- a. All fairground rides and amusement devices at the event must have a current inspection certificate provided by organisation registered with the Amusement Devices Inspection Procedures Scheme (ADIPS).
- b. All fairground rides and amusement devices shall be operated in accordance with HSE Guidance for this type of equipment.
- c. Fairground ride and amusement device operators must assess the risks on site to identify the control measures required to ensure their devices operate safely.
- d. The Event Organiser must take any necessary action to ensure the safety of the public if it is apparent that a fairground ride or amusement devices controller is failing to do so.

7.18 Temporary Demountable Structures (Stages and Seating etc)

- a. The Event Organiser must, as far as reasonably practicable, ensure that employees and others at a venue who could be affected by the construction and use of a Temporary Demountable Structure (TDS) such as scaffolders, riggers and members of the public are not exposed to risks to their health and

are kept safe from harm. This includes the planning, building, use and dismantling of TDS.

7.19 Temporary Demountable Structures (Tents and Marquees etc)

- a. All fabric structures shall be erected and operated in line with the MUTAmarq best practice scheme for the Safe Use and Operation of Temporary Demountable Fabric Structures.
- b. Fabric structures shall be positioned so as not to create unnecessary trip hazards from tent pegs and guide ropes. Where this is not possible tent pegs and guide ropes shall be adequately marked so as to avoid unnecessary creation of trip hazards.
- c. The materials and lines of fabric structures must be inherently fire retardant, with a label attached providing details of fire retardant properties and relevant BS/EN standards.
- d. Fabric structures must have adequate fire exits for the capacity and intended use.
- e. The use of flammable decoration with fabric structures shall be kept to a minimum.
- f. An exemption shall be granted for the use of a domestic gazebo for a private party providing the gazebo is suitably anchored and not used during high winds.

7.20 Fireworks and Pyrotechnics(see also the section below on ‘Noise’)

- a. Where the Event Organiser plans to fire their own (Category 1-3) fireworks then this shall be carried out in accordance with HSE Guidance document HSG 124.
- b. All fireworks purchased by the Event Organiser for use on Council land shall be purchased from a reputable supplier and be manufactured to the appropriate current BS/EN standard.
- c. Category 4 fireworks must only be fired by professional firework display operators with sufficient knowledge, training and experience to set up and fire the fireworks and clear them up after firing in a way that ensures the health and safety of the operator, the operator’s employees and other people at, or affected by, the display.
- d. Professional firework display operators shall provide the Event Organiser with a suitable and sufficient assessment of the health and safety risks to which

their employees are exposed while at work, and the health and safety risks to other people resulting from, or in connection with, the employer's work.

- e. A weather check including wind direction shall be made immediately prior to the firework display and the display suspended or cancelled if the strength or direction of the wind means that people or property may be put at risk.

In all cases there must be defined areas for

- a. Spectators – an area from which the spectators watch the display.
- b. Safety Area – an adequate clear area between the spectators and the firing area to ensure that spectators are at a safe distance from the fireworks during the display.
- c. Firing – from which the fireworks are set off.
- d. Fall-out or dropping zone – an adequate area kept clear of people, where the debris from spent aerial fireworks land.

7.21 Bonfires

- a. Bonfires must not be constructed until as close to the event as possible.
- b. Bonfires shall be at a safe distance from fireworks.
- c. Before lighting, bonfires must be checked to ensure that the structure is sound and does not have small children or animals inside it.
- d. No petrol or paraffin shall be used to light bonfires.

7.22 Crowd Management

- a. Consideration must be given to the risks arising from crowd movement and behaviour as they arrive, move around and leave the event site.
- a. The Event Organiser shall make and give effect to arrangements to ensure the safety of crowds during the event; including displaying appropriate directional signage

7.23 Traffic Management

- a. Care must be taken whilst driving on Council land and vehicles must give way to pedestrians.
- b. A 5 mph speed limit shall be enforced on all public open spaces including access roads and car parks at all times.

- c. Where moving vehicles form part of the event the Event Organiser shall consult an appropriate expert body in order to ensure that adequate safety arrangements are in place to ensure risk to the public and those taking part are minimised.
- d. All vehicles must only be parked on designated car parks unless the Council gives permission for other areas to be used.
- e. A sufficient number of stewards must be provided to safely supervise car parking.
- f. Access for emergency services must be available at all times during the event.
- g. At large events the Police must be consulted regarding car parking and traffic management. Any requests or instructions issued by the Police shall be complied with.

7.24 Trees

- a. No permanent or intrusive fixings e.g. screws or nails should be attached to any tree.
- b. No weight bearing ropes or wires should be attached to any tree.
- c. No vehicles should be driven or parked on non-hard surfaced areas within the tree canopy spreads.
- d. The Event Organiser is responsible for reporting any concerns regarding trees which come to light during the planning, setting up or running of an event to the Council without delay.
- e. In exceptional circumstances (e.g. high winds/storms) the Council reserves the right to cancel permission for any event due to elevated risks in relation to trees.

8 Supply of Food

- a. All food businesses, including fixed or temporary structures, moveable or demountable premises or structures shall be appropriately registered with the local authority that covers the home base of the operation or where the mobile catering vehicle is usually kept.
- b. Registered Food establishments shall display their 'Food hygiene Rating' or an 'Awaiting inspection' while they are trading at the event.

9 Noise

- a) Events licensed under the provisions of the Licensing Act 2003 must promote the 'prevention of public nuisance' licensing objective.
- b) Publicised event times must not be exceeded under any circumstances.
- c) Outdoor entertainment noise i.e. outside or in a temporary structure, such as a marquee must cease at 23:00hrs. Exceptions may be granted following the submission of detailed proposals to, and consultation with the Environment Unit.

Where indoor entertainment takes place, windows and doors must be closed at 23:00hrs.

- d) Careful consideration must be given to bass noise, including repetitive bass noise in the 63 or 125Hz octave bands typically associated with live music and recorded dance music. This type of noise can travel over long distances and penetrate buildings.
- e) Where noise emissions, including noise from people, will affect the occupants of premises outside the event site boundary, especially sensitive premises, for example, schools and hospitals. Written notification of the event must be posted to all such premises.
- f) Notification must take place at least ten working days prior to the event and must include:
 - Event location
 - Dates and times of the event
 - Planned activities
 - Actions taken to minimise disturbance; and
 - A 24-hour contact name and number for complaints.
- g) A written Noise Management Plan, including roles and responsibilities, must be formulated detailing how all noise emissions from the event will be dealt with.
- h) The entire site and its vicinity must be regularly patrolled throughout the duration of the event and any activities likely to cause disturbance to residents must be ceased.
- i) Thirty minutes before the end of the entertainment, the volume of the music must be reduced. During this period the type of music played should be appropriate 'winding down music' (i.e. of a type which is played at a lower

- volume and a slower tempo, designed to signify to patrons that the entertainment is about to end).
- j) Regular announcements should be made reminding patrons to leave quietly and without causing disturbance to local residents.
- k) Any complaints received must be dealt with promptly and logged. The log should include:
- Name
 - Address
 - Telephone number
 - Time
 - Nature of the complaint
 - Action taken in response.
- l) The complaint log must be available on site for the duration of the event for inspection by a Borough Council or Police enforcement officer.
- m) No pyrotechnics (including fireworks), lasers, special effects, searchlights, sky lanterns and similar should be used on the site before the submission of full details of the proposals to, and the written approval of, the Borough Council (following consultation with the Environment Unit).

10 Animal Welfare

- a. Event Organisers must ensure that animal exhibits are licensed where appropriate.
- b. Event Organisers must obtain a copy of the license and submit a copy to the Council when requested to do so
- c. Event Organisers must ensure that the best welfare practices are observed at all times.
- d. Any animal welfare issues during the event must be reported to the authority that licenced the exhibit.

11 Release of Airborne Items

- a. Intentional release of airborne items e.g. balloons or sky lanterns is strictly prohibited on Council Land.

12 Performing Rights

- a. Where the event includes the playing or performing of music requiring PRS and/or PPL licences the Event Organiser must agree to meet all legal licencing requirements by either
- b. obtaining their own licences, or
- c. informing the Council of the full details of the
 - titles of musical work
 - composer/author/arranger
 - publisher (if known)
 - duration

whereupon the Event Organisers must accept recharges for payments made on their behalf to the Performing Rights Society and/or Phonographic Performance Limited.

13 Freedom of Information

- a. In this paragraph unless the context otherwise requires, the following terms shall have the meanings specified:
- b. 'Exempted Information' means any information or category of information, document, report, contract or other material containing information relevant to this application that has been identified by the Event Organiser as potentially falling within an FOIA Exemption and listed as such in any Schedule attached to this application.
 - 'FOIA' means the Freedom of Information Act 2000.
 - 'FOIA Exemption' means any applicable exemption to the FOIA.
- c. The Event Organiser recognises that the Council is subject to legal duties which may require the release of information under the FOIA or the Environmental Information Regulations 2004 or any other applicable legislation or codes governing access to information and that the Council may be under an obligation to provide information on request. Such information may include matters relating to or arising out of this application in any way.
- d. The Event Organiser is responsible for identifying any information he believes to be exempted and producing a Schedule of such information to the Council at the time the application is made. The Schedule must include the grounds for the FOIA exemption which is relevant to each element of the exempted information.
- e. Notwithstanding anything in these Terms and Conditions to the contrary, in the event that the Council receives a request for information under the FOIA or any other applicable legislation governing access to information, the

Council shall be entitled to disclose all information and documentation (in whatever form) necessary to respond to that request in accordance with the FOIA or other applicable legislation governing access to information, save that in relation to any such information that is Exempted Information, the Council shall use reasonable endeavours to consult the Event Organiser as soon as reasonably practicable and shall not disclose the information requested, if in the Council's opinion (having taken into account the view of the Event Organiser) that an exemption is, or may be, applicable in accordance with the relevant section of the FOIA in the circumstances.

- f. In the event that the Council incurs any costs, including but not limited to external legal costs, in seeking to maintain the withholding of any information identified by the Event Organiser as potentially exempt, including but not limited to responding to information notices or lodging appeals against a decision of the Information Commissioner in relation to disclosure, the Event Organiser shall indemnify the Council.
- g. In any event the Council shall not be liable for any loss, damage, harm or other detriment however caused arising from disclosure (pursuant to the obligations of the FOIA) of any Exempted Information or other information relating to this event or other applicable legislation governing access to information.
- h. The Event Organiser will assist the Council to enable the Council to comply with its obligations under the FOIA or other applicable legislation governing access to information. In the event that the Council receives a request for information under the FOIA or any other applicable legislation governing access to information, and requires the Event Organiser's assistance in obtaining the information that is the subject of the request or otherwise, the Event Organiser will respond to any such request for assistance from the Council at its own cost and promptly and in any event within 10 days of receiving the Council's request.
- i. In any event, the decision of the Council to confirm or deny that the information requested is held by the Council, or to disclose the information, shall be final.