

Name of meeting: Cabinet
Date: 16 October 2018
Title of report: Events Policy and associated charging framework

Purpose of report

To adopt the Events Policy and associated charging framework for outdoor events which will lead to a more consistent approach across the council to how communities and other event organisers are supported and enabled to deliver events in Kirklees.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes This will impact on more than two wards as it is about creating a coordinated approach from the council that enables events to take place across the district
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes - published on 4 th September 2018
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by Strategic Director & name	Karl Battersby - 4.10.2018
Is it signed off by Service Director Finance?	Eamonn Croston - 3.10.2018
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft - 4.10.2018
Cabinet member portfolio	Cllr Graham Turner - Corporate Cllr Peter McBride - Economy Cllr Naheed Mather - Communities and Environment

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

1. Summary

1.1 The Council requires a more coordinated and consistent approach to support event organisers to deliver events safely and with clear understanding of their role and responsibilities. Events are an integral part of the cultural life and vibrancy of the district

and the current working practices are causing confusion and act as a barrier to event organisers, impacting on Kirklees' ambition to be seen as a place that supports and encourages cultural and community activity.

- 1.2 The Events Policy and complimentary Charging Framework for outdoor events will provide clarity to enable events in Kirklees. They clearly articulate definitions, requirements and expectations.
- 1.3 The Cabinet is requested to adopt the Events Policy and complimentary Charging Framework for outdoor events.

2. Information required to take a decision

- 2.1 The Kirklees district hosts a large number of events and activity every year, from established annual fixtures, including Huddersfield Contemporary Music Festival, Cleckheaton Folk Festival, Marsden Jazz Festival, the Huddersfield Carnival and the Huddersfield Food and Drink Festival, to one-off occasions such as the Olympic Torch Relay in 2012 and Le Grand Depart as part of the Tour De France in 2014.
- 2.2 Cultural events and festivals can, at their best, be powerful agents in telling the Kirklees story and in providing opportunities for celebration and pride in a place or locality. They are also opportunities to develop social cohesion and community participation. They often provide opportunities to reflect the diverse communities of the district, promoting them and increasing understanding of their cultures.

A varied programme of events across the year contributes to:

- economic development;
- social/cultural regeneration;
- cultural vibrancy;
- a strong tourism base;
- cultural and community provision; and
- local priorities which seek to encourage vibrant sustainable communities that are active, lively and inclusive.

- 2.3 The proposed vision for events in Kirklees is as follows:

“Kirklees is a vibrant and dynamic place where a wide range of events and festivals act as powerful agents in telling our story; they provide opportunities for celebration, civic pride and for communities to come together in shared experiences. Events in Kirklees celebrate the unique creativity and identity of our towns and villages. Building on our rich heritage, they reflect our diverse communities.

“The Council recognises the role events play in creating quality places in our towns and villages where the year round wide-ranging activity provides an attractive programme across the district. From a commercial event or a community gala to one of our many cultural festivals, they can attract investment and visitors from the district, region or internationally and can take place in our town centres, on highways, in parks and in our heritage sites. Those events may involve input or support from the Council and may involve our partners and stakeholders. Together we will enable communities to do more for themselves.”

- 2.4 The council's role in achieving this vision is to perform a number of diverse roles and functions in relation to supporting and enabling events to take place in the district.

These include statutory functions such as licensing venues and road closures; to ensuring health and safety requirements are being met through chairing the Safety Advisory Group (“**SAG**”); to signposting to relevant broader legislation, funding opportunities and other information via the resource pages on www.creativekirklees.com or www.kirkleesbusinesshub.gov.uk. The council is also a partner in the organisation and delivery of some events such as the Freedom Parades.

- 2.5 The **Kirklees Events Policy** seeks to promote a consistent, proactive and integrated approach to the services and regulatory functions for events by specifying the requirements that event organisers must meet in order to run a safe, legal event. It will lead to the identification of key council controlled spaces and the highlighting of the types of events that will be suitable for different high profile and in demand spaces and setting clear conditions and criteria by which applications to use council land will be assessed. There will also be a re-defining of the Terms of Reference for the SAG. The Policy outlines the process by which an event may be challenged should it not meet minimum standards.
- 2.6 The **Charging Framework** is complimentary to the Events Policy. It has been created because there are a number of inconsistencies across the Council in relation to terms and conditions, deposits/bonds and cancellation charges for outdoor events. This work complements that being undertaken by other services in relation to the Commercial Strategy.
- 2.7 Across the Council, there are events and bookings which are cancelled at the last moment without any penalties. Admin fees, booking fees or cancellation penalties are rarely in operation meaning significant time and resources are provided by the council and wasted by the event organiser at no charge.

To try and avoid situations such as this, a Task and Finish group was brought together to look at a framework to consider the following:

- a) defining and agreeing what is meant by “commercial;”
 - b) charging for all Council event spaces which is not current practice;
 - c) introducing an admin charge for processing paperwork for hire of any Council owned space;
 - d) ensuring there is a consistent approach to charging including delegated authority to agree to reduce or waive charges for voluntary groups if the event will contribute to the Council’s outcomes;
 - e) revising terms and conditions for all events held on council land to ensure consistency; and
 - f) introducing a consistent approach to cancellations, deposits and bonds and whether these should be refundable.
- 2.8 The proposed Charging Framework has to take into account a number of considerations including charging differently commercial and non-commercial event organisers. There has to be a clear definition of what is classed as commercial and non-commercial so this can be applied to all event organisers and is made clear on all council communications.

A **commercial organisation** is one which shares any profits with individuals such as directors and/or shareholders. Just because an event may not make a profit, if it is organised by a commercial organisation the council should charge the full rate. A **non-commercial organisation** is one which invests its profits back in to the organisation in

order to achieve social objectives. Events organised by a non-commercial organisation, usually known as voluntary or community groups, should be charged at a reduced rate.

- 2.9 The council is moving towards enabling our residents and communities to do more for themselves thus reducing the demand on services. Therefore the social value of a community event should be recognised and considered when deciding charges. Consideration should be given as to whether organisations and groups who are delivering and contributing towards council outcomes are charged at all. This decision in future should be the decision of a relevant head of service.
- 2.10 There are a number of services who do not lead on booking event spaces but charge for a service e.g. Licensing as it is a legal requirement for event organisers to obtain relevant licenses. Other Services are looking into charging e.g. Highways to cover costs of obtaining permissions such as Police Town Closures. This will be considered separately under the Commercial Strategy development work.

3.0 Implications for the Council

3.1 Early Intervention and Prevention

Providing a consistent approach across the Council and all its services to enable events to take place, including Voluntary and Community Sector run events that are often at the heart of community cohesion, are reliant on volunteers and therefore offer opportunities for individuals and residents to be active, get involved and be engaged in their local community. Active volunteering is one of the keystones of the “Five Ways to Well-being” with research demonstrating that it improves a person’s mental well-being.

3.2 Economic Resilience

The Events Policy will streamline the process of engaging with the Council, with less confusion for the event organiser about who to contact. The aim is to remove barriers which discourage organisers from delivering events in Kirklees and thus increase the number of events. Research has demonstrated that many events contribute to the local economy through their use of local suppliers, attraction of visitors and spend to the district and the positive profile they create for the district which appeals to visitors and investors.

3.3 Improving Outcomes for Children

There is no impact.

3.4 Reducing the Demand for Services

The Events Policy will streamline the process of engaging with the Council, with less confusion for the event organiser about who to contact. Alongside a consistent and clear Charging Framework for outdoor events, it will also provide clear guidance on definitions, roles and responsibilities. It will be supported by a suite of guidance made relevant and readable for event organisers to understand what is expected of them. Therefore, organisers will have easy access to relevant information to be able to plan and manage their events effectively thus reducing enquiries to and the involvement of officers. The aim is to also reduce the time officers spend on events which are cancelled at a late stage because event organisers were naive about what they would need to do to deliver a safe event. Officers will have a clear framework to follow to inform how they support events in the district and access to the information they need about events to

make decisions and ensure an active vibrant cultural events calendar is maintained in the district.

3.5 Financial

The Charging Framework for outdoor events will clearly articulate what each type of event organiser will be charged to use council controlled land and the terms and conditions for use of sites. It will ensure that the council charges fairly and consistently across all sites, generating income from commercial event organisers and enabling and supporting others as appropriate.

3.6 Communications and Stakeholder engagement

The Events Policy has been developed from a council wide workshop held by the Head of Service for Culture and Vibrancy, leading on to the establishment of a Board to oversee the development of the policy. This was further supported through the Events Operational Group that includes all services involved in the direct support of events across the Authority. The event organisers, Huddersfield Live and Love 4 Music, were consulted and discussions have been held with West Yorkshire Police, a key partner in the support for events.

3.7 Equalities Impact Assessment

The Equality Act 2010 places the Council under a duty - the Public Sector Equality Duty - to have due regard to the need to achieve equality objectives when carrying out its functions. Members are reminded that before making any decisions that they have a legal duty to consider the **Equality Act 2010 - Section 149**, which introduced a public sector equality duty that the Council must, in the exercise of their functions, have due regard to the need to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The EIA can be accessed via [http://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/03\)%20Economy%20&%20Infrastructure/Economy,%20Regeneration%20and%20Culture/Events%20Policy%20EIA.xlsm](http://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/03)%20Economy%20&%20Infrastructure/Economy,%20Regeneration%20and%20Culture/Events%20Policy%20EIA.xlsm)

Members should have due regard to the Equality Impact Assessments when considering the proposals outlined in this report and before making a decision.

4. Consultees and their opinions

Two event organisers, Huddersfield Live and Love 4 Music were consulted about the Events Policy and a booking portal which will place all information in one place and make it easier for event organisers to book council controlled spaces and apply for licenses and road closures etc. They welcomed the policy and portal. It was

recommended that the portals from other authorities should be explored and one of them purchased if they meet our requirements.

West Yorkshire Police responded with, "...no issues in terms of policing. There is enough reference to issues that cover our concerns around terrorism, safer roads, engagement when planning and event management."

5. **Next steps**

If the Events Policy is adopted, relevant guidance will be made available on the Council website. The Policy and Charging Framework for outdoor events will be implemented from 1st April 2019. The Charging Framework will be implemented across all departments. An online booking portal for events is to be developed so that event organisers can more easily contact all the services they need to contact. Revised terms of reference and ways of working will be introduced for the Safety Advisory Group so that event organisers can be better supported and more efficient working practices are introduced.

6. **Officer recommendations and reasons**

Members are requested to:

- adopt the Events Policy and implement it from 1st April 2019, so that there is future clarity around decisions and processes which better enable event organisers to deliver their events and publish it on the Council's website; and
- approve the Events Charging Framework for outdoor events and implement it from 1st April 2019 and publish it on the Council's website, so that there is clarity around which event organisers the council will charge to use its sites in the future and what it will charge for. This will improve the decision making process, aid event organisers to understand why the council charges for certain services and reduce the wasting of resources or at least enable services to recoup some of the cost spent supporting event organisers who are naïve about organising events and cancel at a late stage; and
- approve delegated authority to the Strategic Director of Economy and Infrastructure in consultation with the relevant portfolio holders to refuse permission for an event to go ahead if it contravenes the Events Policy, and/or is assessed to be unsafe and/or make minor amendments to the Policy; and
- approve delegated authority to relevant heads of service to reduce or waive charges if a strong case is presented demonstrating that an outdoor event will contribute to the council's outcomes.

7. **Cabinet portfolio holder's recommendation**

7.1 The Events Policy impacts on the portfolios for Corporate, Economy and Communities and Environment.

7.2 Cllr Graham Turner, Corporate portfolio, recommends that, "...the Events Policy and Charging Framework are approved as they will improve efficiency in relation to the support which the council provides to event organisers and reduce the risk of council resources being wasted. Events are a significant contributor to the cultural vibrancy of the district and so the council should do all it can to support the delivery of a

thriving events programme whilst ensuring that the public is safe when attending these events. The new charging framework is simple and easy to understand and will give residents, community groups and commercial organisations clear guidance on what we expect from them when they are looking to make a booking and will remove any ambiguity from such bookings, which is a clear benefit to the Council and those making any bookings.”

7.3 Cllr Naheed Mather, Communities and Environment portfolio, recommends that, “...the Events Policy and Charging Framework be approved so that communities are supported to deliver events which promote cohesion and social interaction. As a local authority, we must reduce red tape to encourage more events. The Events Policy is clear about our expectations and the resulting guidance and ease of booking spaces and applying for licenses and road closures will hopefully support event organisers in the future.”

7.4 Cllr Peter McBride, Economy portfolio, recommends that, “the Events Policy and Charging Framework be approved so that the council can enable more events to take place in the district especially those which will increase town centre vibrancy and contribute to the local economy. If we are to attract more businesses, visitors and investors to Kirklees, we must promote a vibrant cultural life and events are essential to achieving this outcome.”

8. **Contact officer**

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9. **Background Papers and History of Decisions**

None

10. **Strategic/Service Director responsible**

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11. **Appendices**

Appendix 1 - The Events Policy
Appendix 2 - The Charging Framework