

Appendix E

Special events to be held on roads:

Proposals put forward by working group in relation to

- fees
- delegated powers
- application process

Banding of Fees

Consideration was given to whether or not one fee should apply for all types of event which can range from the small local community event to the large, commercial type activity (eg film making on the road)

After much consideration, it is proposed that Councils follow the guidance provided by Dfl ie some events may fall into the smaller events category, and if not, by default, fall into the large event.

Proposal

Two fee bandings

- Small local event
- Larger event

Definition of smaller event as per Dfl guidance:

Small local events

Is your event a small, local, neighbourhood event where people attending are not from outside your street (eg street party) or immediate neighbourhood?

In order to be considered a 'small event', the event should be as follows: (please note this list is not exhaustive)

1. Be held on minor residential roads (eg cul-de-sacs or side streets)
2. The proposed road to be closed must not have a bus route along it
3. Not have a car park located on it which is accessed via the road to be closed (other than a car park for residents of the road)
4. Not be publicised for the general public and therefore will not draw in people from the wider area
5. Be an event which would apply to residents of one or two streets only and not to larger areas of the district/borough/city. It is up to the District Council to consider factors such as the proposed attendance figures etc when making its decision on whether to grant an Order.
6. Finish by 11pm
7. Not have a stage built from which entertainment would be provided
8. Not have amplified entertainment which may cause nuisance to the wider area
9. Not have fireworks, pyrotechnics or bonfires on the street
10. Not have alcohol or food **sold** at the event.

Larger events

If your event does not meet the above criteria, then your event will be considered to be a larger event.

Setting of Fees

The actual cost of processing an application was calculated by estimating the proposed time spend required by a professional officer and an admin support officer to process an application. It was decided that there was minimal difference between the timespend for smaller and larger events so one figure was proposed. As this is an entirely new function, it is not possible to quantify this exactly, however best 'guesstimates' were produced having regard to similar type activities already undertaken by council

Actual Costs

Estimated Timespend for Processing Application (averaging small and larger events)

	Timespend	Approximate Cost	Total
Professional officer	5.5 hours	£25 per hour	£138
Admin officer	1.5 hours	£18 per hour	£27
Total	7 hours		£165

1. Newspaper Advertising

£150-250

but may be much higher as several newspaper adverts may be required for some events/roads.

Proposal

Small local event : waive administration fee and recoup cost of newspaper advertising only

Actual cost		Proposed fee
£165	Administration	-
£250 approx	Newspaper	£250 *for each paper advertised (1- 6No)
£415		£250*

Larger event: recoup administration fee and recoup cost of newspaper advertising

Actual cost		Proposed fee
£165	Administration	£165
£250 approx	Newspaper	£250 *for each paper advertised (1- 6No)
£415		£415*

Refund of Fees

Consideration was given to whether it was appropriate to refund fees

Proposal

In the event that an application refused prior to public advertisement, Council will refund the cost of advertisement fees only. No refund will be due where the advertisement has been placed.

Additional charge for cleansing

Consideration was given to the possibility of requiring a refundable deposit from promoters in relation to clean up costs. The legislation states that *“the council may recover from the promoter the whole of the costs incurred by the relevant authority in connection with, or in consequence of the making of an order”* The Dfl guidance further states that the Council can recover costs including the cleansing of the area following the closure.

Proposal

A minimum refundable deposit of £200 (at discretion of councils in relation to particular event) **may** be required to cover clean-up costs of any debris deposited/left on the street/road as a result of the event.

Public Liability Insurance

Although the **Dfl Guidance for Promoters** (point 6) states that the “council *may* require that appropriate insurance cover is in place for the event”, the **Dfl Guidance for Councils** (point 7) states *“it will be incumbent on the promoter to obtain insurance and it will be a condition in any resulting Order that the appropriate insurance is in place prior to the event taking place”*. The template Order in Appendix 4 of this document further lists insurance as a condition.

Proposal

A minimum of £10m public liability insurance cover should be required for:

- Small local events
- Larger events

Level of public insurance to be consistent with level set across departments within individual Councils

Delegated Powers

Consideration was given to whether decision to grant an Order should be taken by Committee or delegated to a Senior Council official. A key factor in the deliberations was that ultimately, under the legislation, Council requires the consent of the Department to make any restriction/prohibition Order.

Proposal

It is proposed that the recommendation to grant an order and seek the consent of the DfI for same is delegated to a Senior Council official. Only those applications which result in written representations being received should be brought before Committee for discussion and approval.