

Subject: Update – Requests for events on Council Land

Status: For Publication

Report to: Cabinet

Date: 22nd October 2008

Report of:

Executive Director - Business

Portfolio

Holder: Communities & Neighbourhoods

Key Decision: No

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 To inform members of the policy currently in development in respect of requests for events on Council land.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.
- Keeping Our Borough Clean and Green (Environment)
 - Promoting Rossendale as a cracking place to live and visit (Economy)

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 There are no specific risk issues for members to consider arising from this report.

4. BACKGROUND AND OPTIONS

- 4.1 The Council does not currently have a written policy with regard to requests for events on Council land, although in practice, these requests are processed in the manner as set out in the draft policy appended at Appendix A.
- 4.2 This policy is currently under development and it seeks to clarify the Council's position on events held on Council land, including those events which incorporate bonfires and/or fireworks.

- 4.3 The policy is currently in consultation with key sections of the Council and external partner agencies. These include Lancashire Fire & Rescue Service and Lancashire Constabulary.
- 4.4 Until this policy is finalised, it is recommended that Cabinet adopt the basic principles of the draft policy for immediate implementation as these provisions should be in place before the bonfire season in November of 2008.
- 4.5 For any request for bonfires on Council land for this year, please contact Linda Fisher on 01706 252447.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 As a landowner the Council incurs both the risks and rewards associated with land ownership. The policy and its further development will ensure that the Council is seen to manage its land holdings in a responsible and reasonable manner in order to safeguard and maximize its resources.

6. MONITORING OFFICER

- 6.1 When the Council processes requests we will consider issues of liability insurance and we will assess risks as part of the authorization.

7. HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 7.1 There are no human resource implications. Equality considerations do exist and any formal Policy would be subject to an Equality Impact Assessment.

8. CONCLUSION

- 8.1 The Council has a duty to ensure that land owned, managed or maintained by them is used responsibly and is used in a manner which is authorised by the Council.

9. RECOMMENDATION(S)

- 9.1 That the basic principles of the draft policy be adopted for immediate implementation.

10. CONSULTATION CARRIED OUT

- 10.1 Consultation is ongoing with key Council services and partner agencies.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required No

Is an Equality Impact Assessment attached No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

Is a Biodiversity Impact Assessment attached No

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Either

Background Papers	
Document	Place of Inspection
Draft Policy – Bonfires, Fireworks and Events on Council Land	Attached

Bonfires, Fireworks & Events on Council Land Policy (Draft)

DRAFT

August 2008

**Rossendale Borough Council
Bonfires, Fireworks & Events on Council Land Draft Policy**

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DRAFT

1. Meanings

- 1.1 'Council' shall mean Rossendale Borough Council.
- 1.2 'Council Land' shall mean any land or premises which is owned, managed or maintained by Rossendale Borough Council.

2. Introduction

- 2.1 Events and celebrations are an important part of life within local communities and neighbourhoods. Rossendale Borough Council would wish to support these through council-owned land but must ensure that these events are properly organised.
- 2.2 This policy has the following general objectives;
 - 2.2.1 To be aware of and authorise, where appropriate, the use of land which is owned, managed or maintained by the Council for the purposes of bonfires and/or firework displays and other events.
 - 2.2.2 To control the re-instatement of land owned, managed or maintained by the Council.
 - 2.2.3 To encourage properly organised and managed bonfires and firework displays.
 - 2.2.4 To deal with unofficial and unauthorised bonfires.
- 2.3 This policy supports the following corporate priorities:
 - 2.3.1 *Keeping our borough clean and green.*
 - 2.3.2 *Promoting Rossendale as a cracking place to live and visit.*
- 2.4 *[Links to the Asset Management Plan will be inserted here]*
- 2.5 This policy recognises that bonfires containing waste wood are not illegal, however, enforcement officers will take action to remove any bonfire approved or otherwise that has accumulated waste other than clean wood.

3. Policy Statement

- 3.1 The policy of this Council is that adhoc and unofficial bonfires, which have not received Council authorisation, are not permitted on council land.

4. Event Safety Advisory Group

- 4.1 The Event Safety Advisory Group comprises representatives from the leading authorities: Lancashire Constabulary, Rossendale Borough Council, the Ambulance Service, Lancashire Fire & Rescue Service and Lancashire County Council.
- 4.2 The Event Safety Advisory Group receive notifications of events and provide free event safety advice.
- 4.3 The Event Safety Advisory Group is an advisory group who exist to support the community by considering event safety issues and advising organisers accordingly. As such, the group do not have powers to approve or decline events.
- 4.4 This policy recognises that legislation may exist which event organisers must comply with and the appropriate officers of the authorities will provide specific and relevant information and may take any action where necessary.

5. Authorisation

- 5.1 The Council will require that any individual or organisation wishing to use council land, whether this includes a bonfire and/or firework display, request such authorisation by submitting a full and proper event notification through the Event Safety Advisory Group.
- 5.2 For events expecting to attract more than 200 people, 3 months notice should be given to the Event Safety Advisory Group. Six months notice will apply for events expecting 500 people or more.
- 5.3 The Council's estates department shall upon receipt of the event notification from the Event Safety Advisory Group, consider the event. They shall take the following matters into consideration:
 - 5.3.1 the type and duration of the event;
 - 5.3.2 the risk to the land;
 - 5.3.3 the risk to public safety;
 - 5.3.4 comments and/or recommendations from the Event Safety Advisory Group

This list is not exhaustive.

- 5.4 Should the Council deem that they do not wish for the land to be used by the organiser for the purposes applied for, the estates department will notify the Legal section in order that they can notify the organiser of such decision in writing in advance of the event.

- 5.5 Where the council have refused permission to use the land, the Estates Department shall liaise with the event organiser and provide an opportunity for the organiser to respond to the Council's concerns.
- 5.5 Should the Council deem that authorisation is given, the Estates department shall notify the Legal section and the relevant licence to enter and use the land, subject to all relevant and necessary conditions, shall be given to the event organiser in advance of the event taking place.

6. Enforcement

- 6.1 The Communities team will be responsible for procuring the removal of adhoc, unofficial and unauthorised bonfires on council land.
- 6.2 Following the removal of such a bonfire, the Council will place a notice at the site of the bonfire informing residents that the bonfire has been removed by the Council.
- 6.3 The Council will use all reasonable endeavours to forward any information received regarding bonfires on private land.
- 6.4 When bonfires have been discovered that have already been lit or are alight, they will be reported to the Fire and Rescue Service to deal with.
- 6.5 Unauthorised events which have not been put through the procedure described at paragraph 5 will be subject to further action as consistent with the Enforcement Policy. This may include criminal proceedings.