

ABERDEEN CITY COUNCIL

COMMITTEE: Communities, Housing and Infrastructure

DATE: 18 March 2015

DIRECTOR: Pete Leonard

TITLE OF REPORT: Management of events and commercial lets in
Aberdeen's parks and open spaces

REPORT NUMBER: CHI/15/130

CHECKLIST RECEIVED: Yes

1. PURPOSE OF REPORT

To seek member's approval to manage corporate events within Council owned parks and also to introduce a Code of Practice and Agreement for fitness clubs, instructors and other small business ventures using parks and open spaces for commercial purposes.

2. RECOMMENDATION(S)

That the Committee:

- I. Notes the current arrangements in place within the City Events Team to manage events within Aberdeen's parks and open spaces.
- II. Acknowledges the agreed working relationship between City Events and Environmental Services that ensures Aberdeen's parks and open spaces are maintained to the highest standard for on-going event use.
- III. Agrees the proposed charging structure for corporate events detailed in this report.
- IV. Agrees the proposed exemptions to the charging structure detailed in this report.

- V. Agrees to introduce a Code of Practice and Agreement for fitness clubs, instructors and other small business ventures using parks and open spaces for commercial purposes.
- VI. Agrees to the disposal of the stage unit detailed in this report.
- VII. Agrees that all charges to be reviewed and agreed at CHI Committee on an annual basis.

3. FINANCIAL IMPLICATIONS

The hire charges proposed from 1st April 2015 to 31st March 2016, will range from £68.75 to £1100.00. Full details on the range of charges are included in section 5.2 of the report. The charges will be linked to a scoring matrix (appendix 2) that will be used when reviewing the hire application forms.

The proposed commercial purposes use charge would be Annual fee of £200 or Session fee of £20.

4. OTHER IMPLICATIONS

4.1 Staff

In relation to safe event delivery, the individual officers in City Events have developed specialist skills and attained specific industry training in support of the City Council's requirement to meet the standards expected within current Health and Safety legislation and also The Event Safety Guide – A Guide to Health, Safety and Welfare at Music and Similar Events, commonly known as “The Purple Guide”.

The management of events within parks and open spaces is currently delivered by an Events Executive within the City Events Team. This officer has lead responsibility for delivering the management of the existing occupancy of Aberdeen's parks and open spaces, the generation of additional use through existing and new event organisers whilst increasing the income stream available to maintain and develop the existing portfolio of spaces used for event delivery.

4.2 Code of Practice

The management and administration of the Code of Practice and Agreement for fitness clubs, instructors and other small business ventures using parks and open spaces for commercial purposes within the parks and open spaces will be delivered by Environmental Services.

4.3 Land Reform (Scotland) Act 2003

The Land Reform (Scotland) Act 2003 includes the Scottish Outdoor Access Code. Under the act there are limitations on restricting access, for commercial purposes, to areas of land where the public have a right of access.

In the unlikely event that any events in Aberdeen are impacted by the act then it is possible to put in place a temporary suspension of access rights by an order under Section 11 of the Land Reform Act.

4.4 Other

There are no other direct implications arising from this report in terms of any legal, resource, personnel, property, equipment, and sustainability and environmental, health and safety and/or policy issues.

5. BACKGROUND/MAIN ISSUES

5.1 Background

Traditionally, the public parks and open spaces have been used to host a wide variety of mainly open air events, and Aberdeen is no different in that respect from the rest of the UK. Each year, the parks and open spaces in Aberdeen host a wide range of events from the traditional City of Aberdeen Highland Games to smaller-scale community organised galas and charitable events.

These events are in keeping with the Aberdeen Parks and Greenspace Strategy 2005, which supports the identification of infrastructure needs to extend and develop new events in parks and green spaces, improves access to event spaces with minimal disruption and damage and to support the ongoing extension of the city's events programme. Discussions are also progressing with colleagues in Education, Culture and Sport regarding an events strategy for Aberdeen that supports cultural and event needs in the future.

An historical agreement was reached in 1997 between the then Arts and Recreation Service within Community Recreation and Grounds Maintenance to ensure a co-ordinated approach to parks and open spaces management.

All applications deemed as an "Event", i.e. an occurrence happening at a determinable time and place, are assessed, consultation is carried out with all interested parties and involved agencies, and relevant permission or refusal is given by City Events staff, in each individual case striving to achieve the Council target of acknowledgement of application within 3 working days, and permission or refusal within 15 working days of receipt of application.

Due to current guidance concerning Events, organisers are now required to have a number of requirements in place; such as an Event and Contingency plan (which would include: traffic management plan, medical plan, welfare plan, site plan,

security/marshal plan, bad weather plan, contingency plan, contact details), risk assessment (including a fire risk assessment) and have the appropriate Aberdeen City Council licences in place (Public Entertainment Licence, Market Traders Licence, Street traders licence, raised structures licence, charity collections licence) and suitable public liability insurance cover.

The Events Team supports each individual event organiser to ensure they meet legal requirements and event industry guidelines etc maximising approval of suitable events in Aberdeen's parks and open spaces.

Full permission to use the requested area can only be given once all legal requirements have been met. Applications are also reviewed by the Special Events Working Group (SEWG) involving partner agencies such as Police Scotland, Scottish Ambulance Service, Scottish Fire and Rescue Service and relevant internal Aberdeen City Council departments. The Events Team will work with all event organisers to maximise the use and diversity of events in Aberdeen and are proud to acknowledge that there are relatively few refusals on the basis that the majority of applications serve to enhance the existing vibrant parks and open spaces programme.

On the rare occasion that refusal is determined; the event organiser is given, in writing, a full and detailed explanation of the grounds for refusal.

City Events carryout regular monitoring of hires using the following processes; unannounced visits to the event, discussions with SEWG partners if they have had any feedback from their staff regarding the event or by meeting with the organiser to discuss feedback regarding their event.

However, ever growing demand for use of the city's parks and open spaces has taken a toll on the fabric of these areas and the needs of today's event organisers differ from those previously due to the requirements of demountable structures, welfare provision and additional infrastructure. On 1 April 2012 it was agreed by Committee to introduce a pricing structure to contribute to the on-going costs of hosting events on green spaces.

Each event incurs a minimum daily hire charge, regardless of status - charity, corporate, private or otherwise.

The 2014 - 15 pricing structure along with the parks and open spaces event policy statement managed by the City Events Team was originally agreed at the ESP&I committee on 21 January 2014 and is detailed as follows:

Hirer Type	2012-2014	2014-2015
Grade C	£250	£275
Grade B	£500	£550
Grade A	£1000	£1100

The rates quoted were arrived at after consultation with other local authorities on their procedures and the fees charged for use of similar parks and open spaces.

The issue of addressing affordability and accessibility for all organisers within the hire pricing structure of the parks and open spaces in Aberdeen has been highlighted, as more groups with differing events requests and needs are using the areas.

A number of organisers have advised that although not excessive, they have found the hire charges to be a limiting factor for them to deliver their activity in the park or open space.

This report looks to tackle the issues raised by organisers and put in place a revised system of charging.

5.2 Events 2015

A review and agreed course of action has been developed to make the hire of parks and open spaces affordable while maintaining the associated income stream and the recovery of the relevant officer time involved in managing with the process.

A scoring table has been created to evaluate all event hire applications received.

The hire charges proposed to be charged from 1st April 2015- 31st March 2016.

Points	2015-2016
6 to 10	£68.75
12 to 20	£137.50
22 to 28	£275
30 to 38	£550
40 to 46	£1100

The charges will be linked to a scoring matrix (appendix 2) that will be used when reviewing the hire application forms.

It is envisaged that these revised costs, should now be more amenable for all organisers who wish to hire parks and open spaces in Aberdeen.

A copy of the proposed scoring table is included in appendix 2.

Regular discussions occur across services regarding the affordability of the hire of Aberdeen's parks and open spaces for all events, while also ensuring that income generation opportunities to support the on-going maintenance and development of the spaces is maintained.

5.3 Events Exempt from Charges

The criteria detailed below will identify those events which are exempt from the charges but will be required to complete the necessary application process and have all the necessary documentation in place to be granted permission to use the requested park or open space.

- All requests from education establishments regarding activities such as sponsored walks, that do not require infrastructure to be in place are made exempt from the hire charges.
- Those events which encompass very small numbers (up to 50) that have no infrastructure and wish to use areas for picnics/walks/toddles/educational purposes would continue to be exempt from hire charges.
- That Environmental Services “In Bloom” partners such as Its Your Neighbourhood groups, Friends Groups and other Aberdeen parks and green space associated groups to be made exempt from the hire charges in support of their organised activities on council owned land.

Prioritisation between commercial and charity/community hires will be determined by the Council’s City Events Team to enable the best balance of community use and income generation across the city’s parks and open spaces.

It remains at the discretion of Council’s City Events Team how the charges model is applied.

5.4 Code of Practice and Agreement for fitness clubs, instructors and other small business ventures using parks and open spaces for commercial purposes.

The city’s parks and open spaces are used by fitness clubs, instructors and other small business ventures with some for commercial purposes with no perceived benefit to the Council. This activity is at present largely unregulated with groups not contributing to the amenity of the areas used. This does not include events in parks that are managed by the Council’s Events Team.

Fitness Clubs, Instructors and other small business ventures will have to seek permission through what process? and agree to our code of practice in order to use the City’s parks and open spaces.

There will be two codes of practice in use, one for the use of fitness clubs and instructors and the other for small business ventures.

1. Code of Practice and Agreement for Fitness Clubs and Instructors using parks and open spaces for commercial purposes (see Appendix 3).
2. Code of Practice and Agreement for Small Business Ventures using parks and open spaces for commercial purposes (see Appendix 4).

In light of any omissions, inaccuracies or uncertainty over which agreement applies, the team will look to support the application and work through the process with them to an agreed conclusion.

The general code of practice and agreement is listed below.

Code of Practice and Agreement:

1. Operational Procedures – a written operational procedure should be maintained for all activities. The operational procedure should cover who can run sessions with reference to qualifications and competence. Expectations in the event of incident or accident and site specific hazards.
2. Health and Safety – organisations and instructors must ensure that minimum legal requirements with regards to “Health & Safety at Work Act 1974” (HASWA) and the “Management of Health & Safety at Work Regulations 1999” (MHSWR). Organisations must have an up to date Health & Safety Policy statement signed by a director or senior manager and Employer Liability Insurance. Individual instructors must hold Public Liability and Professional indemnity insurance.
3. Risk Assessment – organisations and instructors must conduct suitable and sufficient risk assessments in accordance with the Health and Safety Executive’s “Five Steps to Risk Assessment”. The risk assessment must in turn be integral within the operational procedure and staff training. It will be desirable for separate risk assessments to be conducted for each activity and each venue.
4. Staff – all staff must be competent in all health and safety aspects of their work relating to safety policy, safe working procedures and action to be taken in the event of an emergency situation.
5. Incident, Accident and Emergency Procedures – organisations and instructors must have proper documentation advising on action to be taken in the event of an emergency situation in place. Significant incidents and accidents are reported internally and all ‘RIDDOR’ incidents are reported to the appropriate Health and Safety Executive.
6. Modification of Activity or Venue – organisations and instructors must have procedures for cancelling events, including proper points during the planning process for the cancellation of events and notifying participants. Aberdeen City Council reserves the right to cancel any event or activity at short notice and will endeavour to contact the organiser as soon as reasonably possible.
7. First Aid – organisations and instructors should comply with the “Health and Safety Regulations 1981” to provide first aid provision at all times taking into account staff and user needs, type, quantity and location of equipment and number of qualified first aiders.

8. Use of Equipment - instructors to check equipment before setting out. Organisations to identify and assess risks arising from the use of machinery or equipment. If fitness equipment is used, the organisation must maintain the equipment in accordance with the manufacturers' service schedules and conduct checks of equipment as per the manufacturers' guidelines.
9. Criminal Records Bureau – all persons who have direct contact with children and vulnerable adults have been checked through enhanced disclosure via the Criminal Records Bureau. Evidence of Criminal Records Bureau checks are in place where required.
10. System Audit and Review – organisations and instructors must conduct periodic external audits to establish that management arrangements, adequate risk control systems and workplace precautions are in place. Must conduct periodic reviews of health and safety performance and make decisions about improving performance based on information from 'measuring' and 'auditing' activities.
11. Staff Qualifications – must ensure that staff have the relevant level of recognised qualification for the environment/terrain in which they teach and for the fitness/health levels of the participants of every session.
12. Specialised Staff – ensure staff instructing in specialist areas hold an appropriate nationally recognised qualification for the discipline such as pre/post natal or Exercising with Older Adults.
13. Customer Care – ensure that on joining the organisation or session customers are made aware of the standard terms and conditions that apply to their membership.
14. Consultation Agreement – members must be aware of any contractual arrangement they are signing.
15. Consultation Environment – the environment in which this dialogue takes place must be conducive to allowing free expression and questioning by the client.
16. Office of Fair Trading – ensure that any written contracts for members are in accordance with Office of Fair Trading's Guidelines.
17. Medical Pre-Screening – organisations and instructors must ensure users complete a medical pre-screening document before undertaking physical activity.
18. Users – ensure that a record of all users is kept.
19. Induction – ensure that all users understand the session, what is expected of them and how to use any featured equipment.

20. Customer Perception of Operational Performance – ensure that customer complaints are acknowledged and direct communication is maintained with the customer while seeking to resolve the matter.
21. Equality – demonstrate a commitment to the Equality Act 2010.
22. Other users – give due consideration to other park users by keeping to the quiet corners of parks, leaving room and keep noise levels to a minimum.
23. Infrastructure – avoid using children’s play equipment, ensure to use different areas so as not to damage ground and do not attach any equipment or rope to trees.
24. Park Management Rules – to be complied with.
25. Community Benefits – organisations and instructors are invited to propose benefits to the facilities that are being used.
26. Charges – if no benefits are proposed or they are not acceptable to the Council, then the following charges will be imposed either:
 27. Annual fee of £200 or Session fee of £20
28. Aberdeen City Council Environmental Services Officers will enforce these regulations and test for rigour over the course of a tenure.

5.5 Disposal of the Stage unit trailer

The current maintenance, management and hire costs associated with the stage unit are now making the unit too expensive for groups to utilise during events.

The costs involved relate to a third party company with a suitable vehicle who can move the unit due to its weight, set up of the PA system for the hirer and also officer time in dealing with the hirer and contractor.

The units PA system is no longer of a suitable industry standard and would require to be extensively upgraded; the access steps require to be rebuilt on the grounds of health and safety and the units chassis is also showing signs of the need for major repairs in the near future.

It is therefore requested to seek approval for this stage unit to be disposed of by the Council’s Fleet Services Team through the normal vehicle disposal channel. Monies raised through this process will be paid back to the Council’s general budget.

6. IMPACT

The proposed management of Events and Code of Practice and Agreement for commercial lets will contribute to the delivery of the five year plan “Aberdeen – the Smarter City” through the protection and enhancement of Green Space areas.

- We will promote Aberdeen as a great place to live, bring up a family, do business and visit.
- We will ensure that Union Street regains its position as the heart of the city and move cultural activity centre-stage through re-invigorated cultural leadership.
- We will challenge inequalities wherever they exist and bring our communities closer together.

Smarter Living (Quality of Life)

- We aspire to be recognised as a City of Culture, a place of excellence for culture and arts by promoting Aberdeen as a cultural centre hosting high quality diverse cultural events for the whole community and beyond.

Smarter Economy (Competitiveness)

- We will work with partners to promote the city as a place to invest, live, work and export from.

Community Plan

- Work with other organisations, agencies and groups, including Visit Scotland and Visit Aberdeen, to encourage tourism and the provision of facilities for tourists

It will also assist the Council in delivering the Single Outcome Agreement's National Outcomes:

No. 6 – 'We live longer, healthier lives'

No. 10 – 'We live in well-designed, sustainable places where we are able to access the amenities and services we need'

No. 12 – 'We value and enjoy our built and natural environment and enhance it for future generations' and contribute to other outcomes such as

No 15. – 'Our public services are high quality'

The content of this report is not relevant to the Equality Act 2010 public sector general duty.

It is considered that the Code of Practice and Agreement support and promote responsible use and enjoyment of the city's parks and outdoor areas for all users.

7. MANGEMENT OF RISK

The main risk involved in this report is setting charges at too high a level and facing complaints from customers. The service has mitigated this risk by reviewing the level of charges and the types of hirer to enable a fairer costing structure to be in place.

The risk of no Code of Practice and Agreement being introduced is that there would be little regulation on the use of parks and open spaces by fitness clubs, instructors and other small business ventures. There would be no income to the Council or community benefit to the facility.

There would also be the public perception that no control is in place over the use of the facilities

8. BACKGROUND PAPERS

UK Active Outdoor Code of Practice – <http://www.ukactive.com/membership/raising-standards/ukactive-outdoor-code-of-practice>

Information on events and access rights is available at -
<http://www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=1752> page 4 or in the Land Reform Scotland Act Section 11, see <http://www.legislation.gov.uk/asp/2003/2/section/11>

Appendix 1: Charges for Events held in ACC parks and open spaces, streets, roads and squares 2014/15.

Appendix 2: Parks and Open Spaces scoring table 2015-16

9. REPORT AUTHOR DETAILS

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APPENDIX 1:

Charges for Events held in ACC parks and open spaces, streets, roads and squares 2014/15

All event applications will be considered using the criteria and descriptors below. Each event will be awarded A, B or C status and a corresponding rate applied to all days the event occupies the area.

The charge for each event will be on a daily basis as follows:

Grade A event will be charged at £1100 per day

Grade B event will be charged at £550 per day

Grade C event will be charged at £275 per day

Descriptor	A	B	C
PROFILE (public profile of the event)	High	Medium	Low
IMPACT (the impact on venue or the surrounding area)	Large impact	Medium impact	Low or minimal impact
ATTENDANCE/PARTICIPANTS	Large numbers expected. (2000+)	Small to medium numbers expected. (500 to 2000)	Small or low numbers expected. (Up to 500)

EVENT DELIVERY LEVEL	Requires a full multi agency approach with event and contingency plans produced and agreed by all city partners.	City Events Officer input plus Special Events Working Group (SEWG) and other Council Departments.	Single City Events Officer input with support from appropriate Environmental Services Officer.
ACTIVITY TYPE	Multi faceted and disciplined.	2 – 3 disciplines/activities.	Single discipline/activity.

The following factors will be taken into consideration when grading an event

PROFILE

International/national/regional/city wide/local community/local group

Level and profile of any VIP involvement ie Royalty/government/overseas

Artists and entertainers

Economic benefits to the city

Alcohol at the event

TV and media interest

IMPACT

Level of disruption to the local infrastructure, other users, businesses and residents

Road closures/restrictions/diversions

Public transport and car parking

Set up/derig times

Access/egress for all

Accessibility

Day v evening v night

Moving v static event

Time of year

Fireworks/carnival or fun fair/motor sport/helicopters/parachute display

Noise pollution

Financial viability of event (insurances, ticket sales, entry fees)

Closure or sectioning off of Public areas or access routes.

ATTENDANCE/PARTICIPANTS Over 2000 v 500 to 2000 v up to 500

Standing/seating/mixed

Family groups v young adults v elderly v children and teenagers v rival factions

VENUE(S)

Indoor v outdoor

Confined single location v widespread location v multi locations

Temporary structures

Private venue (building/ land) but has an impact on the local environment (public transport, Cities Road network, disruption to local communities).

LEVEL OF EVENT DELIVERY Full multi agency approach to single Events Officer involvement

Event and contingency plans with full risk assessments, health and safety, traffic management, command and control, Event Safety Co-ordinator, on and off site meetings, professional stewarding, medical and welfare

NATURE AND TYPE OF EVENT Multi v 2-3 v single disciplined event. This can cover locations, stages, performances, activities and days

High Rating - Music festival/large concert/aviation/marine/motor/large shows/New Year celebrations/large demonstrations/large parades and processions/political/large fireworks displays/10k and upward runs/highland games/camping element/ multi terrain running events

Medium Rating – Galas/markets/smaller parades and processions, shows, walks, sponsored activities running events less than 10k that are not on public roads.

Low Rating – very small walks/fun days/sponsored activities

There are no plans to introduce any charges for those events that encompass very small numbers (up to 50) that want to use our areas for sponsored walks/toddles/educational purposes.

City Events Staffing Charge

It is recognised that as part of our standard delivery of supporting non ACC events, there are elements within our work programme that should not be charged back to events organisers. These elements are outlined below:

-Sending out application forms
-Receiving application forms
-Checking application forms and if required, contacting event organiser for further information
-Adding event to events list, festival websites etc.
-One or two face to face meetings on or off site, telephone contact, email contact to discuss event and agree level of City Events involvement and cost. These meetings will also determine what paperwork is required and agreed to be submitted.
-Sending letter of permission/refusal

Over and above these elements, there will be a charge of **£40 per hour** for any City Events Officer that is required to support the delivery of non ACC events. This is inclusive of mileage costs.

CITY OF ABERDEEN MAIN PARKS & OPEN SPACES

Introduction

Aberdeen has large parks (Duthie Park, Hazlehead Park, Westburn Park, Seaton Park, Beach, Kings/Queens Links, Stewart Park, Walker Park and Union Terrace Gardens) that can be used for major events. There are other smaller parks (Johnston Gardens, Rubislaw and Queens Terrace Gardens, Bon Accord Terrace Gardens and Allan Park) that can be used for smaller niche events.

The parks are without exception the pride of the city, winning both British and European Bloom competitions over many decades. These parks are well used by both citizen and visitors alike, and the average footfall over peak periods, especially summer months, can be measured in the thousands.

Despite their capacity to absorb large scale events, it needs to be recognised that, due to the largely soft infrastructure of parks, they are also vulnerable to damage caused by over-use, such as compaction and surface wear. Accidental damage through carelessness or lack of awareness by event organisers can also cause damage to surfaces and features e.g. gateposts, fences and rutting of grass surfaces.

Strategic Factors

The Aberdeen Parks and Greenspace Strategy 2005 contains the following objective in relation to events within the Economy section of the strategy.

EC5 Support the city's open-air events strategy through identification of infrastructure needs and extension of the events programme.

The aim will be delivered through the following tasks:

EC5.1 Improve the infrastructure and access to selected sites to accommodate events with minimal disruption and damage.

EC5.2 Develop new events which promote the positive use of parks and green spaces.

Event Policy Statement

1 Location

Events will be dispersed throughout the main parks which are considered suitable for such use. The individual characteristics of a park such as its capacity in terms of spectator/participant numbers, parking and other ancillary requirements will determine its suitability for a particular event.

2 Frequency

The frequency of events in parks will be controlled to protect the fabric and infrastructure of the park from repeated and intensive use. In general terms, there should be an interval of two weeks between events using the same area of a park as more frequent use may cause damage to the park's infrastructure. It is recognised however that events may take place more frequently during the summer months and that the use of parks for events in the winter months is more limited.

3 Priority

Priority will be given to Aberdeen City Council organised events that meet the event planning requirements (11 Event Planning). Events that are for local community benefit and commercial events that will bring an economic benefit to the city and the area that it is being held. Events that fit within Aberdeen City Council's yearly events calendar. to allow various types of activities and sized events to work in harmony within the city throughout the year.

4 Timing

Public events must finish by 9.00pm Monday – Sunday especially where amplified music and/or announcements are being made. Exceptions may be made with Committee approval.

Private events such as dinner dances, where they are being held in an enclosed space such as a marquee, can take place no more than twice a month and no more than six times a year in any given park. All events must be finished by 12.00 midnight on Friday and Saturday and by 9.00pm, Sunday to Thursday. The preferred venue for such events will be the games field at Hazlehead.

5 Amplification

It is recognised that amplification is an essential part of many events through PA announcement, amplified music and entertainment and also has an essential role in making health and safety announcements to large audiences, should the need arise. Amplified music however, will only be permitted where it is integral to the nature of

the event and must satisfy the Council's policy on noise abatement. The decibels of the music or other noise must be measured at the perimeter of the park nearest the residents. The dB(A) must not exceed those set by the Council or the existing legislation (whichever is the lowest).

6 Management

The event organiser will be required to sign a management agreement with the Council detailing the conduct and operational constraints which will apply to the event. The Council will supply detailed and supplementary information in support of the management agreement as it sees fit. This will include arrangements for residents parking where necessary. Should the organiser fail to conduct their event within the constraints outlined, future permission for use will not be granted.

7 Charging

There will be a scale of charges laid down by the Council for the use of the park or open space which will be dependant on the nature of the event. Added to this will be a cost, where required, for the Council's time in managing the event to ensure that all stages of the event are implemented as per the agreement with the organiser.

8 Indemnification

The event organiser will be required to have the necessary insurance in place to meet any public liability arising from their event.

9 Reinstatement

Event organisers will be liable for the reinstatement of any damage or loss to the park facilities as a result of their event. In the case of large public or private events, a bond will be required to be deposited with the Council in advance of the event taking place which will be retained if there is damage to the park facilities.

10 Events

Events come in all sizes and offer various activities for free, charity fund raising, corporate function or for financial gain. It is proposed that the mix of events be looked at and that a range of events of various sizes and activities be programmed into the parks and open spaces yearly hires. Consideration regarding the type of event, attendance size, status of event (corporate, charity public, charity private,

commercial) frequency of event (more than once in that year) should be looked at regarding the application to use the parks and open spaces. A protection of the parks and open spaces should be looked at from both use of the infrastructure and also from the support of local citizens, so local events are not disadvantaged due to larger national organisers organising an event either on or near their own event or because they have booked the venue. A national charity organiser or commercial organiser who does not have a registered address in the City or do not directly contribute to the local community of Aberdeen may be refused a hire of the city's parks and open spaces or have restrictions placed on them.

11 Event Planning

The organiser will be required to produce a detailed outline of their event which should contain an event specific risk assessment, a fire risk assessment, an event plan and contingency plan. These plans along with detailed scaled maps should be available to be presented to the Special Events Working Group (SEWG) on request. This group will give additional advice to the organiser and to the City Events Team in relation to their event request. Only when the City Events Officer and SEWG have had their concerns addressed would the hirer be advised to apply for any relevant licenses for that event and only when proof of the appropriate licenses and insurances have been supplied to the City Events Officer will permission be granted to use the area requested.

12 Licences

The event organiser is responsible for obtaining the appropriate licences in an appropriate time scale before their event. These licences must be produced before the event at a time agreed with City Events before permission is granted to use the requested venue. Appropriate licences could be Public Entertainment Licence, PRS, Street Traders Licence, Market Operators Licence, Charity Collection Licence, Occasional Licence (alcohol).

13 Political /pressure/protest groups

Applications on behalf of political /pressure/ protest groups are currently treated in the same equitable way as any other requests for use of Parks and Open spaces. Aberdeen City Council also recognises the right to peaceful protest and for this to be accommodated in a safe and fair manner without disruption or distraction to others in the City.

The Enterprise, Strategic Planning and Infrastructure Committee on Tuesday 11th September 2012 agreed that the Castlegate is **the** historic location within Aberdeen for this type of activity and that **only** this location can be used for this and similar events.

Appendix 2: Parks and Open Spaces scoring table 2015-2016

	Objectives	Points allocation
Type of Organiser	<ul style="list-style-type: none"> • Individual • Charity • Community group • Youth Organisation • Registered Organisation • Corporate • Commercial Company/Activity 	<ul style="list-style-type: none"> • 2 • 2 • 2 • 2 • 4 • 8 • 8
Reason for Hire	<ul style="list-style-type: none"> • Private social activity • Fundraiser • Corporate social activity • Corporate promotion activity • Commercial activity - profit 	<ul style="list-style-type: none"> • 2 • 2 • 6 • 8 • 8
Purpose of Hire	<ul style="list-style-type: none"> • Social activity group only • Raise awareness, no fundraising • Raise awareness and charitable funds • Raise awareness of organisers objectives and charge participants for taking part (either by entry fee or by sponsorship fund raising) • Commercial activity 	<ul style="list-style-type: none"> • 2 • 2 • 4 • 6 • 8
Source of funding	<ul style="list-style-type: none"> • Individual • Grants (Council, Lottery, Government) • Corporate • Commercial 	<ul style="list-style-type: none"> • 0 • 4 • 6 • 8
Number of attendees	<ul style="list-style-type: none"> • 1-50 • 51-200 • 201-500 • 501-1000 • 1001+ 	<ul style="list-style-type: none"> • 0 • 2 • 4 • 6 • 8
Content of event infrastructure	<ul style="list-style-type: none"> • none • 1 to 3 small self-constructed shelter/gazebo, for non-income generation purposes. • Additional self-constructed shelter/gazebo, for non-income generation purposes up to maximum of 10. • Use of small self-constructed shelter/gazebo structures, for income generation purposes. • Use of a contractor to install specialist demountable structures, not for income generation. • Use of a contractor to install specialist demountable structures, for income generation. • Use of commercial hire contractor, not for income generation (directly or indirectly), ie: bouncy castle, caterer. • The use of the Commercial sector to enable income generation (directly or indirectly), ie: children's activity provider. 	<ul style="list-style-type: none"> • 0 • 2 • 4 • 6 • 6 • 8 • 6 • 8

<u>Worked Examples</u>	<ul style="list-style-type: none"> • Individual organiser • Private social activity • Private social activity group only • Individual funded • 51 - 200 • No infrastructure 	2 2 2 0 2 0 = 8 (£68.75)
	<ul style="list-style-type: none"> • Charity • Private Social activity • Social activity group only or raise awareness, no fundraising • Individual funding • 51-200 • 1-3 small self-constructed shelter/gazebo, for none income generation purposes. • Use of commercial hire contractor, not for income generation (directly or indirectly), ie bouncy castle, caterer. 	2 2 2 0 2 2 6 = 16 (£137.50)
	<ul style="list-style-type: none"> • Corporate • Corporate social activity • Social activity group only • Corporate funded • 51-200 • Use of a contractor to install specialist demountable structures, not for income generation. • Use of commercial hire contractor, not for income generation (directly or indirectly), ie bouncy castle, caterer. 	8 6 2 8 2 8 6 = 40 (£1100.00)

Points total	Cost to be paid by applicants
• 6 -10	• £68.75
• 12 - 20	• £137.50
• 22 - 28	• £275.00
• 30 - 38	• £550.00
• 40 - 48	• £1100.00

Appendix 3

CODE OF PRACTICE AND AGREEMENT FOR FITNESS CLUBS AND INSTRUCTORS USING PARKS AND OPEN SPACES FOR COMMERCIAL PURPOSES

<p>1. Operational Procedures – a written operational procedure should be maintained for all activities. The operational procedure should cover who can run sessions with reference to qualifications and competence. Expectations in the event of incident or accident and site specific hazards.</p>	<p>Date Operational Procedure received:</p>
<p>2. Health and Safety – organisations and instructors must ensure that minimum legal requirements with regards to “Health & Safety at Work Act 1974” (HASWA) and the “Management of Health & Safety at Work Regulations 1999” (MHSWR). Organisations must have an up to date Health & Safety Policy statement signed by a director or senior manager and Employer Liability Insurance. Individual instructors must hold Public Liability and Professional indemnity insurance.</p>	<p>Date documents received:</p>
<p>3. Risk Assessment – organisations and instructors must conduct suitable and sufficient risk assessments in accordance with the Health and Safety Executive’s “Five Steps to Risk Assessment”. The risk assessment must in turn be integral within the operational procedure and staff training. It will be desirable for separate risk assessments to be conducted for each activity and each venue.</p>	<p>Date documents received:</p>

4. Staff – all staff must be competent in all health and safety aspects of their work relating to safety policy, safe working procedures and action to be taken in the event of an emergency situation.	Evidenced by:
5. Incident, Accident and Emergency Procedures – organisations and instructors must have proper documentation advising on action to be taken in the event of an emergency situation in place. Significant incidents and accidents are reported internally and all 'RIDDOR' incidents are reported to the appropriate Health and Safety Executive.	Date documentation received:
6. Modification of Activity or Venue – organisations and instructors must have procedures for cancelling events, including proper points during the planning process for the cancellation of events and notifying participants.	Date procedures received:
7. First Aid – organisations and instructors should comply with the "Health and Safety Regulations 1981" to provide first aid provision at all times taking into account staff and user needs, type, quantity and location of equipment and number of qualified first aiders.	Evidenced by:
8. Use of Equipment – instructors to check equipment before setting out. Organisations to identify and assess risks arising from the use of machinery or equipment. If fitness equipment is used, the organisation must maintain the equipment in accordance with the manufacturers' service schedules and conduct checks of equipment as per the manufacturers' guidelines.	Evidenced by:
9. Criminal Records Bureau – all	Evidenced by:

<p>persons who have direct contact with children and vulnerable adults have been checked through enhanced disclosure via the Criminal Records Bureau. Evidence of Criminal Records Bureau checks are in place where required.</p>	
<p>10. System Audit and Review – organisations and instructors must conduct periodic external audits to establish that management arrangements, adequate risk control systems and workplace precautions are in place. Must conduct periodic reviews of health and safety performance and make decisions about improving performance based on information from ‘measuring’ and ‘auditing’ activities.</p>	<p>Evidenced by:</p>
<p>11. Staff Qualifications – must ensure that staff have the relevant level of recognised qualification for the environment/terrain in which they teach and for the fitness/health levels of the participants of every session.</p>	<p>Evidenced by:</p>
<p>12. Specialised Staff – ensure staff instructing in specialist areas hold an appropriate nationally recognised qualification for the discipline such as pre/post natal or Exercising with Older Adults.</p>	<p>Evidenced by:</p>
<p>13. Customer Care – ensure that on joining the organisation or session customers are made aware of the standard terms and conditions that apply to their membership.</p>	<p>Evidenced by:</p>
<p>14. Consultation Agreement – members must be aware of any contractual arrangement they are signing.</p>	<p>Evidenced by:</p>
<p>15. Consultation Environment – the environment in which this</p>	<p>Evidenced by:</p>

dialogue takes place must be conducive to allowing free expression and questioning by the client.	
16. Office of Fair Trading – ensure that any written contracts for members are in accordance with Office of Fair Trading’s Guidelines.	Evidenced by:
17. Medical Pre-Screening – organisations and instructors must ensure users complete a medical pre-screening document before undertaking physical activity.	Date document received:
18. Users – ensure that a record of all users is kept.	Date record received:
19. Induction – ensure that all users understand the session, what is expected of them and how to use any featured equipment.	Evidenced by:
20. Customer Perception of Operational Performance – ensure that customer complaints are acknowledged and direct communication is maintained with the customer while seeking to resolve the matter.	Evidenced by:
21. Equality – demonstrate a commitment to the Equality Act 2010.	Evidenced by:
22. Other users – give due consideration to other park users by keeping to the quiet corners of parks and leaving room and keep noise levels to a minimum.	Evidenced by:
23. Infrastructure – avoid using children’s play equipment, ensure to use different areas so as not to damage ground and do not attach any equipment or rope to trees.	Evidenced by:

24. Park Management Rules – to be complied with.	Evidenced by:
25. Community Benefits – organisations and instructors are invited to propose benefits to the facilities that are being used.	Proposal:
26. Charges – if no benefits are proposed or they are not acceptable to the Council, then the following charges will be imposed either: Annual fee of £200 or Session fee of £20	Amount paid: Date:

Appendix 4

CODE OF PRACTICE AND AGREEMENT FOR SMALL BUSINESS VENTURES USING PARKS AND OPEN SPACES FOR COMMERCIAL PURPOSES

1. Operational Procedures – a written operational procedure should be maintained for all activities. The operational procedure should cover who can run sessions with reference to qualifications and competence. Expectations in the event of incident or accident and site specific hazards.	Date Operational Procedure received:
2. Health and Safety – organisations must ensure that minimum legal requirements with regards to “Health & Safety at Work Act 1974” (HASWA) and the “Management of Health & Safety at Work Regulations 1999” (MHSWR). Organisations must have an up to date Health & Safety Policy statement signed by a director or senior manager and Employer Liability Insurance. Individual instructors must hold Public Liability and Professional	Date documents received:

indemnity insurance.	
3. Risk Assessment – organisations must conduct suitable and sufficient risk assessments in accordance with the Health and Safety Executive’s “Five Steps to Risk Assessment”. The risk assessment must in turn be integral within the operational procedure and staff training. It will be desirable for separate risk assessments to be conducted for each activity and each venue.	Date documents received:
4. Staff – all staff must be competent in all health and safety aspects of their work relating to safety policy, safe working procedures and action to be taken in the event of an emergency situation.	Evidenced by:
5. Incident, Accident and Emergency Procedures – organisations must have proper documentation advising on action to be taken in the event of an emergency situation in place. Significant incidents and accidents are reported internally and all ‘RIDDOR’ incidents are reported to the appropriate Health and Safety Executive.	Date documentation received:
6. Modification of Activity or Venue – organisations must have procedures for cancelling events, including proper points during the planning process for the cancellation of events and notifying participants.	Date procedures received:
7. First Aid – organisations and instructors should comply with the “Health and Safety Regulations 1981” to provide first aid provision at all times taking into account staff and user needs, type, quantity and location of equipment and number of qualified first aiders.	Evidenced by:

8. Use of Equipment – organisations to check equipment before setting out. Organisations to identify and assess risks arising from the use of machinery or equipment.	Evidenced by:
9. Criminal Records Bureau – all persons who have direct contact with children and vulnerable adults have been checked through enhanced disclosure via the Criminal Records Bureau. Evidence of Criminal Records Bureau checks are in place where required.	Evidenced by:
10. System Audit and Review – organisations must conduct periodic external audits to establish that management arrangements, adequate risk control systems and workplace precautions are in place. Must conduct periodic reviews of health and safety performance and make decisions about improving performance based on information from 'measuring' and 'auditing' activities.	Evidenced by:
11. Staff Qualifications – must ensure that staff have the relevant level of recognised qualification for the environment in which they are involved.	Evidenced by:
12. Customer Care – ensure that on joining the organisation or session customers are made aware of the standard terms and conditions that apply to their membership.	Evidenced by:
13. Consultation Agreement – members must be aware of any contractual arrangement they are signing.	Evidenced by:
14. Consultation Environment – the environment in which this dialogue takes place must be conducive to allowing free expression and questioning by the client.	Evidenced by:

15. Office of Fair Trading – ensure that any written contracts for members are in accordance with Office of Fair Trading’s Guidelines.	Evidenced by:
16. Users – ensure that a record of all users is kept.	Date record received:
17. Customer Perception of Operational Performance – ensure that customer complaints are acknowledged and direct communication is maintained with the customer while seeking to resolve the matter.	Evidenced by:
18. Equality – demonstrate a commitment to the Equality Act 2010.	Evidenced by:
19. Park Management Rules – to be complied with.	Evidenced by:
20. Community Benefits – organisations are invited to propose benefits to the facilities that are being used.	Proposal:
21. Charges – if no benefits are proposed or they are not acceptable to the Council, then the following charges will be imposed either: Annual fee of £200 or Session fee of £20	Amount paid: Date: