 Warwick District Council

The Town Hall

Parade

Royal Leamington Spa

CV32 4AT

**Email** events@warwickdc.gov.uk

**Tel** 01926 456012

**Warwick District Council
Licence Terms and Conditions**

\*\*\*PLEASE KEEP FOR FUTURE REFERENCE\*\*\*

1. **IN THESE CONDITIONS:**

In these conditions “The Council’ means Warwick District Council. “The Organisers” means the person(s) specified in Part 1 of the Applications as the duly authorised agent(s) of the Organisation. “The Park” means the park or open space, or the alternative specified in the Application. “The Site” means the area within the Park or Town Centre which the Organisers may be permitted to use under licence. “The Event” means the event described in the Application. “The Head of Neighbourhood Services” means the Head of Neighbourhood Services, or other appropriate officer for the time being of the Council. “The Head of Cultural Services” means the Head of Cultural Services, or other appropriate officer for the time being of the Council. “The Head of Development Services” means the Head of Development Services, or other appropriate officer for the time being of the Council. “The Head of Health and Community Protection” means the Head of Health and Community Protection, or other appropriate officer for the time being of the Council. “Amusements” means all riding machines, sideshows and other amusement devices.

1. APPLICATIONS

Applications for the use of the Park must be made on the form attached and sent to:

Business Support and Events Team,

Development Services,
Warwick District Council,
Riverside House,
Milverton Hill,
Royal Leamington Spa,
Warwickshire,
CV32 5HZ

1. CHARGES
2. There is a hire charges for both non-commercial and small local commercial events in any of the Council’s parks. These charges are laid out on the councils website.
3. Charges for larger national commercial events will be agreed in advance with the Business Support and Events Team.
4. A deposit, in line with the councils fees and charges policy, will be required prior to the event taking place and will be returned following the event, subject to the site being left in a suitable condition, with no remedial work required.
5. THE SITE
6. The Organisers shall have the use of the site on the date and at the times specified in their Application for the purpose of holding the event and at no other date or times whatsoever.
7. The exact location and dimensions of the site shall be determined by the Business Support and Events Team and the Organisers shall ensure that all marquees, tents, stalls, other structures, caravans and vehicles are placed in positions to be agreed with the Head of Development Services and do not exceed the number specified.
8. The Organisers shall restrict their activities exclusively to the site and shall not be entitled to use any other part of the site except paths and roadways for the purpose of access to the site.
9. No vehicles, amusements, property or structures of any kind connected with the event shall be brought on to the site before the date and time specified in the Application.
10. If the event is one to which the public are admitted, the site shall be open to the public only on the dates and between the times specified in the Application.
11. The Organisers shall provide on the site, for use by the public: adequate toilet facilities in conformity with the requirements of the Head of Health and Community Protection, and the Organisers shall make suitable arrangements for emptying chemical toilets in accordance with the requirements of the Head of Health and Community Protection and the Head of Development Services.
12. The Organisers shall remove all marquees, tents, amusements, caravans and other structures and all vehicles and property connected with the event from the site not later than the date and time specified in the Application.
13. Vehicles are not permitted to park under tree canopies within the parks. This is to a distance of 3m from the trunk of the tree – or an alternative distance as specified by the Head of Neighbourhood Services, or their appointed officer.
14. SAFETY

The Organisers shall take all necessary precautions against fire and shall provide sufficient apparatus for this purpose. They should have adequate numbers of properly trained stewards capable of dealing with small outbreaks of fire, raising the alarm, assisting with persons making their escape and calling the Fire Service to all fires, no matter how small.

1. The Organisers shall take all necessary precautions to prevent accidents and to ensure the safety of the public and of competitors at all times, throughout the event.
2. All marquees and tents shall be provided with ample signed exits kept constantly clear and available for use and the construction of the framework of the marquees and tents shall be to the satisfaction of the Building Control Manager.
3. The Head of Development Services, or any other person authorised by the Council shall at any time have full right of access to marquees, tents, amusements and other structures erected by - or on behalf of the Organisation on the site - for the purpose of examining, inspecting and testing the same.
4. Organisers are advised to provide facilities for administering first aid.
5. Organisers must comply with the Health and Safety at Work etc. Act 1974 and all and any subsequent amendments to protect the health and safety of all people at work and also members of the public. Telephone the Occupational Safety Team on 01926 456713.
6. The Organisers shall ensure that all amusements are erected by a properly qualified person. The amusements shall be kept in a safe condition and all precautions shall be taken against accidents in the working of machines. Ample time must be allowed for loading and unloading and all persons in charge of machines must strictly observe this and all other regulations as to the working of such machines, which are considered necessary for the safety of the public.
7. Precautions shall be taken to prevent the emission of sparks from engines and smokeless, or an approved fuel must be used for all engines.
8. Any of the amusements which in the opinion of the Head of Development Services
or the Police authorities are of an undesirable character, or unsafe will be prohibited.
9. All cables in connection with lighting or power shall be properly insulated and laid in such manner as not to be dangerous or obstructive.
10. NOISE AND ENVIRONMENTAL PROTECTION
11. The Council reserve the right to prohibit the use of generators, loud speakers and any other instrument capable of causing a nuisance or annoyance but the playing of music and the use of amplification systems will be permitted provided that every effort is made to keep noise to a minimum and the Head of Health and Community Protection or his representative shall have the right to order all amplification systems to be switched off if the noise reaches a level which is in his opinion unacceptable. The Organisers shall liaise with the Head of Health and Community Protection before the event with regard to the positioning of loudspeakers and to permitted noise levels in order to avoid nuisance to local residents. Regular checks shall be carried out by the event organiser at the nearest noise sensitive locations during the event and the Head of Health and Community Protection shall be supplied with two contact telephone numbers permanently available during the event. The organiser of any event shall leaflet drop all households in the immediate area at least two weeks before the event and include contact telephone numbers.
12. The Organisers shall at all times comply with the requirements of the Police, the Head of Development Services and the Head of Health and Community Protection and shall take all steps reasonably necessary to ensure that the event is conducted in a manner conducive to good behaviour by persons attending. Organisers must write and notify the police of the event, at least twenty-eight days before it is due to take place.
13. No fly posting concerning the event shall be permitted on any building whatsoever within the area administered by the Council and no poster or advertisement shall be exhibited on the site except with the previous consent of the Head of Development Services. The placing of signs / posters / placards advertising your event is an offence under 5.224(3) of the 1990 Planning Act and any fly posting within the area administered by the Council may result in a prosecution and / or your event being cancelled or refused in the future.
14. Warwick District Council has 4 x 1100ltr and 2 x 660ltr bins. We also have 60 x 240ltr that can be provided to support the waste management during your event. These bins must be emptied into the larger ones before the end of your event. The Events Team will assess your waste requirements, and if it felt that you will generate more waste than the capacity of our bins, you must arrange separately for extra bins at your event, at your own expense. Warwick District Council encourages organisers to consider the environmental impact of their event, and we ask that you aim to use as little one-use plastic as possible.
15. The Organisers shall maintain the site in a clean and tidy condition and so yield up the same to the Council in accordance with these terms and conditions and will reinstate the surface of the ground if they have caused any damage. If the Organisers do not, and leave the site, the Council may carry out any necessary works for cleaning and re-instating the same and the Organisers shall reimburse the Council the costs thereof as certified by the Head of Development Services whose decision shall be final.
16. Sales by auction, hand selling (other than the sale of programmes concerning the event), lecturing, pitching, character reading and fortune telling in any form will be prohibited.
17. The owners of the amusements shall make every reasonable effort to avoid causing any nuisance or annoyance to the public or to the owners or occupiers of property in the neighbourhood of the park and if any dispute arises the matter shall be referred to the Head of Development Services or in his absence to the Police.
18. All persons having living caravans on the premises shall provide a dustbin with cover for each caravan and all refuse and litter shall be put into the dustbin and not placed on the ground. Slops of any description shall not be thrown on the ground.
19. REFRESHMENTS
20. At least twenty-eight days prior to the event taking place the Organisers shall inform the Events team of the names and addresses of all operators who will be engaged in the handling, preparation or retail sale of food or refreshments at the event. The operators can also contact the Food Safety Team of the Environmental Health Unit on 01926 456707, in order to discuss compliance with the relevant legislation.
21. In particular, operators must acquaint themselves with the requirements of Foods Safety Act 1990, Food Hygiene (England) Regulations 2006, Regulation EC 852/2004 and Food Labelling Regulations 1996. Contact the Food Safety Team for more information.
22. The Organisers of funfairs, circuses and similar attractions shall be permitted to provide ice-cream and light refreshments for sale to members of the public attending the event, subject to compliance with sub-clause 7.(i) above.
23. The Organisers are not allowed to sell or provide alcoholic refreshments without a valid Temporary Events Notice (TEN).
24. PROPERTY BELONGING TO THE ORGANISATION
25. The Council and its employees shall not be responsible for any damage to or loss of any property whether belonging to the Organisation, or to any other person brought onto or left at the site for any purpose, nor for any personal injury to the Organisers or any person permitted by the Organisers to enter the site.
26. Organisers are responsible for the security of their own equipment and are advised to have someone on the site overnight where necessary.
27. DAMAGE AND INDEMNITY
28. All damage done to any part of the site or the park (including turf, trees, plants, pathways and buildings, roadways, hydrants, meters, watertaps and services) by the Organisers or their sub-contractors or by persons attending the event, shall be paid for by the Organisers.
29. The Organisers shall indemnify the Council against all actions, costs, claims and demands in respect of legal liability for damage or injury to any person, animal or property which may arise out of the use by the Organisers of the site (except any damage or injury which may arise as a result of negligence on the part of the Council or its employees) and shall take out adequate insurance against all reasonably foreseeable risks.
30. You are advised to check what is listed as a dangerous activity (or indeed the “exclusion clauses” on your insurance) in your public liability cover. It has been brought to our attention that dangerous activities in some policies exclude:

	1. Fireworks and bonfires
	2. Inflatable play equipment
	3. Fairground rides or mechanical or electrical rides of any kind
	4. Persons riding on animals
	5. Trampolines, gymnastic apparitions or any apparitions requiring use of safety harnesses
	6. Circus acts or stunt acts
	7. Quad bikes, go karts or motor sports of any kind
	8. Shooting ranges for guns or archery

So, please check what the exclusions are if you are intending holding any of the above
as additional cover will be required.

1. The Organisers shall reimburse the Council on demand the costs incurred in the collection and disposal of excess litter or other waste material left at the site or in the Park, by the Organisers or other persons permitted to attend the event.
2. ENTERTAINMENTS AND AMUSEMENTS
3. All riding machines, sideshows and other amusement devices and generators shall be placed in positions to be agreed with the Head of Development Services and the Head of Health and Community Protection who must be contacted for agreement at least twenty-one days prior to the event taking place.
4. The amusements shall not be open to the public until:
5. All owners of any amusement device must produce current written evidence
of a thorough examination carried out by an approved inspection body (i.e. Engineers Certificate). Any certificates to be presented at least twenty-eight days prior to the Head of Legal Services for the time being of the Council, or the Head of Development Services for validation. Failure to comply with this condition may prevent the operation of the device/equipment at the event.
6. Permission has been given by the Head of Development Services.
7. No funfairs, circuses or similar attractions shall operate on Sundays (or Good Friday) without prior permission of the Head of Development Services.
8. ORGANISERS SHALL:
9. In the case of a bonfire etc., comply with the Clean Air Act 1993 Section 1 - it is
an offence to burn materials likely to cause dark smoke or a nuisance.
10. Make their own arrangements for the supply of electricity to the site through a competent electrical contractor.
11. Make their own arrangements for fencing off the site or any areas within the site.
12. When using the bandstand in the Pump Room Gardens, ensure that such use
is restricted either to band concerts and similar forms of musical entertainments
or poetry reading sessions only.
13. When the event involves the use of any stretch of river, obtain the approval of the Environment Agency and Warwick District Council or its future successor.
14. When using the St. Mary’s Lands obtain the approval of the Warwick Racecourse Company if the event takes place within seven days of a race meeting.
15. RISK ASSESSMENT AND INSURANCE
16. The Organisers must produce in writing a risk assessment of the event, solely as evidence that such assessment has been carried out. This should identify the hazards which could cause harm, assess the risks and decide how those risks could be eliminated or controlled. Similarly evidence of an evacuation plan/procedure in the event of an emergency may be required.
17. Please check your insurance adequately covers your activities. See Note 9 (iii).
18. SAFETY ADVISORY GROUPS

At the request of the Head of Health and Community Protection the Event Organiser may be required to attend a Warwick District Safety Advisory Group (SAG) forum up to three calendar months in advance of the event. At the Safety Advisory Group meeting the Event Organiser will be required to present the following information to public safety professionals.

* An Event Management Plan detailing: Schedules, Command Structure, Communications, Marshalling, Lost Child and Adults at Risk Policies, First Aid arrangements, Emergency Communications and Evacuation Procedures.
* A full Risk Assessment of the event.
* A Traffic Management plan detailing how traffic will be managed on the day (if appropriate)
* A map of the site complete with evacuation points and emergency entrance / exit points for emergency vehicles.
* Public Liability Insurance.
* A list of contact details and emergency telephone numbers.