

COUNCIL

19 OCTOBER 2023

ADOPTION OF OUTDOOR EVENTS FEES AND CHARGES

Portfolio Holder: Councillor Harinder Mahil, Portfolio Holder for Heritage, Culture and Leisure

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Summary

The report sets out a new Outdoor Events Policy and proposes new standardised fees and charges to provide a singular clear framework for professional and community event organisers, to ensure events:

- Comply with all appropriate counterterrorism, health and safety legislation and regulation including those set out in the proposed new Martyn's Law.
- Improve coordinated scrutiny of event management plans by health, safety and emergency partners and agencies
- Support environmental and climate change priorities
- Minimise and/or mitigate any negative impacts or disruption
- Are charged according to transparent and standardised fees and charges that support local community, charity and not-for-profit organisations
- Generate positive local economic impact
- Generate income for the Medway Council

The policy is the foundation of a centralised Event Location Hire Service that will sit with the Festival and Events Team to:

- Improve efficiency with standardised policies, systems, procedures and fees for community and professional organisers
- Improve coordination with health, safety and emergency partners and agencies
- Provide new and professionalised external facing webpages and digital application process for residents and industry professionals.
- Increase income generation

The report was previously considered by the Cabinet on 8 August 2023, the decisions of which are set out at section 6 of the report.

1. Recommendation

- 1.1. The Council is requested to approve the Medway Outdoor Events fees and charges, as set out in Appendix 2.

2. Budget and policy framework

- 2.1. Medway Council recognises the value and benefit that a varied and well managed outdoor events programme can deliver to support our ambition for Medway to be seen as a great place to live, to work, to learn and to visit.
- 2.2. Outdoor events in Medway, positively contribute to celebrating diversity, un-tapping vast depths of potential talent, boosting the local economy, creating a strong sense of community and community cohesion, supporting children and young people by fostering a culture of innovation and imagination, and by providing activities for older people all contributing to a vibrant culture, environment and economy.
- 2.3. This policy is designed to support the delivery of the council's Strategy and Plan, contributing towards the delivery of the following themes:
 - People Healthy and active communities
 - Place A clean and green environment
 Put Medway on the map
 - Growth A strong diversified economy
 Residents with jobs and skills
- 2.4. The policy is also strongly aligned to the Creative Medway Cultural Strategy that places culture and the creative industries at the heart of our priorities, shaping context and delivering a range of programmes that support our long-term ambition for Medway to be internationally recognised for its creativity and culture, exemplifying the positive impacts on everyone's lives. Diverse, collaborative and engaged, we will celebrate the strength and creativity of all our residents. The defined themes of the strategy are:
 - Connectivity
 - Shared Ambition
 - Space and Place
 - Creative People
 - Community Engagement

2.5. This policy draws together targeted strategies and partnerships across Medway including:

- Medway 2037
- Medway Skills and Employability Plan
- Medway Joint Health and Wellbeing Strategy
- Medway Children and Young People's Plan
- Medway for Business
- Medway Climate response Action Plan
- Child-Friendly Medway
- Medway Learning Partnership
- Medway Tourism Association
- Creative Medway
- Medway Cultural Strategy
- Creative Estuary
- South-East Creative Economy Network

2.6. Approval of an outdoor events policy is a matter for Cabinet. The approval of fees and charges is a matter for Full Council.

3. Background

3.1. Currently outdoor events are managed by the services that manage areas of land across Medway e.g., Norse Greenspaces, Heritage Team, Town Centre Management Team. Each service has its own set of criteria for allowing an event to happen. Fees, charges, and processes vary significantly, and the support that event organisers receive differs depending on the skills and experience of officers in each team.

3.2. This new policy will view all outdoor events under a single standardised framework that will support the coordinated growth of outdoor events across Medway.

3.3. This policy has been developed with colleagues in Norse Greenspaces, Greenspaces Development, Heritage, Transport, Public Health, Highways, Climate Response and Town Centre Management.

4. Martyn's Law

4.1. In the light of recent low-sophistication terror attacks at public spaces, such as that at the Manchester Arena, the Government has been considering what more could be done to improve public protection.

4.2. There is currently no legislative requirement for organisations to consider or employ security measures at most public places. Many organisations choose to implement their own security measures.

4.3. The proposed Protect Duty (Martyn's Law) would aim to create a culture of security, with a consistency of application and a greater certainty of effect.

4.4. This legislation will impose a duty on the public and private sector to assess and take steps to mitigate the risk of terror attacks. Its aim is to protect the public from the risk of further attacks and is a significant change to the UK risk

landscape.

- 4.5. The Act will apply to the following outdoor and public spaces where people may congregate, such as parks and beaches. Local Authorities are expected to have a key role in working with organisations to bring together resource to support the new requirements set out below.
- 4.6. The Act will impose the following duties:
 - The risk of a terrorist attack occurring must be assessed.
 - Measures must be implemented to reduce the risk of a terrorist attack, 'as far as reasonably practicable'.
 - Robust plans must be in place to respond to a terror attack
- 4.7. The expectation under the Act is that larger organisations will be required to demonstrate higher levels of compliance than smaller ones, and more quickly.
- 4.8. The new Outdoor Events Policy is a concrete step for Medway Council towards formalising its response to Martyn's Law in terms of events and can be adapted to support fully once The Act is implemented by Government.

5. Advice and analysis

- 5.1. The Outdoor Events Policy (Appendix 1) is intended to balance the interests of residents, park users, stakeholders, businesses and event organisers. It sets out procedures and processes with the aim of providing clear and transparent information to event organisers.
- 5.2. The policy is the guiding principle for all outdoor events taking place within Medway and provides a framework which all event organisers must work within and adhere to. It forms part of a binding contract for event organisers both internal and external to the council, wishing to use Medway as a location to host their event.
- 5.3. The policy provides the framework and criteria to consistently manage events taking place in Medway, especially during pre-event consultation, engagement and planning period. In some circumstances the policy will be supplemented by other policies that are specific to venues that need additional considerations.
- 5.4. The aim of this policy is to assist the council in continuing to host a programme of outdoor events giving all event organisers clear information about what is required of them.
- 5.5. Medway Council delivers and funds more than fifteen free festivals each year, in 2022 reaching 500,000 people. As local government finances reduce year on year this policy sets the framework by which commercial events can take place, under conditions set in partnership with local stakeholders to generate income that directly supports the delivery of the free programme.

5.6. The objectives of the policy are to:

- Reflect the aims of the Council Plan and Creative Medway Cultural Strategy.
- Build a sustainable and varied programme of events for the people who live, work, learn and visit Medway.
- Provide a clear framework for how events must be managed and delivered.
- Minimise or mitigate any negative impacts or disruption which events may cause to residents and businesses.
- Maximise safety for those working at and attending events.
- Ensure the protection of the physical environment, nature and wildlife.
- Ensure considered pre-event consultation takes place.
- Ensure the effective planning and management of events.
- Increase the use of Medway's public spaces.
- Continue to build a positive reputation for Medway.
- Ensure that events create benefits for local areas and communities.
- Maximise the opportunity for increased spending that boosts the local economy.
- Ensure that events are accessible to all communities and individuals.

5.7. Alongside the adoption of an outdoor events policy, benefits to a centralised approach to the hire of locations include:

- A single digital application process.
- Fees and charges that offer standardised discounts for charities and community groups and the ability to negotiate for large-scale events.
- A Lead Events Officer for each event.
- A clear event planning framework and timeline for event organisers to follow including engagement process with SAG, Members, residents and stakeholder groups.
- Clear advice and support systems including event planning toolkit and community capacity building programmes.
- An improved coordination with SAG partners, health, safety and emergency partners.
- Comprehensive outdoor events calendar for activity on Council-owned land and other known events.
- A new professionalised external facing webpages and digital application process for residents and industry professionals.
- Increased income generation for Medway Council.
- Direct connections to community capacity building programmes such as 'Events Uncovered', the councils free event management training course and 'Make Waves' our young producers programme.
- The delivery of sustainable events that respond to climate change action plan.
- Improved access to events for people with disabilities

- 5.8. The policy and its appendices set out the decision making and levels of authorisation required depending on the size, scale and impact of an event.
- 5.9. The policy outlines the role of Medway's Outdoor Events Safety Advisory Group (SAG), as a scrutiny and advice body and not a decision-making body.
- 5.10. The proposed draft new fees and charges set out in Appendix 2 were developed after a benchmarking exercise was undertaken with other Kent councils to ensure fees are competitive and attract event organisers.
- 5.11. A set of charging categories has been established that ensure that community, charity and not-for profit organisations are supported with minimised fees whilst commercial operations are charged appropriate rates.
- 5.12. A series of discount criteria has been established to ensure consistency and that no one is priced out of holding an event in Medway, and all income generation opportunities are maximized.
- 5.13. An Environment Impact Fee (EIF) has been created within the charging framework. This will be a dedicated income on top of the hire fee, to support projects in our green and heritage that encourage engagement and not on core maintenance.
- 5.14. Once adopted community organisers will be supported in a number of ways digitally and through face-to-face support and training.
 - 'Events Uncovered', the council's free events management training course will support the delivery of the new policy to community organisations across Medway.
 - The council's digital 'Planning and event' pages will be updated with useful and simple 'How to' guides reflecting the new policy.
 - A named officer from the Festivals and Events Team will be dedicated to each event that comes forward to support organisers.

6. Cabinet

- 6.1. The Cabinet considered the report on 8 August 2023 and agreed the following:
- 6.2. The Cabinet agreed to adopt the new Outdoor Events Policy.
- 6.3. The Cabinet recommended the Medway Outdoor Events fees and charges, as set out in Appendix 2, to Full Council in October 2023 for approval.

7. Risk management

- 7.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. Key risks have been identified in the following table.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Liability Risk	Current and pending legislation requires robust accountability of all those involved in allowing events to go ahead in public spaces – it might be the impact of the event on the wider area where an incident arises.	Adopting the policy, framework and setting out clear decision-making processes alongside a centralised and standardised process will ensure higher standards for events delivery, event documentation and audit trails.	DIII
Financial Risk	Not maximising income potential and not charging for the services currently being given	Standardisation of fees and charges will ensure Council officer time, services given, and location hire is charged appropriately. Discount criteria for community events will ensure locations hires are financially accessible and inclusive.	DIII
Safety Advisory Group Risk	Current inconsistencies across the event management process and the lack of an events policy does not effectively utilise the skills and expertise of the SAG and does not set out clear consistent	Adoption of the Outdoor Events Policy will standardise event practises in Medway and align to the majority of Kent districts. The policy sets out clear decision-making processes and how the SAG feedback is	DIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
	decision-making criteria.	accounted for and implemented.	
Reputational Risk – missed business opportunity due to lack of processes and information	Current inconsistencies in the event application process, as well as assessment process, event delivery, financial charges and decision-making present Medway as unprofessional and difficult to understand for event organisers.	The Outdoor Event Policy sets out a transparent standardised framework and set of processes including decision making.	EIV
Reputational Risk – negative press /negative community feedback	<p>With no standardised fees and charges organisations are treated in different ways across different Council spaces and venues.</p> <p>The Council is seen to be monetising green spaces for profit.</p>	<p>The new policy introduces a sliding scale of charges for community, charity and not-for-profit organisations.</p> <p>The council will communicate how income generated is reinvested support the existing free events programme, and projects funded by the Environmental Impact Fee.</p> <p>The delivery of the policy and fees and charges will be closely monitored and reviewed annually with any appropriate</p>	DIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
		changes or amendments made in accordance with council governance.	
Likelihood		Impact:	
A Very likely B Likely C Unlikely D Rare		I Catastrophic II Major III Moderate IV Minor	

8. Consultation

8.1. Internal engagement has taken place with:

- Norse Greenspaces
- Greenspaces development
- Heritage and Tourism
- Town Centre Management
- Highways
- Traffic Management
- Climate Response
- Culture Development
- Environmental Health
- Health and Safety
- Licensing
- Public Health

8.2. Engagement with stakeholders to develop the policy has included:

- Kent Police
- SECAMBS
- Kent Fire Service
- NHS

8.3. Medway Outdoor Events Safety Advisory Group are supportive of a centralised and standardised outdoor events policy, single digital application and planning process that streamlines their input, creates more structure and clarity to their advice and scrutiny of event management plans.

9. Climate change implications

9.1. Adopting standardised outdoor events policy creates the opportunity to develop environmentally sustainable conditions that support the Council's Climate change ambitions.

9.2. Event organisers will be expected to set out measures to mitigate the impact of noise, waste, plastic, transport, trees, wildlife and nature.

9.3. Section 18 of the policy (Appendix 1) set out how event organisers will be asked to consider the negative impacts that their event will have on both the

local and global environment and implement measures to mitigate these.

- 9.4. Through centralising the service, the festival and events team will be able to monitor all these aspects.

10. Financial implications

- 10.1. New standardised fees and charges set out in Appendix 2 are aligned with the classification of an event, audience capacity and duration of an event. The charges clearly set out discount criteria to support community events where fees and charges might be an obstacle.
- 10.2. Fees and charges currently levied in respect of outdoor events are included in the 2022/23 revenue budget approved by Council in February 2023 across the services that manage areas of land across Medway e.g., Norse Greenspaces, Heritage Team, Town Centre Management Team as set out in Section 4.1 of this report. The draft and proposed, standardised fees and charges set out at Appendix 2 are intended to ensure all charges are appropriate and cover the cost of officer time and other costs. As such the revised fees and charges will not create a budget pressure for the Council.

11. Legal implications

- 11.1. New standardised location hire agreement will be created with the legal team.
- 11.2. Service Level Agreements will be put in place with each team that manages land. The SLA will outline expectations on partnership working, responsibilities, planning, monitoring and income generation.

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Appendices

- Appendix 1 Medway Outdoor Events Policy
- Appendix 2 Medway Outdoor Events Fees and Charges 2023/24
- Appendix 3 Medway Outdoor Events stages of event application
- Appendix 4 Diversity Impact Assessment

Background papers

None