

Advice about the information required when filling in the Amenity Event application form

- ♦ References to **Organisers** apply equally to those signing on behalf of a club, society, association, or company and are also referred to in this document as **You** and **Your**
- ♦ References to the **Council** are to North Devon District Council, the statutory name of North Devon Council and are also referred to in this document as **We** and **Us**
- ♦ We will refer to Your chosen site for Your Event as the **Venue**

We will decide, based on the information you give when you return the Application Form, whether to permit your event. This decision will be based on the proposed use of the Venue and other purposes that the venue is needed for. We will consult the councillors for the area where the Venue is before making that decision.

We reserve the right to cancel the Event without notice (although notice will be given if practicable) and without liability of any kind, should weather, ground conditions or other factors make this necessary.

Please make sure You complete the form as fully as You are able, so that the decision that is made is correct. Use the tick boxes to mark, where applicable, the items that you do not need and indicate the number or detail of those that you do. Once permission is given for an event without something, for example bicycles, you would be in breach of the permission to bring that thing, in this example any bicycles, onto the Council's property.

Licence to Occupy

Following any decision to allow both Your Event and the items you wish to have at Your Event, you will be supplied with a "Licence to Occupy." This gives the Council's legal permission for You to use the Venue for Your Event. It is not related to liquor or gambling licensing in any way.

This will be a legal document between the Event Organiser as the **Licensee** and North Devon District Council.

This Licence will be limited, permission will only be for Your organisation, to hold solely the Event you applied for and to have the only items you have requested and been permitted. The Licence will require You or Your organisation to sign up to certain conditions, some applicable for all events, and some particular to Your Event. By signing the back of the application form to apply for Your Event You are agreeing that You accept that permission to use the Council's land will be on the conditions in the Licence.

For help and assistance with contacting other units of the Council about the items in Your application please contact Customer Service Centre at North Devon Council, PO Box 379 North Devon EX32 2GR. Telephone: 01271 327711 (**For Type talk** precede with 18001) or **Email:** customerservices@northdevon.gov.uk or Text: 07624 804042 or **Fax:** 01271 388451

1. Organiser Contact Name and Address

This section needs to be filled out with the details of the organiser of the event.

This is not necessarily the name of the person who will be granted formal permission to hold the Event on the Council's land. This is the person who will be able to answer any questions about the event.

This person will also be required to sign the Licence to Occupy the Venue and must show to the Council that they can sign and bind the event holder to the indemnity.

Because they are signing the licence, this person must be over the age of eighteen. They will also have to give their middle name(s).

In addition, an independent person will also be required to witness their signature.

The person or body named on the insurance will be the **Licensee** – See Box 2.

Please can you also indicate the way you would prefer to be contacted? Either by leaving the others blank or asterisking your preferred method.

2. Licensee Name and Address

Name – This is the named person / company / association / charity named on the public liability insurance. Evidence of insurance to the value of £5,000,000 will need to be provided, as well as your permission to use this insurance.

The Licensee must have Public Liability Insurance to a minimum value of £5,000,000 in respect of any single claim against the Organiser or the Council arising out of the event. The Council reserves the right to insist on a higher indemnity limit if the nature of the event makes that appropriate.

Address – For a company or a charity this will be the registered address. For individuals this will be the home address. For associations this will be the contact address (e.g. the secretary or clubhouse).

Charity Number – If a charity this can be found on www.charity-commission.gov.uk.

Company Number – If a company, this can be found on www.companieshouse.gov.uk.

Head Office Address – This only applies to an affiliated association using the insurance from the main association.

3. Event Details

Venue for the event – Please use the plan sent with the application form to outline the area required your event. Please include where any public or crowds will be and any points of access for public and vehicles. Do also remember that you may need places to park or leave other items.

Please give details of any use of Venue by the same event or organisation – If the Event or the Organiser has ever used the Venue before, please give details.

Please state the dates you need the Venue, and the times. If you want the Venue for longer than one day, you should indicate whether these times are the only times you will be present each day or whether the times are when the event is ongoing and you will be leaving items on the Venue overnight as well.

On the following pages, you must complete the list on the application form according to the number and type of items you are having. These guidance notes help to explain what information We are looking for and why but do ask if Your event does not seem to fit a category. If the information in the guidance is written in italics, then this is not available from the Council, and you should contact the organisation responsible. Suggested contact details are at the end of this guidance sheet.

4. Please describe what you wish to do at your event:

Please describe what You want to do at Your Event – Please give as much information as possible about what You want to be doing.

Should a notice or sign be required to advertise that the car park or venue will be closed; a copy of such notice or sign must be provided with the application. If necessary, the Council will provide guidance to the organiser on the correct information to be stated on the notice or sign.

Clearing up after the event – Please remember that everything You bring to the venue will need to be gone when you leave, including all rubbish.

You will have to leave the site as found in a clean and tidy condition and shall dispose of all waste arising from the event. Any excessive costs incurred by the Council for removal of waste, street cleaning or toilet cleaning will be recharged to the Organisers.

When filling in the details of what items will be used in your event, please read the information below carefully and try to give as much information as possible as it will speed up the process. If you are not having the item, tick under **No**. Or if you are, tick under **Yes** and give details, including size and number.

| Item | You should use each box to give Us details where necessary about: |
|-------------------------|--|
| Vehicles | All cars, motorcycles, coaches, vans, or lorries you want to bring to the Venue. The licence does not give a general permission to park in the council's car parks, for this you will have to pay the usual fee. Vehicles brought onto the Council's land should be lawful and insured and you should ensure that you know how to do this safely. |
| Mobile Units | Details of all caravans, mobile display units or trailers, in particular the size and weight. Please note, not all venues will be suitable for all units, and you will be responsible for ensuring that you know how to manoeuvre and fix them safely. |
| Stalls | Any tables, displays and stands you want to use. Tell us what they are made of and what you will be using them for. |
| Awnings/gazebos | Include popup gazebos and parasols, such as can be bought at the shops. You can do this yourself if you can erect and secure them safely. |
| Goods | What goods you want to sell and for what. It will be up to you to ensure that such goods are lawful and being sold in accordance with all regulations. <i>You should contact Trading Standards if you have any queries.</i> |
| Trade Stands | In general, the Council does not permit any commercial sales, promotions, or advertising on its land, but if you want to sell items commercially, tell us what. |
| Food & Drink | What food or drink you want to give away or sell. You will be responsible for the safety of the food and will be required to check that all food hygiene standards are followed and should remember that any person supplying and handling food must satisfy current food safety legislation and have received appropriate training or instruction in food hygiene. Any outside caterers should be able to provide information about their food hygiene qualifications to the organiser. For further information you can discuss with the Council's Food Team via the Customer Service Centre 01271 388870 |
| BBQ/Cooking | In addition, if you are cooking at the Venue, on an open flame barbecue You should tell us what type and who will be operating it and what food will be prepared this way. |
| Advertisements | Any advertisements, posters, banners, or flyers you would like for your Event. You will be responsible for ensuring that no posters or other advertisements for your Event are displayed without any relevant statutory consent having first been obtained, particularly Advertisement Consent. You can contact the Planning Unit to discuss this via the Customer Service Centre on 01271 388288. Any licence will not |

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| | give consent to put up posters around the district on other land. Advertisements without permission or those left up will be considered fly posting and may be prosecuted by the Council. Any advertisement you do use, you will be responsible for ensuring it is safe, as well complying with the UK Code of Advertising, Sales Promotion and Direct Marketing. <i>Contact the Advertising Standards Authority if You require any help with this.</i> |
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| Item | You should use each box to give us details where necessary about: |
|-----------------------------|---|
| Machinery | Machinery or other mechanical devices, such as generators, you require for your Event. There may be noise issues we have to consider if you want to run machinery. You will be responsible for ensuring that it is safe to operate machinery. |
| Animals | Which animals you want to bring and any public involvement with them. It is Council policy not to permit the use of its land by any circus or similar event that includes performing animals, and you will be responsible for ensuring that this policy is adhered to. The licensee is required to be aware the Council does not condone the practice of giving live Pets as prizes and it is prohibited on all Council land. |
| Bicycles | The number of bicycles you want and whether they belong to you or the public. Also tell us if the public will be riding or if it is a demonstration. |
| Collecting donations | Any simultaneous street collection you will be holding for your Event. Permission to hold your event is not permission to hold a street collection, which is required for a collection on the street or in any public place. This does not mean a collecting tin placed on your stand, but an actual collection. For further information about holding a street collection you need to talk to the Licensing Team via the Customers Service Centre on 01271 388870. |
| Raffles | What prizes are to be won? Will this be on the day or later, because raffles not drawn immediately or with prizes of alcohol will require consent and you need to talk to the Licensing Team via the Customers Service Centre on 01271 388870. |

5. Special Items

These are the items that need special consideration. You will need to have them set up by professionals with their own insurance. You must consider them separately in your risk assessment. If you are not specifically qualified or insured to erect or use these then this will have to be done by professionals with their own insurance. If you are hiring them, the hire company may do this as part of the hire fee, and you should tell us where you are hiring them from.

| Item | You should use each box to give Us details where necessary about: |
|-------------------------|---|
| Marquee | Marquee or similar large tents with wooden or metal poles. |
| Stage | Where you intend to erect it, what it is made of what it will be used for. |
| Bouncy Castle | Bouncy castle and any similar air inflated items, you will also have to tell us about any generator needed under Machinery |
| Fireworks | Give the details of the display organising company and what time it will finish. Ask them how long they will need to set up as the Licence to use the Venue will have to start from the very beginning of the setup, even if the public are not involved until later. The firework display company must supply you with a method statement and risk assessment related to the Venue |
| Fairground Rides | Who is supplying the rides, what are they, and where you want them to be. There are specific <i>Health and Safety Executive</i> requirements for operating fairground |

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| | rides, and they must be annually inspected. You will be required to ensure that this is done. |
| Fires | e.g. bonfires or fire demonstrations. The Devon Fire and Rescue Service should be in attendance. |
| Electrical | Do you need electricity at your event, where will this come from and how? Not all Council land has access to electricity and you should not assume that you will be able to plug in any electric items. If you do want to use Our electrical supply, please state this, but there may be a recharge. |
| Audio Equipment | For example, speakers, public address systems or loudhailers. Where will they/it be placed? You will be responsible for ensuring that the activity will not cause significant disturbance or nuisance to those living nearby. You should read Box 6 under <u>Noise and Nuisance</u> . |

6. Other Licensed Activities

This is more than just an issue of licensing from the Council, but You must remember that Your licence to occupy the Council's land is not a premises licence for the purposes of alcohol sales, regulated entertainment, or late-night refreshment. There also other issues with having music at Your Event, such as noise and royalties' payments. In addition, the Council does not generally permit the sale of alcohol on its land, but please contact us if you would like an exception made for your Event. To know which of these issues apply to your event, you should tell us what types of music and other activities you are having by completing the list.

Copyright:

Playing music in public is subject to the copyright of the writers of the music and lyrics, and of the performers. You must pay them for the right to play their music in public, called a Royalty or by way of a licence fee. Without this it would be a breach of the Copyright, Design and Patents Act 1988, and any Licence to Occupy does not permit you to commit any breach of the act. It is your responsibility to ensure that You comply with it. The Council cannot permit you to play music at your Event if you have not ensured that you are complying.

- *If You are playing recordings, you will have to pay the musicians for them, to PPL.*
- *If You are playing recordings, or live music of other people's songs or lyrics, you will have to pay the writers, to the Performing Rights Society*

If already have a PRS or a PPL licence, or you have asked them and had confirmation that you do not require one, please provide copies to the Council. For either, please state the licence number.

Noise and Nuisance

Events involving amplified music or speech, the use of generators or plant or those which will continue late into the evening must be carefully monitored and controlled. If you want these at Your Event, you should discuss this with The Council's Environmental Health & Housing Service well in advance. Contact them via the Customer Service Centre on 01271 388870. Any licence to hold Your Event will contain provisions that officers of the Council can ask the organiser to control the volume or even end the event.

Licensable Activities

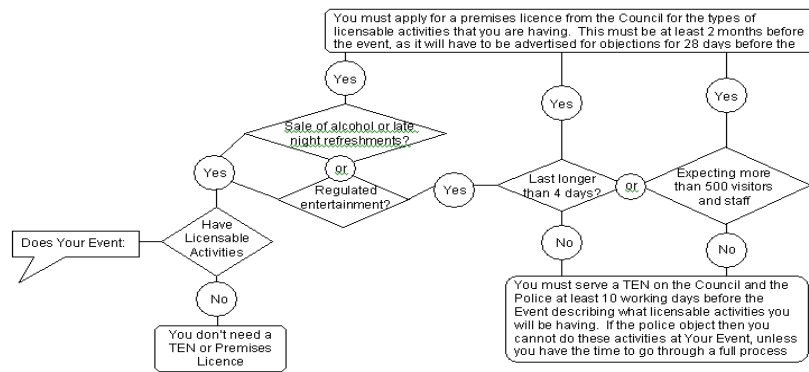
Organisers are responsible for ensuring that all necessary licences are obtained and that no illegal event takes place on the land. As a general guide it may be necessary to obtain a premises licence if music, singing, or dancing is a substantial part of a large event, or if you want to sell alcohol, or refreshments after 11:00 pm. Such licences require application to the Council of at least 2 months before the event. If you are organising a smaller and shorter event you can seek authority for these by serving a Temporary Event Notice (TEN) on North Devon District Council and the Devon and Cornwall Police.

For further information organisers should contact the Licensing Team via the Customer Service Centre on 01271 388870. Consider carefully if *you* are having an event with licensable activities.

These include:

- Regulated Entertainment
 - ✦ Live or recorded Music
 - ✦ Dancing

- Similar entertainment unless they are genuinely incidental to the main purpose of the event.
- The sale of alcohol
- Late night refreshments



NB: If there are any objections for a premises licence and these cannot be dealt with by mediation then a hearing will have to be held before the Council's Licensing Committee. This will have to be advertised for a further 28 days before the hearing. Therefore, if any objections cannot be dealt with and You have left insufficient time before the Event for a hearing then You will not be able to have any licensable activities. It is particularly important to apply for a premises licence two months before Your Event.

7. Amenity Application Checklist

This is a checklist for You to tick off, so that You can make sure that You have included all the items required for Us to process Your application. If You omit anything, your form may be returned to You for completing again and this will delay You receiving Your licence. It is Your responsibility to make sure that You have this permission to hold Your Event, without it you do not have the Council's consent to be on their Land and will be asked to leave.

The risk assessment for the event.

You must undertake a risk assessment. If You do not have one of your own, you may use the attached form. This must consider the hazards that might arise during the Event and devise procedures to minimise any hazard. Your Risk Assessment will be attached to the Licence, and You be obliged to adhere to Your risk assessment. It is your responsibility to make sure that the risk assessment has been correctly conducted and the Event can be run safely. Organisers are also responsible for ensuring that all activities comply with the requirements of the Health and Safety at Work Act 1974. *You can contact the Health and Safety Executive or Department for Communities & Local Government for further advice. A copy of the Public Liability Insurance policy and certificate*

It is essential that You have public liability insurance that will cover You and Your organisation for claims up to the value of £5 million. This must be valid for the date that the Event will be held. This must cover you for all claims by the public for death or injury or financial losses. It must be your third-party liability insurance, and not employee liability. In addition, if you are selling goods, you will need product liability insurance. Immediately at the ending of the event (for whatever reason), You will have to return the site (including the ground surface) to the same condition as it was in immediately before You were granted access to it. If You fail to do so, then the Council may carry out such repairs as We find necessary and recover the cost from You. Your insurance should cover You from claims by the Council for any damage you caused to the Venue. You must send a copy of your insurance as evidence that you have it, and it is in date. Do not send the original.

If the policy is not in your name

You must then send to Us a certificate or letter from the insured party stating that the Event will be covered by the insurance.

The outlined plan showing the required area for the event

Within the black edging you should outline all the area that you need in red.

Copies of any licences or notices referred to in this form

If Your Event requires permission from other bodies, you must show Us that You have them by sending Us copies. Do not send the originals.

Copy of any documents from outside bodies

If You are having part of Your Event provided by a third party, such as fairground rides, you should send Us copies of their risk assessments or method statements as well. We will also need to see their insurance.

Keep a copy of everything you send to Us for Your own records. Do not send this guidance back with your application, keep it for your records.

8. Declaration

The form must be signed by the person who will sign the Licence and You must demonstrate that you have the authority to do so. This application alone is not the Council's consent to use their land, and You agree to deal with the licence promptly. You agree to be bound by the terms of that licence as summarised on the within this guidance.

The Organisers will have to agree to indemnify the Council fully and effectively against all claims, loss, damages, or costs arising out of Your use of the Venue for Your Event. This means that You will be promising that You will pay for any claims against the Council or damage to Council or other property that results from the use of the Venue for your Event. If You do not have the authority to agree to pay such claims or call on Your insurance to do so, do not sign this form, as You will not receive the council's consent to use their land.

PERMISSIONS FROM OTHER AUTHORITIES

Health & Safety

Organisers will be required to undertake a risk assessment to quantify hazards which might arise during the event and devise procedures to minimise any hazard. A copy of the Risk Assessment must be submitted with the application form. However, the Council will not check any risk assessment to see if it is correct. It is the responsibility of the organiser to ensure that the risk assessment has been correctly conducted. Organisers are also responsible for ensuring that all activities comply with the requirements of the Health and Safety at Work Act 1974.

Information about running an event safely can be obtained from:

Health and Safety Executive (HSE)

Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

or the Department for Communities & Local Government on their website:
<http://www.communities.gov.uk>.

Advertisements

You should be aware that advertising for your event needs to comply the UK Code of Advertising, Sales Promotion and Direct Marketing even if only for a charity event. Whatever it is for advertising it must be **legal, decent, honest, and truthful**. The Advertising Standards Authority (ASA) oversees this.

Contact the Advertising Standards Authority on:

Advertising Standards Authority Ltd

Mid City Place
71 High Holborn
London
WC1V 6QT

If you are worried about your written advertising and want to avoid unwanted ASA scrutiny you can get help from the Committee of Advertising Practice (CAP) who offer help to get it right first time. They offer their online and bespoke services called Copy Advice, which can help find any contentious issues before you spend time and resources producing adverts.

Committee of Advertising Practice Ltd

Mid City Place
71 High Holborn
London
WC1V 6QT

Copy Advice is a fast, free, and confidential service for advertisers available from the CAP website:
<http://www.copyadvice.org.uk/>

Music

Due to copyright laws the Council must pay Royalties (collected by the Performing Rights Society ("PRS")) if any type of music is to be provided during the event. Therefore, if you are having any kind of music whether recorded or live, or even just a radio on in the background, please complete the part of the form referring to music, to ensure that the Council pay the PRS accurately.

Contact **PRS** at:

Copyright House
22-23 Berners Street
London
W1T 3AB

Contact **PPLUK** General Enquiries

1 Upper James Street
London
W1F 9DE
info@ppluk.com
020 7534 1000

Road Closures

You should think carefully before holding an event that is on or partially on the road. Road are public highways and are to be kept free from obstruction. It is not within the control of North Devon Council to licence organisers to hold events on the highway.

If you need to hold an event on the road please contact:

The Traffic Management Unit
Devon County Council
County Hall
Topsham Road
Exeter
EX4 2AA

By email: roadclosures@devon.gov.uk

http://www.devon.gov.uk/index/transportroads/roads/road_licences/tempfro/ttroevents.htm

Tel: 0845 155 1004

Trading Standards Service

If you want to sell goods, they must comply with the law, you should seek advice from:

Devon County Council Trading Standards Service
County Hall
Topsham Road
Exeter
EX2 4QH

By email: tsadvice@devon.gov.uk

<http://www.devon.gov.uk/tscontactus>

Tel: 01392 381381