

POLICY FOR THE USE OF CENTRAL PARK

SEPTEMBER 2018

1.0 INTRODUCTION

1.1 Dartford Borough Council recognises the value which a diverse and well-designed events programme, particularly in Central Park, can bring to residents of the Borough. It also recognises that such events can draw visitors to the Borough, which may result in extended benefits such as additional spending with local businesses and increasing awareness of the Borough's offer.

1.2 This policy sets out the Council's approach to events in Central Park. It is also designed to protect local communities who live in close proximity to Central Park and the Park's infrastructure and flora and fauna.

1.3 This policy will provide guidance on:

- The number of events to be held in Central Park;
- The nature of events to be held in Central Park, i.e. size, community or commercial;
- Events which are not suitable for Central Park;
- Event applications;
- Event safety.

2.0 LEGAL FRAMEWORK

2.1 Dartford Borough Council is able to hold events in Central Park, and other parks in the Borough, under S.145 of the Local Government Act 1972, which gives powers to local authorities to allow entertainment events in parks.

2.2 S.44 of the of the Public Health Amendment Act 1890 permits entertainment in parks, subject to limits on duration. S.145 of the Local Government Act 1972 has provision for parts of a park to be enclosed and the public excluded. This could facilitate a paid for event or a private event. The Council has a choice about which legislative provision it chooses to use.

2.3 The Pleasure Grounds Byelaws made by the Council under Section 164 of the Public Health Act 1875 and Sections 12 and 15 of the Open Spaces Act 1906 regulate the use of Central Park.

3.0 COUNCIL'S AIMS AND OBJECTIVES

3.1 The Council's Corporate Plan (as amended from time to time) sets out a series of corporate aims and objectives with Central Park seen as playing a key part in meeting these aims and objectives. The Local Development Framework Supplementary Planning Document on the Town Centre refers to making more of Central Park as a leisure asset.

3.2 ECONOMIC DEVELOPMENT AND REGENERATION

3.2.1 The strategic aim for this theme is "Ensuring that regeneration in Dartford is sustainable and of benefit to all of our communities." One of the key strategic objectives is: "Improve the performance of the Town Centre." Central Park will have a major role in delivering these aims and objectives. It is a large public open space and has been subject to a substantial improvement programme,

including a new café in the park, a new bandstand, a skate park, an outdoor theatre, an outdoor gym and a water play area.

3.2.2 A number of events are also held, which include the Dartford Festival, Cinema in the Park, St George's Day Parade and Theatre in the Park. These are well attended. The park therefore attracts large numbers of people, over the year, into the Town Centre, where they may choose to use local shops, bars and restaurants. It also acts as a showcase for the Borough, helping to attract people to the new residential developments in the area. Dartford Borough Council's Local Development Plan Core Strategy states, "Central Park is seen as key to improving the public realm in the Town Centre".

3.3 HEALTH AND WELL BEING

3.3.1 The strategic aim for this theme is "To reduce overall health inequality in Dartford and to provide for a rich and varied quality of life." A key strategic objective is to: "Increase the opportunities for participating in sporting, cultural and leisure activities".

3.3.2 As stated above, in paragraphs 3.2.1 and 3.2.2, Central Park is used for a range of activities, including Park Runs, Borough Walks, charity events such as the "Bubble Run", an outdoor gym, a skate park, a water play park, as well as performances and other events, which, in the main, are free. These encourage exercise and help bring communities together. It also encourages people from different backgrounds to participate in the cultural life of the Borough.

3.3.3 Within the recently agreed Local Development Framework Supplementary Planning Document on the Town Centre, one of the objectives is "Making more of the town's leisure assets, such as Central Park and The Orchard Theatre".

3.4 SAFER COMMUNITIES

3.4.1 The strategic aim for this theme is "To create a safer Borough in which to live work and socialise" One of the strategic objectives is: "Reduce anti-social behaviour". A well-used park acts as a deterrent to anti-social behaviour and a number of the activities offer diversionary opportunities for those who may act in an anti-social way. Having an extremely well kept public open space also increases the public's perception of the Town Centre as a safe place.

3.5 ENVIRONMENT AND SUSTAINABILITY

3.5.1 The strategic aim for this theme is "To promote an environment which is attractive, with improved air quality." One of the strategic objectives is "Ensure a high quality street scene". Central Park acts as a "green lung" in the Town Centre. The whole park is maintained to an extremely high standard and therefore adds greatly to the street scene of the Town Centre.

3.6 HOUSING AND STRONGER COMMUNITIES

3.6.1 The strategic aim for this theme includes "To create strong and self-reliant communities." As stated above a range of events are undertaken in the park, some organised by Dartford Borough Council, others by charities and community

groups. These include Dartford Festival, the St Georges Day parade and the Festival of Light. This makes a major contribution to the strengthening of community spirit.

4.0 EVENT CATEGORIES AND DEFINITIONS

4.1 An activity will be formalised into an event, in its own right, when it reaches one or more of the following trigger points:

- The activity introduces any formalised infrastructure, using an area, which would impact on public use, for example gazebos, tables and chairs.
- Whether the event attendees are likely to exceed 50 in number, and will therefore use space, which will not be available to those not attending the event.
- Includes a fee to enter.
- A transaction to buy or sell a service or goods is involved.

4.2 Events will then be classified by type and scale.

4.3 EVENT TYPE

4.3.1 Local Community/Charity Events: Community events are those which are organised by Dartford based local charities (including the local branch of national charities) or community groups in support of the Dartford community. Any monies raised are to be for the sole benefit of the group or charity organising the event. If fees are being levied for community or third sector stallholders, the organisers must inform the Council as part of the application process.

4.3.2 If the event involves corporate sponsorship and/or commercial stalls the organiser must inform the Council, as part of the application process. All charities will be required to provide a UK charity number. The Council will normally waive fees for use of the Park by charity and community groups, subject to the provisos above.

4.3.3 Commercial events: This category includes any events where the organiser intends to generate a profit. Such events are typically open to the public, but in some cases, may require the public to pay an entrance fee to participate or enter a closed area. Although there is a fee structure for the use of the Park, the Council reserves the right to negotiate another price, subject to the agreement of the Managing Director, where the event will have a major impact on the Park and /or its surroundings, or has the potential to generate a substantial commercial return.

4.3.4 Corporate events: These can be team building, brand events or private functions by commercial organisations, which will involve the closure of areas of the Park to the general public. The fees for such an event will be subject to negotiation and final agreement by the Managing Director. Officers will ensure that the public still have access to recreational space in the Park, whilst the event is on.

4.4 EVENT SCALE

Please see Table 1

4.5 EVENTS, WHICH WILL NOT BE GRANTED PERMISSION

4.5.1 Any event, which is deemed to contravene the terms and conditions for the use of the Park, including:

- Any event, which is likely to have an unacceptable impact on the infrastructure or fauna and flora of the Park.
- Where adequate documentation, regarding details of the event and health and safety provisions, are not provided.
- Where an event fundamentally changes its nature having already completed the application process.
- Any event, which fails to implement any recommendations made by the Safety Advisory Group.
- Any event, which would be detrimental to public order.
- Any event, which discriminates against any of the protected characteristics as, set out in the Equality Act 2010.
- Any event using non domesticated animals for performance purposes.
- Any event where the organisers have not signed the set terms and conditions for hire, before the event.
- Any event where organisers have previously not adhered to agreed terms and conditions or safety requirements.
- Any event considered likely to have a detrimental impact on the town centre and/or wider community or considered to be contrary to the Council's aims and objectives.

5.0 GENERAL PRINCIPLES

5.1 The following principles will apply to the use of Central Park for events:

- No more than one event will be allowed in the Park concurrently, unless otherwise agreed by the Council.
- The majority of events will be expected not to start before 10:00am and finish by no later than 7:00pm.
- There is a general presumption against major or large events happening in the Park on consecutive weekends.

6.0 APPLICATION PROCESS

6.1 Anybody wishing to stage an event in Central Park, or any other part of the Borough, must follow the application process as set out on the Council's web site at <https://www.dartford.gov.uk/by-category/business2/licences-and-street-trading/public-events-licensing-issues> All event organisers must complete an Event Notification form to be submitted to the Council at least 4 weeks before the event. For major or large events, an Event Notification form should be submitted 8 weeks before the event.

7.0 EVENT SAFETY

7.1 Event safety requirements are set out on the Council's website at <https://www.dartford.gov.uk/by-category/business2/licences-and-street-trading/public-events-licensing-issues>. All events must have a risk assessment, an event management plan, insurance cover and/or any necessary licenses. Failure to provide any of these documents, or the submission of documents which are not deemed to be fit for purpose, will lead to the event being cancelled. Depending on the type of event, the Council may require the event organisers to attend a Safety Advisory Group (SAG) meeting at the Civic Centre. This meeting consists of several specialist officers from the Council's Environmental Health, Community Safety, Park Ranger and Waste and Recycling services as well as representatives from the Police, Kent Fire and Rescue Service, the NHS and any other relevant body the Council may invite. The purpose of the SAG meeting is to scrutinise the event management plan and associated documents and question the event organiser so as to be assured that all reasonable steps are being taken to minimise disruption and maximise safety at the event and that all conditions are being fully complied with.

8.0 NOISE CONTROL

8.1 Event organisers are reminded of the need to minimise disruption to nearby residents, particularly in terms of noise. Organisers must provide the Council with a contact person and telephone number, in case complaints are received, concerning noise from their event and will be expected to take measures to investigate and address complaints promptly.

- **For all events (with the exception of Dartford Festival), the maximum Music Noise Level (MNL) permitted is 55dB LAeq (1 minute) at the boundary of Central Park.**

If an event is using amplified sound, the event organiser should provide a risk assessment which includes details of the proposed sound sources (location and type), details of the predicted noise levels which may arise, and details of proposed mitigation (if any) to the Council.

NB-The majority of events held in Central Park will not result in noise disturbances for nearby residential properties and subject to review of the submitted risk assessment, will not be required to undertake any noise monitoring during the event.

Where information provided by an event organiser indicates that **MNL from an event is likely to exceed 55dB LAeq (1 minute)**, or where similar events have resulted in complaints from residents, the event organiser may be required to monitor music noise levels during the event.

Such noise measurements will be undertaken by a qualified person. The frequency, location and type of equipment used to carry out the monitoring will be

agreed by a qualified person (with Chartered Institute accreditation or similar), in advance of the event.

Where noise measurements indicate that the permitted level is being exceeded the event organiser will take immediate steps to reduce the MNL within 30 minutes of any breach being identified.

Records of noise measurements, details of any exceedances and any corrective steps to reduce MNL will be provided to the Council, within 14 days of the event.

8.2 Dartford Festival

Dartford Festival has been running for over 80 years and is a much loved, free music and family fun weekend. The event takes place over one weekend in July with music taking place between 12:00 and 20:00.

The MNL for Dartford Festival shall not exceed 70dB(A) LAeq (1 minute) as measured at 1m from the boundary of Central Park.

Bass will be restricted so that it does not exceed 70dB in 63Hz and 125Hz frequency bands more than 2km from Central Park

Prior to the event, a 'sound propagation test' will be undertaken in order to set an appropriate MNL at the sound mixing desk. The MNL at the sound mixing desk will be set such that the MNL at 1m from the boundary of Central Park shall not exceed 70dB LAeq 1 minute.

The relevant sound engineer(s) will be responsible for ensuring that the level set at the mixing desk is not exceeded.

During the event, periodic noise measurements will be taken to ensure that the MNL does not exceed the permitted level. Details of these measurements (location, time and measured sound level) will be recorded. If at any time the MNL is found to exceed the permitted level, immediate steps will be taken to reduce the MNL to permitted levels.

TABLE 1
EVENT SCALE

Classification of proposed event	Size and definition of event	Number permitted in financial year
Major	<p>Likely to be over 10,000 attendees at any one time.</p> <p>Will involve a large footprint (up to 30% of the park area).</p> <p>A potential need for ground reinstatement.</p> <p>Major impact on surrounding area.</p> <p>Temporary structures with a build/ take down period of up to 7 days.</p>	2
Large	<p>Likely to be between 5 and 10,000 at any one time.</p> <p>Will involve a footprint of up to 20% of the park area.</p> <p>Impact on the surrounding area.</p> <p>May need some ground reinstatement.</p> <p>Temporary structures with build / takedown over up to 3 day period</p>	4
Medium	<p>Between 500 and 5000 attendees at any one time.</p> <p>Foot print of up to 20% of the park area.</p> <p>Some impact on the surrounding area.</p> <p>Unlikely to involve any reinstatement.</p>	10

	1-day build/takedown period.	
Small	<p>Likely to be no more than 499 attendees at any one time.</p> <p>Minimal use of park space.</p> <p>Unlikely to have any impact on surrounding areas.</p> <p>Minimal impact on the park.</p> <p>Minimal infrastructure</p>	At Council Officer discretion.
Minor	Any event, which does not meet the criteria above but does meet the event criteria as set out in paragraph 4.1 above.	At Council Officer discretion.