

**POLICY FOR THE USE OF CENTRAL PARK,
OTHER PARKS & OPEN SPACES WITHIN THE
DARTFORD BOROUGH COUNCIL AREA**

April 2025

1.0 INTRODUCTION

- 1.1 Dartford Borough Council recognises the value which a diverse and well-designed events programme, particularly in Central Park and other open spaces, 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 and other open spaces. It is also designed to protect local communities who live near Central Park, and the Park's infrastructure, flora and fauna. Any reference to Central Park within this policy may also relate to any other park or open space.
- 1.3 This policy will provide guidance on:
 - The number of events permitted to be held;
 - The nature of events to be held, i.e. size, community or commercial;
 - Events which are not suitable to be held;
 - Event applications;
 - Event safety.

2.0 LEGAL FRAMEWORK

- 2.1 Dartford Borough Council is able to hold events in Central Park, and other parks or open spaces in the Borough, under S.145 of the Local Government Act 1972, which gives powers to local authorities to allow entertainment events in parks and open spaces.
- 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. Various other Council documents refer 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 has 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 café in the park, a bandstand, a skate park, an outdoor theatre, an outdoor gym and a new children’s play area and water park.
- 3.2.2 Numerous events are held, which include the Dartford Big Day Out & Big Chill Out, The Cinema in the Park, St George’s Day Parade, a programme of theatre performances in the Dartford Outdoor Theatre and a season of Bandstand Concerts. We also have a full programme of community events, held by external organisers and external organisers in collaboration with DBC. The park 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. The Dartford Plan to 2037 Strategy states, “The green spaces and setting of Central Park and the River Darent south of the High Street and tree lined ridges of the valley are seen as a prominent resource and factor vital to the future prospects”.

3.3 HEALTH AND WELLBEING

- 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. It has 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 diverse backgrounds to participate in the cultural life of the Borough.

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” Two objectives are: “Utilise the tools and powers available to the council to tackle anti-social behaviour (ASB)” and to “Operate safe and compliant spaces and events within the Borough”. A well-used park can act as a deterrent to anti-social behaviour and several 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” the build of which is well underway. 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. How we preserve, enhance and celebrate the environment we live in is vital to the future of Dartford.

3.5.2 Objectives, relevant to Central Park:

- Promote sustainable local environments and habitats, achieving biodiversity net gain and active and healthy living, at new developments and through greenspace (including urban parks and open space) and landscape protection and provision, enhancing the green grid of footpaths, public rights of way, cycle routes, wildlife corridors, rivers and countryside links.
- Protect, enhance and increase green space for the benefit of people, wildlife and effective sequestration of carbon.
- Existing green spaces, habitats, and tree coverage will be protected and enhanced, and new provision will be made, to absorb carbon dioxide, support biodiversity and reduce surface water runoff.
- Protect good quality trees which contribute to the green environment and also absorb CO₂ and provide urban cooling and plant new trees and landscaping where appropriate and opportunities arise

3.5.3 Key Actions, relevant to Central Park:

- Improve access to open space, food growing and wildlife through land management, community gardening and habitat creation.
- To increase the number of orchards and wildflower meadows across the borough.
- Ensure planning policy protects urban open spaces and green infrastructure from development and maintains a Green Belt from inappropriate development.
- Use of Tree Preservation Orders to protect trees where appropriate.
- Enhance the environment around the Rivers Thames and Darent whilst maintaining their food and ecological functions of the land adjacent.

3.5.4 The Council has also adopted a Net Zero Strategy and Action Plan which supports the above objectives and actions in relation to Central Park and other parks or green spaces.

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 held in the park, some organised by Dartford Borough Council, some in collaboration, others by charities and community groups. These include Big Day Out and Big Chill Out, 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 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, a barriered or roped off area.
- 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.
- The use of rides, inflatables or similar types of entertainment.
- The provision of music (acoustic or amplified, recorded or live) as part of the event, be it a performance, incidental or background music.
- Any other licensed activities.
- Any event that may involve a level of risk to the participants, for example climbing walls, assault courses (inflatable or normal).
- Any event that may need any additional plans (such as security, medical, etc.).
- Any event that may require any road closures or traffic holds.
- Any event that may impact on surrounding roads, public transport or car parks.
- This list is not exhaustive. Any event may be formalised by any DBC Officer if, in their opinion, sufficient grounds exist to do so.

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.

4.3.3 All charities or Community Interest Companies (CIC) will be required to provide a UK charity number. The details of charities or CIC will be checked and ratified with The Charities Commission and Companies House. The Council *may* reduce or waive fees for use of the Park by charity and community groups,

4.3.4 **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 a fee to participate, or to enter a closed area. Although there is a fee structure for the use of the Park, the Council reserves the right to negotiate another 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.

4.3.5 **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. During such events, public access to recreational space within the Park is expected to be maintained during said event.

4.4 EVENT SCALE

4.4.1 Events will be subject to the relevant Event Tiers as per Chapter Five of The Purple Guide to Health, Safety & Welfare at Outdoor Events.

4.5 EVENTS WHICH WILL NOT BE GRANTED PERMISSION OR BE REVOKED

4.5.1 Any event, which is deemed to contravene the terms and conditions for the use of any park or open space, including:

- Any event, which is likely to have an unacceptable impact on the infrastructure, biodiversity, protected species, fauna or flora.
- Where adequate documentation, regarding any details of the event are not provided on request.
- 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 (or any further amendments to said act, or any act which replaces or supersedes said act upon repeal or revision).
- Any event using non-domesticated or domesticated animals for performance purposes, filming, art or similar. Any event that has the explicit agreement of Dartford Borough Council to have animals present will be strictly controlled and will have conditions and stipulations placed upon them. The minimum of these conditions will be the advice contained in the Animal Welfare Act 2006.
- 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, noise 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.
- Any event where it is suspected that any banned or proscribed groups or banned speakers, may be invited to attend or participate in the event.

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, either concurrently or simultaneously, unless otherwise agreed by the Council.
- Events will start and finish at times stipulated by the Council.
- There is a general presumption against major or large events happening in the Park on consecutive weekends, except with the explicit agreement of the Council Senior Leadership Team.

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/events-1/applying-hold-event-terms-conditions>

- All event organisers must complete an Event Notification form to be submitted to the Council at least 14 weeks before the event. This allows the draft documentation to be submitted to the Safety Advisory Group for initial advice and for a Safety Advisory Group meeting to be called if required.
- All final event documentation requested by the Council, must be submitted a minimum of 4 weeks prior to the event.

- Any delays to these timescales may affect the advice and guidance given by the Safety Advisory Group.
- **If documentation is submitted outside of these time scales, it may result in the application being refused or the event cancelled.**

7.0 EVENT SAFETY

7.1 Event organisers are expected to follow the safety requirements are set out in The Purple Guide at <https://www.thepurpleguide.co.uk/> and also the requirements of the law at www.hse.gov.uk.

- Events may need to have a risk assessment, an Event Management Plan, and/or any necessary licenses. Other documents may be required by the Council or the Safety Advisory Group.
- All events are required to have Public Liability Insurance cover for a minimum amount of £10,000,000 (ten million pounds).
- Depending on the type of event, the Council may require the event organisers to attend a Safety Advisory Group meeting, either in person or virtually on Teams or similar. This meeting consists of several specialist Council officers from the Events Team, Environmental Health, Community Safety, Park Rangers 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 Safety Advisory Group meeting is to scrutinise the event management plan and associated documents. They will then question the event organiser 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.
- Following the Safety Advisory Group meeting further or updated documents may be required from the event organiser.
- **Failure to provide any of these documents, or the submission of documents which are not deemed to be fit for purpose, will lead to permission to hold the event being withdrawn.**

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 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 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.

The use of phone apps or similar are not suitable to be used to undertake noise measurements.

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 For events other than those held in Central Park a formal measurement would be 50dB(LAeq 5min) 1m from façade of the nearest property, be it commercial or residential. They should have access to a class 1 or 2 sound level meter and an understanding of how to take such a measurements. These measurements should be recorded and available to the council upon request.

8.3 In general, noise levels for events should adhere to the following unless otherwise agreed with the Council.

- Noise levels should be just above the level of background street noise, but not intrusively so.
- Where possible, an agreement regarding a reasonable sound level should be reached with the businesses/residents around the event.
- Consideration should be given in regard to which direction speakers are facing.
- If any event representative is approached by a resident or business owner regarding sound levels, steps should be taken to re-evaluate the volume.

8.4 Dartford Big Day Out & Big Chill Out (or similar DBC Events).

Dartford Festival had been running for over 80 years and was a much loved, free music and family fun weekend.

It has now been replaced by the Dartford Big Day Out (Saturday) and Dartford Big Chill Out (Sunday). The event takes place over one weekend in July with music taking place between 11:00 and 20:00.

DBDO & DBCO will abide by the noise levels as above unless other agreement has been reached and approved by the Council Senior Leadership Team.

9.0 FEES & CHARGES

9.1 Fees & Charges.

The relevant fees and charges will be implemented as per the Council Fees & Charges document.

9.2 Commercial Events

Although there is a fee structure for the use of the Central Park, other parks or green spaces, the Council reserves the right to negotiate another where the event will have a major impact on the Park, any open space and/or its surroundings, or has the potential to generate a substantial commercial return.

9.3 Fairs.

The relevant fees and charges will be implemented as per the Council Fees & Charges document.

10.0 PROTECT DUTY & SECURITY

10.1 Following the Manchester Arena terrorist incident, legislation was brought in to keep people safe by introducing new security requirements for events, public locations and venues to ensure preparedness for and protection from terrorist attacks.

Event Organisers are expected to prove that they have considered the requirements of the Protect Duty. Failure to demonstrate this may result in any request or application being refused.

10.2 Applicants to use any park or open space are requested to provide information regarding any persons that are speaking at an event. The Council must also provide details of any organisation that the speakers represent or are aligned to. Failure to provide this information may result in any request or application being refused.