

South Woodham Ferrers Town Council

Bandstand Hire Policy & Terms and Conditions

PURPOSE

The policy provides a framework for the hire of the Bandstand and aims to ensure that a range of user groups have fair and equitable access to Council's community facility for entertainment purposes. Along with this policy are our Terms and Conditions of Hire.

SCOPE

The policy applies to the hire by groups and individuals of the: Bandstand located at, Queen Elizabeth Square, South Woodham Ferrers, Chelmsford. Essex, CM3 5TD.

DEFINITIONS

- **Bandstand** is the facility managed and maintained by South Woodham Ferrers Town Council as detailed in the Scope of the Policy.
- **Hirer** is any group or individual entering into an agreement for the use of the Bandstand.
- **Locally based** pertains to organisations that conduct the majority of their activities within the Council area and/or for the primary benefit of the community of South Woodham Ferrers.

PRINCIPLES OF POLICY

The Town Council's Bandstand is not to be used for the purpose of holding any meeting, activity or, event that may be deemed unsuitable, discriminatory or hate inciting. Priority for use of the Town Council's Bandstand will be given to locally based groups and not-for-profit organisations, and for when required for Town Council events.

The Town Council will ensure fair and equitable access for all user groups to its Bandstand.

ITEMS TO CONSIDER

When planning to use the Bandstand you should consider the following:

Risk Assessments/Evacuation Plan

Organisers of an event have a legal responsibility to ensure health, safety and welfare of any employees, volunteers and contractors involved in arranging the event and to the public and participants attending. This should be ensured by carrying out a risk assessment, in which hazards associated with the event should be identified, the level of risk assessed, and the appropriate action or control measure considered to reduce these risks to an acceptable level. Organisers are required to prepare a risk assessment (and evacuation plan for events where it is expected to be large crowds) in advance of the event and submit a copy to the Town Clerk.

Licensing

Under the Licensing Act 2003, a Temporary Event Notice (TEN) may be required for the provision of regulated entertainment or collecting. If you are planning to use the Bandstand it is the responsibility of the hirer to establish if a TEN or any other licenses are required. Contact Chelmsford City Council

licencing on 01245 606727 for further advice. You should also notify the Essex Police using the online form.

Surrounding Land

The limit of the hire is to the edge of the steps on the bandstand. The surrounding land is the responsibility of ASDA, and you require their permission to use the space. As a courtesy, surrounding businesses should be advised of the event.

Insurance

All events will require Public Liability Insurance cover with a minimum £5,000,000 limit of indemnity. You are required to provide a copy of your Public Liability Insurance certificate with your completed application form. Hirers must indemnify the Town Council against any claim, howsoever raised. A copy of the certificate must be attached to completed booking form.

BOOKING PROCESS

The Application

The hirer is advised to read the 'Items to Consider' and the 'Terms and Conditions' before completing and returning the application to hire the Bandstand.

Please send the completed application forms to:

South Woodham Town Council
Champions Manor Hall
94-104 Hullbridge Road
South Woodham Ferrers
Chelmsford. Essex CM3 5LJ
Telephone: 01245 321817 or email debbie@southwoodhamferrerstc.gov.uk

With the application form the following supporting documentation should also be supplied:

- Risk Assessment/Evacuation Plan
A risk assessment template is available on request from the office.
- Public Liability Insurance Certificate
- Event Plan (if applicable)

Application forms should be submitted to South Woodham Town Council a minimum of 2 weeks before the proposed date of the event in order for the application to be considered fully.

Consideration of the Application

South Woodham Town Council will contact the hirer within 2 weeks of receipt of the hirers' application, notifying whether the application has been successful or not. This will be subject to adhering to the Councils' Terms and Conditions, providing the required supporting documentation.

Confirmation

Once the hirer has a confirmation from South Woodham Town Council the hirer may proceed.

A post event inspection must be organised with the officers of the Town Council within 5 days of the events completion.

Any amendments to the application form must be submitted in writing for consideration and authorised by South Woodham Town Council. If the hirer is found to be undertaking any activity that has not been agreed with the Council, this activity will have to cease immediately.

TERMS AND CONDITIONS

Applications

All applications for the hire of the Bandstand are to be addressed to South Woodham Town Council. All applications should be submitted with the required supporting information.

Assignment

The booking shall remain personal to the organisation hiring the Bandstand. The use of the Bandstand shall not be sublet, assigned or transferred to another organisation.

Hire Fee

A commercial daily hire fee of £25 is applicable, which includes the cost of electricity. Payment is due upon receipt of invoice.

For non-commercial use, there is no hire charge for amateur performers; however, such users are required to obtain appropriate Public Liability Insurance.

All bookings must be paid for at the time of reservation, regardless of whether the Bandstand is ultimately used. We reserve the right to apply additional charges to cover any costs incurred in pursuing or taking action in response to non-payment.

Power

If power is required, the key to the electrical cupboard must be collected from the Town Council office the working day prior to the event and returned immediately afterwards.

The bandstand has three 13-amp supplies located in white boxes and accessible with the hire key. Should a hirer require a larger electric supply it will be the hirer's responsibility to provide a generator which will support the need at no cost to the Town Council. The hirer should be mindful when planning their activity and acknowledge this in their Risk Assessment.

Refusal of Booking or Cancellation

The Council reserve the right to cancel any application for the hire of the Bandstand for breach of rules, or where the hirer is not truthful or forthcoming on the details of the event.

The Council reserves the right to withdraw the permission to use the Bandstand but shall not be liable for expense incurred or loss sustained by the hirer as a result of the cancellation.

Cancellation by the hirer must be received in writing to the Council on a working day in advance of the agreed event date. You will be charged if notify us after that you did not hold the event.

Health and Safety

The hirer agrees to undertake a risk assessment for the event and is to ensure all employees, volunteers and contractors involved in organising the event and the public and participants attending the event comply with all relevant health and safety legislation. A copy of the hirers risk assessment must be submitted with the application form.

Insurance and Indemnity

The hirer will insure the event with public liability insurance, with a minimum £5,000,000 limit of indemnity. A copy of the hirers' insurance certificate must be submitted with the application form.

South Woodham Town Council is not responsible and will not accept any liability for loss, damage or injury whilst using the Bandstand. Neither will the Town Council accept any responsibility for loss, damage or theft of any property belonging to the hirer or to a third party whilst it is in the Bandstand.

Failure to produce proof of insurance cover when submitting the application form will delay permission being granted and may lead to cancellation of the booking.

Event Plan

An Event Plan may be required to be presented to the Council with the application form. It is likely that an event plan is required where an event includes a range of performers or activities.

Use of the Bandstand

Permission will only be granted for the use of the Bandstand so long as it meets our Bandstand Hire Policy. The Town Clerk will advise if a hire does not comply or may breach our terms and conditions. No alterations to the structure of the Bandstand are allowed. Any lighting, fittings or seating will not be allowed without prior written consent, which should be included in the application form. We do not provide staffing for the bandstand, and you should plan for the fact of how many people you require.

There must be no alcohol consumed on the Bandstand or any smoking.

The hirer shall not drive nails, screws, staples, pins or any other material into the structure of the bandstand or the flooring. You are liable for any damage to our property.

The hirer must be mindful of the surroundings and not undertake any activities which may present nuisance to neighbours. We reserve the right to restrict the times of use to avoid late finishes or early start times.

Illegal use of the Bandstand

It is an offence to 'make use' of the Bandstand under the Trespass to Land and the Criminal Justice and Public Order Act 1994. We deem 'make use' as carrying out any act for which you would normally be expected to hire the premises.

Litter and Cleanliness

It is the hirers' responsibility to ensure that all litter and rubbish arising from the event is cleared away and taken from the site at the end of the event.

Responsibility of the Council

The Council endeavours to provide the Bandstand in a litter free, clean and well maintained condition as reasonably practicable, for use of the hirer and the general public.

- The Council will undertake maintenance work of the Bandstand as is deemed necessary.
- The Council will maintain a booking system ensuring the avoidance of double bookings.
- The Council will endeavour to process the hirers' application form as expediently as possible.
- The Council will seek to support hirers through the Application process.

Further Information

The officers of the council are available to assist and support you through the application process. Should you have any questions during the application stage then the hirer is encouraged to talk these through with the Council.

REVIEW

The policy will be reviewed regularly or in the event of major changes to legislation or related policies/procedures or if deemed necessary by the Town Clerk.