

<b>Subject:</b>	<b>Outdoor Events Strategy</b>		
<b>Date of Meeting:</b>	<b>16<sup>th</sup> January 2020</b>		
<b>Report of:</b>	<b>Executive Director, Economy, Environment &amp; Culture</b>		
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<b>Ward(s) affected:</b>	<b>All</b>		

## FOR GENERAL RELEASE

### 1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 In March 2019 the Tourism, Development & Culture Committee adopted the Outdoor Events Strategy (see appendix 1) and instructed Officers to prepare a report which considered the implications of amending the Outdoor Events Strategy as follows:

- (i) To introduce an Environmental Impact Charge, as requested by respondents to the consultation (and successfully applied in Oxford) to fund maintenance and care of the spaces used, including support for “Friends of” parks and open spaces associations;
- (ii) to request that all outdoor events on council-owned land sign up to the Outdoor Events Charter, irrespective of visitor numbers;
- (iii) that as part of the ongoing review of Hire Charges and Fees, consideration is given to options for a fairer way of calculating charges such as aligning them with commercial event income or attendance figures;
- (iv) that a transport plan is developed for large events (500+ attendees) that makes provision for maintaining access to sustainable transport corridors during the event where practicable and agreed by the Safety Advisory Group, and encourages access to events via sustainable transport in line with the Sustainable Event Commitment.

1.2 The Committee also instructed Officers to prepare a report which considered the implications of amending the Outdoor Events Charter as follows:

- (i) discouraging the use of performing animals in events on council-owned land;
- (ii) a commitment to reduce waste creation at source;

- (iii) a commitment to the Brighton Living Wage;
  - (iv) a commitment to comply with key BHCC corporate commitments as they affect communities, such as policies developed in relation to Licensing and Environmental Health.
- 1.2 Each proposed amendment is listed in the paragraphs below (3.2 to 3.21) followed by the proposed action for each issue.
- 1.3 This report also discusses the following:
- The issue of sky litter generated by outdoor events
  - The creation of a report on events' compliance to the Outdoor Events Charter
  - A review of fees and charges for outdoor events 2020/21.

## **2. RECOMMENDATIONS:**

- 2.1 That the Committee requests an annual report on compliance with the Outdoor Events Charter.
- 2.2 That the Committee agrees the requirement for outdoor events with over 5000 participants/attendees to complete an Environmental Impact Assessment and Action Plan and that this requirement is included as part of the Outdoor Events Charter.
- 2.3 That the Committee agrees the actions proposed in paragraphs 3.2 to 3.21 below are adopted.
- 2.4 That the Committee agrees that releases which result in sky litter are not permitted at events throughout the council's parks and open spaces.
- 2.5 That the Committee agrees the increase in fees and charges for Outdoor Events for 2020/21 as listed in appendix 2.

Note: If the above recommendation 2.5 is not agreed, or if the committee wishes to amend the recommendations, then the item will need to be referred to the Policy & Resources Committee meeting on 13 February 2020 to be considered as part of the overall 2020/21 budget proposals. This is because the 2020/21 budget proposals are developed on the assumption that fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, will have an impact on the overall budget proposals, which means it needs to be dealt with by Policy & Resources Committee as per the requirements of the constitution. This does not fetter the committee's ability to make recommendations to Policy & Resources Committee.

## **3. CONTEXT/BACKGROUND INFORMATION**

- 3.1 A series of cross-party meetings on the amendment have been held since the previous report was considered by the committee. These meetings have been helpful to achieve a proposed consensus across most of the issues raised in the amendment. The only issue on which a consensus was not achieved was the

introduction of an Environmental Impact Charge. These issues are now considered with the wording of the amendment in italics:

Environmental Impact Charge/ Equalities Impact Assessment /Action Plan

Proposed amendment: *“To introduce an Environmental Impact Charge, as requested by respondents to the consultation (and successfully applied in Oxford) to fund maintenance and care of the spaces used, including support for “Friends of” parks and open spaces associations”.*

- 3.2 Response: The charge was not successfully applied in Oxford. Officers have met with colleagues from Oxford who advised the proposed charge proved unpopular, was not implemented and has subsequently been removed from their fees and charges. Brighton and Hove City Council are members of LAEOG – the Local Authority Event Organisers Group. This group covers numerous Local Authorities throughout the UK. Having consulted with LAEOG there are no authorities that currently have this specific charge, in this type of format.
- 3.3 This does not mean the city council should not be at the forefront of sustainable event delivery. The council were the first Local Authority to gain the British Standard in Sustainable Event Management. There is the opportunity for the council to build on that reputation with the introduction of Environmental Impact Assessments (EIA) for the most impactful events (with over 5000 participants/attendees) taking place in the city’s parks and open spaces. The EIA and Action Plan will be a more stringent requirement than the existing Sustainable Events Commitment (attached as Appendix 2).
- 3.4 There were 253 events held in the city’s parks and open spaces in 2019. It is proposed that events of over 5,000 attendees, either at one time or as a cumulative total of a long run (e.g. The Spiegeltent, The Warren, Ladyboys of Bangkok etc) complete an Environmental Impact Assessment (EIA). There were 61 events that attracted over 5,000 people in 2019, whilst this is less than 25% of the number of events, it represents over 80% of the annual attendance of events. The EIA will require event organisers to focus on key elements of sustainable event management:-
- Energy and Water
  - Travel and Transport
  - Care of space / reinstatement
  - The reduction and ultimate elimination of single use plastic
  - Waste, including food waste, and Recycling
- 3.5 The Events Industry is in general comparatively young, both in terms of organisers and attendees. This demographic in particular expect that all sustainable options have been explored and implemented by event organisers. Most large scale organisers have sustainability very high up their agenda when staging events, not least because of the reputational damage that can be caused, resulting in financial loss.
- 3.6 The system of charging event organisers a re-instatement deposit against any damage caused by their event will remain. Approximately £20,000 was spent by event organisers in re-instatement in 2019.

- 3.7 The compliance to this EIA will be monitored by the Outdoor Events Team and reported back to committee as in 2.1.
- 3.8 Events of less than 5000 people will continue to be encouraged to support the Sustainable Events Commitment, in order that measures continue to improve the sustainability of the wider events programme .
- 3.9 **The proposed action is therefore to introduce the requirement that for outdoor events with over 5000 participants/attendees, event organisers complete an Environmental Impact Assessment and Action Plan.**

Outdoor Events Charter - Scale of events

Proposed amendment: *“To request that all outdoor events on council-owned land sign up to the Outdoor Events Charter, irrespective of visitor numbers”.*

- 3.10 Response: The Outdoor Events Programme includes over 250 events which range in scale from a few people to over 250,000 people attending Pride. The proposal of the introduction of the EIA will cover the most impactful events. It would not be practical for the smaller events, usually run by community volunteers, to be able to sign up to the Outdoor Events Charter due to the scale of the requirements. Organisers of small events will be encouraged to maximise the sustainability of their event through the existing Sustainable Events Commitment.
- 3.11 **The proposed action is therefore not to make this amendment as the objective is met by the other actions set out in this report.**

Fees and Charges

Proposed amendment *“That as part of the ongoing review of Hire Charges and Fees, consideration is given to options for a fairer way of calculating charges such as aligning them with commercial event income or attendance figures.”*

- 3.12 Response: The cross party meetings gave the opportunity for the range of factors that are taken into account when negotiating with commercial events to be explained in more detail. These include the income generated by the event and attendance figures, together with the nature of the event including commercial risk and costs involved in staging, amongst other factors. Support was provided for the way in which the Outdoor Events Team negotiates with commercial event organisers and therefore this is proposed to continue.
- 3.13 **The proposed action is therefore to continue with the current approach to negotiating with commercial event organisers.**

Transport Plan

Proposed amendment: *“that a transport plan is developed for large events (500+ attendees) that makes provision for maintaining access to sustainable transport corridors during the event where practicable and agreed by the Safety Advisory*

*Group, and encourages access to events via sustainable transport in line with the Sustainable Event Commitment”*

3.14 **Response:** A Travel and Transport plan would be one of the central pillars of the proposed EIA. The council would not expect the Safety Advisory Group to need to agree such plans. The Council’s Events and Highways teams are involved in the Transport and Travel plans for major events. Both teams are acutely aware of the need to keep sustainable transport corridors open whenever practical.

3.15 **The proposed action is that this is included in the EIA.**

### **Outdoor Events Charter**

#### Performing Animals

Proposed amendment: *“Discouraging the use of performing animals in events on council-owned land”*

3.16 **The proposed action is that this will be added to the Outdoor Events Charter.**

#### Waste

Proposed amendment: *“a commitment to reduce waste creation at source”*

3.17 **The proposed action is that as this is currently included within point 7 of the charter it will be further reinforced by the introduction of the EIA.**

#### Brighton Living Wage

Proposed amendment: *“a commitment to the Brighton Living Wage”*

3.18 **The proposed action is for this to be included within the Charter.**

#### Corporate Commitments

Proposed amendment: *“a commitment to comply with key BHCC corporate commitments as they affect communities, such as policies developed in relation to Licensing and Environmental Health”*

3.19 **Further action is not proposed as events already need to comply with any specific licence requirements. The Corporate Policy Team have confirmed that there is not a defined list of corporate policies and therefore it would not be practical to include this as an additional requirement.**

#### Single Use Plastic

Proposed amendment : *“To amend the Sustainable Events Commitment for Outdoor Events, to require event organisers to find alternatives to single use plastics where possible”*

- 3.20 **The proposed action is that this will be included in the proposed EIA and the Sustainable Events Commitment for smaller events.**

#### Annual Feedback Report

Proposed amendment :“To request that this committee receives annual feedback on compliance with the Charter, with a presumption against granting future permission to events that show clear disregard for the Charter”.

- 3.21 **The proposed action is that an Annual Feedback Report will be introduced. When the first report is compiled consideration can be given whether to recommend that compliance with the Charter is a pre-requisite for future permission. It will be helpful to trial the Charter for the events season and review its effectiveness prior to deciding upon the implications of non-compliance.**

#### SKY LITTER

- 3.22 A deputation raising concerns about the mass release of balloons and the consequent impact on the environment has previously been considered by Council and the then Policy, Resources and Growth Committee. The consideration of various issues in relation to outdoor events in the city in this report gives the opportunity to formalise the council’s position on “sky litter”.
- 3.23 In terms of events, sky litter is predominantly generated by aerial lanterns, Chinese lanterns or balloon releases. These present a threat to the natural environment. Both can cause serious harm and death to wildlife through ingestion, entanglement and entrapment.
- 3.24 The recommendation in 2.4 proposes prohibiting such releases anywhere throughout the councils’ parks and open spaces. The council’s website offers the public suggested alternatives for commemorative events.

#### FEES AND CHARGES

- 3.25 The fees and charges for services are reviewed annually in line with the Corporate Fees & Charges Policy. As a minimum, all fees and charges are increased by the corporate rate of inflation which has been set at 2.0%. The council’s Standard Financial Procedures states that service committees shall consider fees and charges where variations are proposed above the corporately applied rate of inflation.
- 3.26 A table of proposed fees and charges for 2020/21 for Outdoor Events is included as Appendix 3. The fees and charges are proposed to increase in the region of 5% to achieve an estimated increase in total income of £8,000 which is a proposed budget saving for 2020/21.
- 3.27 The fees and charges have been benchmarked against similar comparator authorities which has indicated there is scope for such an increase. Also, it is felt that the market for events in the city would be able to sustain such an increase.

## **4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The cross-party meetings enabled the issues raised to be discussed and a range of options considered.

## **5 COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Outdoor Events Strategy was originally developed in consultation with a range of stakeholders including:

- BHCC departments
- Business stakeholders
- Local stakeholders
- Event organisers
- Public consultation

## **6. CONCLUSION**

- 6.1 Approval of the proposed recommendations in relation to the Outdoor Events Strategy would enable the Strategy and Charter to be implemented, which would enable the further development of the Outdoors Events Programme.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The fees and charges recommended in this report have been reviewed in line with the Corporate Fees & Charges Policy and all relevant regulations and legislation. The anticipated recurring financial impacts of fee changes will be reflected within service revenue budgets. Increases to meet the corporate rate of inflation of +2% are normally applied to all council income budgets to ensure income is maintained as a proportion of the net cost of service. Increases above or below the corporate rate of inflation require approval by the relevant service committee or Policy & Resources Committee and can result in additional contributions toward the cost of services and/or corporate and service overheads. This can also result in the achievement of a net budget saving to the council. Where this is the case, this will be reflected in 4-Year Budget Plan proposals for the relevant service and will be incorporated within the revenue budget report to Policy & Resources Committee and Budget Council in February 2020. Income from fees and charges is monitored as part of the Targeted Budget Monitoring (TBM) process.

*Finance Officer Consulted: Jess Laing*

*Date: 16/12/2019*

### Legal Implications:

- 7.2 There are no legal implications arising directly from the recommendations. Under the provisions of section 145 of the Local Government Act 1972 the Council is permitted to facilitate events on Council land and charge third parties for holding events on Council land on such terms as to payment or otherwise as the Council thinks fit. An Environmental Impact Charge could therefore be

permitted by this piece of legislation although this has not been tested as no other authorities have introduced such a charge.

*Lawyer Consulted: Alice Rowland*

*Date: 06/01/2019*

Equalities Implications:

- 7.3 The Events Programme caters for people from across the community as there are a diverse range of events that are staged in the city each year. The Council would need to ensure that a proposal for the Outdoor Events Charter to be universally signed up to would not disadvantage smaller economic operators or indirectly discriminate against a person or group with a protected characteristic and the Council should therefore carry out an equalities impact assessment before introducing this proposal.

Sustainability Implications:

- 7.4 A key aim of the proposed Events Charter is to develop the most sustainable events that help protect the environment. The recommendation to require event organisers of large events to complete an EIA and Action Plan will enhance the achievement of this aim.

Any Other Significant Implications:

Public Health Implications

- 7.5 Outdoor events make an important contribution to the health and well-being of a local community.

## **SUPPORTING DOCUMENTATION**

### **Appendices**

1. Outdoor Events Strategy
2. Sustainable Event Commitment form
3. Proposed Fees and Charges 2020/21 table

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. Report to Tourism, Development & Culture Committee of 7<sup>th</sup> March 2019.