



Policy for use of land in the ownership of Melksham Town Council by a third party

Parks and playgrounds are important community facilities and are provided for the free enjoyment of residents and visitors. We are very supportive of activities that help promote the health of our residents and build a strong community.

Access to park facilities shouldn't be unduly restricted to members of the public because of organised commercial activities, and we therefore require all such activities to be preapproved by the Council.

We also believe that those making financial gain from park facilities should contribute to their upkeep and improvement, to ensure we provide the best possible facilities for our residents.

1.0 Types of Requests

Requests to use Council owned land for a variety of activities and events are regularly received from: members of the public, private organisations, charitable bodies and others. These requests include:

- a) Permission for use of land for supervised sporting events
- b) Permission for use of land for entertainment and fun days
- c) Permission for the temporary siting of builder and contractor compounds for cabins and materials
- d) Dog training classes
- e) Exercise classes by fitness and personal trainers

The above list is not exhaustive.

A formal request by a third party may be made by completing a Town Council Events Booking Form and submitting it at least four weeks prior to the event to:

Post: The Town Clerk, Melksham Town Council, Market Place, Melksham, SN12 6ES

Email: linda.roberts@melksham-tc.gov.uk

2.0 Requests that will not be granted

2.1 Requests for permission to use land for bonfires and firework displays will not generally be granted but may be considered on a case-by-case basis because of the risk and associated dangers to both the public and the land itself.

2.2 Requests for permission to use drones on Council land will not generally be granted but may be considered on a case-by-case basis.

3.0 Requests that will be considered

3.1 Applications for permission that fall within the categories noted in 1.0 a) - e) above will be considered when supported by the following information:

3.1.1 The hirer shall provide the Council with a copy of their Public Liability Insurance which must provide cover for a minimum of £10m.

3.1.2 A Risk Assessment shall be provided giving the following information:

- details of the event/activity including the expected number of participants
- contact details of the hirer (both daytime and emergency out of hours)
- first aid provision
- actions required to ensure the Health & Safety of those in attendance and the general public
- a method statement which should include some or all of the following:
 - date of commencement, date of completion & start and finish times
 - plan showing vehicular/pedestrian access and egress, location of facilities (e.g. first aid tent, toilets etc.)
 - marshalling of parking/ general parking issues
 - fencing/containment/security
 - hazardous materials on site/COSHH assessment
 - access requirements for deliveries
 - operator licence (if applicable)
 - control of noise
 - other anticipated risks
 - connection to/or temporary use of Gas, Electricity, Water, Telecom, Sewer services.
 - welfare facilities, e.g. portable toilets etc.
 - reinstatement & litter picking to return the land to its original condition prior to the event or activity
 - line of communication between hirer and Melksham Town Council

3.1.3 For other events and regular activities, the Council will determine the need for a Risk Assessment and the information required to be covered therein.

3.2 In producing the information set out above the hirer should be mindful of the following:

3.2.1 Submission of application, insurance and risk assessment information does not constitute permission from Melksham Town Council. The Council will, after assessing the information, provide a written response giving approval or refusing the application. Where approval is given the third party

shall sign a written agreement and pay the requested fee before they are allowed in occupation of the land.

3.2.2 Any permission for use of Council land by Fitness and Personal Trainers shall include the following provisions:

- No trainer will be allowed to run sessions totalling more than six hours per week on any Council owned site.

- That the trainers undertake responsibility, through their insurance, to pay for the repair or replacement of any Council owned property damaged during the course of any training sessions.

3.2.3 Returning the land to its original condition shall be done to the satisfaction of Melksham Town Council. To this end the land will be jointly inspected by the hirer and Melksham Town Council before and after its occupation.

3.2.4 The permission agreement states that the Council will not be responsible for the death or injury of anyone taking part in the event, nor other injury, loss or damage to property of whatsoever nature, however caused.

3.2.5 The hirer and all other parties taking part in the activity/event are bound not to damage, cause any loss or injury to anything upon the property or land which is the subject of the permission agreement.

3.2.6 Requests to erect marquees, water storage and the like, will be considered and where permitted will be itemised in the permission agreement and included in the indemnity clause, so as not to constitute a risk to the Council.

3.2.7 Where requests are received for purposes other than those outlined above, these will be considered individually on their merits and where considered appropriate will follow the procedures set out in 3.1 & 3.2 above.

4.0 Fee

4.1 The Council reserves the right to set fees for the use of its land. The fee charged will be assessed on the event concerned. (See appendix A)

4.2 The fees set by the Council are subject to periodic review.

4.3 The Council may waive the fee at its discretion. Waiver is likely only in the case of charitable events.

4.4 Charges are not applicable for professional dog walkers or personal trainers carrying out sessions with fewer than five participants. However, carrying out the activities will be at your own risk. We ask you to respect other park users, and request that you do not monopolise any park facilities or inconvenience other park users.

APPENDIX A

Melksham Town Council Hire of public and green spaces – fees and charges

Type of event	Day Charge**	Hourly Charge	Deposit
Non-commercial community / charity event	*	*	50% of hire charge
Commercial small event (100 people or fewer)	£150	£20	50% of hire charge
Commercial large event (between 101-499 people)	£400	£30	50% of hire charge
Commercial event for more than 500 people	£600	£40	50% of hire charge
Advertising/ TV Shoot	£1,000	N/A	£1,000
Additional fees (litter picking after event, use of water/electricity to be decided on an ad hoc basis)	Based on usage.	£20 per hour for litter picking.	N/A

*Charges to be set upon discussion with the Clerk

**A day charge is for 12 hours

Personal Training Hire

Event	Annual Fee
Fitness/Personal Training Hire (Single Site) 12-month permit – maximum 6 hours per week	£180
Number of participants	Per session charge
Up to 5	Free
5-10	£5
11-20	£10
21 and above	£15