



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR
Tel: 01768 899 773 Email: office@penrithtowncouncil.gov.uk

CORNMARKET BANDSTAND HIRE POLICY

INTRODUCTION

The Bandstand is located within Penrith Town Centre and is primarily available for use and hire to community groups, charities and for promotional events.

The Bandstand Hire Policy has been designed to provide information to individuals and organisations wishing to hire the Bandstand in Penrith.

ITEMS TO CONSIDER

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

Risk Assessment

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 in advance of the event and submit a copy to Penrith Town Council.

Licensing

Under the Licensing Act 2003, a Temporary Event Notice (TEN) may be required for the provision of regulated entertainment. If you are planning to use the Bandstand for any of the following activities a TEN licence may be required:

- the performance of a play.
- the exhibition of a film.
- a performance of live music.
- any playing of recorded music.
- a performance of dance; and
- entertainment of a similar description.

Should your event be associated with any of the activities outlined above then you should contact Westmorland and Furness Council who are the Licensing Authority on 0300 373 3300 to establish if a TEN is required.

Insurance

All events will require Public Liability Insurance cover with £5,000,000 limit of indemnity.

You are required to provide a copy of your Public Liability Insurance Certificate to the Council with your completed Application to Hire the Bandstand 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 form.

Please send completed application forms to:

Penrith Town Council

Unit 1, Church House

19-24 Friargate

Penrith

CA11 7XR

By email to office@penrithtowncouncil.gov.uk

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

- Risk Assessment
- Public Liability Insurance Certificate
- Event Plan (if applicable)

Application forms should be submitted to Penrith Town Council a minimum of 4 weeks before the proposed date of the event in order for the application to be considered fully.

Consideration of the Application

Penrith Town Council will contact the hirer within 2 weeks of receipt of the hirer's application, notifying whether the application has been successful or not. This will be subject to adhering to the Council's Terms and Conditions.

Confirmation

Once the hirer has received a letter of confirmation from Penrith Town Council the hire may proceed.

Having received confirmation of a booking from the Council, the hirer shall arrange to meet a representative of the Council to undertake a pre-event inspection. It is recommended that the inspection is undertaken within 5 days of the event. To arrange the inspection please contact the office on 01768 899773 or email scmanager@penrithtowncouncil.gov.uk

If the hirer is found to be undertaking any activity not agreed by the Council, this activity may have to cease immediately.

TERMS AND CONDITIONS

Applications

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

Assignment

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

Hire Fee

The fees and charges for the Bandstand are agreed by the Council annually. The hire fee will be charged in accordance with the approved fees and charges.

Hirers will be charged for the use of the Bandstand by invoice following the event.

Refusal of Booking or Cancellation

The Council reserves the right to cancel any application for the hire of the Bandstand without being required to give any such reason for the cancellation.

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

Cancellation by the hirer must be received in writing to the Council in advance of the agreed event date.

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 comply with all relevant health and safety legislation. Measures to ensure the safety of the participants, performers and members of the public attending the event should be considered in the event risk assessment.

A copy of the hirers risk assessment must be submitted with the Application to Hire the Bandstand form.

Where a hirer requires use of the Bandstand electric supply, the hirer should be aware that the electrical sockets are set up high in the Bandstand structure. The hirer should be mindful of this when planning the activity and acknowledge this within their Risk Assessment.

Insurance and Indemnity

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

Penrith Town Council is not responsible and will not accept any liability for any loss, damage, injury whilst using the Bandstand.

Failure to produce proof of insurance cover when submitting the Application to Hire the Bandstand 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 to Hire the Bandstand form. It is likely that an event plan is required where an event includes a range of performers or activities or is part of a larger town centre event. The Event Plan should be presented to the Council at least 21 days prior to the event.

The Event Plan would be expected to include main event organiser, programme of events, spectator details, stalls and shows, health and safety, equipment, power requirements, first aid, timings, and any other information considered appropriate to the event.

Use of the Bandstand

The hirer shall not use the bandstand for any purpose whatsoever other than the activity identified on the Application to Hire the Bandstand form and approved by the Council.

No alterations to the structure of the Bandstand are allowed. Any lighting, fittings or seating will not be permitted without prior written consent.

The hirer shall not drive any nails, screws, staples, pins into any part of the structure of the bandstand.

The hirer must be mindful of the surroundings and not undertake any activities which may present nuisance to neighbours.

Litter and Cleanliness

It is the hirer's responsibility to ensure that all litter and rubbish arising from the event is cleared away or placed in the litter bins on site.

Responsibility of the Council

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

The Council will undertake maintenance work to the Bandstand as is deemed necessary.

The Council will maintain a booking system ensuring the avoidance of double bookings.

The Council through its Community Caretaker Contract will inspect, clean, and maintain the Bandstand.

The Council will ensure that electrical testing certificate checks are undertaken and remain in date to meet legislation.

The Council will endeavour to process the hirers Application Form as expeditiously 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.

APPROVED: 25 September 2023

Reviewed: September 2027