

Notice of meeting and agenda

Regulatory Committee

9.30am Tuesday, 5th March, 2024

Dean of Guild Court Room - City Chambers

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The law allows the Council to consider some issues in private. Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.

Contacts

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1. Order of Business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of Interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Deputations

- 3.1 If any.

4. Minutes

- 4.1 None.

5. Forward Planning

- 5.1 None.

- 5.2 None.

6. Business Bulletin

- 6.1 None.

7. Executive Decisions

- 7.1 Public Entertainment Licensing - Amusement Devices: 5 - 40
Application Fees – Report by the Executive Director of Place

8. Routine Decisions

- 8.1 None.

9. Motions

9.1 None.

Nick Smith

Service Director, Legal and Assurance

Committee Members

Councillor Neil Ross (Convener), Councillor Jack Caldwell, Councillor Denis Dixon, Councillor Margaret Arma Graham, Councillor Martha Mattos Coelho, Councillor Joanna Mowat, Councillor Susan Rae, Councillor Val Walker and Councillor Norman Work

Information about the Regulatory Committee

The Regulatory Committee consists of 9 Councillors and is appointed by the City of Edinburgh Council.

This meeting of the Regulatory Committee is being held in the Dean of Guild Court Room - City Chambers and virtually by Microsoft Teams.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Jamie Macrae, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4264, email jamie.macrae@edinburgh.gov.uk / jacqueline.boyle@edinburgh.gov.uk.

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Regulatory Committee

9.30am, Tuesday, 5 March 2024

Public Entertainment Licensing – Amusement Devices: Application Fees

Executive/routine
Wards

Executive
All

1. Recommendations

- 1.1 Regulatory Committee is asked to:
 - 1.1.1 Note the outcome of stakeholder consultation on public entertainment fees – amusement devices; and
 - 1.1.2 Agree the revised fee structure for Public Entertainment – Amusement Devices Licences for ‘community events/gala days’ at Appendix 1.

Paul Lawrence

Executive Director of Place

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Public Entertainment Licensing – Amusement Devices: Application Fees

2. Executive Summary

- 2.1 This report provides information on the outcome of consultation with stakeholders with respect to certain Public Entertainment Licence Amusement Devices (PELAD) application fees, which affects licences for gala days and community events including the provision of amusement devices. It further proposes a revised fee scale for these applications and a guidance document for potential applicants for PELAD.

3. Background

- 3.1 The Council is a licensing authority under the [Civic Government \(Scotland\) Act 1982](#). The Act allows the Council to set fees for licences. The key underlying principle is set out in Paragraph 15 of Schedule 1 to the Act, which provides that the licensing authority shall seek to ensure that the total amount of fees received by the authority is reviewed from time to time and is sufficient to meet the expenses of the authority in exercising their functions under the Act. In other words, licensing fees must be set on a cost recovery basis.
- 3.2 On 2 October 2023, Committee [agreed](#) to a stakeholder consultation with respect to the licensing of gala days, in advance a decision being made about adjustments to the relevant licence application fees. In relation to gala days, the form of consultation was to be a short-term working group consisting of licensing officers, Regulatory Committee spokespeople and representatives of community gala day committees. Committee also requested dialogue with colleagues in Public Safety around reintroducing in-person inspections, which is on-going.
- 3.3 The fees applied to community events have been contentious since the Act was modified to remove the ‘free to enter’ exemption for Public Entertainment Licences (PEL), with the fee structure modified several times until its current form was agreed in 2015. As such, the fees have been restricted and not subject to the annual inflationary uplift in order to support community events. There is no fee charge for a free to enter event run by a community group with a capacity up to 500 persons.

Thereafter, the fee increases in steps up to events with a capacity of 2,500 persons but is still heavily discounted when compared to the fees for commercial operators.

- 3.4 In addition, for many decades the Council has charged a separate fee for the licensing of amusement devices of the type used at funfairs, such as bouncy castles, merry-go-rounds etc. This remains separate from the licence required for community events, and there has been no change in that fee structure since 2015.
- 3.5 In practice, an issue often arises where a community group or organisers of a gala day invite a commercial funfair organiser to provide funfair rides at the gala. The Council's longstanding position is that these rides should not be included under the PEL granted to the community group, as the reduced fee was never intended to cover what is commercial activity. In addition, a community group would not normally have the skills, experience or insurance to safely operate funfair rides and therefore a commercial operator should obtain its own PEL.
- 3.6 Also, some event organisers register as a charity and seek reduced fees on that basis. Charitable status for the purposes of licensing has been interpreted as all proceeds from the event being donated to charity.
- 3.7 During the period 2020/21, there were no significant galas in Edinburgh due to the public health restrictions that were in place at that time. In 2022 there was a small-scale return, but it was only in 2023 that gala and funfair numbers returned to pre-pandemic levels. No changes to the fee structure were made in the intervening period other than fee increases as part of the Council's budget process. However, it has recently become clear that a perception exists that fees for amusement devices are a new requirement. This is partially due to some past applicants not having shared the full details of the events and as previously advised, partially due to inconsistent charging by the Licensing Service.

4. Main report

- 4.1 Concerns had been raised with respect to the application fees for PELADs which would apply for events, and in particular community events with amusements such as gala days.

Community events such as 'gala days'

- 4.2 Support for community events remains a priority for the Council, but Members will be aware of queries about the effect of the cumulative costs charged by the Council to community event organisers for licensing, road closures, staging, use of parks and how the total costs were making community events cost-prohibitive.

Amusement devices

- 4.3 It is clear from enquiries received that there was confusion amongst applicants regarding where responsibility for managing the risk associated with 'amusement devices' such as bouncy castles lay. It was also clear that the responsibility for

applying for this licence was incorrectly being handled by event organisers rather than the operators of the equipment. This was due in part to operators dictating the terms of attending the event, and partially as the organisers were unaware that this practice is incorrect as it potentially puts their insurance cover at risk.

Stakeholder consultation

- 4.4 Officers met with stakeholders on 13 November 2023 and 29 January 2024 to discuss PEL fees for 2024 onwards, and in particular how community events with amusement devices are charged and where liability sits regarding health and safety of equipment.
- 4.5 The following issues were discussed with representatives of organisations with an interest in community gala days (Appendix 1):
 - 4.5.1 Level of application fees and what checks such fees cover;
 - 4.5.2 Accessibility and clarity of current application procedure; and
 - 4.5.3 Whether Council officers could provide more support to applicants and engagement with businesses providing amusement devices.
- 4.6 The PEL application fee for community gala days is heavily discounted, which proactively supports and encourages this type of event. The reduction in fee is recouped by the fees charged to commercial events, ensuring that licensing fully recovers its costs and therefore is cost neutral to the Council. The application fee is a contribution towards the administration and processing of the application, consultation with statutory and non-statutory consultees, any inspections carried out, advice and guidance and the cost of any enforcement activity.
- 4.7 As the Act allows the Council to set fees for licences to provide that fees are on a cost recovery basis, any reduction in fees needs to be factored into the overall costs of Civic licensing. Different fees can be charged for different business types.
- 4.8 Any reduction in fees is off set by increasing fees for commercial operators, with a reduced PEL application fee is already in place for Gala Days, at £187 for capacity of up to 2,500 people in attendance at one time rather than the equivalent commercial fee at £3,400.
- 4.9 The provision of entertainment such as bouncy castles/fair ride equipment etc. must be covered by a PELAD in addition to any PEL obtained by the event organisers. The holder of any licence is legally responsible for the safety of the activity, and as the commercial operator of an Amusement Device is the specialist in the equipment and its set-up, they should apply for the PELAD and run the activity. Should Gala Day organisers deviate from this approach, they should consider obtaining independent advice, including on whether this may invalidate any insurance policy obtained for the event.
- 4.10 Site inspections by the Public Safety team provide an overall safety assessment of an event, including layout, pedestrian entry/exit, traffic, certification etc. This inspection is carried out to support event organisers, however it is important to note

that it is the responsibility of the licence holder to satisfy themselves that appropriate safety checks have been made (for instance, by obtaining relevant certification). The Council will not check individual pieces of equipment and therefore it is imperative that the operators/owners of the equipment are responsible for the safety of the equipment. The Council bears no shared responsibility for any failure in this regard.

4.11 Discussions with representatives of suppliers of amusement devices on 8 January 2024 included the following areas:

4.11.1 Safety, and in particular information about the required standards;

4.11.2 Fees;

4.11.3 Equipment inspections and what support could be provided by the Council in this respect;

4.11.4 A desire for a closer relationship with the Council, and Public Safety in particular.

4.12 Attendees thanked officers for the opportunity to discuss these issues and welcomed the stated intent to develop a closer working relationship.

Proposed amendments to application fee structure

4.13 As a result of the above discussions, it is proposed that Committee agrees the fee structure at Appendix 1, to take effect from 1 April 2024. The suggested level of fees reflects the Council desire to continue its support for community events.

4.14 The proposed PELAD application fees are only for applications from small operators of equipment such as bouncy castles which are asked to operate at community-based events such as Gala Days. They can only be applied for when a PEL is also applied for to cover the whole Gala Day/Community event.

4.15 The proposed fees are not intended for operators of any large mechanical equipment such as Waltzers, mechanical rides or for Fun Fairs. The fees for the larger equipment and Fun Fairs will remain at the commercial rate (even if operating adjacent to a community-based event).

Guidance for event organisers

4.16 A guidance document has been created to support organisers planning an event (Appendix 2), which highlights factors that organisers many need to consider when organising their event. It includes contact details for Council services and a checklist.

5. Next Steps

5.1 If agreed by Committee, officers will arrange for licence holders to be informed of the revised fee structure for applications for Public Entertainment Licences from 1 April 2024.

6. Financial impact

- 6.1 Any reduction on licence fee income must be contained within the Licensing budget, as fees must be on a full cost-recovery basis. Any discount on licensing fees will be offset by fees charged to other Civic licence holders. Therefore, there is no impact on the Council budget.

7. Equality and Poverty Impact

- 7.1 Where required, an integrated impact assessment will be carried out as part of any proposed changes to the PEL fee structure.

8. Climate and Nature Emergency Implications

- 8.1 There are no foreseen climate or nature emergency impacts as a result of this report.

9. Risk, policy, compliance, governance and community impact

- 9.1 Engagement took place with relevant stakeholders, including community and trade representatives.

10. Background reading/external references

- 10.1 [Public Entertainment Licence fees.](#)
- 10.2 [Review of Fee Structures](#) – report to Regulatory Committee 2 February 2015.
- 10.3 [Public Entertainment Licensing – Interim Fee Proposals](#) – report to Regulatory Committee 9 March 2012.
- 10.4 [Public Entertainment Licensing – Public Consultation on Amendments to the Resolution](#) – report to Regulatory Committee 20 April 2012.
- 10.5 [Public Entertainment Licensing: Application Fees](#) – report to Regulatory Committee 2 October 2023.

11. Appendices

Appendix 1 – Proposed fees.

Appendix 2 – Revised guidance document.

Appendix 1

Public Entertainment Licence application type			Gala days or Community Events Additional fee payable for amusement devices	
Commercial Operation	New licence –(1 year) or a Temporary licence for a period up to 28 days	Renewal (1 year)	Amusement Device Capacity	Fee due
Capacity 1 –200	£1319	£1068	Up to 20 people	£50
Capacity 201 - 1000	£1973	£1319	21 - 60	£125
Capacity 1001 - 5000	£3957	£2634	61 - 80	£250
Capacity 5,001 - 10,000	£7914	£5268	Note - The fees above apply to Gala days and Community Events only. Fees are based on the capacity of the amusement device/s only and are payable in addition to any fee due for a public entertainment licence application.	
Capacity 10001 - 15,000	£15419	£9638		
Capacity greater than 15000	£16625	£12467		
Non Commercial Operation	Free to enter events	1 Year		
Capacity up to 500	No fee	No fee		
Capacity 501 –2500	£187	£496		
Capacity 2501 –5000	£371	£990		
Capacity greater than 5000	25% discount on commercial fee	25% discount on commercial fee		
Non Commercial Operation	Pay to enter events	1 Year		
Capacity of up to 250	No fee	No fee		
Capacity 251 - 2500	£187	£496		
Capacity 2501 - 5000	£371	£990		
capacity greater than 5000	25% discount on commercial fee	25% discount on commercial fee		

Guidance for applicants applying for a Public Entertainment Licence with Amusements

to be eligible to apply the following criteria must be met:

1. Anon-commercial operation is a charitable, religious, youth, sporting, community, political or similar organisation. Only Gala days or Community Events can apply for Community Event/Gala Day Public Entertainment Licence with Amusements at the reduced rates.
2. An application for a Community Event/Gala Day Public Entertainment Licence with Amusements at the reduced rate can be made only in respect of Gala days or Community events. A funfair or similar activity is expressly excluded from the definition of such.
3. An application for a Public Entertainment Licence with Amusements, must be submitted after the application for a Community Event/Gala Day has been received by the licensing service. This application should include the reference number for the Community Event/Gala Day which is provided by the Licensing Service.
4. To be eligible for the discounted rate, only the owner/operator of the amusement equipment i.e. the owner of the bouncy castle, can make an application for Public Entertainment Licence with Amusements.
5. The insurance for the amusement equipment must be in the name of the owner/operator.
6. The amusement device capacity should be total capacity of all pieces of equipment i.e. 2 bouncy castles with combined capacity of 20 would pay £50.



Gala Day Event Guide

Advice on how to plan your event and the legal requirements

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Convener's Foreword

The importance of Gala Days in local communities in Scotland cannot be overstated. They are vital to the fabric of our communities, strengthening bonds and forging memories that last a lifetime. Edinburgh is particularly blessed with a number of unique events that fill our vibrant streets with community spirit and enthusiastic children.

These events don't happen on their own and they rely on the hard work of passionate volunteers and talented organisers to ensure they go ahead. I recognise the hard work that goes into these events and the meticulous planning that they need. It is tough for organisers to find the time to become an expert in all aspects of event management and without help Gala Days may disappear.

This guide is one of many measures that the Regulatory Committee is taking to help Gala Day organisers navigate their responsibilities and find the help they need to ensure their event is safe and legal.

I'm proud to play my part to ensure that the City of Edinburgh Council works in collaboration with Gala Days so that they remain a firm fixture of their communities.



Convener, Regulatory Committee

Councillor Ross

Introduction to the Event Guide

If you are organising an outdoor event there are a number of things you will need to consider to ensure the event is legal, safe and fun for all attendees. Planning the event in advance will help things run smoothly on the day, avoid disasters, and help you identify the things you need to do for it to be a success.

When large groups of people gather in confined spaces dangerous situations can arise, and events often take place without consulting emergency services and Local Authorities who can provide safety expertise and information that could help your event take place safely. Information provided by the Council is free, although some emergency services will charge for their time if they attend your event.

As well as offering guidance to anyone organising a public event, the City of Edinburgh Council will endeavour to ensure that such advice and assistance will encourage a minimum standard of safety at all events held throughout Edinburgh.

Preparing for most types of events will follow the same pattern, and larger more complicated events may require more detailed planning.

If the event is going to be repeated, then all the information gathered and risk assessments done will be a useful starting point for the next event.

In circumstances where the Council identifies public events that are likely to take place with the potential to compromise the safety of people attending them, then clearly it may have to take action to prevent such events from taking place, unless necessary safety improvements are implemented.

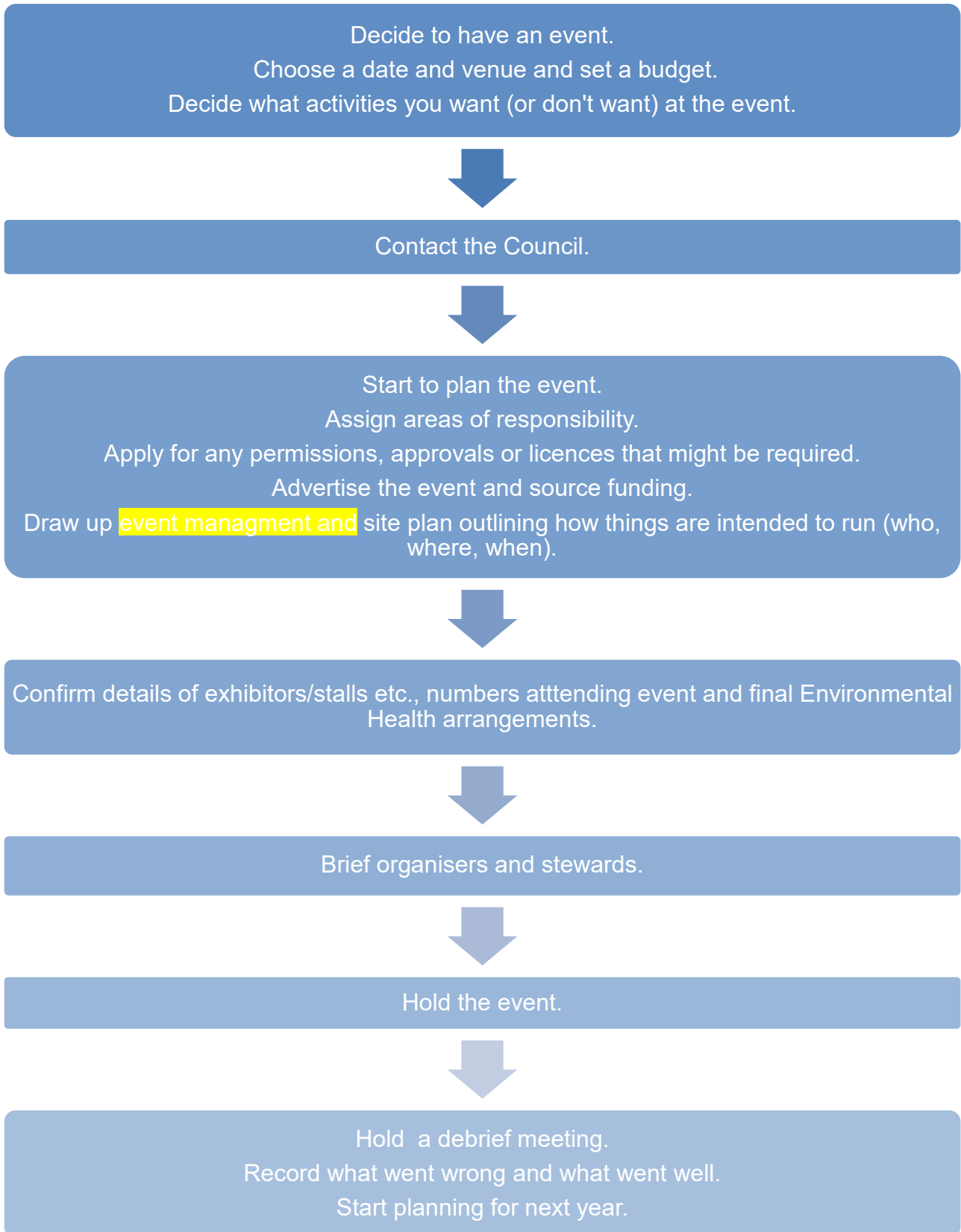
The following guidance provides a starting point to assist when planning and managing public events. The guidance is split into three sections:

- A quick step-by-step guide;
- general guidance on running an event;
- directory of key Council Service.

It must be noted that, due to the diversity and nature of events, the guidance set out below is not exhaustive. This guidance is not an interpretation of the law.

For further questions about Council Services, please refer to the contact details at the end of this document.

Quick Reference Chart



A Quick Step-by-Step Guide to Organising and Running an Event.

Introduction

It must be noted that, due to the diversity and nature of events, the guidance set out below is not exhaustive. This guidance is not an interpretation of the law and event organisers are advised to seek their own legal advice.

Step 1 – Determine a date and venue for the event.

Step 2 – Establish a committee and appoint a chairperson/event coordinator, Secretary and, if necessary, Treasurer. Where there are only a few people then individuals will have to take on more than one role. Decide who will be responsible for each of the following:

- Managing planning process and the event
- Health and Safety (including risk assessments)
- Writing the Event Plan (including emergency/contingency plans)
- Licensing and liaison with various parties
- Co-ordination of stewards
- Insurance arrangements
- First Aid arrangements
- Publicity and Press liaison
- Liaison with stallholders/participants
- Overseeing and control of contractors
- Hiring installation arrangements (toilets, fairgrounds, marquees, generators, bouncy castles etc)
- Communications between organisers, stewards, and the public
- Welfare arrangements and facilities for the disabled
- Waste management and site clearance

Once responsibilities have been established it is important to maintain effective communications throughout. Hold regular briefing sessions or update meetings so everyone involved knows what is going on, what has been done and what there is still to do.

Step 3 – Make contact with the various bodies who may have an interest in your event (Council, Police, Fire and Rescue, insurers, voluntary organisations and local residents) and tell them what you plan to do. Agree a point of contact with each. It is important that you have a clear understanding of what approvals, permissions and licences you require.

Step 4 – Start the arrangements for organising participants, sponsors, contractors, publicity, advertisements etc and set up a point of contact with each.

Step 5 – Undertake risk assessments for the event and decide what measures are suitable to reduce the risk to an acceptable level. These requirements may change and so will the corresponding risk assessments.

Step 6 – Draw up an event management plan, considering the findings of the risk assessment(s) (including the site plan). On completion distribute copies to organisers and any relevant bodies. This too may need amendment if things change. Ensure ALL arrangements (including contingencies and emergency situations) are included in the plan.

Step 7 – Complete a pre-event check to ensure all arrangements are in place.

Start this process 3-4 weeks prior to the event to give you time to address any shortfalls or emerging issues.

Step 8 – A day or two before the event, brief the stewards on their duties, and catch up any absentees on the day of the event.

Step 9 – Prior to the event starting and daily thereafter (for events lasting multiple days), walk round the entire event location and record the Daily Inspections. Any problems should be noted, and action taken to resolve them. At the end of the event, a post-event check should be completed, and any necessary action taken (calling back people to dispose of waste, remove signs, etc).

Step 10 – If the event is held annually, or will recur, it is good practice to hold a debriefing meeting with the committee after the event. You should discuss what went well and areas for improvement next time. Record 'lessons learned' in a log to inform the committee appointed for the next event.

Licensing Requirements

The **Civic Government (Scotland) Act 1982** and the **Cinemas Act 1985** provide that licences are required for certain events or activities. The Council's Public Entertainment Resolution sets out the types of entertainment that require a public entertainment licence. Events and activities that require a licence include the following.

- Performance of a play
- Use of 'Amusement Devices' such as bouncy castles, carousels and bungee jumping and bungee running equipment
- Exhibition of a film
- Indoor sporting events
- Performances of live and recorded music, whether amplified or not
- Dancing
- Market stalls
- Selling food or drink
- Supplying hot food or hot drinks between 11.00 pm and 5.00 am

In addition, under the **Civic Government (Scotland) Act 1982**, if you intend to hold a march, parade or 'similar event', the law requires you to notify the local authority and the local police authority, and you must do this no less than 28 days prior to the event.

- 'Similar events' may include the following, although this list is not exhaustive:
- Races, fun runs and sponsored walks
- Processions or races involving horses, cycles, boats or other vehicles.
- Gala day parades and street parties
- Demonstrations and protests (moving or static)

You may also require a Temporary Traffic Regulation Order ('TTRO') and/or traffic management which affects the public highway. A road closure or parking restriction applications require a minimum of 12 weeks' notice.

Under the **Licensing (Scotland) Act 2005** a licence is required for premises which are providing:

- Sale of alcohol - whether this is for consumption at the event or to take away

If any of these activities are taking place then it is likely you will require a licence. Please contact the Licensing Service at the City of Edinburgh Council for further advice.

Do I need a licence for a Gala Day?

Galas are likely to require multiple permissions and/or licences and the ability to trade is reliant on all parts of the process meeting approval. Charging arrangements also differ according to the type of event/activity - e.g. location, size, and duration.

Public Entertainment and Amusement Devices

Most Gala Days/Community Fun Days usually have live music, marquees, or inflatable devices such as bouncy castles for the public to use, and amusement devices (e.g. mechanical rides for adults and/or children). In these circumstances you will almost certainly need a Public Entertainment Licence.

The licensing system provides a framework for creating safe, enjoyable, and respectful events. A Public Entertainment Licence helps ensure that events are planned and organized to protect the safety and well-being of the public while minimising nuisance.

Where the event includes a commercial funfair or amusement device(s), responsibility for the management and operation of the equipment should lie with the owner rather than the gala day organisers.

The person named on the licence is ultimately responsible for ensuring the amusement device is safe, that it has been set up correctly, and that staff are operating it correctly. Where gala day organizers do not have the technical qualifications or control over staff to fulfil this role effectively, they should ensure that the owner/operator of the device(s) holds their own separate Public Entertainment Licence.

Market Operator and/or Street Trader's Licence

If you have a stall (or a number of stalls) selling goods such as craft items or foods, you may also require a Street Trader's or Market Operator's Licence.

Tombolas and Raffles

If you want to hold a raffle as part of your event you do not need a licence - as long as you sell the tickets and 'draw the prize' on the day of the event.

If you want to sell tickets in advance of the event, please contact Licensing for advice, as you will need to obtain a Small Society Lottery Licence.

Licensing Applications

Applications forms and copies of the forms and copies of the Council's standard conditions of licence are available on the Council's website at:

<https://www.edinburgh.gov.uk/licences-permits/licences-permits-applications>

When submitting the application(s) you will also be required to submit additional documents such as:

- layout and site plan
- risk assessments
- details of office bearers
- details of charity/voluntary status - it may also be necessary to submit accounts
- relevant permissions or authorities from land owners
- the relevant application fee

The documents you require will be listed on the specific application form.

Layout plan and site plan

A layout and site plan of the area to be used for the gala/community fun day should be provided when you submit your application for a Public Entertainment Licence.

The plan should show where each of the activities will be happening on the day of the event.

Where a Market Operator's Licence is also required, a layout plan will be required that shows the area to be used for the market and where each of the stalls will be positioned on the day of the event.

Risk assessments

You must carry out and provide a written risk assessment as the first step in planning your event. This will ensure you have adequate health and safety measures in place.

For example, you need to know:

- Do you have enough adequately trained marshals for your event?
- Do they have correct equipment to do their job?
- Are they wearing high visibility clothing?

You will also need to take out insurance to cover your event.

Contact your insurance provider for advice and give them all the details of your event. In some cases, a specialist insurance provider may be required. More information on risk assessment can be found on page 15.

Details of office bearers/details of charity/voluntary status

If you are applying on behalf of a charity, community or voluntary organisation we will need details of all office bearers and the person who will be responsible for managing the event.

In addition we will require information about your charitable or voluntary status, which may include submission of accounts.

Other City of Edinburgh Council Permissions

A number of other permissions may be required when running an event. Not all of these permissions are dealt with by Licensing teams, and you may have to obtain permission from other Council teams before your event can go ahead. For example:

- If you are planning an event in any park or greenspace managed by the City of Edinburgh Council you will need to apply for permission from the Parks and Greenspace Department (their details can be found in the directory at the end of this document);
- If you are planning an event that will take place on or affect the public highway, you will need to apply for permission from the Road Services Events Team.

How much does a licence cost?

The cost of a Public Entertainment Licence varies as it is based on the 'occupant capacity' for the area to be licensed.

As gala days/community fun days are usually held outdoors in an open space, the fee payable will be the fee for the maximum capacity for the area being used, unless there is some way of marking out the licensed area and controlling the number of people coming in and out of the licensed area at any one time.

Please note that a separate additional licence application and fee will be payable for amusement devices, based on the capacity of the total number of devices being used.

The cost of a Market Operator's Licence is based on the number of stalls being used and shown on the layout plan.

A fee reduction is available for community, charity, religious or political groups.

General Guidance

Planning, Programming and Timescales

Careful planning is vital to make the event that you are organising a success. You may find some of the following points worth considering when planning your event:

- Establish a working group or committee if necessary, and have named organiser(s) identified 9-12 months ahead.
- Choose a time and date for your event that will suit the audience it is intended for, and check that no similar public events are taking place at the same time.
- If you are looking for sponsors, begin to approach local businesses and companies 9-12 months ahead - longer if you are planning a major event.
- Talk about finances as early as possible, and any other funding opportunities - there will be cut-off dates for various funding applications, so be aware of the timescales involved.
- Contact City of Edinburgh Council to check if you need any permission on any aspect of your event as soon as you have formulated ideas.
- Book your venue/site 6-12 months ahead and confirm in writing.
- Arrange for local publicity.
- Check the availability of sound and light equipment, marquees etc. Sponsors may be able to loan equipment to the event.
- Send out your first press release as soon as dates are firmed up.
- Book first aid, caterers, judges, comperes, dignitaries and any other services 6 – 9 months ahead.
- If holding competitions, send out schedules and rules 2 – 4 months ahead.
- Start looking for volunteers and staff 2 – 4 months ahead.
- Order posters and publicity 3 months ahead and send out 6 – 8 weeks prior to the event.
- Apply for licences at least 3 – 4 months ahead, earlier if you can.
- Create other plans to achieve publicity and target sponsors.
- Notice for your event or activity should be given City of Edinburgh Council. The minimum notice for small/medium events is 28 days. In the case of a large scale event at least six months notice should be given.

Responsibility

Who is responsible for safety at public events?

The licence holder is responsible for safety at public events - this would include responsibility for any commercial activity e.g. funfairs if included within the licence. We strongly recommend that you take out insurance to cover the event you are organising.

We expect you to have a named person who is responsible for the safety at your event. For larger events this may be a dedicated safety officer with a support team.

Expected Standards

All events are different, and it isn't possible to provide specific guidance for every possible eventuality. However, there are minimum safety standards/conditions that must be met/considered:

- Do you have the necessary permissions, licences, or authorities in place?
- Do you have permission from the land owner (including the Council)?
- Is the site suitable for your event with the number of people and activities planned (or is there a more suitable site)?
- Have the following key personnel been identified:
 - Event organiser,
 - Safety manager,
 - Chief steward, and
 - Stewards?
- Have you decided who should be responsible for health and safety at your event?
- Have you carried out a risk assessment to make sure you have all the necessary health and safety measures in place?
- Have you provided necessary information, for example:
 - maps and site plans,
 - details of gas/electricity installations
 - and an outline programme of events?
- Do you know how many people you are expecting? Do you need crowd barriers?
- Do you know where the entrances and exits on your site are?
- Are the entrances and exits controlled, stewarded and suitable for prams and pushchairs and appropriately signed?
- Have you trained your stewards and briefed them on the events?
- Are your stewards clearly identifiable?
- Have you met the needs of people with disabilities?
- Have you set up a reliable system of communication between key people?
- Have you set up a reliable system of communication with the audience/crowd?
- Has a control point been identified, call signs predetermined and announcements prepared?
- Do you have effective security measures in place, for example to remove people who become disruptive and to stop them returning?
- Do you have effective fire control measures in place?
- Do you have adequate first aid facilities?
- Are emergency procedures in place and have these been agreed with the emergency services?
 - Please note that, apart from emergencies, the emergency services (Police Scotland, Scottish Fire and Rescue Service and the Scottish Ambulance Service) may charge if you ask them to be present at your event.
- Can emergency vehicles get on and off the site easily?
- Do you have an emergency plan?
 - Does it cover everything?
 - Has it been reviewed by a competent person?
 - Who will make the decisions during an emergency?
 - Will you stop the event during an emergency?

- Have you asked for advice from the emergency services about emergency routes?
- Do you have adequate insurance cover?
- Are you going to have attractions such as bouncy castles?
 - Have you established who is going to be responsible for obtaining the licence and being responsible for safety of the attraction?
- Do you need any other special arrangements - for example lost property, drinking water, toilets (a market licence required toilets as part of the licence conditions), noise control or parking?
- Have you carried out a hazard analysis of the food safety risks involved in the preparation or handling of the food and drink you will be offering?
 - You need to identify critical steps in food preparation or handling and put in place suitable control measures. You should also monitor these control measures. If you are using caterers, they should be able to provide this information (see catering guidance sheet).
- It is advisable that you have a system in place to cater for both lost and found children. Depending on the size of the type/size of the event, a specific lost children service may be required (See Contacts list and suggested Guidance sheet).
- Does your event involve animals and are the public likely to be able to come into contact with them (e.g. horse rides, dog agility, petting zoo, etc)? Refer to animal attractions code of practice below.
- Does your event involve land where farm animals have been grazing or housed within the last three weeks? Refer to animal attractions code of practice below.
- Is there expected to be anyone camping on land where farm animals have been grazing or housed within the last three weeks? Refer to animal attractions code of practice below.

The Code of Practice “Preventing or controlling ill health from animal contact at visitor attractions” is produced by the Access to Farms partnership.

(Note: This guide is primarily directed at open farms, animal attraction visitor centres, but the principles of preventing ill health will apply to any event on open land where animals have been grazing or housed, whether the event be a festival, fayre, fete or campsite).

Further information and training can be sourced at: Countryside Educational Visits Accreditation Scheme (CEVAS). Persons interested in attending a CEVAS course can contact Access to Farms on:

02476 413 911 and <https://visitmyfarm.org/courses>

Event Management Plan

Based on the reviewed questions in the previous 'Expected Standards' section, you should document your findings in an Event Management Plan. This plan should include at least the following sections:

- Brief Description
- Roles and responsibilities including contact details
- Layout Plan
- Risk Assessment (see page 15)
- Fire Risk Assessment

- Stewarding Plan including briefing plan (see page 16)
- Medical Plan
- Wind Management/severe Weather Plan
- Lost and Found Children Plan
- Welfare facilities including toilet provisions
- Contingency plan
- Cancellation plan
- Insurance documentation

Risk Assessment

You must carry out and provide a risk assessment for your event in order to get your Public Entertainment Licence.

Risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to control risks at your event that could cause harm to members of the public attending your event, people helping or volunteering at the event and the people who operate the equipment at the event.

One of the most important aspects of risk assessment is to accurately identify potential hazards.

Having identified a hazard, you then have to consider who is at risk, how likely it is that harm will occur, and whether you need to do more to prevent harm from occurring. Risk is part of everyday life and you are not expected to eliminate all risks. What you must do is make sure you know about the main risks and what you need to do to manage them responsibly.

Risk assessment takes action by eliminating the risk, or if this is unachievable, reducing the risk to an acceptable level.

As well as a general risk assessment you will also need to do a fire risk assessment.

This will need to include consideration of potential fire hazards such as catering appliances, cigarettes, flammable liquids, tents and the weather, if there is a high wind.

If you have any queries relating to safety at events, the Council's Public Safety Officers will be able to advise, or at the very least point you in the right direction.

What to do if things go wrong

Remember that, as the organiser of the event, you are responsible for the safety of everyone who is involved. If anyone is hurt or injured because of your negligence, you are very likely to end up being pursued by affected people and their lawyers – you may even end up in court.

If a serious or major incident occurs at any event in the Council's area the investigation will look at the following areas:

- Were plans in place to manage a major incident?
- Were suitable risk assessments completed, including all of the relevant items included in the checklists?

- Were there enough emergency services resources on site?
- Was there a detailed casualty treatment, management and evacuation plan?
- Were the emergency procedures properly explained, understood and practiced?
- Was there a clear chain of command and control?
- Were communications between key personnel and the crowd adequate?

By undertaking suitable risk assessments and implementing appropriate controls you are less likely to suffer accidents or incidents at your event. If there is an accident or incident at the event, these risk assessments and controls will ensure that you are better placed to explain how you planned and organised the event to prevent this from occurring. This will help to ensure any potential action taken against you as a result of an accident or incident will be unsuccessful or limited.

Undertaking suitable risk assessments and implementing appropriate controls will help to ensure that you will have a safe and successful event for all attendees and organisers.

Stewards

You must have enough stewards for the size and type of your event. The number that you need will depend on a number of factors including the size and nature of your event, as well as:

- If the event is indoors or outdoors.
- The number of adults and children who are likely to attend.
- If it is to be held in daylight or after dark.
- If vehicles are to be allowed on site during the event.
- If the weather is bad.
- If vulnerable people are there.
- If alcohol is being served.

Smaller events may use helpers and volunteers as stewards, while major events will often need professional stewards hired for the occasion. All stewards must be properly trained and briefed.

Communication

You must have a reliable method of communication in place for the event. It is essential for stewards and organisers to be able to communicate during the event. In addition, there should be at least one point of contact on site - depending on the size of the event it may be necessary to have an office on site, jointly staffed by all the organisations taking part.

Equally vital is the method of communication with the public. This is particularly important if the site has to be evacuated.

Evacuation

You must have an evacuation procedure as part of the risk assessment for your event. For indoor events, the building you are using may already have an evacuation procedure in place. However, this is far less likely for outdoor events.

First Aid

You must provide (and may need to pay for) an agreed level of first aid, paramedical and medical facilities at your event. You should liaise early with the Ambulance Service and

voluntary groups such as British Red Cross or St Andrew's Ambulance depending on your needs.

Fire Safety Arrangements

You must agree arrangements for fire prevention, detection and control with the Scottish Fire and Rescue Service before your event, if necessary.

Security

You must ensure that any necessary special security measures are in place, for example if you have VIPs at your event, or large amounts of cash. You should liaise with Police Scotland for advice.

Raised Structures

Temporary raised structures are a common feature of many events.

'Raised structure' means platform, stand, staging or other similar structure over 600mm high, for the purpose of providing seating or standing accommodation.

If you intend to have a raised structure as part of your event, you will need to apply for a permit.

You will find the details for applying for a permit here:

<https://cultureedinburgh.com/plan-my-eventpermissions/raised-structures>

Barriers

There are many different types of barriers – each suitable for a different purpose. Please note that raised concert style 'pop barriers' can only be used if you have trained and experienced stewards who are familiar with how they work. Any load bearing temporary structure must comply with health and safety laws and building control regulations.

Noise Nuisance

Many outdoor events, particularly those held during the summer, incorporate some noisy activities. These may include music, fireworks, fairgrounds, public address systems or generators. Most of these events occur only occasionally at any one venue, but sometimes events occur regularly at the same site. Noise can therefore be a source of annoyance to local residents, and measures should be taken to minimise it.

Those responsible for arranging events should consider the potential for noise at the planning stage. Environmental Health officers can be contacted for advice. Considerations should include:

Loud Music

- What type of music – acoustic or amplified?
- Where will the music be played?
- What time will the music be playing?
- For how long?
- Where are the nearest residential premises or other noise-sensitive locations (e.g. nursing homes, hospitals)?

Fireworks

- What time will the display take place?
- How noisy will the fireworks be?
- Have you advised local residents?

Fairgrounds

- Where will the fair be located?
- Will it clash with other music noise?
- Have you advised the operator of noise restrictions?
- What time will it be operating?

Public Address System

- Are they volume controlled?
- Will they be used as little as possible?
- Do they just cover the area required?
- Do they incorporate directional speakers?

Generators

- Are they necessary – could mains power be supplied?
- Can temporary shielding be provided?
- Do they incorporate sound insulation?
- Are they sited away from housing or other noise-sensitive locations?

Build/Takedown

- Build and takedown should avoid early mornings and evening/night works.
- Organisers should consider set-up in the day(s) before an event, and takedown the day following an event.
- Early, late or night working should only be considered if the organisers can assure officers that nearby noise sensitive receptors will not be affected.

Food Safety

As a Gala, Fete or Festival organiser, when planning your event you need to consider what (if any) food product is to be sold, how it is to be supplied, who is supplying it and how this is going to be managed.

Many voluntary/community organisations don't realise that even if the food is being given away they are still required to comply with food safety legislation. One of the biggest stumbling blocks is the provision of hand washing facilities, which are required when open foods are being handled or sold. BBQs are amongst the highest risk factors when it comes to food safety. and checks must be made to ensure BBQ foods are thoroughly cooked.

If the event is to have a market there will quite often be a mixture of food stalls such as those operated by professional caterers/retailers, organisations such as charities, and individuals. The conditions regarding compliance with Food Safety and Health and Safety legislation still apply.

What to consider when dealing with a commercial caterer

If you are a food business then your business must be registered with your Local Authority by law. If you are employing caterers, they must be registered with their Local Authority. Depending on the location and nature of event, food traders may also require a Street

Trader's or Market Operator's Licence to operate at the event, and will also require other documentation to be produced for Environmental Health on the day – if they do not have appropriate documentation you may have to remove them from the event, so it is in everyone's interest that they have all the necessary registrations, licences and certificates. If you have any questions about providing food at your event, please contact Environmental Health for advice.

Marches and Parades

If you intend to hold a march, parade or 'similar event', the law requires you to notify the local authority and the local police authority, and you must do this no less than 28 days prior to the event.

'Similar events' may include the following, although this list is not exhaustive:

- Races, fun runs and sponsored walks
- Processions or races involving horses, cycles, boats or other vehicles
- Gala day parades and street parties
- Demonstrations and protests (moving or static)
- Displays and promotions (moving or static)

If you are in any doubt about whether your event should be regulated by the Council's Marches and Parades Procedure, you should contact the Licensing Team. Once your notification form has been received you will be advised if you have to contact any other parts of the Council or any other organisation. The form will also be used to determine who we need to consult with and to consider any arrangements that may need to be put in place to ensure the safe passage of the event.

<http://eventsedinburgh.org.uk/Marches-and-Parades.html>

People with Disabilities

You must ensure that all arrangements you make, including emergency procedures, meet the needs of people with disabilities.

Signs

You must provide clear direction and information signs at your event. Multilingual signs may be needed.

Any temporary signs on the highway will need to be approved by the Highways Department.

Facilities

You must decide what facilities will be needed at your event, such as hot and cold drinks, toilets, PA systems, lighting and temporary structures (shelters and stages).

Law

You must comply with all laws and regulations at all times.

The Environment

You must look after the environment when planning your event. For example, you must make sure that the site is suitable for the type of event that you are planning, and take account of local concerns such as noise and litter. Where possible the site should always be left in the same condition as it was before the event. A reinstatement fee may be imposed by the landowner if the site has been damaged.

Further Information

To obtain further information before notifying us of your event, please get in touch with

Contacts:

Licensing Service
City of Edinburgh Council
City Chambers
High Street
Edinburgh
EH1 1 YJ

Telephone: 0131 529 4208
Email address: licensing@edinburgh.gov.uk

Contact and Service Directory

Licensing Service

The Licensing Service grants and administers licensing process for the City of Edinburgh Council. We are responsible for satisfying the requirements of our customers, licensing legislation, policy and the impact that this has on others.

Before a licence can be granted, the Licensing Service must ensure that all the necessary permissions, permits and statutory requirements are met.

The Licensing Service liaises with both the statutory agencies (e.g. Scottish Police, Fire and Rescue and Ambulance Service) and the all the Council departments (i.e. Road, Public Safety and Environmental Health) on your behalf.

Our aim is to deliver a service which provides organisers with a single point of contact who will facilitate inter-department and agency co-operation and a framework in which they can deliver a successful event.

The fee you pay for your application covers the costs of:

- The licensing process
- The assessment and determination of your licence
- Consulting with relevant parties
- Site visits, if necessary
- Committee Hearings, if necessary
- Issuing the licence

The fees are based on a cost recovery system for each type of licence, so you can know the exact cost upfront. You will not be charged any additional fees for site visits or extra support for your event.

Contact:

Licensing Service
City of Edinburgh Council
City Chambers
High Street
Edinburgh
EH1 1 YJ

Telephone: 0131 529 4208

Email address: licensing@edinburgh.gov.uk

Licensing Enforcement

The City of Edinburgh Council's Licensing Enforcement team includes Licensing Standards Officers, Trading Standards Officers and Environmental Health Officers.

The team has responsibility for ensuring compliance with the relevant legislation relating to each of these areas at licensed events city wide. Officers from the team will work with licensees and sub-contractors to offer advice, guidance and support to ensure organisers are aware of all the required standards.

Liquor Licensing

The Licensing Standards Officers within the team have three main roles - guidance, mediation and compliance. They are the first port of call for most matters pertaining to liquor licensing. Licensing Standards Officers will ensure that licence holders carry out their business in a manner which complies with licensing legislation, regulations and national and local policies. They will provide advice to licence holders as to what actions are required to prevent or resolve complaints.

Civic Government Licensing

Where a licence is in force or has been applied for under the terms of the Civic Government (Scotland) Act 1982, officers from the team may visit the event or premises to assess compliance with the terms of the licence or review the application.

In addition to their licensing functions, officers from the team also specialise in various other disciplines such as Environmental Health and Trading Standards.

Contact:

Licensing Enforcement

City of Edinburgh Council
Waverley Court G1
East Market Street
Edinburgh
EH8 8BG

Telephone: 0131 608 1100

Email address: licensing.enforcement@edinburgh.gov.uk

Environmental Health

Environmental Health Officers can provide advice to event organisers, licence holders and sub-contractors. Environmental Health officers may inspect the events to ensure compliance with food/health and safety legislation. These officers may visit the units during the set-up time and during the event.

Good food hygiene practice is vital to ensure that the food you produce, serve or sell is safe to eat. Pre-packed foods must be appropriately labelled, and some loose foods may require appropriate advice notices.

Environmental Health

City of Edinburgh Council
Waverley Court G1
East Market Street
Edinburgh
EH8 8BG

Telephone: 0131 469 5758

Email address: EnvironmentalHealth@edinburgh.gov.uk

Trading Standards

Trading Standards legislation covers every conceivable type of product or service. Officers will support businesses and the public by giving free legal advice so that the highest standards of safety, quantity, quality, price and description are maintained.

There are a wide range of useful and detailed advice leaflets available from many agencies including the City of Edinburgh Council, the Trading Standards Institute (TSI) and the Department for Business Innovation and Skills (BIS).

We recommend that you consult the guidance and the resource material, however we appreciate this is general information and officers from the team are available to provide specific advice tailored to your event.

Trading Standard

City of Edinburgh Council
Waverley Court G1
East Market Street
Edinburgh
EH8 8BG

Telephone: 0131 608 1100
Email address: trading.standards@edinburgh.gov.uk

Public Safety

The main role of the City of Edinburgh Council's Public Safety Unit is to act as a public safety advisory service to those wishing to organise an event within Edinburgh, as well as ensuring compliance with current legislation and provide expert guidance on issues relating to safety at the event.

As part of this role, Public Safety representatives co-ordinate meetings/discussions in all matters relating to the safety of the event, and as part of this make a decision as to what organisations should be involved once the main details of the event are known. Please note the number of organisations depends entirely on the nature of the event and the number of organisations can also change throughout the planning process.

The Public Safety representative will organise and chair Event Planning and Operation Group meetings ('EPOGs') in the run-up to the event in order to aid communication between all of the involved organisations as well as to solve any issues arising. The Public Safety representative will also organise a de-brief meeting to go over the positives and negatives of the event in an attempt to make improvements for any future events.

Ideally we need at least 28 days' notice, but for most events we need 3-6 months. Larger events can need 12 months of planning time

If you have any queries relating to safety at events we will be able to advise, or at the very least point you in the right direction.

Events with a significant number of attendees or are otherwise high-risk, because of complexity or activities involved, will require an on-site inspection prior to the start of the event to ensure adherence to the approved event plan and to confirm the safe implementation of temporary structures, raised staging, generators, electrical systems etc.

This will involve attending the site as soon as possible before the opening time of event, given the temporary nature of event spaces, allowing you to make any necessary changes or alterations before the event starts.

Where possible, Public Safety representative(s) will also be present in an observational role.

Public Safety

Telephone: A list of current contact details can be found at:
<https://cultureedinburgh.com/about/contact-us>

Email: publicsafety@edinburgh.gov.uk.

Citywide Road Events Team

The Citywide Road Events Team is responsible for facilitating events that take place on or affect the public highway. This includes giving permission to use a certain part of the public highway, and ensuring events are co-ordinated with any other works taking place on the public highway. When necessary, a Temporary Traffic Regulation Order (TTRO) is issued to allow the event to take place. A TTRO would be necessary to close any roads or to prohibit parking etc.

See our website for more information:

<https://cultureedinburgh.com/plan-my-eventpermissions/roads>

Contact:

Citywide Road Events Team
G.4, Waverley Court
The City of Edinburgh Council
4 East Market Street
Edinburgh
EH8 8BG

Telephone: 0131 529 3400

Email: roads.events@edinburgh.gov.uk

Parks and Greenspace

If you are planning an event in any park or greenspace managed by the City of Edinburgh Council you will need to apply for permission from the Parks and Greenspace team.

Application forms can be downloaded from:

<https://cultureedinburgh.com/plan-my-eventplaces/parks-and-greenspace>

Forms should be completed with as much detail as possible and returned along with copies of your Public Liability Insurance and Risk Assessment to the contact details supplied. Once these documents have been received the permission process can begin.

It is worth bearing in mind that the permission process involves consultation with local Councillors and community groups and can take up to six weeks to complete, so we advise that applications are submitted as early as possible.

Charges may be applicable depending on the type and scale of the event. There may also be a requirement for a refundable bond to be taken - if any damage occurs to the ground as a result of an event, any reinstatement costs may be deducted from the bond before the balance is refunded.

If your event involves any type of infrastructure you will need to be aware of underground and overhead utility cables, please see the information sheets provided.

Parks and Greenspace

The City of Edinburgh Council
3.1 Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Telephone: 0131 529 7941
Email parks@edinburgh.gov.uk