

Moray Council

Guidance - Use of a Park or Open Space

- The Event Organiser must ensure that the event, including any required vehicles, plant, equipment or structures must be contained within the area of ground agreed by the Council and identified in the Event Safety Plan. All vehicles not required for the event must be removed prior to the start of the event.
- The Event Organiser must ensure that no equipment or infrastructure, e.g. fences, gates, bollards etc., are dismantled, changed or removed without the prior permission of the Council.
- The Event Organiser shall be responsible and liable for the area of the Park/Open Space as agreed and identified in the Event Safety Plan and all activities thereon for the duration of the Event.
- The Event Organiser shall be required to survey and record (including the use of photographs) the current state and condition of the Park prior to accessing the park or open space on the date of Event and at the end of Event period. The Event Organiser will be responsible for advising the Council of any damages and will be required to ensure that these areas are made safe / safeguarded from public use until the Event Organiser has affected repairs. All repairs, including ground reinstatement must be completed within an agreed timeframe and to a standard acceptable to the Council.
- The Event Organiser must ensure that no vehicles, other than those for which specific permission has been given, are taken into the park or open space. Vehicles must not exceed 5 mph, should display hazard warning lights whilst moving and should not drive on grass surfaces unless specific permission has been granted and the Hirer has taken steps to prevent ground damage. The Event Organiser will be responsible for repairing any resulting ground damages resulting from the event to the satisfaction of the Council.
- The Event must not be advertised by fly posting. Any litter caused by the leaflets/flyers must be immediately collected by the Event Organiser and removed from the Park.
- The flying of drones at the Park is permitted only in the event that Police Scotland approval has been obtained, in which event the flying of drones must be conducted in compliance with Police Scotland's approval. The flying of drones must be conducted in compliance with the Civilian Aviation Authority Air Navigation Order 2016.
- The Council shall notify the Event Organiser of any fee payable for the hire of the Park. The Council has recently introduced new charges for commercial events in

open spaces effective from 1st April 2022. Further information on these charges is available in section G3 of our Charges for Services document which can be found here http://www.moray.gov.uk/moray_standard/page_92311.html You may wish to check whether this affects your event before applying for your licence.

- Should the Council require to reinstate any damage to the Park (including ground, soft landscaping or infrastructure) resulting from the Event, the Council shall be entitled to carry out such works as the Council considers are necessary or desirable in order to ensure that the Park is brought up to the standards required and a cost for same shall be charged to and payable by the Event Organiser..
- The Event Organiser must ensure that a copy of the Event Management Plan as agreed/approved by the Council's Events Oversight Group is provided to the Open Space Team as part of the distribution agreed/advised by the Group. Permission to operate in the park is subject to the Events Management Plan being approved by the Council's Events Oversight Group and any relevant licences or other approvals being in place, including Public Entertainment Licence.
- The Event Organiser shall ensure that a copy of the event's Health and Safety Risk Assessment is provided to the Open Space Team, including your weather management plan.
- The ground agreed shall be used for the purpose of the approved event only and for no other reasons.
- The Event Organiser shall ensure that no nuisance is caused to any nearby sensitive premises or regular users of the Park/Open Space.
- All events that are held on Council owned sites must be fully compliant with all applicable environmental legislation and SEPA Pollution Prevention Guidelines. Any negative environmental aspects that may arise from the Event must be assessed and where necessary, suitable control measures introduced to reduce any associated impacts to an acceptable level. Examples of negative environmental impacts include fuel spillage and air/water pollution. Particular care must be taken to ensure that no fuel/ oil spillage is allowed to reach a drainage system as this may result in the pollution of a nearby river or watercourse. **The Scottish Environment Protection Agency can be contacted on 0300 996 699 for advice and further information.**
- The Council reserves the right at all times to carry out such works or services as it deems necessary in the interest of public safety.
- The Event Organiser shall be responsible for ensuring that the appropriate permissions are sought in terms of the Land Reform (Scotland) Act 2003 to exempt land from access rights, where necessary.
Contact the Council's Outdoor Access Officer for advice and further information at morayaccess@moray.gov.uk

- All cancellations must be notified to the Council in writing at least two weeks prior to the Event. Cancellation within the 2 week period may result in hire charges being due and payable by the Hirer. There shall be no refunds for any periods of the let not utilised or services, consents or licences that have been arranged.
- The Event Organiser acknowledges that while the Council may offer guidance in relation to Park conditions, the Council will incur no liability for any loss incurred by the Event Organiser as a result of following such guidance. The Events Organiser is advised to conduct their own due diligence in relation to ground or other conditions prior to the event.
- The Council reserves the right to cancel the let in the case of circumstances outwith its control. Such circumstances include fire, flood, severe adverse weather conditions, casualty, lock-out, strike, labour disputes, events of national importance, industrial action of any kind, unavoidable accident, national incident or riot, act of god, the enactment of any act of parliament or the act of any other legally constituted authority, any cause or event arising out of or attributable to war, or any other cause or event (whether of a similar or dissimilar nature) outside the control of the Council. In these circumstances, the Council shall not be liable for any costs incurred by the Events Organiser in respect of the cancellation.
- The Event Organiser shall ensure their event is compliant with all relevant legislation and regulation.
- The Event Organiser shall be responsible for meeting the cost of water and / or electricity charges where these have been agreed in advance and provided by the Council.
- The Event Organiser must ensure that soft landscaping, trees, flower display, wildflower meadows or other similar landscape features and habitats are protected from damage resulting from the event.
- The Event Organiser will be required to consult with other park users / stakeholders to ensure that their event/activities is co-ordinated with others.
- The release of sky Lanterns and mass balloon releases will not be permitted from any event taking place on Moray Council owned or managed land, where this event has been approved through the Council's booking systems.
- When acquiring vendors for your event we would encourage you to use Moray based operators wherever possible - this helps promote the economic development of Moray and helps meet the reduction of emissions in the area as it minimises the travel of vendors - you can find Moray registered street traders and licensed premises holders through our Licence Search facility on the Council's website.