



# Events Policy

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## **1. Purpose and Scope of the Policy**

- 1.1. This policy applies to:
  - 1.1.1. All events being held on Public land
  - 1.1.2. Events in the Dover district on private land requiring input from the Safety Advisory Group
  - 1.1.3. All events involving road closures in Dover
- 1.2. Outside the scope of this policy:
  - 1.2.1 Regular events held at same venue which are managed under the business remit of the organisation. For example weekly community engagement activities, election counts etc.
- 1.3. This policy will:
  - 1.3.1. Inform the allocation of Council land for the purposes of events and the nature of any charges to be levied.
  - 1.3.2. Set out what is expected of event organisers in respect of events on both Council and private land, and where road closures are requested.
  - 1.3.3. Set out the Council's function in administering event applications and permissions, where applicable.

## **2. Policy Objectives**

- 2.1. Dover District Council's Events Policy is designed to further the following objectives:
  - 2.1.1. Ensure, as far as is reasonably practicable, that all events held in the Dover district are safe and well organised.
  - 2.1.2. Support and encourage the hosting of events across the Dover district that will benefit the local community.
  - 2.1.3. Support the positive impact on Tourism of holding safe and well organised events in the Dover District.
  - 2.1.4. Minimise any detrimental effects that the hosting of events in the Dover district may have.
  - 2.1.5. Endeavour to improve the customer experience and efficiency of its events administration process.

2.1.6. Fees and charges for hire of public land should be set at appropriate levels to encourage community use and reviewed annually by Property Services.

2.1.7. Make our land and other appropriate assets available for the use of public events so that further events can be encouraged in the district.

### 3. **Definitions**

#### 3.1. **Event Organiser**

A named individual who holds overall responsibility for the organisation of the event.

#### 3.2. **Event**

For the purposes of this policy, an 'event' is something that occurs in a certain place during a short limited period of time and is open to the public.

##### 3.2.1. **Repeat Events**

'Repeat events' are those events that are run on an annual basis or have been held for 2 or more consecutive years and there is a Community expectation that they will run on an annual basis.

##### 3.2.2. **Event definitions relating to fees and charges:**

- Standard Event
- Community Event
- Charity Event
- Small Commercial Event
- Large Commercial Event
- Fitness Events

Full definitions and examples are detailed in Appendix 1

#### 3.3. **Council Land**

'Council Land' means land either owned by or leased to the Council or otherwise managed by the Council. This also includes areas of land owned by Kent County Council where responsibility for managing events on this land has been passed to the Council. Areas include: Deal High Street, Dover Market Square and Precinct and all roads and Highways. Land owned by the Council and leased to a third party is excluded.

#### 3.4. **Private Land**

Private land means any land which is not Council Land. Land owned by the Council and leased to a third party will be treated as private land for the purposes of this policy.

#### 3.5. **Events Safety Advisory Group (ESAG):**

- 3.5.1. The Events Safety Advisory Group comprises representatives from Kent Police, Kent Fire and Rescue Service, NHS, KCC Highways, South East Coast Ambulance and the Coastguard, as well as relevant local authority officers.
- 3.5.2. The Safety Advisory Group reviews event documentation and offers advice to the event organiser and the Council on the safety of the proposed event, whether or not it is held on Council land.
- 3.5.3. Representatives for an organisation reviewing documentation submitted to the ESAG are responsible for dealing directly with event organisers concerning matters within the remit of their organisation, especially where that organisation exercises statutory powers.
- 3.5.4. Representatives of the ESAG are responsible for ensuring decisions are formally taken by their respective organisations, where necessary, as the ESAG is only an advisory body. Moreover, the representatives are responsible for disseminating information in their respective organisations.

#### **4. Council Commitment on Events**

- 4.1. The Council will:
  - 4.1.1. Support Event Organisers to enable events to be held on Council land, by granting permission to occupy appropriate Council land, subject to the application procedures and considerations outlined in this policy.
  - 4.1.2. Make available on the website application forms, template documents and guidance to enable the organiser to notify the Council of an event, apply to use Council land, apply for a road closure and plan a safe event.
  - 4.1.3. Process applications for events being held in the district, and will formalise relevant permissions, where appropriate.
  - 4.1.4. Offer advice to event organisers in respect of their responsibilities to ensure the health and safety of staff, participants and the public attending their event.
  - 4.1.5. Circulate completed event application documentation to members of the ESAG for comment, where the Council deems this to be necessary. The Council may convene meetings of the ESAG, when required. The Council will

feedback any advice or concerns raised by the ESAG to the event organiser, although this does not prevent ESAG representatives from making direct contact where appropriate (see 3.5.3).

4.1.6. Support Event Organisers in publicising events which have been administered via the events application process, through the use of social and traditional forms of media, and using the White Cliffs Countryside What's on website.

4.1.7. Be proportionate in its approach to events and take into account the events size and risks.

## **5. Background**

5.1. The Council is keen to support events within the District and values the role events can play in bringing communities together, promoting tourism within the district, raising funds for charity and supporting local businesses.

5.2. Events range from small informal gatherings to large festivals spanning several days and attracting large crowds. The Council supports the holding of events across the district, and allows the use of Council land for this purpose.

5.3. The Events Safety Advisory Group is a multi-agency group which works together to review and advise event organisers on public health, safety and welfare at events within the Dover District.

5.4. The Kent Safety Advisory Group is a multi-agency group which works together to review and advise on events across Kent. This group was formed initially in response to the coordination required for the Olympic Torch Relay, and was retained due to the positive impact it can achieve across wider Events Management in the County.

5.5. Event organisers wishing to organise an event for a stated purpose and time period are encouraged to follow best practice and to liaise with the Events Safety Advisory Group representatives at Dover District Council on matters of public health, safety and welfare. The purpose of this policy is to outline the process in terms of internal administration and what is required of the organiser.

## **6. Legislative and Regulatory Framework**

6.1. The Council has legal duties and enforcement powers under the Health and Safety at Work etc. Act 1974 and the associated statutory provisions.

- 6.2. The Council coordinates and consults with the local ESAG to assist in the discharge of these statutory duties.
- 6.3. How the Council manages its land is subject to rules, as set out in Council policies, legislation, legally binding agreements with third parties, covenants relating to land use and the conditions of hire which the organiser must agree to before proceeding with an application.

## **7. Event Administration**

- 7.1. A designated Community Development Officer will administer the events process on behalf of the Council, liaising with the Events Safety Advisory Group and Event Organisers as appropriate.
- 7.2. Advice and guidance will be sought from relevant Council officers in respect of insurance, health and safety and land ownership and management before issuing a permission to occupy letter for an event on Council land.
- 7.3. A Permission to Use must have been issued before council land is used for an event.

## **8. Role of Event Organisers**

- 8.1. The Event Organiser should, where applicable:
  - 8.1.1. Provide complete and accurate documentation within the required timeframes and respond promptly to any queries raised by the Council or member of the ESAG.
  - 8.1.2. Provide the Council with evidence of an appropriate level of public liability insurance to cover the event. Event organisers must ensure that any additional participants also have appropriate insurance.
  - 8.1.3. Where appropriate check current safety certification, risk assessments and methods statements for participants attending events, including mechanical and animal rides, inflatables and firework displays, the absence of which would invalidate any insurance policies. The council reserves the right to ask for evidence of these safety documents.
  - 8.1.4. Provide evidence of food registration with the relevant local authority and food hygiene ratings for all temporary catering outlets.

- 8.1.5. Ensure that they comply with all the legislative requirements for their event, including Health and Safety requirements.
- 8.1.6. Ensure that any information given on behalf of the organisation they represent is accurate, and that they have the legal authority to enter agreements on behalf of that organisation.
- 8.1.7. Ensure the event is run according to the submitted plans.
- 8.1.8. Ensure that Council land, property and the surrounding environment is not adversely affected by the event, including the clearing of rubbish and the making good of any damage, to the Council's satisfaction.

## **9. Applications for Events in Dover District**

### **Contents of an application**

- 9.1. Event applications to the Council should be made using an Event Notification Form, which is an on-line form accessible via the website. An application should also include an Event Management Plan and a Risk Assessment for which templates are provided by the Council. It is the Council's preference that these templates are used for consistency; however this is not a requirement provided that the submitted documentation contains all the required information in a clear and accessible format. A site plan and evidence of public liability insurance must also be provided.
- 9.2. In addition, the following documents may be required, dependant on the size and nature of the event and its location:
  - Traffic Management Plan
  - Signage Schedule
  - Crowd Management Plan
  - Medical Plan
  - Evacuation Plan
  - Lost Child Policy
  - Evidence of food registration and hygiene certification
- 9.3. The Council may, at its discretion or at the request of the Events Safety Advisory Group, request further information or documentation not covered by any of the above documents.

9.4. Templates and guidance for producing event documentation will be made freely available on the website. However, at request they will be made available, in paper format or via email.

### **When is an application required?**

9.5. Event Organisers are required to submit an event application to the Council if the event meets any one or more of the following criteria.

- Event is to be held on Council land.
- Event involves use of the Highway or a Public Right of Way, whether or not a road closure is requested.

9.6. If an event is held on private land, event organisers would be advised to submit an event application allowing advice and guidance to be provided if the event meets any one or more of the following criteria (list not exhaustive):

- Event requires a Temporary Events Notice and the event is in a public setting.
- Event includes the provision of catering outlets and/or trade stands and is in a public setting.
- The event organiser would like advice from the Events Safety Advisory Group.
- The event is of an unusual nature, or comprises elements or locations which could be deemed high risk to participants or the public.
- The event is to take place over a number of days

## **10. Application Process and timescales**

10.1. Event Organisers should make every effort to comply with the application process and timescales, as should the event not go ahead the Council will not be liable for any costs paid out by the Event Organiser in preparing for the event.

10.2. Late submissions will be considered by the Council, however there may be inadequate time for the Events Safety Advisory Group to make an informed assessment of the application and thus advice and comments may not be issued.

### **Events on Council Land**

- 10.3. For events on Council land, in order to reserve the land an Event Notification Form may be submitted up to 18 months in advance for repeat events, or 12 months in advance for new events.
- 10.4. Applications should ideally be made a minimum of 3 months prior to the event.
- 10.5. All bookings for events on Council land will be held on a provisional basis until all documentation is submitted. A firm booking will only be made once the full documentation is received. Priority is given to successful repeat events within the district.

### **Granting Permission for the Use of Council Land**

- 10.6. In most circumstances, the Council will operate a first come, first served policy when reserving and granting permission to use for events on Council land. However, where restrictions apply to Council land, or there are multiple requests for an event location on the same date, then the Council will determine a fair and balanced allocation of events between different applicants in line with the aims and objectives of this policy.
- 10.7. In deciding whether to grant or refuse, permission to occupy Council land for an event, the following factors will be considered. Please note that this is an indicative, but not exhaustive, list:
  - the suitability of the land for the event that is being planned
  - the availability of the land for booking
  - the receipt of sufficient documentation, including insurance, from the organiser within the required timeframe
  - feedback from the Events Safety Advisory Group with regard to the safety of the event
  - whether any invoice for a deposit and/or fee for the use of the land has been promptly paid
  - whether any covenants, planning restrictions or licencing limitations may be affected by a proposed event
  - the permission of the landowner for the event, where the land concerned is managed, but not owned, by the Council
  - whether the proposed event complies with equality and discrimination legislation
  - whether the event or the event organiser has attracted genuine complaints to the Council in the past, or the Council holds a

reasonable belief that such complaints may occur in respect of a proposed event.

- the planned event is in the interest of the local authority and the public.
- 10.8. Permission will only be granted upon receipt of the Event Notification Form, signed Agreement for Hire), full payment, risk assessment, event management plan, site map, public liability insurance and all other supporting documents as required.
- 10.9. The submitted application will be shared with members of the ESAG who will give their comments and advice providing the application has been submitted within a timely manner. Organisers receive these comments and may be required to attend a meeting with the SAG representatives.
- 10.10. Upon satisfactory receipt of all documentation, and with support of the ESAG, permission to occupy will be granted.
- 10.11. Permission is given for use of council land in the form of a Permission to Use sent by email to the event organiser.

### **Refusing Permission for the Use of Council Land**

- 10.12. Where the Council does not give permission to use Council land, an alternative date or location may be offered, where appropriate, to enable the event to take place.
- 10.13. Where the Council does not give permission to use Council land, and there are no suitable alternatives, the event organiser will be informed as soon as is reasonably practicable. In these circumstances, the Council is not responsible for any costs that the event organiser may already have incurred in preparing for the event.

### **Charges for use of Council land for Events**

- 10.14. Charges for the use of Council land shall be payable in accordance with the Council's fees and charges for hire which are in force at the time.
- 10.15. It is Council policy to charge for land hire for the purpose of an event, based on the nature of the event being held. Fees and charges are reviewed annually.

### **Deposits**

- 10.16. Deposits are charged in relation to certain events and relate to damage to Council land and assets, not cancellation of events. The charges for small and large commercial events cover the cost of the inspection of assets immediately prior to and immediately after events in order to identify any damage caused. This cost is not passed on to community and charity events, as part of DDC's support for such events.
- 10.17. Deposits will be taken for small commercial and large commercial events where heavy vehicles and/or car parking will be on DDC land. Only certain DDC owned land can be used for car parking.
- 10.18. In the case of community, charity and standard events the deposit is waived but where damage occurs DDC will seek recompense.

### **Cancellation charges**

- 10.19. Whilst at DDC we accept that there are sometimes circumstances under which the cancellation of an event is unavoidable, late notice cancellations cause disruption and can mean that other organisers miss the opportunity to hire land. A Cancellation Charge will be levied for any small or large commercial events which are cancelled after authorisation has been given by DDC. Event organisers are recommended to take out event insurance to cover this and other abortive costs.

## **11. Events on Private Land**

- 11.1. For events on private land it is not compulsory for an application to be made, but if an Events Organiser has chosen to, then ideally an application should be made a minimum of 3 months prior to any event, but applications will be accepted after this time.
- 11.2. Any changes, alterations or additions to the event format by the event organiser may not be considered less than 28 days before the event date, unless it is of a sufficiently minor nature that can be accommodated within the timescales available. This is to allow any required consultation with the Events Safety Advisory Group.
- 11.3. The Council's primary concern with events held on private land is public safety and event organisers are encouraged to adopt good practice and provide documentation. However, with the exception of large scale or unusual events which may be referred to ESAG for review, there is no requirement for Event Organisers to make an application to the Council for events held on private land.
- 11.4. The Council will accept application documentation for events on private land, and will circulate the information to the Events Safety Advisory Group for feedback. The application would comprise, as a minimum, the Event Notification Form, an Event Management Plan,

Risk Assessment, Site Plan and evidence of public liability insurance.

- 11.5. The Council will coordinate feedback on the application to the event organiser, following consultation with the Event Safety Advisory Group if required.
- 11.6. Where the Events Safety Advisory Group is not satisfied that the appropriate safety measures are in place, the Council will formally advise the organiser of this, and if appropriate, their insurer and the public. Individual agencies within the Events Safety Advisory Group may contact the Event Organiser if appropriate and may also take action under their relevant legislative enforcement powers.
- 11.7. The Council makes no charge for offering advice and liaising with the Events Safety Advisory Group in respect of events on private land.
- 11.8. It is the responsibility of the event organiser to ensure they have the permission of the landowner for all events on private land.

## **12. Events requiring Road Closures**

- 12.1. Some events may take place, partially or fully, on the highway, or pedestrians may use the highway to access or spectate at an event. In these circumstances, it may be necessary to close part or all of a road.
- 12.2. Closing roads can have a significant impact on local people, and should therefore only be considered where absolutely necessary for an event to go ahead safely.
- 12.3. An application for a road closure can be submitted to the Council as part of an event application. The Council will pass road closure requests to KCC Highways and Kent Police for their consideration.
- 12.4. Road closure notices can be administered either by the Council, or by KCC Highways, depending on the nature of the closure. The Council can issue closures under the Town Police Clauses Act. Closures implemented using any other legislation will need to be administered by KCC Highways. A cost may be incurred for the issuing of Road Closure Notices.
- 12.5. If you are requesting a road closure and the reason for the closure fits with one of the criteria listed below, a road closure notice can be issued by the Council under Section 21 of the Town Police Clauses Act 1847 (a 'TPC'):
  - Procession

- Illumination
  - Rejoicing
  - Road thronged or liable to be obstructed
- 12.6. For other events, particularly sporting events, road closures cannot be completed under the TPC legislation. For these events an order would need to be produced by KCC Highways, for which a charge would be made. Road Races are now included in this category regardless of whether they are in aid of charity. From January 2017, all road races held in the district will need to apply to KCC for a section 16 road closure notice, the cost of this will be the responsibility of the event organiser.
- 12.7. It is the responsibility of KCC Highways, in consultation with Kent Police, to determine the nature of the closure and therefore which authority administers the required notices.
- 12.8. It is the responsibility of the event organiser to ensure they have the permission of KCC Highways, and appropriate closure documentation where applicable, for any events on the highway.
- 12.9. Closing a public road, footway, footpath or verge without a lawful closure order is illegal.
- 12.10. It is the responsibility of event organisers to ensure advance notices are in place before an event, also to provide all road signage and to remove these immediately after the event.

### **13. Licensing**

- 13.1. For all events, whether on Council or private land, Event Organisers must contact the Licensing Team where events involve a licensable activity for which the premises concerned do not have an existing licence. Under usual circumstances such activities are covered by the issuing of a Temporary Events Notice, this licence has a limitation of 499 attendees.
- 13.2. The application process for a Temporary Events Notice is dealt with by the Licensing Team.
- 13.3. Licensable activities include the following:
- The sale by retail of alcohol
  - The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

- The provision of regulated entertainment (including live music, recorded music, dancing, performance of plays, indoor sporting events)
- The provision of late night refreshment (hot food after 2300 hours)

13.4. A charge is payable for a Temporary Events Notice.

13.5. There are circumstances where other licences or permits are required (e.g. Charitable collections / raffles) and Events Organisers must seek advice from the Licensing Team.

## **14. Communication and Consultation**

14.1. This policy has been developed in conjunction with:

- Relevant council services
- Members of the Events Safety Advisory Group
- Event Organisers
- Relevant councillors (members of cabinet)
- Martin Leggatt, Head of Assets and Building Control

14.2. The issues raised by these groups have been addressed as far as possible in developing this policy.

14.3. The final draft of this policy will be shared with Town and Parish Councils, and members of the Events Safety Advisory Group, including the Kent SAG Chairs Group.

14.4. This policy, associated documents and guidance will be made available on the council's website at [www.dover.gov.uk/Community/EventPlanning/EventPlanning.aspx](http://www.dover.gov.uk/Community/EventPlanning/EventPlanning.aspx)

## **15. Enforcement**

15.1. The Council reserves the right to check that an event organiser is managing an event in accordance with the event plans submitted and the terms and conditions of land use granted under the Hire Agreement/Permission to Use, where the event is held on Council land.

15.2. Any breach of these agreements based on a Council inspection or a substantiated complaint from a third party will provide grounds for the Council to be able to refuse permission for an event organiser to hold the same event in subsequent years or other events on Council land.

15.3. Where there is a breach of the terms and conditions contained within the Hire Agreement/Permission to Use, the Council may choose to take legal action to enforce these contractual rights.

15.4. The Council has statutory powers that can enable it to immediately stop any events on its land where there is an imminent or substantial risk to public safety.

**16. Review**

16.1. This policy will be reviewed on an annual basis. Minor alterations to the policy can be approved by Mike Davis, Director of Finance, Housing and Community in consultation with the Cabinet Member responsible for the service. Any substantive alterations to the content of the policy will be approved by Cabinet.

16.2. An Equality Impact Assessment will be completed if there is a major revision to this policy, which requires it to go to Cabinet in line with the council's statutory duties as set out in the Equality Act 2010.

## Appendix 1: Event Categories

Event Category	Definition
Standard	<p>Aimed at general public            Admission charge to those attending the event or those hiring an event space from the organiser (i.e. pitch)            Charge to do certain activities at the event            Various components to the event            Vehicles involved with set up or otherwise            Staging or other structures            Gazebos            Music performances</p>
Community	<p>Aimed at a social group of any size whose members reside in a specific locality and often have a common cultural and historical heritage.            Purpose of the event is for the good of the community, rather than being driven by the need to maximise profit            No admission charge to event            No pitch hire fee            All activities are free</p>
Charity	<p>Has a registered charity number            A Community Interest Company or cooperative            Aimed at raising awareness            Street collections/collecting money            No admission fee            No pitch hire fee</p>
Small Commercial	<p>Promotion of a commercial organisation and or product            Aim to attract people to buy product, sign up to a scheme            Admission charge to those attending the event or those hiring an event space from the organiser (i.e. pitch)</p>
Large Commercial	<p>Primary emphasis is on saleability, profit or success            Admission charge to those attending the event or those hiring an event space from the organiser (i.e. pitch)            Mechanical machinery/vehicles involved in event</p>
Fitness events	<p>Charged at an hourly rate            For a specific group of people            Insurance for fitness instructor            Commercially run fitness sessions or similar activities</p>



## Appendix 2: Data Sheets

Detail	Walmer Green	Pencester Gardens	Victoria Park	Quay Green
Address	Walmer Green The Strand Walmer, Kent CT14 7DY	Pencester Gardens Pencester Road Dover, Kent CT16 1BW	Victoria Park Park Avenue Deal, Kent CT14 9UU	The Quay Sandwich Kent CT13 9EN
Owned by	DDC	DDC	DDC	DDC
Area	24,773 m <sup>2</sup>	10,130 m <sup>2</sup>	11, 150 m <sup>2</sup>	
Parking Availability	No event parking on the Green other than for the disabled and in the designated areas only (see map for more details)	Event vehicles permitted on site. Caution must be taken not to drive heavy vehicles over the Millennium Footpath next to the bandstand.	Can be used as over flow parking for large events.	Parking for display/event vehicles only.
Nearby Car Parks	<a href="#">Parking in Walmer</a>	<a href="#">Parking in Dover</a>	<a href="#">Parking in Deal</a>	<a href="#">Parking in Sandwich</a>
Boot fairs	Not permitted	Not permitted	Not permitted	Not permitted
Bandstand	Contact Deal Memorial Bandstand Trust	Contact Dover Town Council	N/A	N/A
Marquees	Not permitted	Not permitted	Not permitted	Not permitted
Gazebos	Permitted	Permitted	Permitted	Permitted
Electricity Supply	None – generators would be required	Supply can be accessed but meter reading must be taken before and after event and the appropriate charge made.	None – generators would be required	None – generators would be required
Water Supply	None	Supply can be accessed using a standpipe provided by DDC, but meter reading must be taken	Available next to toilets using an outside tap	None

		before and after event and the appropriate charge made.		
Waste arrangements	Event organiser to make their own arrangements for waste clearance. If waste is not removed, the event organiser will be recharged for the collection. Event organisers are encouraged to recycle as much as possible.	Event organiser to make their own arrangements for waste clearance. If waste is not removed, the event organiser will be recharged for the collection. Event organisers are encouraged to recycle as much as possible.	Event organiser to make their own arrangements for waste clearance. If waste is not removed, the event organiser will be recharged for the collection. Event organisers are encouraged to recycle as much as possible.	Event organiser to make their own arrangements for waste clearance. If waste is not removed, the event organiser will be recharged for the collection. Event organisers are encouraged to recycle as much as possible.
Live music	Permitted but with noise restrictions as a residential area	Permitted but with noise restrictions as a residential area	Permitted but with noise restrictions as a residential area	Permitted but with noise restrictions as a residential area
Music – time restrictions	Sunday to Thursday 08.00 to 22.00  Friday & Saturday 08.00 to 22.30	Sunday to Thursday 08.00 to 22.00  Friday & Saturday 08.00 to 22.30	Sunday to Thursday 08.00 to 22.00  Friday & Saturday 08.00 to 22.30	
Alcohol licence	None	None	None	None
Music Licence	Organiser to notify performing rights society of music at event	Organiser to notify performing rights society of music at event	Organiser to notify performing rights society of music at event	Organiser to notify performing rights society of music at event
Toilet Provision	Public toilets on Marine Parade. Check opening times for your event	Public toilets in Stembrook car park. Check opening times	Public toilets in the park. Check opening times for your event	Public toilets on the Quay. Check opening times for your event

		for your event		
Lighting	None on the green – street lights on the Strand	Lamp posts within the gardens	None in the park – street lights only	Lamp posts along the Quay.