

Subject:	Outdoor Events 2021/22 – Life Festival		
Date of Meeting:	22 July 2021		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Donna Chisholm		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Subject to the government's roadmap and associated guidance, this report seeks Landlords' Consent to stage the LiFE music event at Brighton Rugby Club, Waterhall over four consecutive weekends – 31 Jul/01 Aug, 7/8 Aug, 14/15 Aug, 21/22 Aug.
- 1.2 This report also seeks approval for the Executive Director, Economy, Environment and Culture to enter into negotiations with the organisers to determine fees and conditions as appropriate.

2. RECOMMENDATIONS:

- 2.1 In accordance with the government's roadmap and associated guidance, that the committee grants landlord's consent (subject to the execution of a formal agreement) for the LiFE Festival at Brighton Rugby Club, Waterhall for four weekends over the course of late July and August 2021. Landlord's consent would subject to the actions detailed in paragraph 3.7 being carried out.
- 2.2 That the committee notes final permission for events is being sought on the basis that step 4 of the government's road map was reached on 19th July and the LiFE music event can take place within any remaining restrictions.
- 2.3 That the committee authorise officers to enter into formal agreements with the event organisers to determine conditions, fees and levels of support, as appropriate.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton Rugby Club have requested the use of the grass pitch in front of their clubhouse to stage the LiFE music event. With a capacity of 2,000 people, it would be staged over four consecutive weekends. The events will operate on

Saturdays and Sundays. On Saturdays the site will open at 14:00 and close at 22:00. On Sundays the site will open at 12:00 and close at 20:00.

- 3.2 The request has come to the Events Team late in the annual calendar. Brighton Rugby Club believed they already had consent to stage a number of events on the land they hire from the Council under the terms of their existing lease that they have had for many years. On examination, and after clarification from the Councils' Estates and Legal teams, this is not the case. Landlords' Consent for use of our parks and open spaces lies with Committee, the existing lease does not override this.
- 3.2 The audience profile for the LiFE Festival is adults aged over 18. Target audience is a 50/50 gender split with ages ranging from 18 up to 40. It is expected that roughly 60% of attendees will be university students with the remaining 40% to be people from the local area. It is not expected large numbers of people will undertake intercity travel to attend any of the events.
- 3.3 LiFE festival is a house music led festival. It has one main stage, housed in a big top. Outside of the big top the festival site also features street food vendors, main bar, fashion traders and 2 funfair rides. The whole of the site fits within the Rugby Clubs' No 1 pitch and the car park immediately to the south of it. A site plan can be found as Appendix 1.
- 3.4 The event is fully ticketed, only customers with valid tickets will be allowed access. The site has a capacity of 2000 people. The vast majority of tickets are sold on-line but tickets may be bought at the site, subject to capacity. Many tickets have already been sold and transferred to the new dates given in paragraph 1.1 above.
- 3.5 Full sets of operational plans, including Major Incident Plans, Risk Assessments, Covid Risk Assessments, Crowd Management Plans and Fire Management plans, have been submitted to partner agencies and council departments with no major concerns being raised
- 3.6 At the time of writing the report stage four of the Governments' roadmap is scheduled for 19th July 2021. From the experience of the relaxation of the previous three stages we can expect a Government announcement around the 12th July as to what restrictions (if any), due to Covid, will remain in place and might affect events. The Rugby Club's proposal is predicated on all restrictions, particularly social distancing and those currently imposed on the hospitality trade, being lifted from 19th July. The Rugby Club are aware that Consent can be withdrawn by the Council, at very short notice. To respond to this, a Covid safety action plan has been produced as detailed below.

COVID Safety Action Plan

- 3.7 The event organisers will implement an action plan based on responding to Government advisory guidance in respect of COVID safety, as stage 4 of the roadmap is reached. The action plan takes account of the city's increasing infection rate and its designation as an Enhanced Response Area. Organisers will take all practical steps to ensure COVID safety. They will adopt a three-part

plan to ensure best practice throughout the events organising process. These parts are:

Inform

- The event organisers will be advising all ticket holder/participants prior to the event on social media, online and direct information of the steps required.
- All ticket holders/participants will be advised that anyone with symptoms, or positive results from a COVID test should not attend and they will not be given access.
- Promotion will be on 'no test/proof - no access'
- All ticket holders/participants will be advised of the measures on site prior to arrival.

Detect

- All ticket holders will be required to prove on admission they are either double vaccinated or have tested negative using the NHS App system as proof.
- All workers/performers will have to take rapid COVID tests each day of operation to prove negative result.
- If a ticketholder/participant arrives on site without this, the organiser will have a testing facility to be used if they insist on no prior knowledge of this or if the requirement to ensure immediate safety and best practice means a test is required. The organiser has the already sourced 1000 PCR tests and the Event Management Plan has testing space using the artificial pitch.
- Those who cannot prove vaccination or negative test or refuse a test will not be given access.

Respond

- On site there will be free mask points and event attendees will be encouraged to wear these.
- Posters encouraging mask use and the need to act responsibly will be used.
- Use of the NHS App or similar software for 'checking in' will be in place and attendees will be directed on entry.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The alternative is to refuse consent. The justification for this would be when (on 29 March at the Policy and Resources Recovery Sub-committee) consent was given for a similar event, by Concorde 2 on the beach in Brighton, Covid cases were decreasing whereas now they are increasing significantly. There are also concerns about the delta variant.

4.2 The beach event given consent as part of the committee report on 29 March was for one event of a similar kind to take place (a non-socially distanced dance music event) whereas the LiFE Festival involves eight consecutive events of

2000 people on each occasion. There is potentially a cumulative impact and a greater risk of having a large number of these events - rather than one or two in the programme. Members may feel that having eight events over four consecutive weekends is too many in terms of the potential impact upon the Waterhall area - whereas the other similar event already have given in-principle approval to is on the beach at Madeira Drive.

- 4.3 The Committee is recommended to give consent for this event because the organisers have planned their event carefully and will comply with all Council and government requirements. There is also a risk of legal challenge if consent is refused – see legal implications below.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Consultation is taking place with Ward Councillors, Sussex Police, East Sussex Fire & Rescue Service, South East Coast Ambulance Service, NHS Trust, Environmental Health & Licensing, City Parks, Civil Contingencies and Highways. Detailed consultations will also take place as the event plans are developed between the respective event organiser and our partner agencies. The event was discussed at the recent City Safety Advisory Group.

- 5.2 Brighton Rugby Club have also been in direct contact with Waterhall Farm Cottages, the single residential property at the entrance to Waterhall, the baseball and football clubs that also use the site and all Ward Councillors. They have also contacted the herdsman from the adjacent tenanted farm to alert them to any possible disturbance to livestock.

6. CONCLUSION

- 6.1 Events form a significant part of the Council's overall tourism strategy. As well as bringing significant economic benefits to the city, particularly important as we begin to open up post-Covid, they encourage a sense of participation and community in all festival-goers and those working on delivering the event.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 In accordance with the Outdoor Events Policy a commercial hire fee will be charged for the hire of the site which will support the service in meeting income targets. Any variance in overall income achieved will be reported as part of the Targeted Budget Management reports to Policy and resources committee.

Finance Officer Consulted: James Hengeveld

Date: 08/06/2021

Legal Implications:

- 7.2 Issues relating to Council owned land are generally considered private law issues which are not susceptible to judicial review but given the serious consequences for the event organisers if consent is refused, a legal challenge is possible. There are reasons to distinguish these events from others which have received consent. These are set out in the body of the report which the Council could

point to if challenged. If consent is granted a legal agreement will be put in place with the event organisers.

Lawyer Consulted:

Alice Rowland

Date: 07/06/21

Equalities Implications:

- 7.3 The Events Programme caters for people from all sectors of the community as there are a diverse range of events that are staged in the city each year. Issues such as physical access to an event and designated viewing areas are developed and detailed in event plans where applicable. Major event organisers will be required to complete an Equalities Impact Assessment, new for 2021.

Sustainability Implications:

All events are planned and staged in accordance with the statutory powers and planning obligations as set out in the Outdoor Events Policy.

- 7.4 The nature of outdoor events means that they often involve a range of potential sustainability impacts (both positive and negative) from travel, energy and water use, food, local economic and social impacts, use of outdoor spaces and production of waste. Through the Sustainable Events Programme, event organisers are supported to improve sustainability at their events, focusing on the areas with the highest potential impact. The programme is certified to the international standard for environmental management ISO 14001.
- 7.5 The Sustainable Events Programme also meets the requirements of the British Standard for Sustainable Events that was developed for the London 2012 Games and helped them deliver a highly visible sustainability programme, particularly around event waste recycling and encouraging people to use public transport. The standard was superseded by the International Standard ISO 20121 and the council's programme is being amended to meet the requirements of the new standard and help the council continually improve its engagement with event organisers to improve sustainability.
- 7.6 A new Environmental Impact assessment and Action Plan will be required to be completed by most event organisers.

Brexit Implications:

- 7.7 There are no identified implications.

Crime & Disorder Implications:

- 7.8 Sussex Police are involved in both the consultation and planning of all major events.

Risk and Opportunity Management Implications:

- 7.9 The City's Safety Advisory Group has an overview of all the events that take place in Brighton and Hove that have the potential to attract significantly large numbers of people. A protocol and good working partnerships between the

council and emergency services are in place in the city and close agency working will be integral to both the planning and delivery of these events. Public health advisers are present at the Safety Advisory Group to input on COVID safe practices.

- 7.10 Event-specific Safety Advisory Groups can be convened for all major outdoor events taking place in Brighton and Hove.

Public Health Implications:

- 7.11 The diverse range of events already provided with Landlord's Consent for 2021 contribute positively to the health and well-being of the participants. This includes the direct benefits of taking part in physical activity events such as those for running, walking and cycling. Furthermore, events can contribute to a sense of community, local pride and cultural identity which can have a positive impact on the well-being of those involved. However, events will need to meet Covid safe requirements in accordance with national guidelines.

Corporate / Citywide Implications:

- 7.12 None

SUPPORTING DOCUMENTATION

Appendices:

- 1. Site Plan