

BRISTOL CITY COUNCIL

DOWNS COMMITTEE

4TH JULY 2011

Report of: Service Director of Communication and Marketing

Title: Funderworld Debrief 2011

Ward: Stoke Bishop / Clifton / Westbury on Trym

Officer Presenting Report: Louise Baker, Service Improvement and Site Licensing Manager

Contact Telephone Number: 0117 922 3711

RECOMMENDATION

That the report be noted.

Summary

The purpose of this report is to provide the Committee with a review of Funderworld, which took place on The Downs in April 2011. The report is intended to update the Committee and provide an opportunity to raise any issues concerning the event.

The significant issues in the report are:

- a) Overview of the event (Paragraphs 5 and 6).
- b) Review of the event (Paragraphs 7 - 22).

Policy

1. All events that take place on The Downs have to adhere to the 'Policy for events on The Downs'.

Consultation

2. Internal

Robert Westlake – Downs Ranger
France Horner – Legal Services
Tony Whitlock - Resources

3. External

Not applicable
Funderworld – Nick Vass

Context

4. James Mellors Amusements Ltd held their seventh Funderworld event on the Downs on Friday 8th April to Monday 25th April 2011. This event was approved at Downs Committee on 22nd November 2010 (min no DWN 12.11/10 refers) and the Safety Advisory Group for Events (SAGE) also signed off the event so a licence was issued.

Overview of the event

5. Funderworld took place on Friday 8th April to Monday 25th April 2011 at the Water Tower site on The Downs and consisted of 18 rides, 18 side stalls and 7 food concessions. The site was open to the public from 13:00 hours to 21:00 hours each day.
6. A charity night was held on Monday 11th April, which raised money for the Lord Mayors Appeal (amount TBC).

Review of event

7. The opening weekend of Funderworld saw excellent weather and this attracted great crowds to the site.
8. The charity night on Monday was the busiest the organisers have ever seen and they are proposing to have two charity nights in future years so attendees don't have to queue for slow long.
9. In total officers received three complaints about the event summarised below:

Complaint 1

10. *The first complaint was received on the evening of 8th April (the 1st night) from a resident of Victoria Court, Durdham Park. The complainant was concerned about the increase in cars parked in their street although Funderworld provide parking, an increase in litter locally and kids hanging around in the road and climbing walls etc. The resident was also concerned about the damage to The Downs and residents not being consulted prior to the event by the organisers.*
11. The Downs Ranger responded to the complaint explaining no cars were parked illegally and clarifying the bond that is received from the organisers to cover any damage to the site. The complainant was also informed that Safety Advisory Group are consulted on the event prior to a licence being issued and a condition is that the organisers write to local residents in advance which they confirmed they had done.

Complaint 2

12. *On Tuesday 12th April the Downs Ranger received a second complaint regarding parking chaos associated with Funderworld. The complainant was concerned about cars being parked the day before (Monday) on Westbury Road which meant traffic going towards Westbury had to cross the 'central line' consequently meaning traffic travelling towards Clifton had to partly drive in the bus lane. At the rush hour there was insufficient room between the two lanes of traffic and the parked cars.*
13. *The complainant requested 'no waiting' cones on Westbury Road, alongside Funderworld to prevent a repeat of the problems and for officers to liaise with Funderworld for signs to direct cars to the car park on The Downs.*
14. Parking Services responded to the complainant stating 'Parking Services would not be able to place cones on the highway without permission by the local Police Authority. The Police would also be the only body able to enforce to vehicles parked on the traffic cones. I would suggest that you contact the Police who would authorise the cones on the highway. We would act as an agent in placing the cones, having no powers to enforce to vehicles contravening. As for the signs directing vehicles to a car park, I believe this would be dealt with by Funderworld. Parking Services would not have any dealings regarding this. I can verify that no vehicles were issued Penalty Charge Notices yesterday by the CCTV Bus Lane operators. Parking Services would be able to place cones once the authority has been granted by the Police'.

- 15.** Officers therefore recommended to Funderworld they complete a Form 150 available from the local police station which is an application to place 'no waiting' cones on the highway. This was not followed up at any stage as there was no legal requirement to do so. Directional signs were already in place to the car park so no further signs were requested.

Complaint 3

- 16.** *Noise Pollution confirmed they only received one complaint, which was anonymous and was the same complaint as that submitted to Councillor Cook. The complainant also submitted the complaint to the European Union about the Downs Committee allowing Funderworld to take place on The Downs. The complaint referred to noise during construction and then a month of pretty much continuous disruption / noise. They stated that they complain every year and nothing happens so they are going to the European Union.*
- 17.** As this complaint was anonymous officers could not respond.
- 18.** After Funderworld closed the Downs Ranger met with the site manager and agreed retention from the bond of £250 to cover reinstatement works, comments from the Downs Ranger were as follows
- cars parked on The Downs on the triangle near the public toilets, the organisers were contacted and the situation resolved;
 - problems with cars exiting the 'official' car park and turning right into oncoming traffic instead of going left and down to the roundabout;
 - cars parked on the main road causing an obstruction;
 - one of the security personnel driving erratically on site (site manager spoken to about this);
 - some minor conflict between the café and Funderworld about access onto the site during set up;
 - other than that a very successful event.
- 19.** The Safety Advisory Group for Events were consulted on 10th May 2011 regarding whether they wanted to invite the organisers to a debrief meeting and they decided that they didn't and if they were to submit an application for 2012 then the parking issues would be dealt with then as part of their application.

Other Options Considered

- 20.** None

Risk Assessment

Not applicable

Public Sector Equality Duties

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.
- 8b) All event organisers are sent the Schedule of Terms and Conditions for licences when they are issued with their licence. This schedule details the council’s commitment to promoting equality of access to all services it directly provides or facilitates through its hire of land to others. The Licensee shall conform to the principles contained in the Council’s Equalities Policy. The Licensee shall ensure that nothing the Licensee or the Licensee’s servants or agents or any sub-licensee or sub-licensee’s servants or agents does:
- a. Has the effect; or

- b. Is intended to have the effect; or
- c. Is likely to have the effect,

of harassing, intimidating or causing the use of violence against any person who attends or wishes to attend the Event or discriminating either directly or indirectly against any person who attends or may wish to attend the Event, on the grounds of race, religion, gender, sexual orientation, disability or age.

Legal and Resource Implications

Legal

The Clifton and Durdham Downs (Bristol) Act 1861 provides that The Downs should remain as a place for the public resort and recreation of the citizens and inhabitants of Bristol, and that a committee should be appointed to manage them. The recommendation contained in this report is within the powers conferred by this statute.

(Legal advice provided by Frances Horner, Senior Solicitor)

Financial

(a) Revenue

Site Fees of £25,575 were charged plus reinstatement works of £250.

(b) Capital

None

(Financial advice provided by Tony Whitlock, Principal Accountant)

Land

The land is under the control of the Downs Committee.

Personnel

Not applicable

(Personnel advice provided by n/a)

Appendices:

None

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Event Site Licence Applications File

Downs Committee papers 22nd November 2010

Safety Advisory Group papers and minutes 10th May 2011

Schedule of Terms and Conditions for licences