



Policy : Community Groups Use of and Access to Council Parks, Reserves and Open Spaces

1. RATIONALE:

- 1.1 Community groups, sports clubs, commercial entities and individuals may from time to time seek access to Council-owned and managed open spaces, reserves and parks. This may be on an on-going, usually seasonal, basis (e.g. sporting fixtures), or an event basis (e.g. one-off sporting events, fairs, festivals, weddings). In some circumstances organisations may have, or may seek to have, buildings or other structures located on parks, reserves or open spaces.
- 1.2 This policy sets out a basis and terms for such access and use that meets the needs, obligations and responsibilities of both the users and the Council.

2. PURPOSE:

- 2.1 To set out in general terms the policy framework underlying operational procedures for community, sporting, commercial and event usage of Council-owned parks, reserves and open spaces.

3. FEES AND CHARGES

- 3.1 Use of council parks, reserves and open spaces for sporting and event use is generally free to community groups, sports clubs and other non-commercial entities. The council may recover costs for the provision of services such as additional rubbish collection, line-marking etc. Any need for such cost-recovery will be advised at the time of booking.
- 3.2 Any fees or charges will form part of the Schedule of Fees and Charges published annually in the Annual or Long Term Plan.
- 3.3 A refundable damage bond may be charged for events, but not for sporting use.
- 3.4 A Licence to Occupy for a council park, reserve or open space incurs an annual rental charge which is agreed between the licensee and the council.

4. REQUIREMENTS FOR SPORTING USE, EVENTS AND LICENCES TO OCCUPY

4. Sporting Use

- 4.1.1 Community groups, sports clubs, commercial entities or individuals seeking to use Council parks, reserves and open spaces for regular sporting purposes, such as a season must make an application to the Council each year, two calendar months before the official start of the season.

4.1.2 The application is to be made on the prescribed form and must provide a minimum of the following information:

- name of club, organisation, group or individual;
- two contact names with addresses, email addresses and telephone numbers;
- dates or period the use is to cover;
- proposed times of use;
- number of persons involved and/or teams;
- purpose or activity planned;
- any special requirements of the activity for the area concerned e.g. line marking, supply of rubbish bins.

4.1.3 The Council will assess the application and set out in writing any conditions to be imposed and any fee or charge that is payable upon approval being given.

4.1.4 Fees or charges generally will not be waived other than in an exceptional case which will require the specific approval of the Chief Executive Officer.

4.1.5 A damage bond may be required.

4.1.6 If a park, reserve or open space has a reserve management plan, the conditions of that plan must be complied with by users at all times.

4.1.7 One-off sporting events outside of regular scheduled play will be treated as events under 4.2 below.

4.2 Event Use

4.2.1 An event is defined as an organised celebration, activity, display, meeting or gathering, demonstration, parade, procession or competition that occurs within a defined time period.

4.2.2 Community groups, sports clubs, commercial entities or individuals seeking to hold an event on a Council park, reserve or open space must make a written application to Council in advance of the event using the Event Application Form.

4.2.3 The Council will assess the application and set out in writing any conditions to be imposed and any fee that is payable upon approval being given.

4.2.3 Fees generally will not be waived other than in an exceptional case which will require the specific approval of the Chief Executive Officer, though minor use, such as for a day, may not incur a fee.

4.2.4 A damage bond may be required .

4.2.5 If a park, reserve or open space has a reserve management plan, the conditions of the plan must be complied with by users at all times.

4.3 Licence to Occupy

4.3.1 In certain situations community groups, sports clubs, commercial entities or individuals may seek to have long-term and/or exclusive use of part of a park, reserve or open space. This may be where they have, or wish to have, a club

house, community hall or like building or facility which is owned by them on the property, or where the right of exclusive use for certain periods is desired.

- 4.3.2 Occupancy of such land is at the sole discretion of the Council and is required to be supported by a Licence to Occupy. Such a licence may be exclusive or non-exclusive, at the discretion of the Council. The costs of the preparation of the licence, and any variations or renewals will be borne by the licensee if it is a commercial or for-profit entity, and by the Council if it is a local community organisation.
- 4.3.3 The Council will charge a rental, usually a relatively nominal amount payable annually, that recognises this use of part of a public amenity.
- 4.3.4 Such rentals will not be waived, remitted or specifically subsidised from any other Council financial sources or budgets.
- 4.3.5 Community groups, sports clubs, commercial entities or individuals entering into such Licences to Occupy will be required to comply with all Council regulations and bylaws and with all relevant government legislation in particular, the Local Government Act 2002 and 1974, Health and Safety at Work Act 2015 and Reserves Act 1977.
- 4.3.6 Community groups, sports clubs, commercial entities or individuals having a Licence to Occupy for a Council park, reserve or open space are still required to make either :
 - 4.3.6.1 an annual application for seasonal sporting use, or
 - 4.3.6.2 an event application for event use; andto pay the relevant fees or charges as set out in the Council's Schedule of Fees and Charges, in addition to the annual Licence to Occupy fee.

5. DISPUTES

- 5.1 Council officers will make their best efforts to accommodate users, however in the event of a dispute between the Council and a user group or organisation the decision of the Council shall be final.

6. TERMS AND CONDITIONS

- 6.1 The Council provides details of the terms and conditions applicable for the use of Council
Parks, reserves and open spaces. These are available from the Council offices, Service Centres and the Council website.
- 6.2 The Terms and Conditions set out the details of a user's obligations and responsibilities. These are reviewed from time to time and may be amended, altered or rescinded at any time.
- 6.3 Terms and Conditions are issued by the Chief Executive Officer.