



## Derby City Centre Space Hire – Terms and Conditions of Use

### CONDITIONS FOR USING DERBY CITY CENTRE PEDESTRIANISED SPACES

Terms used in these condition:

<i>We/our/us</i>	means Derby City Council (DCC) or Derby LIVE
<i>You/Consent Holder/Applicant</i>	means the hirer, or person signing the Space Hire Application form and the organisation they represent.
<i>Designated Area or Hire Space</i>	means the site specified on the Space Hire Application form and shown on plans supplied.
<i>Activity/Promotion</i>	means the activity on the dates for which the booking was made, during the times specified, for which permission is granted.

#### The Hire Conditions

1. You must provide **proof of Public Liability Insurance** for a minimum of £5,000,000.
2. You must provide a copy of your risk assessment for all your activities a minimum of 28 days prior to your arrival date on site. Failure to submit may result in your booking being cancelled without refund.
3. You will **indemnify** DCC and Derby LIVE against all actions, costs, claims, damages and demands that may result from your use of the space under the consent granted by us.
4. It is the responsibility of the hirer to ensure that they obtain all necessary planning and advertising consents (if applicable) and to conform with all health and safety and government legislation in relation to the space hire booking.
5. Any activity with music (with either recorded music use and/or live music), on Council-controlled land (e.g. parks, city centre, etc.) will need to contact PPL PRS Ltd direct and apply for a licence via the online notification process at [www.PPLPRS.co.uk](http://www.PPLPRS.co.uk). Proof of licence application and purchase must be provided to Derby City Council by emailing [spacehire@derby.gov.uk](mailto:spacehire@derby.gov.uk) at the very latest six weeks prior to the booking date. Derby City Council requires that you provide:
  - (i) copy application content (printed copy/screen shot of application form); and
  - (ii) proof of licence purchase (copy receipt), as proof of licence and application and purchase. Please note that we notify, and record that we have notified, PRSPPL about music at all respective events. Therefore, you must ensure that you have the appropriate PRSPPL licences in place and you must send us proof of this.
6. If you intend to have a **street collection** you may only do this by applying for a permit beforehand from the DCC licensing officer (Tel. 01332 641930). Street collections are only allowed for charity organisations. **A copy of the**

**Street Collection Consent Form must be returned with your Space Hire Application Form to Derby LIVE.**

7. Copies of your booking confirmation or street collection consent forms must be available for inspection by any officer of DCC, Derby LIVE or the police on the dates in question.
8. The activity must be attended at all times by the designated point of contact person on the Space Hire Application Form.
9. Activity or displays will only be permitted in the designated area indicated on the Space Hire Application. All activities and infrastructure including gazebo, flags, banners, A-boards etc. must be contained within the site agreed as noted in the confirmation letter from Derby LIVE. Infrastructure should be secured as specified by the manufactures safety instructions and suitable ballast/anchoring must be used.
10. Activities should be positioned so as to cause minimum disruption of pedestrian movement and no obstruction to shop frontages. Your activities shall not cause any nuisance or annoyance to other users of the pedestrianised area/precinct, occupiers of adjacent land/buildings or to DCC.
11. You will be responsible for the satisfactory behaviour of your employees or other people involved in the activity who shall comply with these conditions.
12. Any display must be safe, tidy and attractive, to the satisfaction of DCC/Derby LIVE. All graphics must be well designed and produced. No hand-written signs or posters are permitted. Non-display items such as boxes and personal goods must not be visible.
13. Litter, generated as a result of your activity, including samples/products promoted, must be minimised and removed promptly by the consent holder. If DCC incurs additional cleansing costs as a result of your activity/promotion, then an appropriate charge will be made to the consent holder.
14. Hirers must ensure that all reasonable measures are taken to make their facilities accessible to all members of the community.
15. **Electricity connections**
  - Temporary cable installation  
All electrical works shall comply with BS7909 and BS7671 where applicable.
  - Cables laid along floors should be arranged to cause minimum obstruction and should be secured in position if disturbance is likely. Cables on the ground, which cross pedestrian and vehicle routes, should be protected from damage and ramped, with suitable hazard warning.
  - Buried cables should be deep enough to avoid being damaged by any reasonably foreseeable disturbance of the ground.  
Overhead cables that cross pedestrian walkways should be at least 3.5m above the ground. Overhead cables that cross routes over which vehicles might pass should be at least 6m above the ground and supported by a cable anchorage system, with adequate strain relief. Flown or buried cables should not have joints or connectors in the part that is flown or buried. (BS7909 8.8.1) (Refer to Table 4F1B for voltage drop)
  - Cables shall typically be HO7RN-F and supplies should be protected by a 300mA RCD fitted at the origin of the temporary supply (see BS 7671 Regs 711.410.3.4 or 740.410.3 as appropriate).
  - Joints in cables shall be avoided except where necessary as a connection into a circuit, and where made, should be constructed using proper connectors. All electrical distribution equipment and cables should be adequately protected from the weather.
  - Satisfactorily completed G1, G2 and, where applicable, G3 forms (from BS7909) will need to be submitted to the appropriate Derby City Council Officer prior to operation.

- All flown cabling must not be used as a catenary wire to support flags or any other equipment.
  - All internally wired vehicles, such as catering vehicles will have a valid and up to date electrical installation condition report. You must provide a copy of the report to us at least 28 days prior to the booking.
  - Portable Appliance Testing (PAT) - To meet the requirements of both the existing legislation and the new 'Electricity at Work Regulations', it is necessary for all operators who use electrical appliances on site to have their equipment PAT tested . All items which are going to be used should have a sticker showing the safety test date, as well as a reference number. All operators will have a copy of the test certificate on site, which will list all the equipment to be used and show the same reference numbers. DCC/Derby LIVE reserve the right to check all equipment. Any electrical appliances without a PAT Certificate CANNOT be used. Spot checks will be carried out by the DCC Health and Safety Dept.
  - Details of any generator to be used must be submitted for approval on the Space Hire Application Form. A copy of the Generator Maintenance Certificate must also be submitted a minimum of 28 days prior to the booking.
16. Necessary firefighting equipment must be provided and be readily available.
  17. The use of loud hailers will not be permitted, unless specifically agreed with Derby LIVE in advance.
  18. The use of amplification equipment is permitted within the hire spaces (unless specifically noted otherwise) provided details of all equipment in use are detailed on the Space Hire Application and approved by Derby LIVE. This agreement does not preclude the organisers being asked by Derby LIVE/DCC or the Police to reduce any volume of music or noise. The applicant should consult with the Environmental Protection Team (Tel. 01332 642020) about the control of noise generated during the hire period.
  19. You may be required to curtail or cancel an activity on the day, in the circumstances of emergency or other authorised legitimate access requirements, for which no satisfactory alternative access arrangements can be made. Attempts will be made to find an alternative site where possible, but this cannot be guaranteed. A refund of any payments will not be made in any of these circumstances. **If you are asked to move location by DCC, Derby LIVE, the Police or Fire Service, you must immediately comply.**
  20. Derby LIVE reserves the right, in exceptional circumstances, to change stand sites should maintenance work, refurbishment in the city or programming priorities necessitate relocation.
  21. We will repair any damage to paving, street furniture or any other highway maintainable structures caused as a result of your activity and you must meet the cost of this. This includes removal of oil stains/tyre marks or any other stains left on the surface area.
  22. A non-refundable booking fee is applicable to all applications. The fee is as detailed on the current pricing schedule for the hiring of space in Derby City Centre.
  23. A fee will be charged for all site hires/promotions. This fee is as detailed on the current pricing schedule for the hiring of space in Derby City Centre. The fee may be waived or amended at the discretion of Derby LIVE. The appropriate fee will be notified at the time of application and stated on your confirmation letter. An invoice will be sent to you by DCC. Payment can be made by BACS/CHAPS or by credit/debit card over the phone by contacting the space hire team on 01332 640848 or in person.

BACS /CHAPS details:

Lloyds Bank  
Derby City Council General Account  
Acc: 00006306  
Sort code: 30 92 59

24. Should an activity be cancelled by you after confirmation has been issued, a cancellation charge of 20% of the fee will become payable. If an activity is cancelled within 7 days of its booking date, the full charges will apply.
25. We reserve the right to refuse any activity/promotion permission to book the city centre spaces, and the right to terminate any consent if the holder does not conform to the original agreement and conditions, to the satisfaction of DCC or Derby LIVE. We will not be liable for any costs you incur as a result of our withdrawing or cancelling permission.
26. It is the exhibitor's responsibility to ensure that they have a copy of the most up-to-date Space Hire Terms and Conditions. The most update to date copy can be can be obtain from [http://dropbox.com/sh/oc27513ipvupz0r/AACu-6KNkPI2CcQfW87WY\\_oLa?dl=0](http://dropbox.com/sh/oc27513ipvupz0r/AACu-6KNkPI2CcQfW87WY_oLa?dl=0).
27. **Vehicle regulations for stands in all areas**
  - Only vehicles or equipment which are an essential and integral part of an activity/promotion may be left on site. All other vehicles (to include towing/staff vehicles/branded vehicles) will be required to find suitable off-site parking prior to the start time of the activity/promotion.
  - If necessary, a vehicle may be left on site overnight, **provided** you get approval from us beforehand. An additional charge may be incurred and you must take all necessary precautions to secure any vehicle. Vehicles and equipment are left at your risk and DCC/Derby LIVE will not be held responsible for any loss or damage.
  - You must make sure you remove all vehicles, equipment and materials not in use from the designated hire space or area and must leave the area in a clean, tidy condition by the prescribed date/time.
  - All trailer A-Frames must be screened by boards to ensure they are not a hazard to pedestrians. Boards must be appropriately coloured and safely secured.
  - Spaces that are available for use by vehicles will be determined by Derby LIVE and shall be strictly adhered to.
  - We do not permit displays using moving vehicles.

**All Vehicles:**

  - to be maximum gross weight of 10 tonnes.
  - must stick to 5mph speed limit plus supervision when reversing.
  - must comply with all other traffic regulations in force at that time.
  - when parked, must have separate drip trays or plastic sheeting underneath to prevent oil or fuel staining – built-in drip trays alone are not acceptable.
  - with point pressure from pneumatic jacks such as on fire engines, JCBs and crane outriggers must be spread using wooden sleepers or similar.
  - must be kept locked and secured unless forming an integral part of the display and must be supervised at all times.

**Vehicle Movement:**

  - Vehicle movement to and from the city centre spaces must only take place within the hours permitted by the relevant Traffic Regulation Orders. These hours are normally 5pm in the evening until 10am the following morning within the pedestrianised streets (Monday-Sunday). (Note: different hours apply during Christmas late night shopping). Exceptions to this apply when specific

police consent has been given or the organiser has been instructed to move by DCC/Derby LIVE.

- Vehicle users must comply with Derbyshire Constabulary advice which states 'Whenever a vehicle is driven upon foot-way areas it should be guided by another person so as to inhibit excessive speed and prevent conflict with any pedestrians in the vicinity'. This advice is given without prejudice and would not absolve any person from criminal or civil liability.
- East St. (between St. Peter's St. & Exchange St.) – vehicular access to this section of East St. is prohibited at all times. Loading and unloading for this site can only take place from its junction with either St. Peter's St. or Exchange St. in conjunction with the relevant traffic order restriction times (between 5pm in the evening until 10am the following morning within the pedestrianised streets, Monday-Sunday). (Note: different hours apply during Christmas late night shopping).
- Vehicular access in and out of the Market Place is only by way of the Council House roundabout, Corporation Street, or Tennant Street.
- Pedestrian areas are protected by locked bollards. You must make appropriate arrangements with the Derby LIVE office before arrival to ensure you have access through these locked bollards. Our normal office hours are 0900 to 1630 Monday to Friday (not available on Saturdays and Sundays). You must erect the bollards immediately after any vehicles enter or leave the Area.
- Current vehicle access maps can be downloaded from <https://www.dropbox.com/s/enf3seo4kju3izf/Access%20Information.pdf?dl=0>

#### 28. **Gas appliances**

Anyone carrying out work on gas appliances or fittings must be competent and a Gas Safe Registered engineer with the required qualification for LPG catering equipment on mobile units. Gas engineer registration can be checked at [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk)

#### 29. **Fly Posting**

You must get written permission before putting advertising signs or posters on Council land/property. You must submit a site plan showing the locations of signage and posters along with information about the size of the signage and posters. Fly posting is strictly prohibited in Derby. Marketing materials should not be attached to street furniture, in windows of unoccupied premises or on any unauthorised sites. Fly posting is a CRIMINAL offence punishable by a fine of up to £2,500 on conviction. If you engage in illegal fly-posting in Derby, you will not have subsequent space/event hire applications accepted.

#### 30. **Animal Welfare**

- Any hirer using animals for performance and/or display purposes must ensure that the keeper/trainer of the animals holds a valid Animal Activity Licence under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The licence must be issued by the relevant authority where the animals are kept and / or trained.
- If no licence is held, the keeper/trainer must hold written confirmation from the relevant authority that stipulates that they are exempt from the Regulations. This **written confirmation proving exemption** must be sent to Derby City Council.
- If the keeper/trainer is claiming to be a registered charity, **the charity registration number** must be sent to Derby City Council.
- If the keeper/trainer is based in another country, they must hold the equivalent registration/licence, depending on the local requirements.

31. Hirers using animals must strictly adhere to all aspects of the Council's Animal Welfare Charter, the HSE's Working with Animals in Entertainment, and the RSPCA's Guidelines for the Welfare Of Performing Animals (copies available on request: [spacehire@derby.gov.uk](mailto:spacehire@derby.gov.uk)). The hirer must also provide copies of their **animal welfare policy** and all appropriate **animal welfare assessments** which must be carried out, applied and reviewed regularly. A copy of their **public liability insurance** will also be required.
32. Derby City Council, may also request copies of vet reports from where the animals are registered.
33. Any concerns which are raised in relation to the animals and their welfare, will be reported to the RSPCA.
34. Hirers must not use hate speech in their activity or support extremist views.
35. **Political and/or religious activities**
  - Derby LIVE does not oversee political or religious activity in the city Centre and events spaces. It is our understanding that people have the democratic right to express their political or religious views to the public. We would ask that you consider using Speakers' Corner, behind the waterfall in the Market Place, for such purposes. The guidelines for the appropriate use of Speakers' Corner, which should be applied to any public expression of political or religious views in the city centre, can be found at:  
<http://www.derbylive.co.uk/hire-our-spaces/outdoor-spaces/about-our-outdoor-spaces/>
  - In order to help ensure the smooth running of the city centre spaces, including avoiding the double-booking of activities and promotion spaces, we are happy to put your activity in our space hire diary. Please provide us with the necessary information including date, times and location.
  - We also recommend that you contact the police and make them aware of your activities. Our contact for the police is [SOP@derbyshire.pnn.police.uk](mailto:SOP@derbyshire.pnn.police.uk).