

Full Council

Title:	Town Fairs
Date:	21 June 2022
Contact Officer:	Mandy Sturdy, Town Clerk

Purpose of Report

1. To **receive** an update following the Fair Working Group (FWG) at a meeting held on 7 June 2022 and **consider** any recommendations.

Background

2. At the extra-ordinary Full Council meeting 24 May 2022, The Showmen's Guild presented the Town Council with a proposal for the Guild to take over the management of the Fair with an offer of £10,000 to the Council. The Guild would still require the Town Council to apply for the road closure, remove / replace street furniture and clear the car parks.
3. The FWG were tasked to review The Showmen's Guild's proposal and report back to Full Council. The in-depth discussion took into consideration the HSE Guidance, risks and liabilities for the Town Event. These had previously been incorporated within the 2022 Agreement sent to the Showman's Guild for their consideration prior to their counter proposal to manage the Fair.
4. **HSE Guidance:** The Guidance identifies four roles when holding a fair. The Operator and Attendant roles are directly related to operating the rides. The minimum standards set down in the Guidance for these two roles are generally monitored through The Showman's Guild. The Organiser however needs to be confident that systems are in place to show effective monitoring of these requirements and that all the stall holders are members of the Guild. The monitoring includes the annual inspection records for each ride, training of the operatives and a basic understanding of the emergency procedures.
5. The other two roles directly impact on the agreement that the Town Council has with the Guild.

The '**Organiser**' (which can be a company), has overall control of the fairground and has duties concerning safe layout and emergency procedures.

The '**Controllers**' (who can be companies) own or otherwise have control of an attraction and have a duty to maintain it in a safe condition.

6. The current agreement states, "The Council shall allow the Guild to plan, organise and manage all matters relating to the Fair Rides and Stalls". Initially this may appear that the Guild is the organiser but that is not the case. The Guild is only represented by the Fair Stewards who only organise the stalls and rides. They must therefore be identified as the 'Controllers'
7. Whilst the agreement does not specifically identify the Council as the overall organiser of the event, there are several reasons why the Council must remain the organiser not least to ensure safe and legal compliance for the event.

8. The FWG all agreed that they wish to continue working with the Showmen's Guild to deliver the invited September Fair and the October Charter Fair for 2022. The updated 2022 Draft Agreement including changes request by the Showmen's Guild representatives at a meeting in March 2022 (highlighted in red) is attached.

The Proposal

9. The WG felt that the Council should maintain the status Quo and continue to organise and run the fairs in conjunction with Showmen's Guild.
10. The WG agreed, that despite the increase in inflation there should be no increase on last year's charges to The Showman's Guild of £28,500. It should be noted that the last increase of £1,521 was in 2016-17.

Resource Appraisal

11. A further review of all financial implications for the Town Council is being undertaken.
12. The fee has been set to recover the expenses incurred for managing the fairs including an element of staff time and additional contracted staff hours.
13. Operationally the Town Council will implement and forward fund the required road closure application within the legal timeframe to enable both Fairs to proceed.

Risk Assessment

14. Council Event Risk Assessment to be completed prior to event
15. The Showmen's Guild may not agree to the proposal, nor sign the agreement
16. Increase in costs could require some subsidy

Legal Powers:

Local Government Act 1972 s 145

Recommendation

It is recommended that:

- i) The offer from the guild to manage and run the 2022 fair for £10,000 be declined.***
- ii) The proposal to run the fair in the same way, and at the same cost as 2016/17, with both parties adopting the updated agreement be put to The Showmen's Guild.***
- iii) The Town Council approves the Agreement for signing by the Town Mayor and the Town Clerk.***
- iv) That in the event of the Guild not signing the Agreement that further delegated authority is given to the Fair Working Group working with the Community Services Manager and Town Clerk to do what is right for the town.***