

St Helens Borough Council

Venue Hire & Use Policy

Introduction

The Government's statutory Prevent duty makes a mandatory requirement that St Helens Borough Council ensure that publicly owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views.

Prevent is part of the government counter-terrorism CONTEST strategy, with the aim of preventing people from supporting terrorism or becoming involved in terrorist related activities. A key strand of this activity is ensuring that the individuals and groups that advocate or promote extreme views including hatred, divisions and the use of violence, do not use Council venues and resources to do so. It is recognised that there are many varied ideologies that motivate people and groups and that public bodies must work together to prevent people being drawn in via radicalisation.

This Venue Hire & Use Policy will assist in managing and reducing the risk to ensure that local assets are protected against the use of hosting events which are not conducive to promoting cohesion, equality, diversity, or tolerance. Effective implementation of this Policy will ensure that all visitors to Council owned venues have the right to enjoy services and facilities without fear of intimidation, harassment, extremist, or threatening behaviour.

In the development of this Policy, it is recognised that the Council has to find a balance that takes account of the right to free speech, human rights and equality, having due regard to the Human Rights Act 1998, Article 10 of the European Convention on Human Rights and the Equality Act 2010.

Scope

This Policy applies to all council premises whereby venues / room bookings are taken. This includes, but is not limited to the following Council owned and operated centres:

- Libraries
- Community centres/ community assets
- Leisure centres
- Children's centres / Family Hubs
- Parks and Open Spaces
- Town Halls

A separate Venue Hire Procedure provides guidance to staff and managers on the process to be followed and the information and considerations needed before approving and confirming reservations to public assets.

Policy Position

St Helens Borough Council reserves the right in its absolute discretion not to hire or allow use of its venues to any organisation or individuals that do not conform to the values of the Council, or that are banned or proscribed by law.

Venues will not be hired or allowed to be used for political rallies, or for demonstrations which incite hatred or violence or any breach of criminal law and/or spread hatred and intolerance.

The Council reserves the right to refuse to grant, or cancel, permission with immediate effect if the organisers are found to have falsely represented the event at the time of booking but are subsequently found to breach the principles set out here or, if the Council is not satisfied that the safety of the buildings and the public can be ensured.

Legislative Framework

Statutory guidance issued under Section 29 of the **Counter-Terrorism and Security Act 2015** makes explicit reference to the '*Use of local authority resources*' and outlines expectations of partnership working and that '*local authorities should ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views*' through the establishment of a responsible booking policy for public venues.

As a responsible authority under the **Crime and Disorder Act 1998**, St Helens Borough Council also has a statutory duty to work in partnership with other agencies to reduce and prevent crime.

Maintaining public order is a priority for St Helens Borough Council and Merseyside Police; therefore, when an event poses a risk to the general public, there are grounds to review and reconsider venue hire. Where the property is not under the control of the Council, advice to the property owners/occupiers will be provided.

The **Human Rights Act 1998** sets out the fundamental rights and freedoms that everyone in the UK is entitled to. In some limited situations, certain freedoms are qualified meaning that public authorities may interfere with them. This is only possible where the authority can show that its action has a proper basis in law and is necessary and 'proportionate' in order to protect public safety, public order, health or morals, the rights and freedoms of other people.

The **Equality Act 2010** requires public bodies to have due regard to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act as well as advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. The latter relates to the need to tackle prejudice and promote understanding. This Act also contains the Public Sector Equality Duty.

Due Diligence

This refers to the reasonable steps taken by the Council to avoid committing an offence under either Civil or Criminal law. In relation to this Venue Hire & Use Policy, the Council will conduct checks on individuals and groups seeking to host an event in Council owned and operated premises to ensure they are not espousing extremist views and are not associated with other extremism related activity.

This scrutiny will assist in ensuring compliance with Section 149 of the Public Sector Equality Duty, which includes having due regard to the need to advance equality of opportunity and foster good relations between people sharing different "protected characteristics".

Those responsible for undertaking checks to ensure events are compliant and adhering to Council values will be appropriately trained and regularly reminded that conducting such checks should be managed sensitively and proportionately, in strict accordance with the legal requirements for information sharing amongst statutory partners and data protection principles.

Events encouraged by the Council

St Helens Borough Council will encourage events which:

- Support the Council's strategic priorities and values.
- Promote equal opportunities, are accessible and do not unlawfully discriminate against any individual or group.
- Have due regard to the correct and current event requirements as well as industry best practice and specific council policies.
- Have a positive impact on the local economy
- Promote community cohesion and reduce hate crime and intolerance.
- Protect and enhance the local environment.
- Promote the licensing objectives.
- Enhance wellbeing in the community.
- Expand the arts and cultural offer in the borough.

This list is not exhaustive and is included to demonstrate the range of events that the local authority will encourage.

Events not permitted by the Council

The following will not be permitted to hire Council venues or resources:

- **Event organisers, guests or speakers**
 - that are banned by law (proscribed by the Home Office)
 - who promote extremist views, hatred or intolerance or advocate acts of terrorism
 - whose presence may cause civil unrest or divisions within the community or not be conducive to good community relations
- **Events that will not be permitted include:**
 - Events for purposes that are illegal and not permitted in law or by byelaw i.e. be they forbidden by law or unauthorised by official or accepted rules
 - Events with content that would be prejudicial to the Council's interests, rights or policies
 - Events that will breach or put the council in breach of the Equality Act 2010 and the Council's Equality Policy
 - Events, which in the Council's opinion, may promote controversial issues that may cause civil unrest or be offensive to the public
 - Events, which in the Council's opinion, could be obscene, sexist, homophobic, racist, offensive, controversial in any way or which may damage community cohesion or sensitive in any way or which may damage community cohesion
 - Events that are contrary to the 'No Place for Hate' pledge which aims to tackle hate and discrimination and promote community safety
 - Events where it may adversely affect the reputation of the Council
 - Events which breach Health & Safety or those likely to be refused by one of the emergency services
 - Events that are likely to have an unacceptable impact on the local environment
 - Events to promote a party-political purpose or campaign. The only exception will be for an election candidate who will be entitled to use a Council venue (publicly funded rooms and schools only) for public meetings from the point they officially become a candidate until the day before polling day or as considered appropriate
 - Any Council events during the pre-election period ('Purdah'), where the context or content could be politically linked
 - Council assets to be used for party political purposes pursuant to Section 99 Local Government Act 1972 or for a Member's personal use

Decision Making Process

If a request for a booking requires further investigation, this should take no longer than 10 working days; however, this may be extended in extenuating circumstances e.g., when partner agency feedback is required to inform decision making.

Following the collation of relevant information, evaluation of the data and consultation with key local partners, Officers will make a recommendation on the suitability of the hire to the Director of Communities. The hirer, user or event organizer will have an opportunity to respond to concerns prior to the Director making a final decision. There will be no scope for appeal.

Venue Hire Regulations

Hirers and users must adhere to any relevant policies, procedures, conditions and codes of conduct specific to the booking concerned and pertaining to the hire and use of the venue.

Health & Safety considerations must be central to all event planning. Further advice on event planning is available here: [Organising an event in St Helens - St Helens Borough Council](#)

A range of regulations are relevant to events and, as such, a number of Council services will be involved in ensuring that an event conforms to the relevant regulations (for example licensing, environmental health, noise pollution).

Venue Accessibility

Hirers and users are responsible for considering the access and inclusion needs of the people attending their proposed event/function and checking that the venue they wish to hire is suitable and appropriate to meet these access and inclusion needs, before hiring the venue.

This is especially important to consider if disabled people may be attending an event. Access issues to consider before hiring a venue may include the following (not an exhaustive list): accessible parking, wheelchair access to venue and rooms, accessible/disabled toilets, adult changing arrangements, baby changing facilities, private area for breast feeding, sound enhancement equipment and induction loop systems (for the hard of hearing), catering facilities with a selection of menus to meet different cultural and dietary requirements.

Review

This Policy will be reviewed on an annual basis by the Council's Community Safety Team to ensure compliance with the legislative framework.