

**DRAFT FESTIVALS AND EVENTS POLICY
INCORPORATING GUIDELINES FOR DISASTER
MANAGEMENT IN OVERSTRAND MUNICIPALITY**

OCTOBER 2012

INTRODUCTION

Hosting of festivals and events form an important part of Overstrand Municipality's strategy to position itself as a preferred destination. Through festivals and events, the municipality can enhance cultural and social cohesion in communities as well as rejuvenate the area's economic growth and development. Events also have close connections to other sectors of the economy, for example tourism, and assist to address seasonality and sustainability challenges and imperatives. Communities are central to making events successful.

The policy will provide a framework and direction for the various role-players with regard to current and future festivals and events. The appropriate implementation of the policy will ensure that there is a balance between economic development needs and those of the local community such as health, mobility and safety as well as the need for amenities and environmental management.

Through this policy, the municipality will be able to support coordination and collaboration between all role-players, promote partnerships and facilitate an appreciation of the requirements, expectations and responsibilities of all concerned. The success of this engagement will result in mutually beneficial outcomes for Overstrand Municipality, its residents, businesses and visitors and, importantly, contribute to Overstrand's growth and development efforts.

1. DEFINITIONS

In this policy –

- 1.1. **Department** – means any department that renders a service to a festival or an event. In the case of Overstrand, these will include but are not limited to law enforcement, traffic services, fire services (including disaster management), the area managers' offices, electricity and local economic development.
- 1.2. **Festivals and events** – mean but are not limited to sporting, entertainment (including live acts), recreational, educational, cultural, religious, business, charitable, exhibition, conference, community or similar activities hosted at a sports field or for which there is a planned, clear programme of control and accountability. The afore-going definition encompasses the duration, designated area / setting(s), number of participants and visitors as well as the expected significance of the event and the appropriateness thereof in terms of Overstrand Municipality's goals.
- 1.3. **Festival and event organiser** – means, in relation to festivals and events, any person or legal entity who plans, is in charge of, manages, supervises, hosts a festival or event or holds sponsorship rights. A festival or event organiser must be

at least 18 years of age and posses the necessary capacity, resourcing and event-related experience to organise the event.

- 1.4. **Festivals and Events Coordinating Committee** – means those departments who lead the strategic focus and implementation of Overstrand Municipality’s festivals and events policy based on the municipality’s goals and service-delivery approach. These departments include LED (tourism), Protection Services (law enforcement, traffic and disaster management), Area Managers’ Offices and Communication.
- 1.5. **Municipal services** – mean all municipal services rendered by Overstrand Municipality regardless of whether there is a charge for the service or not.
- 1.6. **Venue** – means any area or place which may include but is not limited to an area or place demarcated by an enclosed or semi-enclosed temporary or permanent structure and within which a temporary or permanent structure may be erected for the purposes of hosting a festival or event. Such structures may comprise seating for spectators, attendees or an audience and a field of play and/or a permanent or temporary podium or other area within a venue, reserved for the purposes of hosting an event.
- 1.7. **Venue owner** – means but is not limited to any person or legal entity now or who in future will directly or indirectly own, lease or rent or acquire or exercise the powers of an owner or occupier of a venue used for a festival or event.

2. ABBREVIATIONS

CBO	-	Community-based organisation
IDP	-	Integrated Development Plan
NGO	-	Non-government organisation
ROI	-	Return on investment
SLA	-	Service-level agreement
SMME	-	Small, medium and micro-enterprises
TMP	-	Traffic Management Plan

3. STRATEGIC INTENT

In consideration of applicable legislation governing events (see legislative environment), Overstrand Municipality's Festival and Events Policy seeks to use events in a proactive, creative and inclusive manner to promote and develop Overstrand further as:

- A vibrant, multi-dimensional, festival and event-friendly town and year-round destination which supports, celebrates and complements the Overstrand's unique identity and profile nationally and internationally;
- A town that recognises communities and the manner in which they are impacted by festivals and events;
- A town that maintains the highest standards with regards to integrated management and follows its vision of being a centre of excellence;
- A town where the importance of festivals and events is recognised as a major driver of economic and social development;
- A town where festivals and events contribute significantly to the gross geographic product (GGP) of the local economy;
- A town that actively seeks or responds to opportunities for new festivals and events that support Overstrand Municipality's vision for festivals and events and assist in making the best possible use of the respective towns' festival and event venues and assets.

4. OBJECTIVES OF THE POLICY

- To establish Overstrand Municipality within its area of jurisdiction as the authority for approval of festivals and events and as a controlling body of such;
- To determine Overstrand Municipality's level of involvement in the hosting of those festivals and events that will contribute significantly towards attaining municipal goals, with particular reference to offering financial and logistic support; and
- To ensure consistency with regard to decision making in respect of the above.

5. SCOPE OF FESTIVALS AND EVENTS

This policy shall apply to all festivals and events organised within the municipal boundaries of Overstrand Municipality where such festivals and events may, in whatever form or fashion, require the services of the municipality. Such festivals and events may include but is not limited to:

5.1 Business and corporate events

Any event that supports business objectives, including managerial functions, corporate communications, training, marketing, employee relations and customer

relations, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.2 Social awareness and social responsibility events

Any event staged by or on behalf of a charitable or cause-related group for the purpose of generating revenue, support and/or awareness, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.3 Exhibitions, expositions and fairs

Any event resulting in the convergence of buyers, sellers and other interested parties with a view to sell products, services and other resources to a specific industry or the general public, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.4 Entertainment and leisure events

Any once-off or periodic event or performance, irrespective of whether access is granted free of charge or by way of a paid-for ticket, where the sole purpose of such an event is to entertain, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.5 Festivals

Any cultural celebration, whether secular or religious, created by and/or for the public, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.6 Government and civic events

Any event comprised of or created by or for communities or municipal, provincial or national government entities or political parties, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.7 Marketing events

Any commerce-oriented event where the intention is to facilitate bringing buyers and sellers together in order to create awareness of a commercial product or service, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.8 Gatherings and convention events

Any gathering of people for the purpose of exchanging information, debating or discussing an issue, arriving at or agreeing to a decision and/or educating or building relationships with others, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.9 Celebrations / special occasion events

Any private event, in other words, by invitation only, celebrating or commemorating a cultural, religious, communal or societal occasion, irrespective of whether such an event is to be staged in conjunction with other events or not.

5.10 Sport events

Any spectator or participatory event involving recreational or competitive sports activities, irrespective of whether such an event is to be staged in conjunction with other events or not.

6. STRATEGIC POSITIONING OF EVENTS AND FESTIVALS

Overstrand Municipality shall:

- 6.1 Assess the degree to which a festival or event is dependent upon the resources of the municipality;
- 6.2 Analyse and make accessible a calendar of events which will be used to plan and support events actively in cooperation with a range of stakeholders. This calendar will be guided by, and aligned with, the strategic objectives of all affected directorates of the municipality and address the issue of seasonality, the municipality's positioning as an all-year festival and events destination and support the economic growth of the municipality. Furthermore, the calendar will aim for a spread of events in order to manage the impact on resources;
- 6.4 Establish a committee consisting of all directorates (departmental heads) to oversee the municipality's festivals and events, in particular the strategic positioning and alignment thereof with the strategic goals of the municipality.

7. LEGISLATIVE REQUIREMENTS

In the consideration of festival and events processes, in particular applications to plan and/or stage a festival or event (including any preparation for and completion thereof), the stipulations of applicable legislation and their amendments or relevant policies must be taken into account.

In particular, festival and event organisers must be made aware of the legislative requirements as set out below.

8. LEGISLATIVE COMPLIANCE

- 8.1 All festivals and events must comply with and adhere to applicable legislation, including regulations and by-laws.
- 8.2 Overstrand Municipality will develop a festival and events by-law to provide the authority and framework to support events compliance.
- 8.3 Specific mechanisms will be used to manage non-compliance including, where appropriate, a requirement for a deposit, provision for a notice of non compliance, fine/s and/or damage claims and the monitoring of the event organiser's and/or venue owner/manager's record.

The following acts, ordinances and regulations will apply. The list is, however, not exhaustive and will at all times be subject to amendment and/or re-enactment where applicable:

ACTS

- Building Regulations Act 103 of 1997
- Companies Act 71 of 2008
- Drugs and Drugs Trafficking Act 140 of 1992
- Municipal Finance Management Act 56 of 2003
- Municipal Systems Act 44 of 2003
- Occupational Health and Safety Act 85 of 1993
- Private Security Industry Regulation Act 56 of 2001
- Regulations of Gathering Act 205 of 1993
- South African Police Act 68 of 1995

ORDINANCES

- Land Use Planning Ordinance

REGULATIONS

- Liquor Regulations (R8040 of 17 August 2004)
- Noise Regulations
- Regulations governing General Hygiene Requirements for Food Premises and the Transport of Food (GN 918 of 30 July 1999)

OVERSTRAND MUNICIPALITY POLICIES AND BY-LAWS

- Credit Control and Debt Collection Policy
- Informal Trading Policy and By-law (in progress)
- Integrated Waste Management Policy
- Outdoor Advertising and Signage By-law
- Planning and Zoning By-law

9. LAND USE MANAGEMENT

- 9.1 Festivals and events can be held on private and public land, and a zoning extract/certificate must be obtained by an applicant prior to any processing or consideration of an application for a festival or event.
- 9.2 No festivals or events may be allowed on properties unless the zoning permits such land use activity, or where the zoning does not permit the land use activity, the necessary planning approval has been obtained.
- 9.3 To support the implementation of the Festivals and Events Policy, the municipality will be proactive in obtaining multi-purpose zoning for its own venues through a consultation process with all relevant stakeholders and communities situated close to the precinct. Furthermore the municipality will identify privately owned venues for such applications.
- 9.4 Private venues or facilities which are regularly used for events and where the zoning does not permit the land use activity will be required to complete a temporary land use departure process. If granted, the temporary land use departure may be valid for up to a maximum ofyears. The applicant for the temporary departure **must be** the venue owner and **not** the event organiser.
- 9.5 Overstrand Municipality will advise the venue owner on the process, which must include consultation with interested and affected stakeholders including CBOs, NGOs, residents and/or businesses situated within or close to the precinct of such venues.
- 9.6 If a temporary land use departure is approved, the venue owner must initiate on an annual basis a process to report back on the events held at the venue to the Festivals and Events Coordinating Committee and the interested and affected stakeholders, in addition to an evaluation of each event submitted upon completion.
- 9.7 The report-back process referred to in 9.6 above may provide the opportunity to revisit the conditions of the temporary departure. Any amendment to the temporary departure will then need to go through a formal amendment process following the same procedure of consultation as the original application.

10. ROLE OF THE MUNICIPALITY IN FESTIVALS AND EVENTS

Overstrand Municipality can fulfil a range of roles in respect of organising, planning and implementing events and festivals, including but not limited to:

- Initiation of an event
- Bidding for an event

- Development of an event (in various phases)
- Hosting of an event
- Partnering as part of an event
- Approval and monitoring compliance of an event
- Provision of services for an event
- Monitoring and evaluation of the return on investment of an event in terms of social and economic development and other municipal goals and objectives.

10.1 **Initiation, development and hosting**

- The municipality may initiate, develop and host events to support the achievement of its strategic objectives and service delivery.
- Events should enhance and support the municipality's brand and reputation.

10.2 In developing and hosting festivals and events, the municipality will consult with all relevant stakeholders.

11. **FESTIVAL AND EVENTS COORDINATING COMMITTEE**

The Festivals and Events Coordinating Committee as well as the Communication Department will consider all festival and event proposals initiated by the municipality.

Festival and event bidding should support the attainment of the municipality's objectives as well as its competitiveness.

The staging of national and international events is an important contributor to making the municipality competitive globally and nationally. To be competitive, the municipality may enter the events bidding market. Overstrand Municipality may identify, assess and target events which add value to and/or assist in the attainment of the strategic priorities of the municipality.

Prior to the municipality bidding on its own or in partnership for the hosting of festivals and events, the nature and extent of the municipality's contribution, financial or otherwise, must be clearly defined.

In addition to the municipality's standard festival and events criteria, the following specific strategic criteria will inform a request for support:

(1)	Sustainability	Are the festivals and events sustainable if annual or ad-hoc or once-off? What are the medium-to-long term implications?
(2)	Developmental nature	Do they contribute to the municipality's overall economic, social and infrastructure development objectives?
(3)	Events calendar	Do they contribute to ensuring that the municipality has a year-round festival and events calendar, or do they congest the calendar?

(4)	Return on investment	What net benefits (strategic, infrastructural, economic, societal, image, etc.), both tangible and intangible, will accrue to the municipality?
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11.1 Event organisers should submit bids and requests timeously to avoid date clashes and to aid resource planning (financial and non-financial) including specific areas of support as preferred or supported by the municipality. It is anticipated that a timeframe for the bidding of events will be developed based on a set of criteria.

11.2 Where the municipality **enters into partnerships** around the bidding and hosting of events or **assess an application for such a partnership**, this will be formalised through a Memorandum of Understanding (MOU), defining the role of all parties, their commitments and expected deliverables.

11.3 **Factors related to festivals and events criteria**

The municipality will use standard criteria for the review and assessment of all festivals and events. The criteria to be considered relate to the following:

- Impacts: economic, media and social, traffic, logistical and environmental;
- Events elements: organisational, calendar, financial sustainability and social benefit;
- Risks: logistics, venue/site design and other threats;
- Return on investment

Overstrand Municipality intends to use standard criteria for all festivals and events. The standard criteria can be used to review and assess an event at any stage of the event process ranging from the initial stage of a proposal or application to host a new festival or event, to hosting the actual festival or event and conducting a post- festival/event evaluation.

11.4 **Festivals and events approval and permits**

- Submission of event/festivals information, an application, plan or booking of a venue does not mean the municipality has approved the festival or event.
- Approval of the festival or event is achieved through the issuing of a permit by Overstrand Municipality.
- Overstrand Municipality reserves the right to refuse a festival or event.
- Events may not proceed without receipt of a Festival and Events Permit, and the permit must be kept by both the event organiser and the venue owner/manager and be available for scrutiny at all times.
- Should an event proceed without a Festival and Events Permit, the festival or event shall be deemed illegal and Overstrand Municipality may take

appropriate action to address non-compliance. This may include the recovery of or claim for costs of services provided by Overstrand Municipality.

- An event organiser can appeal against a decision where his/her application to hold an event has been declined by lodging the appeal in writing with the Municipal Manager within prescribed timeframes. The appeal will be considered and decided within defined timeframes. Before an appeal is lodged, the parties involved must attempt to resolve any concerns and conflicts.

12. MUNICIPAL FINANCIAL SUPPORT FOR EVENTS

The municipality recognises that it is within its competency to perform certain services as local government to, amongst other, facilitate economic development and contribute to the wellbeing of its citizens. Accordingly, it is recognised that providing support for events in various forms is part of the core business of the municipality, but the municipality will at all times be mindful of the prevailing economic situation and the need to be frugal with public funds.

In order to support the vision, strategic intent and objectives of Overstrand Municipality's Festivals and Events Policy, the municipality may provide financial (on a differentiated approach and not a one-size-fits-all basis) and other support in kind to festivals and events organised within its boundaries.

12.1 General principles

- Festivals and events are part of the municipality's strategic, administrative and operational business.
- The municipality may offer different types of support for festivals and events.
- The type of festival/event and the municipality's role/s will determine the nature and scale of the municipality's support.
- Any request for municipal support for a festival or event must be submitted in writing and forwarded to the Director Economic Development for consideration by the Festival and Events Coordinating Committee.

12.2 Financial principles /events funding approach

- a. It is understood that any municipal support has a financial implication, and funds must be budgeted for by the respective directorates and approved by Council,
- b. The municipal support will form only a part of or contribution to the funding of the festival or event. In other words, festivals and events should be self-funded and sustainable.
- c. Uniform financial processes and tariffs for festivals and events will apply.

- d. The costs for municipal services are to be paid by the event organiser, unless otherwise stipulated. A deposit to be paid in advance.
- e. The municipality will support selected festivals and events directly based on the criteria and in line with the objectives of this Festivals and Events Policy.
- f. A project structure for budgets and expenditure for festivals and events for all relevant departments is to be set up to support a uniform, coordinated approach to the municipality's financial support and management reporting for events.
- g. The Festivals and Events Coordinating Committee should coordinate, monitor and provide guidance to other departments on the type, nature and form of financial and other support for all festivals and events in line with the principles of the municipality's Festivals and Events Policy.
- h. Each relevant department should perform financial planning in terms of the extent to which it is to be involved in festivals and events.
- i. Overstrand Municipality recognises that support may take the form of a financial or non financial contribution, for example providing funding for or towards a festival or event, providing services, subsidising the provision of municipal services for festivals and events or providing support for the marketing of festival and events.

12.3 Process

- In accordance with the Festivals and Events Policy and institutional arrangements, requests for support for major or once-off festivals or events should be considered by the Festivals and Events Coordinating Committee prior to being submitted for consideration by Council.
- The Festivals and Events Coordinating Committee will develop an annual calendar of festivals and events indicating the level of support which the municipality, through the relevant departments, will budget for.

12.4 Contractual arrangements

- The support of the municipality for festivals and events of whatever nature will need to be contractually concluded in a Memorandum of Understanding (MOU) and will include indemnifying the municipality of any eventuality.
- A Festival and Event Permit issued for an event, including specific and general conditions, is a binding contract between the municipality and the event organiser and/or event venue and must be complied with at all times and at all stages of the festival or event.

- An event plan approved by the municipality is a binding contract and agreement between the municipality and the event organiser and/or event venue. It should not be altered and must be complied with at all times and at all stages of the festival or event.

13. EVENTS RISK MANAGEMENT

A range of risks is associated with festivals and events of all types and need to be managed actively. The risks associated with an event are the full responsibility of the event organiser and the event venue owner.

The municipality is committed to devising and implementing management techniques, plans and procedures to evaluate the risks so that the necessary appropriate measures can be implemented by the event organiser to prevent the risks from occurring.

Refer Appendix A for details on disaster management plan.

14. REPORTING, COMMUNICATION, MONITORING AND EVALUATION OF EVENTS

14.1 Overstrand Municipality will develop a monitoring and evaluation check list to assist the event organiser and venue owner with the monitoring of events of various sizes.

14.2 Events receiving financial and/or non-financial support from Overstrand Municipality are required to be evaluated formally.

14.3 At a minimum, festival and event evaluation must include but should not be limited to the following:

- Event description and goals
- Event attendance per day /overall
- Proportion of Overstrand resident and non-resident attendees
- Number of hotel/guesthouse room nights generated
- Visitor spend generated by festival or event
- Media coverage of the festival or event, including destination exposure
- Description of the social and cultural benefits
- Estimation of the benefits to the municipality
- Problems/challenges experienced, if any, and possible future remedial measures

14.4 The event organiser or venue owner should provide the municipality with a detailed report a month after the festival or event took place.

14.5 Every festival or event must have an appropriate communication plan.

14.6 The communication plan may be assessed by the municipality's Communication Department.

- 14.7 A crisis/emergency communication plan is to be developed and to be agreed upon for appropriate event levels.
- 14.8 Where an event has an impact on the residents/communities and business activities, it needs to have clear lines of communication with these stakeholders. In this regard, the event organiser must submit a detailed plan on how those impacted by the festival or event will be kept informed by way of various means of communication, including but not limited to the media as advised by Overstrand Municipality.

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