

LICENSING AND REGULATION COMMITTEE

19 June 2008

HIRING OF BANNER SITE, HIGH STREET, WINCHESTER

REPORT OF HEAD OF LEGAL SERVICES

Contact Officer: Carol Stefanczuk Tel No: 01962 848 188

RECENT REFERENCES:

NONE

EXECUTIVE SUMMARY:

The Licensing Team of Winchester City Council hires out 'the banner site' between Monsoon and Vodafone stores, High Street, Winchester, on a weekly basis.

Members should note that this site is also used for Christmas decoration lights from mid-November until mid-January each year. This leaves approximately 40 weekly slots per year to be hired.

The Licensing and Regulation Committee is asked to review the policy to be applied, in the light of recent enquiries for use of the banner site by commercial hirers.

RECOMMENDATIONS:

- 1 That the Head of Legal Services be authorised to approve applications to hire the banner site in the High Street, where such applications are from:-
 - (i) Public authorities, charities, and other not for profit organisations; and
 - (ii) Organisations or businesses where the hiring will promote the Council's economic development or tourism objectives, provided the application is supported by the Head of Cultural Services
- 2 That all bookings shall be subject to the Conditions set out in Appendix 1 (with such amendments as the Head of Legal Services may consider appropriate in the light of the views of the Committee).

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DETAIL:

1 Introduction

- 1.1 The Licensing Team of Winchester City Council hires out 'the banner site' between Monsoon and Vodafone Stores, High Street, Winchester. Hirers supply the banner themselves, which is then put up over the High Street by Serco.
- 1.2 Historically, the site has been primarily used by charities and/or charitable organisations and those that the Licensing Team has considered is 'for the benefit of the public'. With one exception (see section 2 below), the Council has refused permission to commercial businesses wishing to advertise for profit.

2 Current Usage Policy

- 2.1 The banner site in Winchester is a great opportunity to advertise and promote a particular event or charity. The Licensing Team has had an increase in commercial businesses enquiring about availability, but these have been refused on the basis that the site is for charities and/or charitable organisations only.
- 2.2 The only exception to the general policy on hiring the site has been an organisation which promotes wedding fayres at the Guildhall, which has been allowed to use the banner site. It is not clear how this started, and it is appropriate to review whether this should be permitted in the future.
- 2.3 Members should note that this site is also used for Christmas decoration lights from mid-November until mid-January each year. This leaves approximately 40 weekly slots per year to be hired. Generally, around 70% of available slots are used.
- 2.4 Typical users in previous years have included:-
 - Chesil Theatre
 - Hat Fair
 - Mayfest
 - Winchester Festival
 - Adult Education Centre (Peter Symonds)
 - Hampshire County Council (Exhibitions at Discovery Centre)
 - Winchester Cathedral (various events)

- Various charities (e.g. Save the Children)
- Various exhibitions (e.g. School of Art)

2.5 The current banner permit contains a condition that states;

“[the banner] must not comprise or contain commercial advertising (although the inclusion of the name or logo of a commercial sponsor is acceptable if this does not form a prominent part of the display).”

3 Consultations

3.1 Winchester City Council’s Economic Development Officer has been consulted, and has expressed her interest at the possibility of using the banner site for:-

- Council related activities; and/or
- special events run by businesses which the Council might be involved in as a partner.

3.2 Keith Wilson, BID Contracts and Compliance Manager from Winchester City Centre Partnership, has agreed that it would be beneficial to utilise the banner site for events that involve partnerships within the City Centre.

4 Proposed Policy for Future Hirings

4.1 An enquiry has recently been received from a business which operates a website promoting various Winchester businesses. The website is effectively a directory which promotes independent local businesses to Winchester. The site also covers City Council services such as the Tourist Information Centre and City Museum Service.

4.2 Under the current policy, this would fall outside the usual classes of applicants who would be allowed to hire the site, as the website is understood to charge businesses to be included on the site.

4.3 However, given the Council’s role in promoting economic development and tourism, it might be considered appropriate that this type of hiring should be allowed, subject to controls being put in place (e.g. the application being supported by the Head of Cultural Services as being in the interests of economic development or tourism). Banners promoting individual local or national businesses would not be acceptable.

4.4 The practice has been to allocate bookings in October of each year, for the following year. Some organisations have asked for several slots, in which case they have been allocated some of these, and permitted to book additional slots if these remain available. It is suggested that a maximum of four slots should be permitted to be booked, with discretion on the part of officers to allocate further dates if these are not taken by other hirers.

4.5 Appendix 1 sets out the existing conditions (showing proposed changes as tracked).

5 Conclusion

- 5.1 It is appropriate to review and clarify the policy on hiring the banner site, and to take the opportunity to extend the range of hirings to include businesses which are supporting the Council's economic development and tourism objectives.
- 5.2 This would allow a clear policy to be set, as to who can and cannot hire this site.

OTHER CONSIDERATIONS:

6 CORPORATE STRATEGY (RELEVANCE TO):

- 6.1 This report relates primarily to the key objective of "Economic Prosperity" in the Corporate Strategy.

7 RESOURCE IMPLICATIONS:

- 7.1 The current fees payable for hirings are:-
- a) £27 per week for the booking fee
 - b) £76 per banner to Serco for costs of erection/removal.
- 7.2 The fees are reviewed annually and are set on a cost-recovery basis.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix 1 – Existing Conditions

Appendix 1 – Existing Conditions



Winchester
City Council

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1987

In exercise of its powers under Section 115E of the Highways Act 1980 as amended by Schedule V of the Local Government (Miscellaneous Provisions) Act 1982, Winchester City Council hereby grants permission to (full name and address)

[NAME/ADDRESS]

To use (Description of structure): **BANNER**

ON (DESCRIPTION OF HIGHWAY): **THE PEDESTRIANISED PRECINCT, HIGH STREET, WINCHESTER**

At (Exact location): **Between Monsoon and Vodafone Store**

On behalf of: **[ORGANISER]**

Between: **[DATES – MONDAY [] 2008 – MONDAY [] 2008]**

BOOKING CONDITIONS

1. [Restrictions on organisations allowed to apply – to be completed after Committee decision].
2. Nothing shall be done either directly or indirectly as a result of this permission being granted that causes nuisance or annoyance to frontagers
- 2.3. The structure may only be sited at the location specified in the consent
- 3.4. No motor vehicles may be taken into the precinct except with consent of the Council
- 4.5. No amplifiers musical instruments or radio shall be used in connection with the purpose for which this consent is granted except by express consent of the Council and no noise shall be caused that is or is likely to be a nuisance or annoyance to frontages.
- 5.6. No litter or rubbish shall be allowed by the holder of this consent to remain in the highway as a result of the activity for which the permission is granted
- 6.7. This permission is only granted subject to Winchester City Council being indemnified against any claim in respect of injury, damage or loss arising out of the grant of permission up to an amount specified by the Council.
- 7.8. Applications for hiring of the site may be made up to one year in advance of the proposed date. Bookings will be allocated in September for the following year. No more than four slots can be booked, but the Council may allocate further dates if these are not taken by other hirers. Such fee as is determined by the Council shall be payable before the permission is confirmed.

9. The Banner is to be constructed of suitably strong wind and weather resistant material (preferably canvas based). The Banner shall be no larger than 4 metres wide by 1 metre tall. Adequate ropes should be attached at each corner (a minimum of 2.5 metres long) to affix the Banner. It must be at least 5.3 metres above the highway.
10. Unless authorised in writing by the Council, the #Banner must not comprise or contain commercial advertising (although the inclusion of the name or logo of a commercial sponsor is acceptable if this does not form a prominent part of the display).
- ~~9.11.~~ The Banner must be erected by Serco Bar End Road Winchester. The fee to Serco must be paid in advance.
12. Banners will be taken down on the Monday at end of the hiring period. Banners will be available for collection from Serco Bar End Road Winchester from the Tuesday of that week. Any Banner not collected within [14] days of the end of the hiring period will be destroyed.

Howard Bone
Head of Legal Services