ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

CONDITIONS FOR THE OPERATION OF AMUSEMENT FAIRS AND CIRCUSES ON COUNCIL LAND

The person responsible for operating any Amusement Fair or circus shall hereinafter be referred to as the Owner.

The Amusement Fair or circus must be a member of the Showmen’s Guild of Great Britain and/or Circus Proprietors’ Association.

The Owner shall comply with the Child protection Act and have an effective policy in operation to minimise any risk to children and that appropriate persons are CRB checked.

The Royal Borough of Windsor and Maidenhead shall be referred to as the Council.

This Council refuses to allow circuses with performing animals to use land under its control.

1. Occupation and Suppression of Noise

i. The Owner shall not enter upon the land more than 48 hours prior to the opening of the fair/circus and shall completely clear the land and its immediate vicinity not later than one day after the closure date thereof. Additional non-operational days shall be charged at the appropriate rate for operational days.

ii. The Owner shall locate the fair/circus in accordance with arrangements made with the Council’s Recreation Officer prior to entry on the land.

The owner shall not use the fairground for any other purpose than as an amusement fair/circus or ancillary purpose.

The Owner shall close down the fair/circus not later than 10.00 pm Monday, Tuesday, Wednesday and Thursday and 10.30 pm on Friday and Saturday and shall shut down all generators within half an hour thereafter.

The Owner shall use the land for the purpose of a fair or circus only; and, in the case of land allocated by the Council for living accommodation shall use it for that purpose only.

iii. The Owner shall ensure that all music played by the fair/circus is sufficiently subdued and that no excessive noise emanates from the fair/circus so as to constitute a nuisance or annoyance to the owners or occupiers of adjoining land or premises.
iv. The Owner shall not play or permit to be played or relayed on the fairground/circus site any music later than 10.00 pm on Monday, Tuesday, Wednesday, Thursday and 10.30 pm on Friday and Saturday during the said period of occupation.

v. The Owner shall, wherever possible, fit suppressors for the purpose of preventing interference with radio or television reception to all equipment used in connection with the fair/circus.

vi. The Owner shall ensure that all generators and similar machinery, including those attached to or part of residential caravans, be correctly silenced and sited or screened so as not to constitute a nuisance or annoyance to the owners or occupiers of adjoining land or premises.

2. Sundays and Good Fridays

The Owner shall ensure that the fair circus is not open on a Sunday or Good Friday during the said period of occupation.

3. Conditions on Entry and on Vacation of Site

i. The Owner shall ensure that as far as practicable all parts of the fairground/circus are kept in a clean and tidy condition and as often as is necessary cause any refuse or litter within the fairground or circus site and its immediate vicinity to be collected and deposited in a suitable receptacle.

ii. The Owner shall provide suitable protection to all kerbs and footways whilst vehicles are entering and leaving the land and undertake to make good, without expense to the Council, any damage caused to such kerbs and footways to the satisfaction of the Recreation Officer.

iii. The Owner shall make satisfactory arrangements before entry onto the site with the Borough Waste Officer for the collection of all refuse and the emptying of all pails, closets etc. and undertake to pay the costs incurred by the Council in providing such services.

The Owner shall provide sufficient sanitary accommodation for staff, artistes and spectator to the satisfaction of the Council’s Environmental Health Officer (see also Condition 11).

iv. The Owner shall ensure that all rights of way across the land are left clear of all obstructions extending for a distance of 10 feet on both sides of such rights of way.

v. The Owner shall make good to the satisfaction of the Recreation Officer any damage whatsoever occasioned by the use of the land.

vi. Notwithstanding express provisions in law, the Owner shall ensure that unauthorised distribution and posting of publicising material, commonly called ‘fly-posting’, is not carried out in the locality. The Owner is warned that the Council may institute legal proceedings in the event of an apparent offence in this regard and that future use of the Council’s facilities may be prejudiced.

vii. Circus proprietors will be allowed access to the site in advance of the date of occupation for a period of five days for the purpose of advance publicity and advance bookings. Trailers, etc. shall be limited to one residential caravan.
and one office. There shall be no charge for this period of occupation, it being included in the Letting Fee.

4. **Entrances and Exits to and from the Site.**

The Owner shall take the necessary steps to provide a sufficient number of adequate entrances to and exits from the fair/circus and shall, while the public are at the amusement fair, keep every exit open and free from obstruction.

The exits from a fair/circus need not be kept open:

a) In any case where the doors are secured only by a suitable panic bolts or other safety devices of a similar nature which enable them to be opened in an emergency.

b) In any case where an attendant is on duty at the exit.

This condition shall not be deemed to require that any exits from a fair/circus which are not provided for public use shall remain open while the public are at the fair/circus.

5. **Tents, Booths, Stall and other Enclosures**

The Owner shall, in the distribution of booths, stalls and other erections at a fair/circus, ensure that a sufficient number of gangways of adequate width are provided; and shall, while the public are at the fair/circus, keep such gangways free from obstruction.

Every person having control of any booth, tent or other closed structure at a fair/circus in which more than thirty persons can be accommodated shall provide adequate exits therefrom; and, if there are stalls or other erections or seating accommodation within the structure, he shall ensure that a sufficient number of gangways of adequate width are provided. He shall, while the public are within the structure, keep such exits and gangways free from obstruction.

No person shall place or cause to be placed any obstruction in any exit or gangway provided in accordance with condition 3, 4 and 5 while the public are at the fair/circus within the structure, as the case may be.

Every person having control of any part of the fair/circus or of any booth, tent or enclosure established on the premises on which seating is provided for more than 30 persons shall cause all the chairs or seats provided for the use of the public to be battened together in lengths or not less than four and more than twelve chairs or seats, except where the chairs are placed in boxes or separate enclosures for the accommodation of not more than twelve persons, provided that this condition shall not apply to any part of a fair/circus that is sited in a building and is used as a restaurant, café or similar establishment.

6. **General Safety Precautions**

Every person having control of any booth, tent, stall, merry-go-round, roundabout, switchback, swing or other similar structure established on the premises shall take all reasonable steps to ensure that the structure and any platform, seating accommodation or other erection used in conjunction therewith is of such material and design and so constructed and maintained that it is not liable, when used for the purpose and in the manner for which it is intended, to cause injury to any person attending the pleasure fair.

Every person having control of a shooting gallery shall provide and maintain such
backstops and screening as may be necessary to protect any person attending
the pleasure fair from shots fired by persons using the shooting gallery.

7. Electric’s and Fire Precautions

The Owner shall provide and maintain in good working order a sufficient number
of adequate portable fire fighting appliances; and shall while the public are at the
amusement fair keep such appliances conspicuously placed and readily available
for use.

Every person having control of any part of the amusement fair or of any booth,
tent or erection shall take any necessary steps to ensure that any scenery,
drapery, artificial flowers, properties, hanging, curtains or other materials of a
similar kind used therein are rendered flame resistant and are effectively so
maintained; provided that nothing in this condition shall require softwood of 2.5
centimetres or more in thickness, or drapery, hangings or curtains made of heavy
woollen material to be rendered flame resistant.

The Owner shall take such steps as may be reasonably and necessary to prevent
risk of electric shock or fire caused by electricity at a pleasure fair, including such
location of cables as may be agreed with the Council’s Recreation Officer.

To avoid the risk of fire the Owner shall ensure that any hay, straw or other like
substance kept at the fair/circus and stored either in a fire resistant receptacle or
in some place at a reasonable distance from any part of the amusement fair to
which the public have access; provided that this condition shall not apply to such
quantity of hay, straw or other substance as may be required for immediate use.

8. Mechanical Equipment

The Owner shall cause every merry-go-round, roundabout, swing, switchback,
railway or other mechanical riding or driving contrivance at an amusement fair:-

a) to be securely erected, and

b) to be so placed that between every moving part of the contrivance which is
   not effectively fenced or screened from any area to which members of the
   public not using the contrivance are permitted to have access and

   i. any moving part of any other such contrivance there shall be a space of at
      least twenty feet:

   ii. any other structure there shall be a space of at least ten feet

provided that nothing in this condition shall prevent the placing of a stationary
platform at the side of any such contrivance against any wall or partition of a
building or against any boundary wall or boundary fence not adjoining a
highway. In this condition ‘moving part’, in relation to a contrivance, means
any part of the contrivance, including any vehicle or device incidental thereto
used for the carriage of passengers, which moves or is capable of moving
during the operation of the contrivance, or any equipment used for generating
power to any contrivance.

The Owner shall produce for the inspection of the Recreation Officer at least
14 days prior to entry by the tenant onto the site a current certificate of fitness
of all equipment employed within the fair/circus site issued by the Showman’s
Guild of Great Britain or such other person(s) as is acceptable to the Council.
If, in the opinion of the Recreation officer or Chief Executive, an independent assessment is required at any time, the Council reserve the right to arrange such inspection and any costs resulting will be charged to the tenant.

9. Animals

This Council refuses to allow circuses with performing animals to use land under its control. All domestic pets must be kept under control at all times and are not allowed to foul the site.

10. Prizes

The Owner shall ensure that no animals, birds or other live creatures, excluding fish, are given away as gifts or prizes to any member of the public.

11. Sanitary Conditions

The Owner of a fair/circus not being a fair/circus the whole of which is comprised within a building or buildings shall, where adequate public sanitary accommodation is not already available within reasonable distance of all parts of such fair/circus, take any steps prescribed by the Council's Environmental Health Officer:

a) To provide in suitable situation sufficient and suitable sanitary convenience for persons employed in or about the fair/circus and for public attending the fair/circus.

b) To label separate conveniences for men and women respectively in such proportions as may be appropriate.

c) To maintain all sanitary facilities in good repair and clean conditions, and

d) To cause the conveniences and the labels provided in accordance with this condition to be adequately illuminated during the hours of darkness while the public are at the fair/circus.

The Owner shall take any necessary steps to provide:

a) A sufficient supply of wholesome drinking water for the use of persons employed in or about the fair/circus; and

b) where the circumstances so require, means for the disposal of any impure or waste liquid.

12. Insurance and Indemnities

The Owner shall produce for inspection by the Recreation Officer at least 14 days prior to entry onto the site, certificates indemnifying the Council against all costs, expenses, demands, claims arising directly or indirectly from the operation of the fair/circus, except where it can be attributed to negligence by the Council for its agents, and a current insurance cover with a reputable company against Third party risks in the sum of not less than £5,000,000 for any one accident, but otherwise unlimited.
13. Assignment and Sub-letting

Other than for the purpose of providing individual side shows, entertainments, stalls and amusements, the Owner shall undertake not to assign, sub-let or part with the land or any part thereof.

14. Gaming

The Owner shall ensure that any unlawful game or illegal betting is not permitted on the fair/circus site.

15. Price of Admission and/or Charges Made

The Owner shall ensure that the prices charged and admission fees are not in excess of those approved by the Showmen's Guild of Great Britain and/or Circus proprietors Association.

16. Police and Fire Prevention Authority

The Owner shall comply with any requirements of the Thames Valley Police and/or the Fire Prevention Officer.

17. Display of Management Regulations

The Owner shall ensure that a copy of the Council's Conditions for Operation is prominently displayed on the fairground/circus site at all times, and that all stall holders and other appropriate persons are made aware of the contents.

18. General

i. The Owner shall provide reasonable access facilities for and comply at all times with the reasonable requirements of any duly accredited Officer of the Council.

ii. The Owner shall not permit the Supply or authorise the supply of any intoxicating liquor or other alcoholic refreshments to any person or persons in or upon the site.

19. Letting Fee and Deposit

A deposit as determined from time to time by the Council, together with the letter fee, shall be paid to the Council not later than 28 days prior to entry onto the land. The Council reserves the right to appropriate any part of the deposit and offset the cost of any repair or reinstatement caused by virtue of the occupation of the land or cancellation of the letting without reasonable cause.

20. Car Parking

The Owner is to set aside land for the purpose of public car parking as directed by the Council's Recreation Officer or the Thames Valley Police.

a) Any person having control of any booth, tent or other closed structure at a pleasure fair in which more than 30 persons can be accommodated shall cause to be exhibited over each exit from the booth, tent or other closed structure a notice bearing the word “EXIT” in letters of sufficient size to ensure it is legible at the maximum viewing distance.

b) No person having control of any booth, tent, stall or structure at a pleasure fair shall while the pleasure fair is open to the public leave unattended in any such booth, tent, stall or structure any paraffin stove or light or any form of heating or lighting having a flame or any exposed heating element.

c) Any person having control of a caravan, stand, stall or structure shall:

i. Ensure that any flammable gas shall be stored in a safe place and that the quantity so stored shall be as small as practicable having regard to the purposes for which the gas is being used, the storage area should be adequately ventilated and separate from other flammable materials including straw, wood and other structures.

ii. Ensure that all flammable gas cylinders and associated regulators used with appliances are located in a safe position outside the caravan or structure and the gas to the appliance should be fed by a suitable pipe. This does not apply when the flammable gas cylinder is an integral part of the appliance.

iii. Not use or permit to be used any flammable gas for the purpose of inflating balloons.

d)

i. No person having control of a caravan sued or intended for use as sleeping accommodation shall place such a caravan other than where there is an unobstructed space of not less than 2 metres between such caravan and

a) any other such caravan

b) any window or door of any house or building which has sleeping accommodation on any upper floor

c) any stand, stall or structure

ii. For the purpose of this condition any steps placed against a caravan for the purpose only of giving access to that caravan shall not be treated as an obstruction.

e)

i. No person having control of any stand, stall or structure shall place such a stand, stall or structure other than where there is an unobstructed space of not less than 2 metres between such stand, stall or structure and

a) any caravan used or intended for use as sleeping accommodation
b) any window or door of any house or building which has sleeping accommodation on any upper floor.

ii. For the purpose of this condition any steps placed against a caravan for the purpose only of giving access to what caravan shall not be treated as an obstruction

f)  
i. No person shall place in any part of a pleasure fair any motor vehicle or any wood, paper, stray, cartons boxes, packing materials, fabric, rags or similar combustible material or paraffin or similar substance at a distance of less than 2 metres from

   a) any caravan used or intended for use as sleeping accommodation
   b) any window or door of any house or building which has sleeping accommodation on any upper floor

ii. This condition shall not apply to the placing of a motor vehicle nearer than 2 metres from a caravan for so long as may be necessary for the purpose of towing the caravan.

22. Revocation

The Council reserves the right for any good and sufficient reason to revoke at any time before or during the period of the Licence any rights hereby granted.

23. Compliance with Regulations

Failure to comply with these regulations will result in the fair/circus being closed and no refund of fees paid will be made.