



CHIPPENHAM
TOWN COUNCIL
Improving the quality of town life

Use of Parks and Open Spaces Policy

Author: Head of Environmental Services

Responsibility: Amenities, Culture and Leisure Committee

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Review Date: January 2029

1. Scope of the Policy

- 1.1 The policy provides a guide to how Chippenham Town Council regulates the use of its parks and open spaces, to balance the requirements and rights of residents and visitors whilst protecting these important community facilities in the long term.
- 1.2 This policy aims to define the type of activities and events that are permitted to take place in the Town Council's parks and open spaces, the terms and conditions of use and when charges for use may be levied.

2. Who and What is Covered by the Policy

- 2.2 This policy covers the Town Council's parks and open spaces, in particular John Coles Park and Monkton Park, the policy will also cover all other parks and open spaces.
- 2.2 This policy covers use of the Town Council's parks and open spaces for informal as well as formal activities requiring Town Council approval, such as organised events and commercial activities.

3. Legal Framework

- 3.1 The Town Council either owns spaces or maintains open spaces owned by Wiltshire Council.
- 3.2 Use of the spaces is also regulated by planning legislation and the permitted local authority under Class F2(c) of the Town and Planning (Use Classes Order) 1987, as amended (General Permitted Development) Order 2015.
- 3.3 The Town Council also has duties as the landowner to protect staff and members of the public under the Health and Safety at Work etc Act 1974.

4. Policy Statement

- 4.1 The Town Council's parks and open spaces are provided for the free enjoyment of the public for the purpose of improvement of health and wellbeing. Where organised events and commercial activities are permitted, they must be able to demonstrate benefit to and participation of the broader community.

5. Informal Use

- 5.1 **Picnicking:** the Town Council's parks and open spaces are provided to be used by the public in a casual and informal manner for their leisure activities, such as picnicking and games. However, the use of gazebos or tents for this activity is not permitted.
- 5.2 **Fitness:** fitness activities, either individually or with a fitness instructor, on a one-to-one basis or as a small group, are generally permitted at the Town Council's discretion, without charge. No equipment is to be attached to trees, children's play equipment or other physical features, including the Bandstand or street furniture. It is the responsibility of fitness instructors to ensure that all necessary insurance and risk assessments associated with the running of fitness classes are in place. All parks and open spaces are maintained to recreational standards not intense sports activities therefore it is important that group organisers check that the ground is suitable for the intended use. However, the use of gazebos or tents for this activity is not permitted.
- 5.3 **Dogs:** Please find our Dog policy here:
<https://www.chippenham.gov.uk/policies>
- 5.4 **BBQs:** BBQs are not permitted on any of the Town Council's parks or open spaces unless they are part of an authorised event (a community fun day for example). Casual visitors are advised to bring a picnic instead.
- 5.5 **Golfing, metal detecting, video drones:** golfing, metal detecting and the use of video drones are not permitted on any of the Town Council's parks or open spaces.
- 5.6 **Performances on the Bandstand (JCP):** a summer program of weekend performances on the Bandstand are organised annually by the Town Council. At other times, the Bandstand may be booked free of charge for children's birthday parties, wedding photos or similar at the Council's discretion.

6. Events

- 6.1 Community, charity and not for profit organisations wishing to hold events in council parks and open spaces must formally apply for Council permission by completing the special event application form, and comply with the terms and conditions of use.

7. Commercial Activity

- 7.1 Commercial activities for which charges apply are those where:
 - a. there is a charge levied on participants, and/or

- b. the organiser of the activity receives a direct financial benefit from carrying out the activity.
- 7.2 Commercial activity, including ice cream vans and small takeaway operations, fairground rides, theatre performances, pop-up cinema, commercial filming, fitness classes IE large groups of 20+, are dealt with in the form of a lease, licence or consent agreement.
- 7.3 Charges for commercial activities do not guarantee exclusive use of a particular area.
- 7.4 Any commercial use of the Town Council's parks and open spaces shall be at the discretion of the Town Council after being satisfied that it meets the criteria outlined above.
- 7.5 Commercial events are not permitted in JCP.

8. General Terms and Conditions for the use of Parks and Open Spaces for Events and Activities

- 8.1 Any events that take place in parks and open spaces do not guarantee exclusive use of the park or open space.
- 8.2 **Ground:** the ground occupied by the event and its patrons must be left in the same condition as it is found. Event organiser(s) will be liable for damage done to the park or open space, (including its contents and ground) during set-up, operation and clear-down of the event and will be charged accordingly for any associated reinstatement works, as assessed by Chippenham Town Council.
- 8.3 **Waste management:** all rubbish generated by the event must be removed from the ground and surrounding area and disposed of appropriately by the event organiser(s). The Town Council strongly advocates the recycling of waste wherever possible.
- 8.4 **Parking:** no vehicles are to be parked on the ground unless given express permission by the Town Council.
- 8.5 **Stage/PA equipment:** any Stage or PA equipment must be positioned on the ground as directed by an appropriate Council officer.
- 8.6 **Noise control:** noise levels generated by the event and specifically by the use of PA equipment must be kept to a minimum throughout the duration, so as not to unduly disturb other users of the ground or occupants of surrounding commercial or residential properties. Additionally, events shall not emit or operate and sporadic/periodic loud noises, such as 'fog horns'.
- 8.7 **Catering:** any catering units or food stalls must comply with appropriate food hygiene regulations and recommendations.

- 8.8 **Temporary Events Notice:** all stipulations of a Temporary Events Notice (TEN) must be observed and adhered to.
- 8.9 **Trade stalls:** all stipulations of a trading licence must be observed and adhered to.
- 8.10 **Public Liability Insurance:** an adequate level of third party insurance (minimum level of indemnity £5million) must be in place to cover the event and a copy of the document must be presented to the Town Council at least 4 weeks prior to the event or activity taking place.
- 8.11 **Risk Assessment:** a risk assessment in relation to the event and its activities must be produced and a copy of the document must be presented to the Town Council at least four weeks prior to the event or activity taking place.
- 8.12 **Management Plans:** Larger events may require a full Event Management Plan- this requirement will be confirmed by Chippenham Town Council on receipt of event enquiry.
- 8.13 **Safeguarding Children:** a safeguarding children policy in relation to the event/activities must be produced and a copy of the document must be presented to the Town Council at least four weeks prior to the event or activity taking place.
- 8.14 **Payment:** a deposit of 50% of the total hire fee will be required to secure the booking. The remainder of the fee is due at least four weeks prior to the event or activity taking place.
- 8.15 **Refunds:**
- Policy on cancellation and deposit refund for all hires
- Over three calendar months' notice - 100% refund of deposit
 - From clear three months to one month notice - No refund of deposit and 50% charge to be paid
 - One month to two weeks' notice - No refund of deposit and 75% charge to be paid
 - Less than two weeks' notice - No refund and all charges to be paid
- 8.16 **Security:** the organiser shall be responsible for ensuring the security of the event and participants, including any ticketing, and monitoring the number of attendees.
- 8.17 **Footpaths:** Public footpaths must be kept clear at all times.
- 8.18 **Fireworks:** Chippenham Town Council does not support the releasing of fireworks from any open space or building which it owns or manages. This is with the exception of organised displays which have been previously agreed by the Town Council.

- 8.19 **Environment:** Chippenham Town Council has declared a Climate and Ecological Emergency and is committed to becoming a net zero carbon organisation by 2030. As part of this we ask our hirers to consider the environmental impacts of their events. In particular we request hirers to reduce and if possible, eliminate single use plastic and waste.

Other actions hirers are encouraged to take include the use of low energy LED lighting, solar powered or biodiesel generators, design display materials (signs, stands, banners, lanyards) without dates so that they can be reused, source products from local suppliers and include public transport information to the event in your promotional material.

- 8.20 **Advertisement:** The Town Council adheres to the strict rules set out by Wiltshire Council regarding the advertisement of events. Advertising of events taking place in Monkton Park by fly posting, or any other indiscriminate advertising is illegal. The Town Council reserves the right to cancel any event or function if advertising of this nature is found to be used to promote it.
- 8.21 More detailed terms and conditions will be provided to applicants when looking to book the land for an event.

9. Miscellaneous Provisions

- 9.1 The following miscellaneous provisions are also in force for Town Council owned land and open spaces:
- 9.2 **Scattering of ashes:** the scattering of remains, human or animal, are specifically prohibited by the Town Council on all properties. The only specific exclusion shall be at the Cemeteries and then only subject to written permission having been granted by the Town Council.
- 9.3 **Grazing of animals:** grazing of animals and/or livestock shall not be allowed on Town Council owned and maintained land without prior approval from Chippenham Town Council.
- 9.4 **Erection of structures:** no structure, permanent or temporary, shall be erected without the express permission of the Town Council. This shall include a prohibition for fixing items to trees, plants, shrubs, buildings and other objects.
- 9.5 **Removal or addition of materials:** no materials are to be added or removed to Town Council land without prior approval.
- 9.6 **Pitch and other markings:** markings shall not be allowed unless agreed in writing by the Town Council. Any such marking shall be made using a substance or material as agreed at the time.

10. Policy Review

- 10.1 The content of this policy shall be reviewed every three years with reference to the relevant legislation or take place as required.