

Fun Fairs - Regulation and Hiring arrangements

Committee name	Residents' Services Select Committee
Officer reporting	Stephanie Waterford, Head of Public Protection & Enforcement
Papers with report	None
Ward	All

HEADLINES

Fun fairs are largely unregulated in that they do not require any direct permission for the event to take place. Due to the potential impacts of fun fairs, there are regulatory requirements which operators must abide by. This report provides information on the regulatory requirements and Council enforcement powers relating to fun fairs.

The report will also set out the Council's hiring arrangements for fun fairs which take place on Council land.

RECOMMENDATIONS

That the Committee:

- 1. Notes the information included in the report regarding the regulatory requirements of fun fairs; and**
- 2. Notes the current Council hiring processes related to fun fair events on Council land**

SUPPORTING INFORMATION

Fun fairs, circuses and other similar events take place regularly throughout the Borough, both on private land and Council land. Permission is required from the landowner i.e. Council or private party, for the events to take place.

Fun fairs do not fall within the scope of any local authority licensing or permitting regimes; however, there are a number of regulatory requirements which must be adhered to, to safeguard public spaces, protect the public from the effects of these events, and to ensure that the attraction is safe.

Licensing

Fun fair and circus events do not fall within the scope of the Licensing Act 2003 as the entertainment they provide is not 'regulated'. Regulated entertainment is deemed to be licensable,

if the primary activity is one or more of the following:

- Live music
- Recorded music
- Dancing by the public or performers
- Performance of a play
- Film exhibitions
- Indoor sporting events
- Boxing or wrestling events
- Dance performances

Recorded music usually forms part of these events; however, it is not the main activity and therefore outside the scope of requiring a licence.

Health & Safety

Fun fairs are regarded as workplaces for the purposes of the Health & Safety at Work Act and must therefore have suitable risk assessments in place to protect workers and members of the public. Their rides also need appropriate servicing and testing under the 'Amusement Device Inspection Process' (ADIPs) Scheme.

The responsibility for health and safety regulation and enforcement of fun fairs lies with the Health & Safety Executive. The Council does not have responsibilities for health and safety at events but will have a diligence role to ensure that documentation is checked through its hiring process.

Nuisance

Occasionally, events may cause disturbance and nuisance to nearby residents; however, the Council's records do not show significant complaint data for these. Only one complaint related to loud amplified music could be located in 2024 which was attributable to a fun fair.

The Council can respond to complaints of nuisance and disturbance and has powers under the Environmental Protection Acts to take enforcement action against operators who cause nuisance to residents as a result of their activity. Any reports of noise and nuisance should be reported to the Council by raising a service request. Upon receipt of a complaint, officers will endeavour to resolve the issue through informal mediation and, sometimes through formal enforcement actions. Any formal action may impact on future hiring arrangements with the Council for events on Council land.

Food Hygiene

Mobile catering units are often featured as part of fun fair and similar events. These caterers should be registered with their 'home authority' where their business is based. The home authority will have responsibility for food hygiene inspections at regular intervals; however, the Council can step in where there are reports of unsafe or unhygienic practices in operation at a visiting fun fair.

Advertisement

Fun fair operators will widely rely on signage placed in public spaces to advertise their events. Members and residents will be aware of these posters and banners forming part of the street advertising in the run up to events locally.

Travelling fairs are afforded specialist exemption from the Planning rules surrounding advertising. The rules state:

Class 3(F) permits temporary notices or signs announcing the visit of a travelling circus or fair. These advertisements must not be displayed more than 14 days before the opening of the circus or fair and must be removed within seven days afterwards. The local planning authority must be told 14 days beforehand of the sites of the notice. The notice or sign must not exceed 0.6 of a square metre.

Occasionally, advertisements are left up affixed to public realm installations i.e. lamp columns and highway railings. These instances are reported to the Street Scene Enforcement team who will issue fixed penalty notices to the operators. During 2023, 3 FPNs were issued for this offence.

Where advertisements are fixed to private property without permission, the Council does not have powers to remove them. The Council can take enforcement action against the land/property owner and compel them to remove the advertisements/displays but will normally only do so if the material is offensive.

Hillingdon Council Hiring Process

There are approximately 8 events each year which take place on Council land. These are:

Circus – Field End Recreation Ground
Circus – Park Green Road
Fun Fair – Minet Park
Fun Fair – Field End Recreation Ground
Fun Fair – Uxbridge Common
Fun Fair – Park Green Road
Fun Fair – Harefield Common
Fun Fair – Barra Hall Park

These fairs are provided with permission from the Council under a hire agreement, for which a fee is payable. Hire agreements for fairs and similar events generate circa £25k income for the Council each year.

As part of the hire agreement, operators will have to provide the following information to Green Spaces:

- Public liability insurance
- Risk assessment
- Performing Rights Society licences (for recorded music)

- List of sites for advertising
- Information on PA systems and amplification
- Food operators and evidence of compliance
- Temporary structures
- Information on generators/power supplies
- Fairground rides/inflatables
- Fireworks/laser shows
- Toilet facilities
- Vehicular access/egress to the site
- Staffing, supervision and stewarding information

Green spaces will make an assessment of all the information prior to a hire agreement being issued.

RESIDENT BENEFIT

Fun fairs and similar events can be an extremely popular attraction for many residents. However, they should operate in balance with the needs and peaceful enjoyment of local communities and uphold high standards of safety and compliance.

This report should provide some reassurance to residents on the regulatory requirements for Fun fairs and similar events. It should also provide information of the processes in place for the Council to react to any issues caused by them.

BACKGROUND PAPERS

Health & Safety Executive – Fairgrounds and Amusement Parks; Guidance on Safe Practice
<https://www.hse.gov.uk/pubns/priced/hsg175.pdf>

Hillingdon Council webpage on Fly-Posting
[Fly-posting - Hillingdon Council](#)

Amusement Device Inspection Procedures Scheme (ADIPS)
[Home | ADIPS](#)

The Showmen's Guild of Great Britain
[The Showmen's Guild of Great Britain](#)