

Title: Kenilworth carnival and funfair
 Lead Officer: Charlotte Sully (01926 456222)
 Portfolio Holder: Councillor Billiald
 Wards of the District directly affected: Kenilworth Abbey and Arden

| Approvals required | Date | Name |
|---|-------------|----------------|
| Portfolio Holder | 12/3/2024 | Ella Billiald |
| Finance | 12/23/2024 | Andrew Rollins |
| Legal Services | 12/3/2024 | |
| Chief Executive | 12/3/2024 | Chris Elliott |
| Director of Climate Change | 12/3/2024 | Dave Barber |
| Head of Service(s) | 12/3/2024 | Philip Clarke |
| Section 151 Officer | 12/3/2024 | Andrew Rollins |
| Monitoring Officer | 12/3/2024 | Graham Leach |
| Leadership Co-ordination Group | 25/03/2024 | All |
| Final decision by this Committee or rec to another Cttee / Council? | Yes | |
| Contrary to Policy / Budget framework? | No | |
| Does this report contain exempt info/Confidential? If so, which paragraph(s)? | No | |
| Does this report relate to a key decision (referred to in the Cabinet Forward Plan)? | No | |
| Accessibility Checked? | Yes | |

Summary

This report sets out proposals to relocate Kenilworth carnival and funfair to a new site on Abbey Fields and seeks approval for funding to support this relocation and the Kenilworth carnival.

Recommendation(s)

- (1) That Cabinet notes the discussions that have taken place with the Kenilworth Carnival Committee and the proposed new location for the carnival and funfair on Abbey Fields.
 - (2) That Cabinet approves funding of up to £8,000 for enabling works to improve access into and through the site for the carnival and funfair as set out in paragraph 1.6, and delegates authority to the Head of Place, Arts & Economy and Head of Neighbourhood and Assets in consultation with the portfolio holders for Arts & Economy and Neighbourhood & Assets to confirm the final scope of works within this budget.
 - (3) That Cabinet approves a grant of £2,000 to support Kenilworth carnival in 2024 to offset the additional costs arising from the regularizing of the payment of fees to the Council.
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1 Reasons for the Recommendation

- 1.1 Kenilworth carnival has been running for many years on land at Abbey Fields. A funfair has operated alongside this for well over 70 years. The event has become a long-held tradition for Kenilworth.
- 1.2 The funfair has been operating for many years on a site west of Bridge Street and immediately north of the Finham Brook. This is shown on the plan in the **appendix** to this report as "area 2". It has become increasingly apparent that this site is no longer suitable for the funfair. There are a variety of reasons for this including:-
 - The growth of trees on the site. Since the Fete and Funfair first started, the large quantity of trees surrounding the park have grown larger with tree canopies now extending far into the park. The Council's Parks Protocols seeks to strike a balance between promoting public enjoyment of the space and protecting trees. This protocol states that no events are permitted to use the space on the tree root plates. Vehicles are not permitted to park between trees, or on the tree root plates as it causes compaction, stress to the trees and damage. Over time, this has significantly impacted on the area within which the funfair can now safely operate.
 - The site, which sits in a basin and beside the Finham Brook, is becoming increasingly waterlogged owing in part to climate change. This significantly increases the likelihood that the ground will become rutted, notwithstanding the best efforts of the funfair operator. This both damages the ground itself (making it increasingly rippled over the years) and potentially damages any historic remains that may be underneath.
 - The whole of Abbey Fields has been designated as a Scheduled Ancient Monument since 2003. The Council has a duty to protect this. The Council is required to consult with Historic England before events can take place which

may damage any structures (either above or below ground) which will impact on scheduled remains.

- 1.3 For these reasons, the Council has reluctantly concluded that this area is no longer suitable for the funfair. Consequently, discussion have taken place with both the carnival committee and funfair operator to find an alternative location for the funfair. A number of sites have been considered, including car parks in Kenilworth town centre. All but one have been discounted as being suboptimal for the funfair operator and not practical for the Council (recognising the concerns of local residents and businesses which rely on town centre car parks in Kenilworth).
- 1.4 One site has emerged as possible, and the principle of this area has been discussed and agreed with both the carnival committee and funfair operator. This is land, also within Abbey Fields, lying north of Forrest Road (shown as area 5 on the plan in the appendix to this report). It is already identified as suitable events space in the Council's Events Manual and currently hosts events such as Lions Grand Show and a new community and music event "Kenilworth Social". The area benefits from being better drained than events area 2 and so less likely to become waterlogged. It also has a much larger open area that is not impacted by trees. The principle has been agreed that both the funfair and the carnival (which currently operates in events area 1) can both relocate and co-locate on this site.
- 1.5 Before this can be confirmed, however, further work is needed and approvals required. These are as follows:-
 - 1) Consultation with Historic England in relation to the use of the space for this event given that this site (and indeed the whole of Abbey Fields) is a Scheduled Ancient Monument. Officers from the Green Spaces and Events Teams are liaising with Historic England on this. It may be possible to provide a verbal update at the meeting on this matter.
 - 2) The gate at the southern end of the site (onto Forrest Road) will need to be widened to be suitable for the larger vehicles and funfair rides to access the site. There may also be a need for minor works to drop a few curbstones to widen the existing access from the road.
 - 3) Some gravel and subsoil may need to be imported onto the site to ensure that vehicles can safely and easily access and egress the site. (There is a slight slope immediately beyond the gate into the site.)
- 1.6 Items (2) and (3) will require capital expenditure by the Council. Costs for this are being sought but are expected to be no more than £8,000. It is recommended that delegated authority is given to the Head of Place & Economy and Head of Neighbourhood and Assets in consultation with the portfolio holders for Arts & Economy and Neighbourhood & Assets to agree the final scope of this work. It should be noted that not only will this expenditure directly benefit Kenilworth funfair and carnival, it will also provide wider benefits in terms of making area 5 within Abbey Fields into a more widely useable events space. This will allow other events to use the space more easily, safely and effectively, whilst safeguarding more sensitive areas within Abbey Fields.
- 1.7 **Supporting the Kenilworth carnival and funfair**
- 1.8 Alongside these measures, others are being recommended to regularize activities relating to the operation of the funfair and carnival and its relationship with the Council.

- 1.9 The Council has an approved schedule of fees and charges for events across the district. This also includes funfairs. These are set out in the Council's Events Manual, and fees are updated annually as part of the Council's annual review of fees and charges. It is important, in the interests of treating all groups and organisations running events across the district in an equitable way, that these fees are applied in a consistent manner. In the case of the Kenilworth carnival and funfair, over many years it has become the convention that the Council waived its fee for the Kenilworth funfair, but that the funfair operator then donated this to the carnival committee to support the successful running of the carnival.
- 1.10 It is appropriate that this situation is regularized, and so it is recommended that from this point forward all fees are paid directly to the Council. The fee for the funfair for 2024 is £425 per day of operation, which equates to £1,700 total for the four-day funfair.
- 1.11 Furthermore, the carnival event itself will incur a fee of £150 per day, which equates to £300 total for the two-day carnival & fete (also in line with the Council's charges as set out in our Events Manual). For reasons of history and convention, this has not been paid in the past. It is proposed to regularize this situation by requiring the carnival committee to pay this fee going forward.
- 1.12 It is recognised that these changes will impose additional financial burdens on the carnival committee. These will be particularly significant given that the carnival committee has identified a funding shortfall and has asked the public and local businesses for donations and sponsorship to cover these and to enable the event to go ahead. It is therefore also recommended that this Council makes a grant to the carnival committee of £2,000 to cover these costs in full for 2024 to support this important community event. Officers from the Council's Events Team will also continue to work with the carnival committee to support the committee's efforts to deliver a successful event.
- 1.13 Finally, it is recognised by both the funfair operator and the Council that the presence of large lorries and funfair rides on grassed areas may cause some damage to those areas. This is despite the best endeavours of the funfair operator, who puts tracking and other measures in place to minimize environmental disturbance. Often the extent of any damage to the ground cannot be predicted in advance and is dependent on weather conditions both immediately before, and during the event. Any damage to the ground during an event causes additional work and cost to the Council to make good any ruts in the ground and re-seed as necessary. The normal way to mitigate these additional financial burdens is through the provision of a bond by the event operator. This bond would be called on only if required, but it does ensure that additional unforeseen costs arising from the event do not become an additional financial burden on local council taxpayers.
- 1.14 Again, the principle of requiring a bond from event's organisers has already been established in the Council's Events Manual. The funfair operator has agreed to the payment of a bond, and this is helpful in ensuring that the Council's costs in supporting events such as funfairs can be properly mitigated. The fees and charges bond for a funfair is £1,200, while the bond for a Local/Charitable Community Event is £320. As any damages are more likely to be incurred due to the Funfair, it is proposed that the higher amount of £1,200 be charged.

2 Alternative Options

- 2.1 There are three alternative options. The first option would be to allow the funfair to continue to operate in area 2 as in previous years. For the reasons set out in paragraph 1.2 above, this is not supported.
- 2.2 The second option would be to relocate the funfair to another site. A number of areas were explored in detail, including the car parks at Abbey Fields, Abbey End and Square West. These have all been discounted for a range of reasons. These include the suitability of the surface of these car parks given the size and weight of vehicles (requiring costly repairs after the event), the size of the car parks, restrictions on suitable access points and noise and disturbance to neighbours of the car parks including both residents and local businesses. The carnival committee and funfair operator are also strongly of the view that it is desirable to keep the funfair and carnival as close together as possible.
- 2.3 The third option would be to not permit the funfair to return to Abbey Fields or to any other council-owned site. Again, this option is not supported. The carnival committee is clear that the funfair is an important and integral element running alongside, and supporting, the carnival. The carnival is a long-held and very popular local event, which is an important part of Kenilworth's life and supports the work of local organisations and charities. The Council has publicly expressed its desire to find a solution to the challenges faced by the funfair in order to support the carnival. For these reasons, this option is not supported.

3 Legal Implications

- 3.1 There are no legal implications arising from this report. Appropriate approvals will need to be sought from Historic England in view of the location of the site in a Scheduled Ancient Monument as necessary.

4 Financial Services

- 4.1 The proposed minor works to the site set out elsewhere in this report will require funding. It is proposed that funding is made available from the Corporate Assets Reserve for these costs. The reserve will retain an uncommitted balance of £987,000.
- 4.2 Similarly, the grant of £2,000 as set out above, to be paid to Kenilworth carnival committee, will be funded from the Community Projects Reserve, leaving a remaining uncommitted balance of £332,000.

5 Corporate Strategy

- 5.1 Warwick District Council has adopted a Corporate Strategy which sets three strategic aims for the organisation. Each proposed decision should set out how the report contributes to the delivery of these strategic aims. If it does not contribute to these aims or has a negative effect on them the report should explain why that is the case.
- 5.2 **Delivering valued, sustainable services** – the investment in improving area 5 as an events space will allow the Council to positively consider other events on this land. As these events will generate a fee, this will help support and sustain our existing services of supporting events across the district.
- 5.3 **Low cost, low carbon energy across the district** – this proposal has no impact on this.
- 5.4 **Creating vibrant, safe and healthy communities of the future** - the investment in improving area 5 as an events space, and in supporting Kenilworth carnival committee will support an important local event for the

community in Kenilworth. It will also allow other events to take place on this land, which will benefit both the local community and visitors.

6 Environmental/Climate Change Implications

- 6.1 Area 5 of Abbey Fields is less environmentally sensitive than area 2 which has previously been the home of the carnival. Area 2 is next to the Finham Brook and the use of this as event space inevitably has an impact on wildlife, including bats, nesting birds and a multitude of insects. Area 2 is also more susceptible to flooding, the potential impacts of which have been set out elsewhere in this report, including on potential historic remains.

7 Analysis of the effects on Equality

- 7.1 The Council is committed to ensuring equality of opportunity for all within the district; especially equality of access to the services we provide across different members of our communities. We recognise that serving our community well means, valuing not only the contribution of our workforce, but the diverse communities that we are here to support and deliver services to.
- 7.2 The proposed changes to Area 5 and the support for this important historic event in Kenilworth ensures the Council is meeting these commitments.

8 Data Protection

- 8.1 No issues relating to this report.

9 Health and Wellbeing

- 9.1 As noted elsewhere in this report, supporting a vibrant carnival and funfair at Kenilworth will have health and wellbeing implications for the local community.

10 Risk Assessment

- 10.1 There is a risk that Historic England will not permit the land at Abbey Fields being used for the funfair in view of its impact on the Scheduled Ancient Monument. To mitigate this, officers are actively liaising with Historic England to explain why this is a more appropriate site. It is relevant that by moving the funfair away from area 2, this is expected to have a beneficial impact by relocating away from an area which is known to be sensitive given its proximity to the site where the new swimming pool is being constructed and where historic remains have already recently been uncovered. As area 5 is a larger site than area 2, this will also allow more flexibility for the funfair operator to locate heavy rides in locations which are less sensitive.
- 10.2 There is a risk that the works will not be carried out in time for the event. The works are minor in nature and will be closely supervised by officers from the Green Spaces and Assets Teams.
- 10.3 There is a risk that, given the widely publicised funding shortfall facing the carnival committee, that the carnival and funfair will not go ahead. Clearly, this risk is outside of the Council's control. However, even if the carnival was not to proceed in 2024, there is a strong case for undertaking the works outlined in this report to enable area 5 to be used for other events in the future.

11 Consultation

- 11.1 The Council has consulted with the Carnival Committee and funfair operator. The Showman's Guild have also been involved in all key discussions.

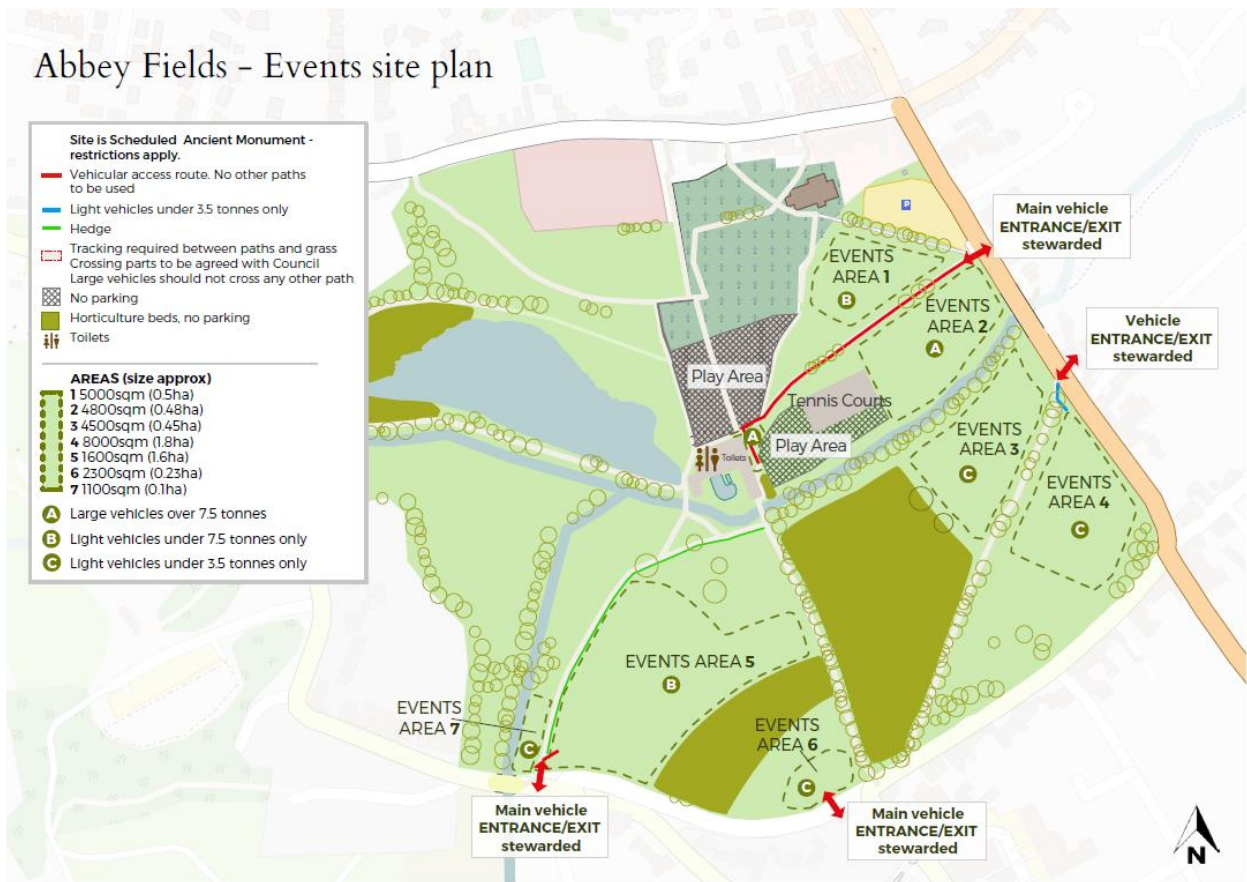
Background papers:

None.

Supporting documents:

None.

Appendix: Events site plan for Abbey Fields (taken from Warwick District Events Manual) indicating areas within Abbey Fields which are suitable for events.



No vehicles under tree canopies. For parking and stall set up information — see separate diagrams.