WEST LANCASHIRE BOROUGH COUNCIL

'SAFER EVENTS POLICY'

(including the Terms of Reference for the Event Safety Advisory Group)
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1. INTRODUCTION

Large and outdoor events on public or private land bring all kinds of challenges to Local Authorities and the Emergency Services. It is essential, however, that all events are properly planned and arranged with appropriate arrangements in place for participants, visitors and public safety that are commensurate with the risks involved and which ensure that all events are held safely with consideration for the wider community and are successful for all.

The aim of this policy is to provide everyone involved with an event in West Lancashire with an understanding of what is expected of them, with a clarification of roles and responsibilities of the organisers, the Local Authority(ies) and the Emergency Services – and how we will work together to ensure public safety.

2. POLICY STATEMENT

This Policy recognises that safety is the prime responsibility for the event organiser, together with the land owner. However this Policy also provides the framework for West Lancashire Borough Council to be able to co-ordinate a multi-agency proactive approach to ensure that all events held in West Lancashire are legally compliant, well planned and managed and protect the local community/attendees and the environment from these activities.

This Policy has been produced in consultation with representatives from the following organisations:

- West Lancashire Borough Council
- Lancashire Constabulary
- Lancashire County Council Highways
- North West Ambulance Service NHS Trust
- Lancashire Fire & Rescue Service

Representative from this core group of agencies will, for the purposes of this Policy and in respect of all organised events that affect public safety, be known as the 'Event Safety Advisory Group' (ESAG).

This Policy follows the guidance given in the LACORS Guide to Managing Large Events, the Health and Safety at Work Act 1974 (and allied Regulations), the Licensing Act 2003 (and statutory guidance) and the Health and Safety Executive Guide on Event Safety.

The members of the ESAG acknowledge the positive duty to protect life incorporated in Article 2 of the Human Rights Act 1998, as well as the rights conferred by Articles 9, 10 and 11 of the Act, namely the freedom to manifest individual beliefs, the freedom of expression and the freedom of assembly.

The ESAG will respect these rights and freedoms, without discrimination on any grounds so that they are balanced in a way that all events are planned and managed with safety as a priority. The ESAG members will only impinge upon these rights where there is lawful authority and it is necessary in the interests of public safety, the protection of health, to protect the rights and freedoms of others,
or to prevent disorder or crime. Additionally, this will only be done to an extent which is proportional to the circumstances and which is the least intrusive action which can achieve the stated aim.

3. **SCOPE OF THE POLICY**

The range of events across the Borough which attract participation from both performers and spectators is both wide and varied. They can range from small charitable or community events to major events on the national calendar. Some will require specific licenses, but some will not. All however will have potential risks to public safety, dependant upon the size and nature of the event.

The following list, although not comprehensive, gives an idea of the types of event to which application of this Policy is appropriate:

- Marches, parades, motorcades
- Pram races, road races, cycle races
- Charity walks
- Charity stunts
- Festivals (music or otherwise)
- Concerts
- Agricultural or rural shows and events
- Rallies, fetes and street parties
- Motor sports
- Major sporting events

4. **THE ROLE OF WEST LANCASHIRE BOROUGH COUNCIL**

Following notification of an event, which could present public safety issues, to any part of the Borough Council, or indeed to any other authority or agency, this information should be passed to the Chair of the ESAG (or his nominated representative) who will co-ordinate the sharing of this information and initial responses amongst the Group (including the relevant internal officers in Emergency Planning, Environmental Protection, Licensing, Legal, Town Centre Management and Road and Safety Enforcement). The Group will be asked to consider whether a meeting needs to be established to discuss the proposal so as to assess the safety issues surrounding the event, or whether responses can be made virtually/electronically.

5. **EVENT SAFETY ADVISORY GROUP – TERMS OF REFERENCE**

**Generally**

1. To ensure that each member of the Group is aware of their individual and collective roles and that they are suitably qualified, authorised and competent to represent their organisation.

2. To ensure that all aspects of relevant legislation, and its compliance, are considered when evaluating an event notification and that agencies with an interest in the event are notified through the Group as necessary.
3. To keep a written record of all 'meetings' (real or virtual), to clearly note recommendations agreed by the Group and actions arising from those meetings. (This will ordinarily be done by the Chair of the ESAG).

4. To ensure that all organisations or persons organising an event appoint a named and competent person who is responsible for overseeing the effective implementation of the necessary arrangements for their event – this person to be known as the Event Organiser (EO).

5. To objectively assess the suitability and sufficiency of the arrangements and resources provided by the EO to meet their legal duties. This assessment should include:
   - Insurance
   - Competency
   - Risk Assessment
   - Emergency Plans
   - Event Management Plan and Resources
   - Legislation requirements, including licensing and planning
   - Traffic Management issues, if any
   - Waste Management

   The EO should be advised accordingly of any significant concerns.

For large events*

*large events are not defined simply in terms of numbers of people attending but will normally have one or more of the following components:

- Multi-stage
- Multi-performance
- Multi-activity
- Physical large size of venue
- Outdoor venue

6. To ensure that the appointed EO is demonstrating competency throughout the planning of the event and takes responsibility for overseeing the implementation of all safety aspects of their event.

7. To assess the suitability and sufficiency of the 'Event Safety Management Plan' provided by the EO.

8. To monitor implementation and compliance and, if necessary hold daily debriefs with the EO.

9. To hold post-event debriefs and make recommendations, as necessary.

However the ESAG's assessment of the event will take into consideration wider issues when deciding the suitability and sufficiency of the arrangements being made which may necessitate changes being made to plans/resources – and which
is why EO's are strongly advised to consult with the ESAG as soon as possible to avoid any potential conflict.

6. EVENT SAFETY ADVISORY GROUP – MEMBERSHIP

The membership of the ESAG shall include representatives from the following organisations/services:

- West Lancashire Borough Council – Chairman/Licensing/Emergency Planning/Environmental Protection/Town Centre Manager/Legal/WLBC Commercial Safety Team
- Lancashire Constabulary
- North West Ambulance Service NHS Trust
- Lancashire Fire & Rescue Service
- Lancashire County Council Highways

In addition, representatives from the following organisations may be consulted or asked to join the ESAG by the Safety Advisory Group subject to the nature of the event:

- The event organiser
- Property/land owners (on whose land the event will take place)
- County representative (local elected member)
- The promoter
- Venue manager
- Local business representative
- DEFRA
- Trading Standards
- Health & Safety Executive
- Environment Agency
- Countryside Commission
- Transport Operators
- St Johns Ambulance
- British Transport Police
- Security & stewards representatives
- Traffic management consultants
- RAYNET
- Voluntary Groups
- Other service providers

7. SMALL EVENTS

Most events are small scale and if well planned and managed will not present circumstances that would breach any relevant legislation nor cause any significant concern to the ESAG.

In the case of small events, the role of the ESAG will be to consider the proposals for the event and conduct an assessment of the arrangements put in place by the EO to ensure they are suitable and sufficient for the proposed event. Individual
members of the ESAG may require further information from the EO but ordinarily it is anticipated that from the professional judgement of the officers concerned, a formal meeting (real or otherwise) will not normally be held. Any individual concerns will be minuted and circulated to each ESAG member then communicated in writing to the EO.

If any ESAG member disagrees with the decision/comments from another ESAG member and this cannot be resolved directly, then the ESAG will be convened and chaired by the Local Authority.

8. LARGE EVENTS

The ESAG will meet directly with the EO where the event is considered to be large, along with any other contributors considered necessary for the planning and management process. The ESAG will:

- Check that the EO has appointed competent health and safety and environmental management assistance
- Check that the EO has undertaken a suitable and sufficient general risk assessment and fire risk assessment for the event
- Assess the Event Safety Management Plan to ensure it is suitable and sufficient (a framework 'Event Safety Management Plan' template is available from WLBC)
- Ensure that there is an agreed emergency contingency plan in place for dealing with major incidents
- Ensure that, if necessary, a Statement of Intent is prepared which sets out the responsibilities of the relevant organisations involved in the event
- Monitor implementation of the Event Safety Management Plan
- Where appropriate, ensure that a thorough review and debrief is held after the event, making recommendations as necessary.

9. NOTIFICATION OF EVENTS

It should be noted that there are specific (statutory) time scales for applications for a Premises Licence and for a Temporary Event Notice. Event organisers must consult with the Licensing Section at WLBC to determine the process, timescales and requirements of the Licensing Authority.

For events held outdoors, and/or on land or in premises/locations not normally used for events, the following criteria apply:

- If less than 500 persons are expected to attend (including persons involved in the event itself) then consultation with the Local Authority should begin as soon as practicable but no later than 2 months prior to the event.

- If more than 500 persons are expected in total, then consultation with the Local Authority should begin at least 1 month prior to the submission of the Premises Licence application or 10 weeks prior to the event if there are no licensable activities.
For large events, that will attract several thousands of people and/or are held over multiple days, consultation with the Local Authority must begin at least 6 months prior to the event, with complex events needing 9-12 months notice.

10. NON COMPLIANCE, REMEDIATION AND ENFORCEMENT

If an EO fails to make adequate arrangements to cover their legal duties and obligations, and proceeds with the event, the ESAG will consider what actions it should collectively and appropriately take – whilst individual ESAG members will also consider what actions may be appropriate for their own organisations, having regard to their own Enforcement Policies.

Such actions might include the Chair of ESAG contacting associated professional bodies and insurers, the withdrawal of permission to use publically-owned or managed land or roads, withdrawal of resources for the event or enforcement action being taken.

The principles of this Policy are supported by consistent, proportionate and fair responses to non-compliance. Where prosecution is to be considered, this will ordinarily have been preceded by information, advice/education and written representation clearly identifying the concerns of the ESAG/ESAG member and identifying the actions, duties and responsibilities required of the EO.

11. REVIEW PROCEDURE

This Policy will be reviewed on an annual basis by the member organisations at the autumn/winter meeting of the ESAG.

The review will be recorded and details of any changes communicated to all ESAG members.