

**Policy Framework and Constitution
for Event Advisory Groups in
the planning and management
of public outdoor events in Cumbria.**

Aim of this guidance document

This guidance document sets out a framework for how local authorities, emergency services, major landowners and the other Relevant Partners can assist an event organiser in the safe planning of a public event through an Event Advisory Group (EAG).

The Relevant Partners agreeing to work from within this framework for a single county wide policy and constitution are listed in Appendix 1.

The aim of this document is primarily to assist the relevant partners on how to set up and conduct the EAG to ensure public safety at the event through the principles of 'best practice'.

This document sets out a suggested policy for the EAG (including its composition and core member involvement) along with a template constitution (including Terms of Reference), to be adopted by the relevant partners. It also clarifies the role that is expected of each core member in contributing towards the objectives of the EAG.

This guidance document does not intend to replace the statutory functions that rest with different bodies, nor the requirement for event organisers to ensure that all relevant licenses and permissions have been applied for. It should be read in conjunction with the relevant legislation and national guidance.

This guidance and any EAG recommendations **do not** remove the event organiser or other 'responsible person' from being ultimately responsible for spectator/public/employee safety at their organised event.

Landowners have a responsibility to ensure that all reasonable steps have been taken to ensure the safety of the participants and/or spectators when allowing an event to occur on their land. This document provides a framework for this support to be given by the EAG in assisting the landowners with that responsibility.

The Event Advisory Group should provide advice relative to the event, but should not make decisions on behalf of the relevant enforcing authority, only recommendations.

Policy Framework

1.0 Purpose of the EAG

The purpose of the EAG is to assist the Local Authority and other Relevant Partners in exercising safety and other public protection functions. This will ensure a consistent and co-ordinated process that will enhance public safety. The EAG will:

- Give proportionate advice on statutory and non statutory requirements
- Advise on minimising any inconvenience to local residents
- Advise organisers on effective planning
- Encourage safe management of events
- Provide consistent professional advice and support
- Share good practice

2.0 Enforcement legislation applicable

There may be legislation and/or national guidance documents which are applicable to the operation and safety of a particular event. The EAG will advise the event organiser what is required of them by statute and what is purely advisory in accordance with the latest guidance at the time of the event.

Where there is a statutory requirement, that authority responsible for enforcing that statutory requirement will normally be the lead body for the EAG and chair its meeting. Where there is more than one statutory requirement, the EAG will decide which authority responsible for enforcement will chair the meeting.

The EAG must make clear to the event organiser that they must not rely on any advice provided by the EAG in meeting their statutory or other obligations. The EAG must accept no responsibility for failure by the event organiser to comply with such obligations in reliance on advice by the EAG.

3.0 Constitution and Terms of Reference

The EAG will work in accordance with its Constitution, with Core Members (see Section 12 Membership) advising in accordance with their individual Terms of Reference (if any). Each Core Member will contribute to the aim and objectives of the EAG.

4.0 Notification and frequency of meetings

Whenever the County Council Single Point of Contact (SPOC) or other Relevant Partner becomes aware of an event that requires attention, they should notify the other Core Members in a timely manner.

Following receipt of this notification, any relevant interested party can request the formation of an EAG. As a minimum, the information required for a decision to be made on holding an EAG meeting will be on the EAG 1 notification form.

Core Members will determine whether this event is within their remit and whether they will attend as an EAG member for this event. Their decision will be forwarded to other Core Members and the SPOC, who will co-ordinate the meeting.

The EAG should only meet when circumstances dictate, based on risk. As such it may not be necessary to form an EAG for every single event notified, or upon the request of an event organiser. In these circumstances, telephone or email correspondence may be sufficient to advise the event organiser appropriately.

Some events may only require a single EAG meeting, whereas others may require several meetings due to the nature of the event e.g. to inspect the venue for a specific purpose, and/or to consider changes in the event management plan.

In the first quarter of the calendar year a meeting of the Core Members to consider forthcoming events should be held in each Local Authority district and organised by that Local District Council.

Location of Meetings

The EAG should meet at either the venue for the event or other suitably agreed location.

Record Keeping

Accurate minutes should be made of EAG meetings. These should record decisions made, actions required, identify who is to take these actions and any relevant timescales involved. These minutes should be circulated amongst the relevant EAG Core Members and other invited members.

A record should be kept of all information requested and received.

Where the EAG deviate away from national guidance, documented evidence as to why must be recorded and accepted by the relevant Core Members. In all cases, where EAG's are formed, any decisions taken by the EAG must be recorded and form an audit trail. Where an event organiser or land management deviate away from national guidance, documented evidence as to why must also be recorded together with a note of the advice or recommendations given by the EAG.

Information sharing after the Event

Where there is a breach of legislation at an event resulting in a subsequent investigation by the relevant enforcing authority, any report should be completed by the enforcing authority's officer, who will report to the relevant EAG Core Member. This will then be fed back to the other members as part of a specific review for that event, or as part of a general review of events. Consideration should be given to the protection of confidential or legally privileged information.

5.0 EAG Constitution

This template constitution should be adopted by the Core Members and cover the following:

- a) Aim of the group;
- b) Functions of the group;
- c) Membership;
- d) How the meetings are conducted and remits of smaller working parties;
- e) The specific roles (Terms of Reference) of the Core Members.

For the group to work effectively, with the Chair of EAG carrying out the decisions of the group, he/she must be given 'definitive and relevant' advice from the other members of the group within their sphere of expertise.

The representative attending on behalf of a Core Member's organisation should ensure that they understand what is expected of them and are competent for the role, being able to give advice within their Terms of Reference. They should also have the appropriate authority to be able to make decisions on behalf of their organisation.

6.0 Inspections & Investigations

Depending on the nature and size of the event, on site inspections may be required before and during the event.

Where legislation is applicable to an event, each authorised officer will act in accordance with their authorisation.

Where there is no applicable legislation, the EAG may provide advice to the event organiser and landowner, but will not make the final decision on whether that event is to take place. This final decision ultimately rests with the organiser and/or landowner.

7.0 Event Documentation

It is the responsibility of the event organiser to ensure that for any event, management plans, risk assessments, contingency plans, plan of the

location/route and other safety documentation such as records or certificates are provided in sufficient time before the event to the EAG. All documentation must be applicable to that particular event and up to date.

This documentation should form part of the overall event management plan and will be used as a basis for decision making by EAG.

On the County Council website there are 2 documents in the Toolbox at <http://www.cumbria.gov.uk/eventscalendar/eventsafetyinformation.asp> which can start this notification process and assist event organisers.

EAG 1 is the initial Notification Form to the SPOC to be completed by the event organiser where there is a forthcoming event, and/or to seek EAG advice. The EAG 2 document is a self assessment checklist, which is not definitive, and can be used by the event organiser as an aide memoir in ensuring that issues relevant to their particular event have been considered. Along with these EAG forms, the Toolbox also contains additional documents that can assist event organisers in the preparation of their event.

It is recommended that notification of an event is provided to the SPOC at least 4 months, or preferably longer, before the event is due to take place. This will ensure that there is sufficient time for the event organiser to comply with any statutory requirements, advice provided by the EAG and carry out any remedial work prior to the event occurring.

8.0 Safety Officer Appointment

Event organisers should have access to competent help in applying the provisions of health and safety law unless they are competent to devise and apply protective measure themselves. A competent person is someone who has sufficient training, expertise, experience or knowledge or other qualities that enable that person to devise and apply protective measures.

This competent person should be in charge of public safety at the event and be responsible for implementing any emergency procedures as required and liaison with the emergency services.

Constitution

9.0 Guiding Principle

The constitution should be used flexibly to reflect the three different types of outdoor events that may be considered by an EAG.

1. Events which take place at premises that fall within the remit of the Safety of Sports Ground Act 1975 or Fire Safety and Safety of Places of Sport Act 1987;
2. Events which are required to be licensed under the Licensing Act 2003;
3. Unlicensed events.

The event organiser and/or their management team carry the ultimate responsibility for the health and safety planning of their event.

The EAG is an advisory body, but members of it may have enforcement responsibilities under specific legislation which should be exercised in accordance with that body's enforcement policy.

10.0 Aim

To bring all Relevant Partners together to plan and prepare for an event in a co-ordinated way, to assist members of the EAG in exercising safety and other public protection functions and to create a consistent and co-ordinated process that will oversee and enhance public safety.

11.0 Functions

- To encompass all matters concerned with spectator, participant and public safety
- To provide a forum within which the Core Members may develop a corporate and consistent approach to safety
- To focus resources on risk
- To work in partnership with the responsible person rather than through enforcement
- To provide advice and assistance proportionate to the risk
- To provide recommendations to the event organiser
- To advise the event organiser on the suitability of the venue
- To review the adequacy of and implementation of the event management plan and any changes made to it
- To coordinate inspections and matters arising
- To oversee the implementation of any EAG recommendations and liaise with the appropriate EAG members where there are any legislative requirements
- To monitor the event as required
- To review the event as required
- To keep accurate records of any EAG meetings and make them available to relevant members

- To review and react to advice published in legislative and nationally recognised guidance documents, and advise on current best practice
- To promote environmental sustainability of events, where appropriate.

12.0 Membership

The Chair of the EAG should be the most appropriate person for the type of event being planned for and agreed by the group. Where there is a statutory function, this should normally be an officer from the lead authority responsible for that statutory responsibility.

The EAG should consist of members with sufficient seniority, experience, competency, authorisation and knowledge of their services strategic policies and practical issues. They should be able to take operational decisions on behalf of their service or body, except where new policy issues are raised, and advise the EAG accordingly.

The composition of the EAG should be appropriate to the event being planned for, but it will normally be constituted from the following members:

Core Members

- Local Authority Officers (licensing/departmental officer, highways and transport, environmental health, building control, emergency planning, sports ground licensing)
- Police Service
- Fire & Rescue Service
- Ambulance Service
- Environment Agency
- Landowner(s) representative

Invited Members (key examples - this list is not definitive)

- Safety Advisor for the event organiser
- NHS/Public Health Services
- Legal Services representative for the Local Authority
- Other Local Authority services such as waste collection
- Mountain Rescue
- Voluntary First Aid services
- Transport Services (British Transport Police), Rail & Coach operators
- Coastguard/RNLI
- Event promoters
- Event promoters Stewarding Company
- Event promoters medical provider
- Social Services – Safeguarding children
- Tourism/business representation
- Parish Council representatives

13.0 Meetings

The number of EAG meetings in each year should be flexible and responsive to particular circumstances. The EAG should only meet when circumstances dictate such as where there is a large or high risk event. A common sense approach should be adopted about the need to hold an EAG meeting for an event.

It is within the remit of the EAG to constitute into smaller working parties to address specific issues relating to a particular event and any subsequent development. These groups may have the full authority of the Chair to enable decisions to be made on behalf of the EAG, dependant upon circumstances and with full knowledge of the Chair. The outcome of any such groups will be conveyed to all interested parties by the working party and reported at the next EAG meeting or by email to the Relevant Members.

Where possible, arrangements should be made for administrative support for the Chair in the taking of minutes.

The EAG can make decisions relative to the event within its' own remit, but cannot make decisions on behalf of the relevant enforcing authority, only recommendations.

The EAG's minutes should be made available and circulated to all of the EAG members as soon as practicable following any meeting or inspection.

In all cases below, the Core Member representative attending an EAG will be of a rank appropriate for the role.

14.0 Terms of Reference

Role of the Chair of the EAG

- a) To ensure that the EAG properly discharges its functions;
- b) To ensure that the membership of the EAG reflects the need to address relevant risks associated with public safety and well being issues;
- c) To ensure that due account is taken of the views of the members of the EAG, including those attending by invitation;
- d) To ensure accurate records are kept and any decisions acted upon;
- e) To keep an overview of the event management plan for the event in order to facilitate a consistent and co-ordinated approach. This may mean involving Local Authority officers from licensing, highways and transport, emergency planning, legal services, environmental health, property, countryside/access management, building control, etc;
- f) To act as the link between the EAG and the event organiser and/or their management team;

- g) To audit the event to ensure compliance with the plans submitted and draw attention to any deficiencies which may require urgent attention or improvement;
- h) To ensure that any breaches of safety or agreement by the organiser are acted upon by the appropriate EAG member.

Role of Local Authority representatives (within their remit towards public events)

- a) To act in a co-ordinating role to the EAG on all matters relating to the Local Authority;
- b) To provide technical/legal advice and appraisal of published documents relating to public safety and wellbeing at public events and inform on any implications arising within the sphere of their remit;
- c) To provide technical support to the EAG in relation to all relevant matters concerning the event;
- d) To prepare, monitor, enforce and review guidance and any relevant licensing conditions and to advise in consultation with other members of the EAG.

This may include an officer, or officers, from licensing, highways and transport, emergency planning, legal services, environmental health, property, countryside/ access management, building control, etc.

Advice and guidance provided by the Local Authority representative may cover licensing, food safety, health and safety, noise levels, transport, waste management, street trading, water supplies, taking samples for examination for microbiological safety, pest management, minimising risk of statutory nuisance, etc.

Building Control advice may include:

- a) Guidance on temporary stands, staging and all other temporary de-mountable structures;
- b) Examination of any design and construction sign off certification (including an assessment of competency where relevant);
- c) Assessing any ingress and egress flow rates and identification of any pinch points;
- d) Verifying crowd capacities and densities (if required).

Role of the Emergency Services

To advise, give guidance and make recommendations on safety issues and advise on all technical/legal aspects of legislation within the remit of the service as they relate to public events, public safety and crowd management.

Role of the Environment Agency Representative

- a) To give advice and guidance on all technical/legal environmental matters in relation to public events including but not limited to:
 - Permitting for private water abstractions and water discharge activities;
 - Pollution prevention including oil storage;
 - Flood risk;
 - Waste management including duty of care requirements;
 - Environmental incident management.
- b) To enforce compliance with the legislative requirements where required.

Role of the Landowner Representative

- a) To advise on technical/legal aspects within their organisation's remit and recommended good practise within their published code of conduct, other regulatory framework or terms and conditions;
- b) To advise on environmental considerations required under any legislation, national guidance documents and other relevant publications;
- c) To advise on matters relating to the practicalities of allowing the event to proceed in relation to their organisations aims and objectives and relevant issues;
- d) To advise on access rights.

15.0 General

- a) EAG members should report any breach they discover on any agreement made between the EAG and event organiser to the SPOC for referral to the appropriate agency for action, especially where safety is affected;
- b) Where a breach of safety by the event organiser puts the public at risk, the appropriate EAG member(s) should be notified to take urgent action to remedy the situation;
- c) All Core Members will contribute towards the overall aim and functions of the EAG. This may involve attending meetings and/or inspections outwith their terms of specific reference.
- d) This framework policy and template constitution, along with the online Toolbox documents, should be reviewed regularly by the Core Members in order to maintain their relevance:
 - (i) at the end of each calendar year;
 - (ii) following any specific issue(s) that arise from an event;
 - (iii) upon receiving feedback from event organiser(s) or Relevant Partner that clearly identifies a necessity for change;

- (iv) following relevant changes to national guidance or legislation and any necessary changes put in place.

The Relevant Partners are:

- a) County Council Directorates and Departments – Safer & Stronger Communities, Economic Development, Tourist Board, Cultural Services, Highways, Tourism & Conservation, Emergency Planning Unit, Legal Services, Transport & Spatial Planning, Active Cumbria;
- b) District Councils – Environmental Health, Licensing, Building Control;
- c) Major Land Owners – Country Landowners Association, Forestry Commission, Lake District National Park Authority, National Trust, United Utilities, Friends of the Lake District;
- d) Emergency Services – Police, Fire and Ambulance Services, Mountain Rescue;
- e) Other Agencies – Environment Agency, Lake District National Park Authority, Nurture Lakeland, Cumbria Local Enterprise Partnership;
- f) Event Organisers – North West Federation of Show Societies, Kendal Arts International, Bluestone Event Management;
- g) Media – CN Group.