

**EXECUTIVE REPORT**

**Review of Safety Advisory Group and Events Management Processes**

**Executive Member for Regeneration**

**Kevin Parkes**

**25 June 2014**

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**PURPOSE OF THE REPORT**

- 1. To report on proposed changes to the Council’s independent Safety Advisory Group process following review and seek endorsement from Executive for the recommended actions, to ensure that the Council maintains robust events safety management procedures.

**SUMMARY OF RECOMMENDATIONS**

- 2. That Executive endorse the principle of creating a single unit for Events as part of the marketing review and for a detailed business plan to be developed.
- 3. That Executive agree an increase in Events Team capacity to ensure robust event management safety systems are in place pending the implementation of the marketing review.
- 4. That Executive endorse proposals relating to revised procedures and thresholds for the operation of the Safety Advisory Group in paragraphs 10-33 below.

**IF THIS IS A KEY DECISION WHICH KEY DECISION TEST APPLIES?**

- 5. It is over the financial threshold (£150,000)   
It has a significant impact on 2 or more wards   
Non Key

**DECISION IMPLEMENTATION DEADLINE**

- 6. For the purposes of the scrutiny call in procedure this report is

Non-urgent   
Urgent report

If urgent please give full reasons

## **BACKGROUND AND EXTERNAL CONSULTATION**

7. In August 2012 the Executive approved the formation of an independent Safety Advisory Group (SAG) to examine plans for public events staged by the Authority or held on Council land. Such groups have been established as a precautionary measure by local authorities following the court ruling in the Chester-le-Street “Dreamspace” case. Following conviction, Chester-le-Street Council was criticised for not subjecting events to independent scrutiny, having inadequate event management systems in place and a lack of event safety training for staff. The SAG is in addition to the Council’s existing event safety planning processes, which have a good track record of delivering safe events in Middlesbrough.
8. Following established practice, the SAG comprises Council officers with expertise in areas such as licensing, health and safety, structural integrity and highways as well as representatives from the emergency services and emergency planning. Being independent, the Group cannot assume responsibility for events, neither does it have the power to approve or prohibit them. These responsibilities remain vested in the Authority and are currently delegated to the Assistant Director for Development and Planning who uses the observations and recommendations of the SAG when coming to a decision. Should an accident occur at an event, potential liability would lie with Middlesbrough Council, and or, the officer approving the event, either wholly, in the case of Council organised events or jointly, where it is hosting an external organiser on its land.
9. The operation of SAG for the 2013 event season identified at a fairly early stage that there were some difficulties in how these processes were operating with events often being just hours away from commencing without formal sign off. A review of the 2013 events programme has been undertaken and the issues and recommended actions are set out below.

### **Roles and Responsibilities of Council Officers Organising Events, and Events Organisers From Outside the Council**

10. The Council has a small in house specialist Events Team, which generally organises events in the town centre and Centre Square. Its limited staffing resource of 1.5 FTEs means that whilst they undertake an evaluation of all event submissions received by the Council and determine whether they should go to SAG, they do not retain any responsibility or coordination for the majority of events held in the town. However, for all proposed events the Events Team is available to provide an overview of specialist advice and support to events officers in other services, and an additional layer of assurance to officers signing-off events, where this is needed. This division of activity in an area of potential risk is unhelpful and reduces effectiveness and efficiency.
11. In addition to the Events Team staff, Council events have also always been organised by other Council services such as Parks Management, Sports Development and Land and Property.
12. A review of the Events Team undertaken in 2012 responded to the reduction in resources in this area with by introducing a strategy which was about only delivering key core events and special events but which would also seek to support and facilitate events provided by the private and community sectors to try and maintain an active and vibrant events provision within the town despite reducing Council

resources. Whilst this approach is proving successful, experience with SAG has shown that the quality of the external event organisers wishing to fill this gap is highly variable.

13. The introduction of SAG and need to get timely information and formal event sign off means that it is essential that the Council has robust systems and adequate controls and coordination in place to ensure that SAG recommendations are properly addressed in a timely manner. The new working arrangements introduced by SAG have highlighted that there is a need for improved corporate coordination of the processes for robust events management.
14. One of the key weaknesses of the current system is that information provided to SAG is often late and of a poor quality. In addition, whilst the Events Team staff are available to provide support to all internal and external event organisers on request, they cannot actively pursue all event organisers to produce the information required or to follow up on recommendations post SAG. This approach has produced a vacuum as no one is responsible for proactively working with internal and external event organisers to ensure that the SAG requirements and recommendations are addressed in a timely manner.
15. As a result of receiving late information and the lack of internal control some events have been signed off just a day or so and sometimes just hours and minutes before they are actually due to commence. This puts unacceptable pressure on a few officers and is clearly unacceptable. Refusing to let such events proceed at such a late stage is always an option but in reality there would be damaging political and media implications for the Council if high profile events such as the Mela or Olly Murs were cancelled at the last minute.
16. The Events Team Manager left on VR early last year but at that time the impact the SAG would have on capacity was not known. More recently the officer with responsibility for the 10K run and another with responsibility for organising Stewart Park events such as the Cleveland Show have recently left on VR. In the coming months the Parks Manager will also be retiring. Whilst generating a collective annual revenue saving of £120K it does mean that the corporate events management capacity is further reduced.
17. There is therefore a need to better co-ordinate resources and coalesce expertise into one area/team. In accordance with the principles of the Transformation programme it would be logical, efficient and effective to consolidate the Council's main events activities into one unit, probably alongside marketing. However there is an interim solution required until long-term arrangements are in place. It is proposed that 0.5 FTE capacity from Parks / Sports Services is consolidated within the Events Team for an interim period.
18. The Marketing review option appraisal recommended that the events function should be incorporated into a wider marketing service. This review will be progressed pending the implementation of the senior management review. It is proposed that building on the outline business case that has been developed is taken forward to a full business case.

## **Triggers for SAG**

19. SAG is intended to give additional independent scrutiny of events that potentially present a significant public safety risk. The original/current triggers are that an event is held on Council land or the public highway, or is organised by the Council and involves any of the following:
  - a) expected spectator attendance over 500;
  - b) road closure required;
  - c) certain other specified characteristics e.g. fireworks, food and drink concessions, portable staging, inflatables, temporary structures.
20. It was estimated that there would be approximately 10 events per year that would need to be considered by SAG, but there was actually 27 in 2013.
21. Subsequently, SAG is becoming a significant call on MBC officer capacity including staff in Events, Community Protection, Legal, Building Control and Highways, plus Assistant Director sign off. Examination of extensive event manuals and supporting documentation, as well as attendance at meetings has proved a considerable extra burden on participating officers not least the staff providing support to the group. External agencies, most notably the Ambulance Service, have stopped attending local SAGs apparently due to a reduction in staffing and the labour intensive nature of the task.
22. SAG triggers are discretionary and it is for each local authority to scope which events should come within the remits of SAG. The triggers as previously specified are too broad and there is a need to ensure that they capture only those events considered a significant risk to public health and safety.
23. Revised triggers where an event is held on Council land or the public highway, or is organised by the Council and involves any of the following are proposed as follows:
  - a) expected spectator attendance over 500 at any one time;
  - b) road closure required;
  - c) certain other specified characteristics e.g. fireworks, sale of alcohol, portable staging, inflatables, temporary structures, fairground rides;
24. Implementation of a 'triage' process is also proposed, where an event application meets a SAG trigger. This would assess the level of risk posed and enable lower risk events to be identified and excluded from the SAG process, e.g. where portable staging comprises a small steel deck platform as opposed to a large scale covered stage or where infrastructure is provided by known and trusted suppliers.
25. Events that hit a trigger, but have previously been to SAG and have not significantly changed or caused problems, will also not normally need to be re-considered.
26. Approval from the Assistant Director Development & Planning (or any subsequent AD with responsibility) should only be required for events that have been considered by SAG.

## **Timescales**

27. The existing timescales for submission for information to SAG have proven to be too short. As noted above, information provided to SAG is often late in the day and does not allow for sufficient time for SAG to consider it fully and make appropriate

recommendations. This has the knock-on effect of there being limited time for the event organiser to address recommendations and for approval for the event to be granted.

28. It is proposed that timescales for submission of information to SAG be extended as follows:
- a) organisers of major events which are likely to fall within the remit of SAG should contact the Council at least 6 months prior to the event date. This will provide an initial 3 month period for the Council's Events Team to apply the assessment set out above, and advise potential event organisers of the issues that they will be expected to resolve. In the case of a Council delivered event, then the Events Team will incorporate the assessment into their own planning, or advise colleagues planning an event along similar lines.
  - b) where an event needs to be referred to the SAG, organisers must submit relevant planning and supporting documents at least 3 months before the event. These comprise:
    - detailed event plan (a template is now provided for this);
    - Health and Safety Risk Assessment;
    - Fire Risk Assessment;
    - Emergency Plan;
    - Method Statements;
    - Training Certificates;
    - Insurance Certificates;
    - Lost and Found Children Policy; and,
    - Medical Plan;
29. All planning documents will be circulated to SAG, however supporting documentation (e.g. insurance and training certificates) will not be routinely provided to SAG. Instead, the Council officer organising the event will provide confirmation that the appropriate documentation is in place, has been inspected, and can be provided on request. The Events Team will take responsibility for providing confirmation that external organiser documentation is satisfactory. This approach will help to address the pressure that has been placed on SAG to review large volumes of information.
30. Whilst there will always be some discretion and flexibility with the implementation of timescales, moving forward, events may need to be refused if the timescales are not adhered to once they have been publicised, if it is not possible to ensure all of the necessary safety arrangements are in place.

## **Training Needs**

31. The Judge in the Chester-le-Street Dreamspace case identified that there was a significant lack of event safety training for staff involved in events management which contributed to the disaster. There is therefore a need for all staff involved in the organisation and supervision of events within the Council to be appropriately trained to perform that role.

32. It is proposed that the Events Team take responsibility for undertaking regular audits of all Council staff currently involved in events management and organise appropriate training. This should be an ongoing function and requirement for staff as personnel change and a training budget should be identified from existing budgets.
33. In addition, the Events Team is to establish a regular events forum for Council officers who are involved in the events process.

## **IMPACT ASSESSMENT (IA)**

34. The impact assessment identified no issues arising from the implementation of the recommendations in this report.

## **OPTION APPRAISAL/RISK ASSESSMENT**

35. Alternative options considered were:
  - a. Maintaining the current events management and SAG processes. This would result in failure to address the key issues identified above, and would increase the risk of the Council failing to meet its responsibilities in relation to the safe management of events.
  - b. Limiting the number of events that can be held on Council land. While this would help to address some of the events management and SAG capacity issues, it could potentially be detrimental to the cultural offer in the town, limit Middlesbrough's appeal to independent events organisers and restrict the Council's ability to respond to event opportunities such as the Olympic Torch Relay which bring profile and visitors to the Town.
  - c. Increasing the threshold for SAG triggers. This would mean that fewer events would come within the scope of SAG scrutiny, and the associated workload would reduce. However, the level of the triggers is comparable with many other local authorities and a higher threshold increases the risk that events posing a significant risk are not captured within the SAG process.

## **FINANCIAL, LEGAL AND WARD IMPLICATIONS**

36. **Financial**  
The additional staff resource recommended for the Events Team will be met from existing staff resources.
37. **Ward Implications**  
This report has no specific ward implications.
38. **Legal Implications**  
There is no legal requirement to maintain a SAG, however, as well as providing a valuable independent safety check for members of the public attending events in the town, there is now clear legal precedent that a properly functioning group

provides valuable evidence of appropriate precautions and diligence should an incident occur.

If the Council does not have a robust event safety process in place, it is at risk of significant fines and legal challenge if a serious incident takes place. Chester-le-Street District Council was fined £20,000 for breaches of Health and Safety legislation in the wake of the Dreamspace accident, which killed 2 people and injured 13. In addition, Chester-le-Street District Council also paid damages for the deaths and personal injuries caused by that incident amounting to £500,000. Whilst the Council's insurers would be called upon to pay the damages, such a claim would have an impact on the Council's insurance premium.

In addition, however, the Health and Safety Executive may choose to pursue the Council under corporate manslaughter legislation, and individual officers under Health and Safety legislation, if is not satisfied that the Council took all reasonable steps to ensure risks were minimised.

## **RECOMMENDATIONS**

39. That Executive endorse the principle of creating a single unit for Events as part of the marketing review and approve the development of a detailed business plan.
40. That Executive agree an increase in Events Team capacity to ensure robust event management safety systems are in place pending the implementation of the marketing review.
41. That Executive endorse the proposals relating to revised procedures and thresholds for the operation of the Safety Advisory Group as outlined in paragraphs 10-33 above.

## **REASONS**

42. The corporate and personal liability for officers involved in events means that the Council has to ensure that safety processes are adequately managed. The proposals in this report will ensure that Middlesbrough Council has robust events management and approval processes, which are in line with industry best practice, and that appropriate staffing is in place to manage them.

## **BACKGROUND PAPERS**

43. No background papers were used in the preparation of this report.

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