

3.0 The Safety Advisory Group and engaging with the Council

3.1 Consultation with the Safety Advisory Group (SAG)

3.1.1 Through the booking process, SAG will be notified of events and based on assessment of risk will decide whether to invite an event organiser to a SAG meeting or refer them to one of its constituent members. A dialogue with SAG and/or its members must be initiated at least three months before the event to allow the organiser time to address any concerns raised. Consultation with SAG and compliance with its recommendations are conditions of any council land use agreement.

3.1.2 In imposing terms and conditions for spectator safety, the council will consult:

- West Yorkshire Police
- West Yorkshire Ambulance Service and NHS Trust
- West Yorkshire Fire and Rescue Service

3.1.3 An invitation to attend SAG is extended to other organisations involved in an event as required. This may include for example appropriate representatives of:

- St John Ambulance/Red Cross or other medical provider
- Stewarding and security provider
- The owner of the property on which the event will take place.

3.1.4 Depending on the nature of the event, other council teams may be recruited to the SAG for specialist advice. These include:

- Building Control
- Corporate Health and Safety
- Regeneration and Economy
- Emergency Planning
- Environmental Protection
- Food Safety
- Highways and Streetscene
- Licensing
- Parking Services
- Corporate Landlord and Legal Services
- Traffic and Safety
- Parks and Open Spaces
- Cultural & Vibrancy Teams: Creative Economy, Museums and Galleries, Markets
- Community Cohesion

3.2 Consultation with Councillors, Residents and Businesses

3.2.1 The organiser is responsible for carrying out all consultation prior to the event. We recommend as good practice that the organiser engages where relevant and appropriate with local ward councillors, residents, businesses and any others affected by the event, to ensure that any potential negative impacts of the event are minimised and that, wherever possible, arrangements are agreed with local people to mitigate any inconvenience caused by the event. It is recommended that organisers start this process at least 8 weeks before the event. Event details will also be included in portfolio briefings and local ward councillor briefings as appropriate.

3.2.2 The organiser may be required to provide evidence that consultation has taken place; they will be advised to keep a record of any steps taken.

3.2.3 The organiser must carry out any other consultation deemed necessary by the council.

3.3 Funding For Events

3.3.1 The organiser will need to think about how they will pay for the infrastructure, services and activities at their event. This includes costs for hire of spaces, road closures, facilities such as toilets, during and after event cleansing, licenses and leases. The council is not able to cover these costs, it is therefore important that realistic estimates for this work are obtained. It is not the responsibility of the council to pay for such items or to clear up the site after the event. This is the sole responsibility of the event organiser.

3.4 Charges for Additional Services

3.4.1 Where an event requires input from council officers which goes beyond the standard or statutory advice and guidance provided to event organisers, the council reserves the right to charge for services rendered. This does not apply to support provided by the SAG, whose members include statutory and non-statutory services – SAG itself is free of charge.

3.5 Application to use Council Land

3.5.1 When an organiser wishes to hold an event in a public park or other public outdoor space, permission to use the land must be obtained from the council. The council will require a bond to be paid in advance of the event which will be returned if no rechargeable costs are incurred. Terms and conditions of use of council land is published on the council's website.

3.5.2 For information on what charges apply to council land, see Charging Policy published on the council's website.

3.6 Cancellation of Land and Public Highways use agreement

3.6.1 The Council reserves the right to revoke the land use agreement. See conditions for use of council land, published on the Council's website.

3.7 Additional requirements that event organisers must meet in order to run a safe, legal event.

All guidance stated is published on the Council's website.

3.7.1 **Events on Private Land:** A large event planned to be held on private land may have an impact on the infrastructure of the wider area. Off highway events can cause traffic congestion and may need on street traffic management to ensure safety for the public entering or exiting the highway. Organisers need to consider traffic impact and include this in their event management plan. There may also be licence implications.

3.7.2 **Events involving VIPs:** A visit by a member of the Royal Family or a VIP may have an impact on the infrastructure of the wider area. Please inform the Council's Mayoral Office of your event as soon as possible.

3.7.3 **Safety Certificate:** Events at sports grounds and venues which have regulated stands (stands of a capacity exceeding 499 spectators where the legislation applies) are required to hold a safety certificate. These are normally issued only for the sport or activity that regularly occurs there (e.g. football or rugby).

Not all will be relevant in every instance but organisers need to consider any which apply to their event. Most issues covered in this section are statutory requirements.

- 3.7.4 **Advertisements:** The Department of Communities and Local Government has produced comprehensive guidance on the use of outdoor advertisements and signs. Event organisers are strongly advised to consult this guide at an early stage in the planning process. Advertisements and signage will normally require advertisement consent, which must be obtained from the Council. An exception to this is for temporary notices or signs which are intended to advertise any local event being held for charitable purposes, such as a fête or sponsored marathon.
- 3.7.5 **Listed Building consent:** Any attachment or advertisement on a Listed Building will also require Listed Building Consent. It is preferable to avoid additional advertisements on listed buildings.
- 3.7.6 **Charity Collections:** If a charity collection is to be held during the event, the collection organiser must obtain a permit from Licensing. Only one collection can be held in an area at any one time and slots are often booked months in advance, so organisers are advised to contact the Licensing Team as early as possible.
- 3.7.7 **Emergency Vehicles:** It is essential that emergency vehicles are able to access the site at all times. Nothing can be permitted to restrict access to hospitals and medical centres. Where an event is held on the highway, barriers can be used to close off the road and items such as tables and chairs can be placed on the highway providing they can easily be removed if necessary.
- 3.7.8 **Fire Safety:** The Regulatory Reform (Fire Safety) Order 2005 places the onus on a “responsible person” to actively pursue and maintain fire safety. In the case of one-off or occasional events, this will usually be the event organiser. The responsible person must carry out a risk assessment and implement appropriate measures to minimise the risk to life and property. The risk assessment must be reviewed and updated regularly.

West Yorkshire Fire and Rescue has a statutory duty to enforce compliance with the Regulatory Reform (Fire Safety) Order 2005. They have powers to enter premises and carry out inspections to ascertain whether the Order is being complied with. In cases where a serious fire risk exists and the event organiser has failed to take appropriate steps to rectify it, the Fire Authority can serve an enforcement notice requiring specific improvements to be made in a set period of time.

If the Fire Authority believes that there is an imminent risk of personal injury, they can serve a prohibition notice restricting or prohibiting the use of the event site with immediate effect. It is an offence for the responsible person (or any other person who has control over the premises) to fail to comply with the Order or any notice served under it.

It is therefore advisable for event organisers to involve the Fire Authority at the earliest opportunity in order to obtain advice and make improvements before formal action becomes necessary. This can be done via SAG.

- 3.7.9 **Food Safety:** There is no formal approval process for catering at small community events; however, organisers are encouraged to contact Public Protection and Health Improvement for advice and support. Any professional caterers must be registered under the Food Safety Act 1990 and have received training in food hygiene; this applies even if food is being given away for free. An outline of the type of catering and facilities should be provided in advance of the event.
- 3.7.10 **Noise Pollution:** Noise problems within communities is a significant source of conflict between neighbouring properties, occupiers and uses. Noise can cause undue stress for the receiver and erode trust in event organisers to hold sustainable successful events. Under the Environmental Protection Act 1990, excessive noise can be classed as a ‘statutory nuisance’ and be subject to service

of legal notices, prosecution and seizure of noise making equipment – if noise is not managed sensibly. Noise is considered before events in consultations to Environmental Health for Premises Licenses, Temporary Event Notices and Planning Applications. It is the responsibility of event organisers to think about and manage the noise which they produce, get the appropriate authorisation and consult with neighbours. If an event will include a loud speaker in the street after 9pm and before 7am – a Consent is required from the local Environmental Health department under the Control of Pollution Act 1974.

3.7.11 Licensing: Event organisers are responsible for ensuring they have the appropriate authorisation in place to cover the activities they are proposing to carry out. An authorisation is required for any event which involves one or more of the following:

- Sales of alcohol – including the provision of alcohol in exchange for donations or as part of the ticket price
- Regulated entertainment – entertainment that takes place in the presence of an audience, with the purpose of entertaining or partly entertaining that audience comprising of the public or a section of the public.
- Late night refreshment – hot food or hot drink served between 11.00pm and 5.00am

It is the responsibility of the event organiser to ensure the correct license is in place or has been applied for.

3.7.12 Planning Permission: The Town and Country Planning (General Permitted Development) Order 1995 as amended grants a general permission for the temporary use of land for up to 28 days in any calendar year. The period is restricted to 14 days in the case of the holding of a market (which includes a car boot sale) and motor sports. Regularly held events that exceed the 14 / 28 day limit will require planning permission. This restriction applies to each piece of land and is the total number of days, in any calendar year, that the land can be used for temporary purposes before planning permission is required. It should be noted that if the land in question is within the curtilage of a building these “permitted development rights” do not apply. Also, these rights do not always apply to the use of land as a caravan site and are more restrictive if the land is within a Site of Special Scientific Interest.

3.7.13 Street Trading: Organisers should ensure that traders operating at the event have the correct authorisation. Anyone who wishes to sell from a fixed location on a street must apply for a Street Trading Consent. The Council does not wish to encourage pedlars as generally this is illegal street trading.

3.7.14 Trading Standards: The organiser should notify Trading Standards if the proposed event involves shops or stalls trading in food, drink or goods. Trading Standards officers may attend the event to carry out inspections to ensure fair trading in accordance with the following legislation:

- Weights and Measures Act 1985, which makes it a criminal offence to give short weights or measures to customers
- Sale of Goods Act 1979 and Supply of Goods and Services Act 1982, which require that goods correspond with any description given, are of satisfactory quality and are fit for purpose
- Copyright, Design and Patents Act 1988 and Trade Marks Act 1994, which impose severe penalties for those convicted of selling counterfeit goods
- Licensing Act 2003, which prohibits the sale of alcohol to persons under the age of 18.

Although individual traders will be subject to enforcement action if they operate illegally, the organiser has overall responsibility for ensuring that all activities taking place at the event are run in compliance with the law.

- 3.7.15 **Temporary Structures:** Organisers of events who intend to erect temporary structures such as grandstands, stages, lighting, sound or control towers, tents, marquees or canopies should contact Building Control well in advance of the event and provide sufficient details including layout plans and construction details/calculations to enable the structural stability of the structure to be verified. The Building Control section will check the information provided and undertake inspections to ascertain the structural stability of any significant temporary structures. The Chartered Institute of Structural Engineers has produced comprehensive guidance on temporary demountable structures. See guidance for more information.
- 3.7.16 **Waste Management and Recycling:** Where an event is held on Council controlled land, it will be a condition of the land use agreement that the organiser must restore the land to Grade “A” condition as defined in the Code of Practice on Litter and Refuse issued under Part IV of the Environmental Protection Act 1990. Failure to do so will lead to the immediate termination of the agreement and the relevant service director may arrange for the necessary cleaning work to be undertaken and charged to the organiser.

If the event is held on the highway under a road closure order, the organiser should restore the road to the Grade “A” standard of cleanliness before the road reopens at the end of the event. In exceptional circumstances, the Grade “B” standard will be acceptable but this will be at the discretion of the relevant service director and will need to be agreed in advance of the event. Failure to restore the road to the agreed standard will lead to the immediate termination of the agreement and the relevant service director may arrange for the necessary cleaning work to be undertaken and charged to the organiser.

The council is committed to minimising the use of landfill; organisers should therefore provide suitable facilities for recycling as much litter and waste as possible, such as glass bottles and jars, cans, plastic bottles, cardboard, food, newspapers and magazines, unless otherwise agreed by the council. Where an application is made to use council land, consideration will be given to recycling arrangements prior to the application being granted.

- 3.7.17 **Adequate and accessible toilet facilities:** It is the duty of the event organiser to provide adequate and accessible toilet facilities for events. Guidance on the anticipated number of attendees to toilet provision ratios can be found in The Purple Guide. For small scale community events in a location where there are public toilets, the Council will need to be aware of your requirements in order that they can arrange for extended opening hours and extra cleaning. There will be a charge incurred for this service.