

Conwy Safety Advisory Group (SAG)

Terms of Reference & Event Guidance

Aim

- To promote the safety aspects of an event, such as community events and other similar public mass gatherings.
- To help ensure that any event does not impinge on the health, safety or wellbeing of the community where the event is to take place.
- Develop/promote joint working arrangements
- Ensure event organisers are clear it is their legal duty to comply with relevant health and safety legislation, and that the Conwy Safety Advisory Group (SAG) is advisory only.

The Group will:-

- act as a point of contact, on safety matters, for all those who are intending to organise a public event, whether on private or public land, on the highway, promenade or in estuary, inland or coastal waters
- provide advice and guidance regarding the specific responsibilities of the organiser(s) and the interests of other agencies involved
- refer to aspects of best practice for the information of the organisers
- be a forum for the raising of concerns regarding safety matters at major events
- discuss and evaluate lessons learned from staging events (through the debriefing process)
- be a forum for raising the standards of health and safety at events held in Conwy
- Keep and make available as appropriate records of its activities in order that it effectively carries out this function, and to ensure transparency of decision making

Specific terms of reference

- To advise on the event, venues and its immediate environs as required
- To advise on the exercise of the powers under the Health and Safety legislation and the Licensing Act 2003 for the event and venues
- To advise on the enforcing actions and duty of care of the local authority and other partners as defined in related legislation
- To provide a forum within which the local authority and other partners develop a co-ordinated approach to crowd and spectator safety and wellbeing
- To take on other safety and public protection functions as agreed
- To receive reports in relation to matters found during inspections by group members
- To receive notification of the issue of any prohibition notice and any prosecutions

Safety Advisory Group Function

- To advise event organisers on best practice.
- To promulgate good practice and competence.
- To develop best practice, organisers will be advised to refer to relevant advice and guidance, in particular:
 1. Event Safety Guidance and documents referenced on the HSE website at <http://www.hse.gov.uk/event-safety/running.htm>;
 2. The Purple Guide to Health, Safety and Welfare at music and other events at [The Purple Guide to Health, Safety and Welfare at Music and Other Events](http://www.thepurpleguide.co.uk/) <http://www.thepurpleguide.co.uk/>

The role of the SAG is separate from the operational management of any event. It is the event organiser/ management team that will be ultimately responsible for the health and safety planning. The SAG has an advisory capacity only, and provides independent advice to event organisers, who retain the legal responsibility for ensuring a safe event.

Organisers of events will wish to be aware that the Regional Emergency Planning Service for the North Wales Councils considers that all events should have:

- Evacuation procedures in place in case of emergency
- A wet or severe weather plan
- Considered and advised Conwy County Borough Council and other organisations/ services what response they would expect in the event of a Major Emergency at the event.

Status of the group and conflicts of interest

- The SAG cannot take any decisions on behalf of the local authority, its role is advisory
- The decision making power is delegated to the local authority or others as designated (this may be the Chair of the SAG)
- The ultimate responsibility for the event safety lies with the event organiser and any management team.
- Members of the SAG must declare any material conflict of interest in relation to any item put before the SAG, prior to any discussion on that matter. If the interest could be considered prejudicial, then that person should consider if they should withdraw and be replaced by an appropriate party agreed with the SAG

Legislation

- There is no legal requirement for organisers of events to refer these to or liaise with the Safety Advisory Group, but it is believed if they do that there are considerable benefits to the organisers and enforcement agencies to help ensure compliance with legislation.
- The organisers may require to obtain the following **before**: an event goes ahead:
 1. Street Closure Order
 2. Premises Licence (under the Licensing Act 2003),
 3. Street Trading Consents
 4. Planning Permission
 5. Public liability and other insurances
 6. Landowner consents
- In all cases the responsibility to comply with the Health and Safety at Work Etc Act 1974 and relevant statutory provisions **rests with the organisers.**
- Organisers are advised in particular of Regulation 7 (*Health and Safety Assistance*) of the Management of Health & Safety at Work Regulations 1999 “to appoint one or more competent persons to assist him in undertaking the measures he needs to take to comply.....” with health and safety legislation and requirements; and the need to carry out and implement the findings of appropriate health and safety risk assessments, as required by Regulation 3 of the Management of Health & Safety at Work Regulations 1999.
- Further advice on health and safety requirements and how these may be met by event organisers are available on the HSE (health and Safety Executive) website at <http://www.hse.gov.uk/>, which event organisers are advised to consult and follow.
- The event organiser is advised that it is their responsibility to comply with the relevant statutory legislation, and that the group is simply providing advice and has no statutory powers. Use of any Statutory power by of any *individual* organisation or member of the group is unhindered by the Safety Advisory Group however, and purely a matter for that relevant organisation or member.

Health & Safety at Work Etc Act 1974

The local authority is an “enforcing authority” as defined in the Health and Safety (Enforcing Authority) Regulations 1998 for work activities where the main activity includes cultural, entertainment or sporting activities.

The local authority will enforce the relevant statutory provisions to ensure the health, safety and welfare of employees, members of the public and any other person affected by a work activity. This includes all outdoor public events except for the erection and dismantling of structures or equipment used in the event. These activities are enforced by the HSE. For further details visit www.hse.gov.uk/event-safety/faqs.htm

Licensing Act 2003

The local authority is the “licensing authority” under the terms of the above Act and is required to carry out its licensing functions within its boundary, in consultation with the responsible authorities in respect of all licensable activities, which include: the sale by retail of alcohol, the supply of alcohol to a club, the provision of regulated entertainment and the provision of late night refreshment.

The licensing authority has a duty to determine premises and personal licence applications and undertake enforcement activity, and in doing so promote the four objectives of the Licensing Act 2003, which are: *preventing crime and disorder, public safety, prevention of public nuisance, and protection of children from harm.*

Meetings

- The Safety Advisory Group will meet as required, subject to review and in-built flexibility at the discretion of the Chairperson
- Have a right to establish sub – groups to consider specific events that may require more attention.

Venue

- Normally at Civic Offices, Colwyn Bay, but may vary for any particular reason (especially meetings with the Organisers).

Chair

- Local Authority - Officer

Composition

The email distribution list used to communicate SAG matters within the group will include representatives from each of the organisations and departments listed below, so that all are aware of events to be discussed at SAG meetings. Attendance from any specific organisation/ department at SAG meetings will be a matter for that organisation/ department as appropriate relevant to the events to be discussed.

Local Authority:

Highways (streetworks,
transportation and car parks);
Building Regulations;
Emergency Planning ;
Licensing Section;
Corporate Occupational Health &
Safety;
Public Protection, Health & Safety,

Food Safety;
Maritime (when appropriate);
Planning;
Legal;
Environmental Services (waste).

North Wales Police
North Wales Fire Service
Welsh Ambulance Services NHS Trust
HM Coastguard when appropriate
The Organisers – Relevant organisers may attend by invitation.

The Group reserves the right to invite other officers as required such as Insurance/Risk Management Officers.

Decision Making

- By consensus.
- It will be the responsibility of all organisations or sections named above to ensure that they have relevant representation at the meetings as appropriate and provide relevant comments at the meetings or prior.

Powers

- Group members retain command and control over their own resources and any statutory powers they have.

Secretariat

- Conwy Council will provide administrative support.

Agenda

- Agenda will aim to be circulated no later than 5 days before any meeting.
- Notes of main action points of meetings to be normally circulated to group members within 10 working days of meetings.

Reviewed 11th July 2014
Regulatory and Housing Services
Conwy County Borough Council