

COMMITTEE:
Licensing Sub-Committee
26 September 2018

REPORT OF:
Principal Licensing Officer

Agenda – Part1	Item 5
SUBJECT: Safety Advisory Group (SAG) & the Licensing Process	

BACKGROUND TO THE ROLE OF A LOCAL AUTHORITY SAFETY ADVISORY GROUP (SAG) – Health & Safety Executive Guidance (HSE)

1. Introduction

1.1 In Enfield, the SAG is co-ordinated by the Local Authority (LA) and made up of representatives from the LA, emergency services, other relevant bodies and the event organiser.

2 Purpose and scope of a SAG

2.1 SAGs provide a forum for discussing and advising on public safety at an event. They aim to help organisers with the planning, and management of an event and to encourage cooperation and coordination between all relevant agencies. They are non-statutory bodies and so do not have legal powers or responsibilities and are not empowered to approve or prohibit events from taking place. Event organisers and others involved in the running of an event, retain the principal legal duties for ensuring public safety.

3 SAG Process

3.1 Event organisers should submit their event proposal for discussion and advice. Attendance of the event organiser at SAG meetings is required, particularly when using the LA's land.

3.2 Discussions may extend beyond an organiser's duty to comply with workplace health and safety law and even the boundaries of an event site, to include considering the impact on the local transport network and civil contingencies in the event of an emergency. The advice provided by the SAG and any decisions taken should be proportionate to the risk profile of the event.

3.3 The SAG should advise the event organiser about public safety matters that they think need further consideration, explaining their reasons. It is the event organiser's responsibility to take any appropriate action. On the rare

occasion where there is disagreement between a SAG and the event organiser, and there remains a genuine risk to the public, individual organisations on the SAG such as the police, may decide to act to resolve the issue. Decisions on the use of these powers are matters for the relevant authorities to consider, not the SAG and should be discharged separately.

3.4 When SAGs consider events where LAs have responsibilities, e.g. as an organiser / co-organiser or landowner, the SAG should make the relevant LA department aware of any concerns so that they can act accordingly. An LA cannot rely on the SAG process to discharge its own legal duties. This is the responsibility of the LA. This will include decisions regarding the granting of premises licences and road closures.

4 When to hold a SAG

4.1 The guiding principle is that events presenting a significant public safety risk (whether in terms of numbers and profile of people attending, or the nature of the event activity and/or the challenge of the environment) should be considered. However, lower risk events like community village fetes and funfairs are unlikely to require a SAG.

4.2 Some event organisers will already have established effective liaison arrangements with external bodies or organisations like the LA and emergency services, because they will be involved in the wider management of the event e.g. crowd management to and from a venue and emergency arrangements. To facilitate this, some events establish a planning group/s. In these circumstances, it is often unnecessary to set-up a separate SAG.

5 SAGs and the role of HSE

5.1 HSE does not routinely sit on or attend SAG meetings. It is not normally appropriate for HSE to take part in the decision-making process at the planning stage, particularly where the event is organised by an LA. HSE inspectors may, however, be asked by a SAG and/or event organiser to provide advice and guidance on occupational health and safety matters, particularly where HSE is the enforcing authority for the activity concerned e.g. fairgrounds, broadcasting and construction activities. In these circumstances HSE is normally able to provide such advice to regulators, duty holders and others without having to attend the SAG although a local decision may be made that attendance would be appropriate.

5.2 HSE inspectors are not in a position to authorise or approve an event organiser's safety plan, so their contribution shouldn't be inferred by the SAG or the event organiser as sanctioning their methods of controlling risk.

INVOLVEMENT OF THE LICENSING COMMITTEE

6. Licensing Sub-Committee (LSC)

6.1 The LSC have formed to determine at least three large scale events taking place within the LAs parks since May. The event organisers had gone through the SAG process. The Licensing Sub-Committee had sight of the Event Management Plan (EMP) which would have been discussed at SAG.

6.2 The applicants have agreed a condition imposed by the Licensing Authority (Environmental Health, Health & Safety, Trading Standards) which encompasses the EMP, namely:

"The premises licence holder shall comply by submitting a completed Event Management Plan and associated documentation that meets the requirements of both the Licensing Authority and the Enfield Safety Advisory Group."

6.3 In all three events, the Police, the Licensing Authority and other Responsible Authorities did not object. However, residents and stakeholders, such as friends of the parks did object.

6.4 The applications therefore required a hearing, where the objectors and the applicants made their case.

6.5 In each application, the LSC were minded to grant the licence with the times and activities sought.

6.6 However, these applications led the LSC to raise some points in relation to the SAG process, such as:

6.6.1 The effectiveness of the EMP and the response of SAG to it.

6.6.2 Where objections from the RAs are absent, it is assumed that the individual organisations represented in SAG have given informed consent for the event to proceed;

6.6.3 Where the EMP is incomplete, the LSC did not have the minutes from the SAG meeting to inform the discussions.

7. PROPOSED PROCEDURE

7.1 SAG have developed a template to address the points raised in 6.6 above and can be seen in Annex 1.

8. FOR DISCUSSION

8.1 Members are asked to review this template and submit any comments on how it can be improved, either through discussion at the meeting or sent to esther.hughes@enfield.gov.uk

Background Papers:

None other than any identified within the report.

Contact Officer:

Ellie Green on 020 8379 8543