

Isle of Wight Council

Safety Advisory Group

Terms of Reference

January 2009

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Section 1

Local Authority Policy for the Safety Advisory Group.

1.1 It is the policy of Isle of Wight Council to uphold reasonable standards of public safety at all public events in the Isle of Wight (listed at Appendix A) and to encourage the well being of the public at those events.

1.2 To aid this the Local Authority maintains a Safety Advisory Group for public events, and partnerships with selected agencies to offer specialist advice to the Local Authority.

1.3 Isle of Wight Council is the Licensing Authority as defined by the Licensing Act 2003. The Local Authority will administer and enforce the relevant statutory provisions and shall have regard to the Licensing Authority Statement of Licensing Policy 2008-2011 and the Guidance issued under section 182 of the Licensing Act 2003.

1.4 The Local Authority will therefore exercise its powers under the Licensing Act 2003 and the following legislation:

- Gambling Act 2005
- Regulatory Reform (Fire Safety Order) 2005
- The Food Hygiene (England) Regulations
- Health and Safety at Work Act 1974
- Disability Discrimination Act 1995
- Environmental Protection Act 1990
- Town and Country Planning Act 1990
- Listed Buildings and Conservation Areas Act 1990
- Building Act 1984 and current accompanying regulations.
- Isle of Wight County Council Act 1971 (as amended)
- Crime and Disorder Act 1998

The above list is not exhaustive and may also include all legislation applicable to public events.

1.5 The Safety Advisory Group may advise Isle of Wight Council on the application of the above legislation at all relevant licensed public events.

1.6 The Local Authority may also exercise its duty of care in relation to non-licensed events as determined by the Safety Advisory Group. The Local Authority may seek a Memorandum of Understanding (or similar arrangement) between the Safety Advisory Group and non-licensed public events managers, that they submit their proposals to the Safety Advisory Group and agree to comply with the same legislative standards as licensed public events.

Health and Safety legislation.

1.7 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. Where a public event is managed or otherwise controlled by the local authority the enforcing authority will be the Health and Safety Executive.

1.8 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 including the erection and dismantling of any structures or equipment used in the event.

Section 2

Terms of reference for the Safety Advisory Group.

2.1 The main role of the Safety Advisory Group is to provide specialist advice to the Local Authority to help it discharge its functions under either sports grounds or public events legislation. The Group should also provide an overarching role considering enhancing safety at sports grounds and public events by providing advice and assistance to Certificate Holders and licensees. The Group should consider all matters within its remit and make recommendations to the appropriate Committee/Service of the Local Authority. It is necessary that the Safety Advisory Group operates within a defined (recorded) role, in order that it effectively carries out this function. The role of the Safety Advisory Group is:

- To advise the Local Authority in the exercise of its powers under the Licensing Act 2003
- To advise the local authority as the enforcing authority as defined in the Health and Safety (Enforcing Authority) Regulations 1998 for enforcement of the relevant statutory provisions.
- To receive and discuss all proposals for new public events and alterations to existing public events.
- To receive any relevant reports in relation to matters found during inspections by Group members.
- Monitor that any matters raised by the Group have been reported to the Local Authority, other relevant Authority, or event

licence holder and that these matters are reported back to the Group.

- To discuss any significant incident with potential safety implications or “near miss” at a public event.
- To receive notification of the issue of any prohibition notice and any prosecutions under legislation.
- To consider the advice published in all available guidance documents and to make the advice available to the public if required.

2.2 The Safety Advisory Group as such cannot take any decisions on behalf of the Local Authority.

2.3 The Local Authority core members of the Safety Advisory Group must declare any material conflict of interest in relation to any item put before the Group, 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 Group.

Section 3

Composition of the Safety Advisory Group.

- 3.1 The Group shall consist of persons with sufficient seniority, experience, competency, knowledge on their Services strategic/policy/practical issues; to be able to take operational decisions on behalf of their service/body, save where these raise new policy issues.
- 3.2 The Group shall be constituted in the following manner:
- **Core members.**
 - **Invited representation.**

Core members.

- 3.3 The core members include some of those authorities whom the licensing authority is required to consult under licensing legislation.

Membership

Membership shall consist of one member from each of the following:

- Chair (from the Local Authority Licensing Team).
- Lead Service (Licensing)
- Hampshire and Isle of Wight Constabulary.
- Isle of Wight Fire and Rescue Service.
- Ambulance Service.
- Environmental Health Department.
- Building Control

Invited representation.

3.4 The following are considered as persons/Services/Bodies that should be invited to all Event Safety Advisory Group meetings:

- Event organiser – this may be the licence holder/event organiser or Safety Officer (as appropriate).

3.5 The following may be invited either to all Safety Advisory Group meetings, or to a particular meeting as appropriate.

- First aid service representation.
- Relevant Local Authority Service representation
 - Planning Services.
 - Community Safety Services.
 - Trading Standards Department
 - Directorate for Children and Young People.
 - Community Safety Services
 - Emergency Management.
 - Isle of Wight Council Events Team
 - Highways Authority.
 - Legal Department
 - Newport Harbour Master
- Primary Care Trust.
- Maritime and Coastguard Agency
- Harbour Commissions
- Elected Members of the Local Authority Council.
- Local Supporters Associations/Groups representation.
- Local tourism representation.

The above list is not exhaustive. The Chair may invite such other specialist as the Chair feels appropriate to assist the Group fully consider any issue.

Section 4

Administration of the Safety Advisory Group.

- **Chair:** The Chair is appointed by the Local Authority.
- **Lead Service:** The Licensing Team will act as Lead Service to the Safety Advisory Group.
- **Secretariat:** The Licensing Team will provide the administrative support to the safety Advisory Group.
- **Consultation:** The Safety Advisory Group will consult all core members of the Group, invited representation, other Council Services and national bodies as considered appropriate.

Section 5

Frequency of meetings of the Safety Advisory Group.

- 5.1 The Safety Advisory Group shall meet a minimum of twice a year, unless any core member requests an additional special meeting or series of meetings.
- 5.2 The Safety Advisory Group may request an inspection/s of a public event as determined by the Chair of the Group in consultation with the event management. Such members as the Group considers appropriate can attend the inspection. Formal minutes/ a record of the inspection will be circulated to all relevant parties.

Section 6

Form of minutes of the Group

- 6.1 Each meeting of the Safety Advisory Group will be prearranged to an agenda published in advance of the meeting with minutes recorded in accordance with the Local Authorities set procedures.
- 6.2 The minutes of the meetings will be circulated to all Group members and to such other parties as may be determined by the Chair.

Section 7

Roles and responsibilities of the Core Members of the Safety Advisory Group.

Role of the Chair of the Safety Advisory Group

- 7.1 To ensure that the Safety Advisory Group properly discharges the responsibilities delegated to it by the Local Authority.
- 7.2 To ensure that the conditions of the licence issued by the Local Authority are properly monitored, enforced, reviewed and where necessary amended on a regular basis.
- 7.3 To ensure that all meetings of the Safety Advisory Group are reported to the Local Authority Licensing Committee in accordance with the Local Authority's set procedures and committee structure.
- 7.4 To ensure that the decisions/recommendations made by the Safety Advisory Group accord with the overall strategic policies of the Local Authority.

- 7.5 To ensure that due account is taken of the views of all members of the Safety Advisory Group, including those attending by invitation.

Role of the Licensing Team on the Safety Advisory Group

- 7.6 The Service will be represented by the Head of Community Safety Services and/or his/her appointed deputy who will attend all meetings of the Safety Advisory Group.
- 7.7 To act in a coordinating role to the Safety Advisory Group on all matters relating to spectator safety and liaise with Group members in the production of any items or reports to be placed on the agenda for the meetings.
- 7.8 To provide technical advice and appraisal of published documents relating to safety of public events and inform on any implications arising.
- 7.9 To provide technical support to the Safety Advisory Group in relation to all matters concerning licensing legislation and allied legislation.
- 7.10 To prepare, monitor enforce, review and amend as necessary the Licence Conditions on a regular basis following consultation with members of the Safety Advisory Group.
- 7.11 To conduct or arrange such additional inspections as may be necessary during a public event to monitor compliance with the conditions of any licensing conditions.
- 7.12 To identify and take appropriate action in respect of any breach of the licensing conditions.

- 7.13 To contribute any local information that may have a bearing on public safety.

Role of the Building Control Service on the Safety Advisory Group

- 7.14 The Service will be represented by a Senior Officer and/or his/her appointed deputy who will attend all meetings of the Safety Advisory Group and advise on:
- 7.15 All technical/legal aspects of legislation within the remit of the Service as they relate to public events.
- 7.16 Matters relating to the issue of Licence Conditions where applicable.
- 7.17 Matters relating to applications for public events received by that Service.
- 7.18 To contribute any local information that may have a bearing on public safety.

Role of the emergency services on the Safety Advisory Group

- 7.19 The service will be represented by a person of appropriate experience/competency (or his/her appointed deputy) who has full authority of the relevant service to give advice and 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 matters referred to in the The Event Safety Guide, A Guide to Health Safety and Welfare at Music or Similar Events and other relevant publications.
- Matters relating to the issue, monitoring, enforcement, review or amendment of Licence Conditions.
- Any breaches of the Licence Conditions.
- To contribute any local information that may have a bearing on public safety.

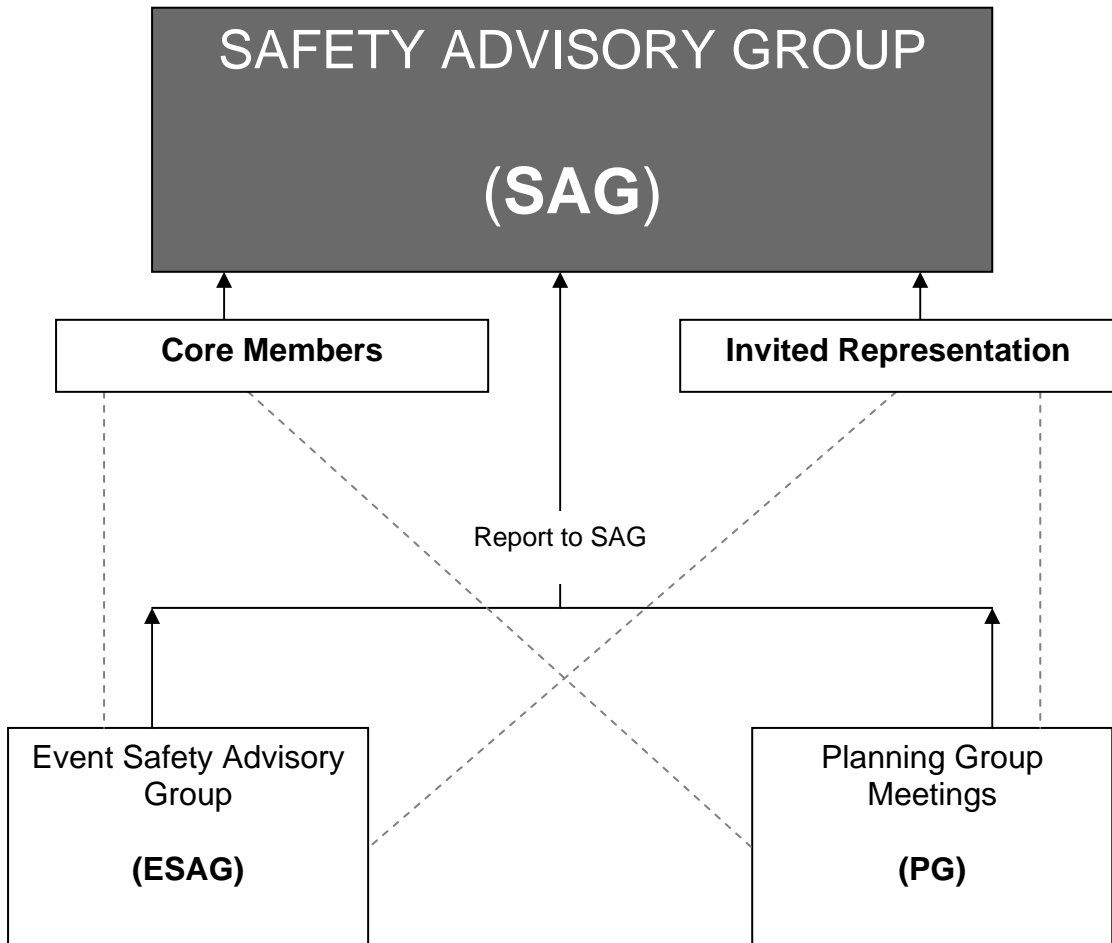
Role of the Environmental Health Department on the Safety Advisory Group

- 7.20 The Service will be represented by a Senior Officer and/or his/her appointed deputy who will attend all meetings of the Safety Advisory Group and advise on:
- 7.21 All technical/legal aspects of legislation within the remit of the Service as they relate to public events.
- 7.22 Matters relating to the issue of Licence Conditions where applicable.
- 7.23 Matters relating to applications for public events received by that Service.
- 7.24 To contribute any local information that may have a bearing on public safety.
- 7.25 Any breaches of the Licence Conditions.

7.26 Matters relating to the issue, monitoring, enforcement, review or amendment of Licence Conditions.

Appendix A

Structure of Isle of Wight Council Advisory Groups for Event Safety



Appendix B.

List of Public Events in the Isle of Wight that may require specialist advice from the Safety Advisory Group or Event Safety Advisory Groups:

- Isle of Wight Jazz Festival
- Isle of Wight Walking Festival including Walk the Wight
- Yarmouth Old Gaffers
- Isle of Wight Festival
- Veterans Day
- Ryde Summer Festival
- Ryde Regatta
- Osborne House Proms Night
- Osborne House Events
- Cowes Week
- Chale Show
- Garlic Festival
- Scooter Rally
- Ryde Carnival
- Bestival
- Big Day Out