

## **Environment Scrutiny Panel – 11 November 2008**

### **Major Outdoor Events Informal Scrutiny Group Review**

#### **Report of Head of Environment**

**Contact: Robert Heathcock 01962 848476.**

**Email: [rheathdock@winchester.gov.uk](mailto:rheathdock@winchester.gov.uk)**

#### Purpose of the Report

The Scrutiny Panel is asked to consider this matter as part of its role in holding the Environment Portfolio Holder to account on the performance of the City Council's role in relation to the safety and impact of Major Outdoor Events.

#### Links to the Corporate Strategy

The work in this area is part of the core functions of the Environmental Health service.

#### Recommended

That the Environment Scrutiny Panel:

1. considers the report and whether the review has adequately scrutinised issues relating to Major Outdoor Events, as defined.
2. adds any additional recommendations it feels are appropriate.
3. asks Cabinet to agree the following recommendations in order to improve the way in which the City Council deals with Major Outdoor Events.

#### Executive Summary

This report describes the work and conclusions of the Informal Scrutiny Group set up by the Environment Scrutiny Panel in order to review the City Council's input into Major Outdoor Events. The number and complexity of these events has increased in recent years and, whilst most events have passed off without any major difficulties, there have been instances where significant disruption and nuisance has occurred to the community.

The City Council has a variety of responsibilities and roles in relation to these events, including an enforcement responsibility for statutory provisions and also an enabling role in terms of the economic impact and tourism benefits from such events.

This study was requested in order to ensure that these responsibilities are being met and to consider the resources required to ensure that the City Council is able to adequately respond to the increasing demands placed upon it by such events. It has worked to the following terms of reference:

**'To review the impact of major outdoor events on the City Council's District and consider the adequacy of existing resources and procedures to deal with the issues caused by their occurrence.'**

This review concluded that overall performance in dealing with major outdoor events is satisfactory and there is little evidence that external stakeholders have significant problems with the process or outcomes.

The establishment of the Safety Advisory Group has helped to provide a coordinated process for guiding event organisers and ensuring that the agencies work properly together in terms of their response. It is now seen as good practice for other authorities, which further demonstrates its value and performance. Most importantly, however, it ensures that the City Council response and responsibilities across a number of services are properly met.

One challenge for the City Council is striking the balance between the promotion of events and the regulation of activities through the licensing process and health & safety considerations. This will require a continual need to ensure that neither aspect is in conflict with the other particularly for events run on Council-owned land.

In terms of improvements to the way in which the City Council deals with Major Outdoor Events, the following aspects were identified during the review and should be considered for further action by the Portfolio Holder and Cabinet;

- (a) A returnable reinstatement bond should be obtained from organisers for events held on Council-owned land in order to cover the costs of any reinstatement works, litter clearance etc if not properly completed after the event.
- (b) An easily accessible 'menu' of City Council-owned sites available to hire for events should be produced, providing clarification of the appropriate decision maker for consent.
- (c) The strict policy on the use of Abbey Gardens for events should continue.
- (d) A review of out of hours provision for events should be undertaken to ensure adequate cover at events. Consideration should be given to developing an objective evaluation of whether attendance at an event was required using a risk based approach.
- (e) The City Council should consider additional options to provide a "one-stop-shop" service to event organisers in order to support the Safety Advisory Group.
- (f) The planned improvements to the SAG pages on the Council's website should be completed including options of online forms and guidance which could be downloaded.
- (g) A review should be undertaken on the City Council's leaflet for event organisers linked to the SAG web pages.
- (h) A procedure should be developed for the handling of all events regardless of whether they fit within the parameters of the SAG, which is adhered to

by all officers involved with events and all external event organisers. This should include events with an expected audience of less than 500 as these are currently only subject to a Temporary Event Notice.

- (i) An investigation should be carried out into the possibility of increasing the licence fees to fund additional enforcement at events and the different options for this.
- (j) The ISG endorses the need for a dedicated person to deal with the health and safety assessments of event application and the feasibility of securing an in-house resource for this purpose should be investigated.

### **Background Documents**

Working documents held in the Environment Division.

### **Appendices**

Appendix: Major Outdoor Events Informal Scrutiny Group Report



**Winchester**  
City Council

**ENVIRONMENT SCRUTINY PANEL  
REPORT EN 70**

**11 November 2008**

**Report by the Chairman,  
Councillor Barry Lipscomb**

**MAJOR OUTDOOR  
EVENTS**

## SCRUTINY REVIEW – MAJOR OUTDOOR EVENTS

### REPORT OF MAJOR OUTDOOR EVENTS INFORMAL SCRUTINY GROUP

#### 1. Introduction

- 1.1 The Informal Scrutiny Group was set up by the Environment Scrutiny Panel in order to review the City Council's input into Major Outdoor Events. Its Members were Councillors Lipscomb, Busher, Bell, Anthony and Cook. The number and complexity of these events has increased in recent years and, whilst most events have passed off without any major difficulties, there have been instances where significant disruption and nuisance has occurred to the community.

#### 2. Background to the Study

- 2.1 The City Council has a variety of responsibilities and roles in relation to Major Outdoor Events, including an enforcement responsibility for statutory provisions and also an enabling role in terms of the economic impact and tourism benefits from such events.
- 2.2 This study was requested in order to ensure that these responsibilities are being met and to consider the resources required to ensure that the City Council is able to adequately respond to the increasing demands placed upon it by such events.

#### 3. Terms of Reference

- 3.1 At its inaugural meeting the ISG considered draft terms of reference and agreed these as being

**'To review the impact of major outdoor events on the City Council's District and consider the adequacy of existing resources and procedures to deal with the issues caused by their occurrence.'**

- 3.2 It was also agreed that the review would include the following:

1. Scoping of the review to include an agreed definition of what constitutes a 'major outdoor event'.
2. A review of the powers available in relation to the control of major outdoor events.
3. A review of the resources available within the City Council to deal with events, including the financial arrangements.
4. Consideration of coordination arrangements between City Council Services with separate roles in relation to the promotion or control of outdoor events.
5. A review of the role of the Safety Advisory Group and partner agencies.

6. Consultation with relevant stakeholders including invited promoters, organisers, elected representatives (County, City and Parish Councils) and other agencies on their practical experiences of events.

**Note:** For the purposes of the review it was agreed that the definition of a 'Major Outdoor Event' would be

**'Events likely to have significant impact on local communities'**

It was agreed that the length of the review would be no longer than 6 months with a report to the Environment Scrutiny Panel in Autumn 2008 in time for any budget considerations for 2009/10

- 3.3 The panel met on 5 occasions on the following dates:

6<sup>th</sup> March 2008

26<sup>th</sup> March 2008

22<sup>nd</sup> April 2008

11<sup>th</sup> June 2008

7<sup>th</sup> July 2008

4. Review of Powers available to deal with outdoor events

- 4.1 Traffic Management

- 4.1.1 The ISG reviewed the role of the Access and Infrastructure Team in outdoor events by interviewing the Head of Access & Infrastructure, Andy Hickman. In summary, the Team arranges road closures, advertisements, and has some limited role with regard to parking and approved temporary signs. There was some recharging of its work, which was discretionary. No charge was usually made for events organised by a charity. The Team has a small budget for this; however there is a limited role with regard to more proactive work. The team also have agency arrangements with the County Council Highways who effectively pay for two full time officers at the Council to carry out work on their behalf.

- 4.1.2 The ISG also clarified that the County Council Highways Division has the main responsibility for public safety at events, including marshalling and direction of traffic. However, there is a need for the roles of City Council and the Police to be more clearly defined. In addition, the Group confirmed that the County Highways Division is represented on the Safety Advisory Group, in order to give input on traffic management issues.

- 4.2 Planning Control

- 4.2.1 The ISG heard from the Head of Planning, Fiona Tebbutt who confirmed that her Team has a limited role in terms of the arrangement of outdoor events. The permanent use of land for outdoor events would be a material change of use that requires planning permission. The authority would therefore have the opportunity to assess the acceptability of the proposed use, in terms of

development plan policies, visual impact, traffic generation, noise, impact on local residents, etc. If the authority was minded to grant planning permission, then conditions could be attached controlling certain aspect of the proposed use.

4.2.2 However, most major outdoor events were one-offs or only take place once a year, and in most cases benefit from 'permitted development rights' set out in Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995, which allows the use of open land for any purpose up to 28 days in any calendar year. Uses which involve the holding of a market or the racing of motor cars and motorcycles (including time trials and practicing) are limited to a maximum of 14 days a year before planning permission is required.

4.2.3 The ISG were advised that permitted development rights would not apply where:

- i) land in question is a building or within the curtilage of a building,
- ii) use is a caravan site,
- iii) land is within a Site of Special Scientific Interest and the use of the land is for:
  - clay pigeon shooting
  - any war game
  - the holding of a market or the racing of motor cars and motorcycles (including time trials and practising), or other motor sports.

Therefore, any temporary use which does not meet the above criteria or exceeds the 14 / 28 day rule requires planning permission.

4.2.4 In terms of structures, the Class B rights allow the provision on the land of any moveable structure for the purpose of the permitted use (any moveable structures brought onto the land must be removed when the temporary use ceases).

4.2.5 Because of these limitations, it was unusual for the Planning Enforcement Team to get involved in major outdoor events. A recent exception, however, had been monitoring a large outdoor event (Matterley Motocross) to ensure that the 14 day rule was not exceeded and also to monitor associated works being carried out to the land (i.e. construction of jumps and humps), which would otherwise trigger the need for planning permission.

4.2.6 A temporary use that goes ahead without planning permission constitutes a breach of planning control and can therefore be enforced against. To stop the event going ahead, the Council would need to issue a Temporary Stop Notice (TSN) or a Stop Notice (SN), which if breached would constitute an offence up to £20,000. Should the event organisers proceed with an event in breach of the TSN / SN, then the Council's only alternative would be to seek an Injunction. As a discretionary remedy, it is by no means certain that the Courts will make an injunction unless there are overwhelming reasons why such a remedy is necessary.

- 4.2.7 One final provision available to the Council would be to make an Article 4 Direction, which would take away permitted development rights on specified plots of land and thus can be used to bring temporary uses under planning control. Directions have to be confirmed by the Secretary of State within 6 months of being made by the Council and Government guidance is that they should only be used where there is real and specific threat. The Council could also be liable for compensation if planning permission is subsequently refused for a temporary use (which would otherwise have been permitted development had the Article 4 not been issued).
- 4.2.8 During detailed questioning of Mrs Tebbutt on this aspect of the legal provisions the ISG were able to ascertain that
- Costs of enforcement work were non recoverable.
  - The siting of camping and ancillary vehicles may be included under Permitted Development Rights.
  - Use of Article 4 Direction to remove Permitted Development Rights would be considered as a last resort and was rarely used.

#### 4.3 Licensing

- 4.3.1 The ISG reviewed the background and implications of the Licensing Act 2003 by interviewing John Myall, Licensing Officer. In summary, open land could now be licensed as a 'premises' and could include the sale of alcohol which previously required a separate magistrates consent. The premises licence also covered 'late night refreshment' that included sale of food after 11pm until 5am.
- 4.3.2 The ISG established that the four Licensing objectives under the Act were:
- Prevention of Crime and Disorder
  - Prevention of Public Nuisance
  - Protection of Children from Harm
  - Public Safety
- 4.3.3 Applicants were required to demonstrate how they would achieve these aims and the Council was able to 'convert' these into conditions if necessary. The Council was unable to suggest conditions, although the Licensing Sub Committee could do so in the light of representations received.
- 4.3.3 The Licence would routinely be issued unless there were objections received from local residents (including their representatives such as Parish Councils) or 'responsible authorities' to the proposals, otherwise a hearing by the Licensing Sub Committee would be held.
- 4.3.4 The ISG also established that the functions of the Licensing Team include:
- Receiving and validating applications
  - Liaison with applicants on and off site
  - Liaison with Responsible Authorities
  - Liaison with Environmental Health and Building Control officers
  - Participation on the Safety Advisory Group



- Liaison with Interested Parties
- Formulating licensing conditions
- Preparing reports and presenting applications to the Licensing Sub Committee
- Issuing licences
- On site enforcement and ensuring compliance of licence conditions
- Preparation of reports for reviews and presenting them to the Licensing Sub Committee
- Obtaining witness statements
- Conducting PACE interviews for breaches of legislation
- Preparation of files for prosecution

#### 4.3.5 During detailed review of this area the ISG confirmed the following:

- It was up to the Licence holder to prevent any unauthorised mobile caterers from using the site. Applications for licences were generally supported by site plans, inclusive of catering areas.
- Especially for larger events, some flexibility was allowed with regard to finalisation of site layout. Therefore, final plans should be submitted for approval 28 days before the event.
- It was generally for Licensing and Environmental Protection staff to 'police' compliance, especially for larger events.
- As the licensing fee is comparatively small, it is generally insufficient to meet the full costs of officer time in attending events and dealing with the application.
- The Licensing Fee goes, in total, to the Licensing Team of the Council and is passed on to meet some of the costs incurred by other departments. However, a large proportion of pre-event work of Environmental Protection Officers was considered to be part of their normal day to day work, although the amount of this was increasing.
- Licences were not required for Firework Displays, Fetes or Circuses (unless selling refreshments after 11pm). However, such events had associated Health and Safety issues covered by separate legislation.
- 'Interested Parties' include those living, working and those representing residents in the vicinity of the premises. However, this did not include the Local Authority, as it was the Licensing body. Local Members could be included as an 'Interested Party' only as an individual representing others who had submitted representation, and not as an elected Member.

#### 4.4 Building Control

4.4.1 During an interview with Chris Griffiths-Jones, Head of Building Control the ISG established that his team are a member of the SAG and carries out all building control consultation on both licensed and non-licensed events. Within the agreed protocol of the Safety Advisory Group, Building Control involvement was;

- (a) **For licensed events** – to ensure compliance with relevant legislation/guidance in respect of temporary stands and stages and other temporary structures.

(b) **For unlicensed events** – to examine details of temporary stands and stages.

4.4.2 As a member of the SAG, the division advises the group on the suitability of structural matters relating to elements such as large tented structures, toilet blocks, stages, tower scaffolds etc. This advice is usually based on the details that are contained within the Event Management Plan for a particular event. The work required the checking of the documentation that is in place or advising on what information is required to be submitted.

4.4.3 During the event's construction phase, the division undertakes site inspections to ensure that all structures are being constructed properly and are as per plan/details etc. Advice is also given to general Health and Safety matters, for example access to stages, balustrades, suitability of large screens etc. The division also advises on disability issues when issues are experienced on site to ensure that the event is accessible for all.

4.4.4 Insofar as fire matters are concerned, these are usually dealt with by Hampshire Fire & Rescue Service. However, if they were not available the division could advise on fire safety issues in relation to an event including the following:

- Site design, density factors (capacities), barrier configuration etc.
- Access issues relating to, means of entry and egress (flow rates), siting of ingress/egress routes.
- Fire safety issues relating to, lighting (normal/emergency), fire warning systems, signage (directional/information, etc.), flammability of fabrics/textiles, marquees, portable structures.

4.4.5 The ISG ascertained that the Building Control division was not a statutory consultee under the Licensing Act but, in order to mitigate any problems that could occur for the City Council, their comments were supplied through Environmental Health division under the Public safety objective.

4.4.6 During more detailed review by the ISG, the following issues were identified:

- It was possible that there could be some implied liability for the City Council should there be an incident at an event that officers did not attend caused by a breach of condition that had not been enforced. However, the core responsibility lay with the event operator.
- Conditions could be applied for the 'signing off' of a marquee as properly constructed prior to the event taking place.
- There was concern that Building Control was no longer a statutory consultee under the Licensing Act, although the ISG accepted that they could raise concerns through the Health and Safety team of Environmental Health and the Safety Advisory Group (SAG).
- Most inspection of sites prior to the event were prearranged in order to prevent last minute concerns arising 'on the day'.
- Building Control's costs were now not recoverable, although there was some potential for recharging across the Council.

## 4.5 Cultural Services

4.5.1 The ISG were advised by Eloise Appleby, Head of Cultural Services that her staff were often on the 'other side' of discussions, as they often sought to promote forthcoming events that would be of benefit to the community and to visitors. This had to be balanced against the statutory role of other Council departments, having particular regard to any concerns that they may have of the event's organisation. The Cultural Services division was tasked with objectives within the Corporate Strategy to:

- a) support and promote the economic health of the district, and
- b) increase opportunities to participate in cultural activities.

4.5.2 In order to deliver these corporate aims, the Cultural Services Team use a variety of mechanisms:

**Marketing** including promotion through tourism publications, 'What's On' print and e-listings; content on [www.visitwinchester.co.uk](http://www.visitwinchester.co.uk); poster display, ticket sales and enquiry handling at the tourist information centre; national press coverage via Discover Winchester media agency in London; inclusion of events in familiarisation visits for journalists, tour operators etc.

**Advice** including direct advice on event planning and promotion and organisational development; co-ordination of Council's Special Events Group to provide joined up support, and also signposting to external agencies according to scale and nature of the event.

**Funding** including specialist advice on applications for arts and heritage funding (e.g. to Arts Council England and HFL); provision of letters of support for funding bids; hosting visits by grant assessors; advising on WCC Community Chest and revenue grant bids

**Advocacy** as a result of the strong relationship between officers in the division and many of the event organisers working in the district. Cultural Services frequently champions the interests of the event organisers during internal discussions and SAG (Safety Advisory Group) considerations.

**Permissions** as the division is directly responsible for hiring agreements for events on North Walls and the Garrison Ground.

4.5.3 The ISG were advised that the Cultural Services Team employed a special events officer whose role was reviewed in 2007. As a result the division increasingly plays a strategic or enabling role for special events rather than co-ordinating its own cultural events. This enables more time to be spent on the following activities:

**Networking** by provision of training and networking events and seminars for those involved in organizing special events

**Enhanced Advice** by improving the City Council's web content for event organisers, with new features planned for the year ahead on planning environmentally-friendly events

**Anti-Clash Diary** which reinforced the role of the City Council in holding the diary of events, and encouraging promoters to consider impacts of clashing events in terms of infrastructure, visitor satisfaction, accommodation provision etc. Also encouraging promoters to work collaboratively where events do coincide for positive results.

4.5.4 The ISG established that, like many divisions within the Council, the Cultural Services Team were finding that as the number of events grows, the workload for both the arts and events officers increased - as does expectation from event organisers who would like the team to be more closely involved with their planning processes.

4.5.5 During more detailed review by the ISG, the following issues were identified:

- Overall there had been good negotiations with colleagues within the Council to date and a better understanding had been achieved of the different requirements with regard to arranging events.
- It was noted that some event organisers were coming from the more 'artistic' side, often without enough experience of large event organisation. Some organisers were not used to working towards compliance with conditions.
- Recharging to some organisers could effectively 'cripple' their finances. There had been increasing costs to them associated with Health and Safety.

#### 4.6 Environmental Health

4.6.1 The ISG interviewed Rob Heathcock, Head of Environment and established that the Team are statutory consultees under the Licensing Act 2003 and are usually the first point of contact for all licensing applications/ variations with a requirement to look at all issues in relation to public nuisance and public safety. The work involved meetings/ discussions with applicants if needed to confirm detailed proposals. If required, the team could ask for a review of licences and they attended Licensing and Regulation Committee if needed.

4.6.2 A key role of the team was to assess Event Management Plans in order to ensure that the areas described below are addressed.

Issue	Prior to Event	During Event
<b>Noise</b>	<ul style="list-style-type: none"> <li>• Setting of conditions, liaison with organisers and their appointed consultants.</li> <li>• Attendance at safety team meetings</li> <li>• Letters to local residents, setting up of hot line, Central Control notification</li> <li>• Setting up of any on site office, organisation of staffing, contracting staff to undertake work.</li> <li>• Organise passes etc</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring of noise levels and responding to complaints during the whole event if required.</li> <li>• Liaison with organisers on any enforcement actions.</li> </ul>

	<ul style="list-style-type: none"> <li>• Set up briefing sessions</li> </ul>	
<b>Public health issues</b>	<ul style="list-style-type: none"> <li>• Satisfactory provision of water supplies</li> <li>• Adequate drainage and waste disposal</li> <li>• Provision of sanitary /washing facilities if there is camping on site</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring of conditions and liaison with event organisers if actions are required.</li> </ul>

<b>Issue</b>	<b>Prior to Event</b>	<b>During Event</b>
<b>Food Safety</b>	<ul style="list-style-type: none"> <li>• Liaise with organiser to get complete list of all traders' names and who they are registered with.</li> <li>• Further discussions with event organiser re food safety issues.</li> </ul>	At event, normal enforcement visits and actions. Liaise with event organiser on any follow up actions.
<b>Health and Safety</b>	<ul style="list-style-type: none"> <li>• Examination of the EMP, liaison with organisers if required *</li> <li>• Look at H&amp;S issues (risk assessments), if available and make comments to appropriate persons.</li> <li>• Attendance at safety meetings leading up to event. Additional meetings to deal with specific issues i.e. Lasers.</li> </ul>	<ul style="list-style-type: none"> <li>• Inspections checks to ensure compliance with legislation</li> <li>• Identification of any areas of concern and discussions with event organiser for corrective actions.</li> </ul>

**\*Role prior to event will vary according to type of event not necessarily the numbers attending**

Music events – electrics, lasers, construction safety, crowd safety, access/egress, worker safety, noise at work, medical provisions and transport/pedestrian separation.

Motocross: - course design, build, access/egress, public safety, worker and rider safety, medical provisions and transport/pedestrian separation. LPG storage (food traders)

- 4.6.3 Following an event it was usual practice to hold a debrief with the organisers in order to identify improvements for any future events. Where significant problems were experienced then a request for a review of the licence could be considered.

## 5 Role of the Safety Advisory Group (SAG)

- 5.1 The ISG confirmed that the Group was established approximately 18 months ago following an identified need for a 'sounding board' of all agencies with responsibilities for events and to assist the organisers in formulating advice and good practice. It operated within a written protocol which was shown to ISG members.

- 5.2 A key document requirement was the need for an Event Management Plan (EMP) for all events which could be scrutinised by SAG members. Most organisers were very cooperative and appreciative of guidance given by the SAG although there needed to be a degree of trust and flexibility required between representatives and organisers.
- 5.3 Most events passed off without major problems. However, there had been problems with some events which had grown significantly over time beyond the organiser's capabilities.
- 5.4 ISG members were content with the operation of the SAG, although they agreed to interview the Police as a representative on the group in order to get an external agency's perspective.

## 6 Role of Special Events Group (SEG)

- 6.1 The ISG were advised by Elaine Rust Special Events Officer that this group had been originally set up in response to the lack of co-ordination of council services with regard to events taking place on council-owned land. Prior to this group's existence there was a haphazard process, both internally and externally, for seeking permission to use such pieces of land.
- 6.2 The initial group consisted of officers from the following sections:
- Environmental Health
  - Licensing
  - Legal
  - Risk and Insurance
  - Special Events
  - Arts Development
  - Parks and Recreation
- 6.3 The group identified that the section responsible for the land maintenance was making decisions regarding events without adequate event health and safety knowledge, based on perception of 'suitability' for the land. It therefore developed a procedure to facilitate the event application process with the Special Events Officer acting as central point of contact, drawing together relevant officers as required to discuss applications.
- 6.4 The ISG were advised that the role of the SEG has largely been redundant since the creation of the SAG but the following issues outside the remit of the SAG remain:
- Granting permission for events expecting an audience of less than 500;
  - Approval of events wishing to take place on council-owned land that is not under the jurisdiction of the current Recreation and Sports team;
  - Inadequate service provision for community event organisers giving the impression that WCC does not want events taking place on its land
- 6.5 As a result of the recent changes and review of the role of the SEG and the Special Events Officer post, a number of changes had been proposed. One of

these was to redefine the role of the Special Events Officer so that it now includes the following:

- To develop an event procedure in conjunction with other council departments which would be followed by both external event organisers and council officers;
- To facilitate the event organisation process; both internally and externally;
- To represent Cultural Services at regular SAG meetings;
- To produce, where required, written procedures and emergency plans for events;
- To develop an on-going programme of event guidance seminars and workshops to encourage best practice;
- To produce a definitive guide of major events and festivals for the Winchester district.
- To maintain the events pages of the council website, ensuring all documents and online forms are relevant and up to date.
- To act as first point of contact between external event organisers and the council, offering advice and expertise to organisers where required.

6.6 In addition the following actions had been identified in order to improve the City Council's procedure for allowing the use of its land for events:

- To develop an appropriate procedure for all events, regardless of whether they fit within the parameters of the SAG, which is adhered to by all officers involved with events and all external event organisers;
- That services with responsibility for land maintenance should not make the final decision on an event's suitability for the site, however consideration for their concerns should be taken into account
- The decision regarding an event's suitability should be made only after full consideration has been given to the requirements of all relevant services.

6.7 The ISG considered the issues raised by this subject area and in particular the improvements suggested in para 6.6 above. Whilst they agreed with recommendation 1 and 3 they rejected recommendation 2 as Members concluded that the services with responsibility for land maintenance, whilst being as flexible as possible, should continue to retain the final decision on the event's suitability for the site.

## 7 Event Experiences

7.1 At its meeting on 22<sup>nd</sup> April 2008 the ISG took the opportunity to review practical experiences of events, focusing on the difficulties experienced at the Motocross of Nations Event at Matterley Basin in 2006. They were presented with a series of photographs taken at previous major outdoor events showing some of the issues which had occurred and questioned officers on details relating to these events..

## 8. Resources

8.1 The ISG has undertaken a review of the resources available to the Council in relation to the control of outdoor events which they acknowledged were a

balance between FTEs in post to address issues against any income received. In this respect they confirmed that income from licence fees was not necessarily utilised to cover expenses incurred from managing events, other than for the mitigation of noise and/or nuisance.

- 8.2 The ISG identified the need for proper co-ordination between the safety and licensing aspects for event management. There was no one single 'lead' department within the Council as this was dependent on the type of event being planned for and of its likely impact although this role usually fell to the Environmental Health Service
- 8.3 Insofar as EH resources to deal with events were concerned, the ISG noted again that the number and complexity of events had increased putting pressures on budgets and resources available to respond. They noted that, for 2008, a 'stop gap' measure of contracting-in support for reviewing Event Management Plans and dealing with applicants had been used funded from a health and safety underspend. This had proved a cost effective solution to the issue of workloads for other officers and had proved to be a success. However the long term funding of this solution had not yet been resolved.

## 9 Consultation with external stakeholders

- 9.1 In order to evaluate current perceptions of performance on major outdoor events the ISG agreed to consult with local stakeholders using a standardised questionnaire as shown at appendix 1. The questionnaire was designed to gauge basic opinions on services although its limitations were recognised. Regrettably, there was a very poor response to the questionnaire which was sent to all Parish Councils, Event Organisers and resident groups. Because of the poor response the results were not considered representative for the purposes of the review.
- 9.2 In addition to the questionnaire, stakeholders were invited to attend the ISG meeting on the 11<sup>th</sup> June 2008 to give evidence of their experiences to the group. The results of that event are described below

### 9.3 Landowners

- 9.3.1 The ISG heard from Mr Peveril Bruce, who stated that the Council should do all it could to help encourage major events within the District. However, he explained that, from his own experience of managing the Matterley Estate, the large number of Council regulations deterred many smaller organisations from hosting major outdoor events.
- 9.3.2 The ISG questioned Mr Bruce about the Motocross of Nations Event, and were advised that Landowners need to be involved in any debriefs with the Council and Police, as promoters can benefit from learning from the mistakes made during events. However the ISG recognised where problems at an event were so significant and could result in prosecution then this limited what could be done in terms of the normal process. Ordinarily debriefs were usually held as part of the SAG process.
- 9.3.3 Mr Bruce also commented that the scale and complexity of the conditions relating to the Matterley Bowl site were extensive, although the ISG were



advised that these were proportional and not all the Conditions were applicable to every event.

- 9.3.4 Mr Bruce also commented on need for greater cooperation between all the different bodies that were represented on SAG. For example, the traffic flow from the site would be greatly assisted if new access routes could be installed onto the A272. The ISG were advised that, although this would be welcomed by the Police and some local residents, it was opposed by the Planning Department, given the site's location within the AONB.

#### 9.4 Parish Council

- 9.4.1 The ISG took evidence from Mrs Miller of Bishops Sutton Parish Council who raised concerns that little information regarding the organisation of the Battle of Cheriton celebrations had filtered through to the Parish Council. She raised particular concerns regarding the road traffic management schemes relating to the event.

- 9.4.2 The ISG was advised that officers were unaware of specific problems relating to this event but following the meeting further details were investigated and fed back to Mrs Miller

#### 9.5 Councillor Pearson, Portfolio Holder

- 9.5.1 The ISG interviewed Councillor Pearson on his view of the way events were dealt with and he explained his view that large events should continue to be attended by officers. In support of this view, he gave examples of where their presence had had an immediate and positive effect. He was aware that it was not possible to recharge these staffing costs to the promoters but in his view the work was necessary.

#### 9.6 Police

- 9.6.1 At an earlier meeting, the ISG interviewed Sergeant Neil Jenkins of Hampshire Police regarding their views on the regulation of outdoor events. He explained the emergency services' input to the organisation of major events.

- 9.6.2 Sergeant Jenkins praised the work of the SAG and explained that it was being used as a model of good practice for neighbouring local authorities. He considered the SAG to be a good and free-speaking forum, where all the relevant agencies came together to ensure that events were as safe as possible and that the SAG provided a clear audit trail. He added that the positive view of the SAG was shared by all the event organisers that had benefited from its advice.

- 9.6.3 In response to questions, he explained that changes in the Licensing Act meant that it was now more difficult for the Police to recover their costs from event organisers. It was the view of Hampshire Police that, without payment, it could not provide a comprehensive Policing presence on site at Major Outdoor Events. However, in practice and through re-arrangements of leave and shift duties, the Police ensured that there was adequate cover that could be called upon in the event of a major incident.

9.6.4 The ISG were advised that legally, traffic could only be directed by the Police, the Highways Agency and Accredited Police Support Officers. For events which had few or no Police presence within the premises, event organisers paid for the transportation of prisoners from the site to the Police station.

## 10. Review Conclusions

10.1 This review has highlighted that overall performance in dealing with major outdoor events is satisfactory and there is little evidence that external stakeholders have significant problems with the process or outcomes.

10.2 The establishment of the Safety Advisory Group has helped to provide a coordinated process for guiding event organisers and ensuring that the agencies work properly together in terms of their response. It is now seen as good practice for other authorities, which further demonstrates its value and performance. Most importantly, however, it ensures that the City Council response and responsibilities across a number of services are properly met.

10.3 One challenge for the City Council is striking the balance between the promotion of events and the regulation of activities through the licensing process and health & safety considerations. This will require a continual need to ensure that neither aspect is in conflict with the other particularly for events run on Council owned land.

10.4 In terms of improvements to the way in which the City Council deals with Major Outdoor Events, the following aspects were identified during the review and are recommended for further action by the Portfolio Holder and Cabinet;

- a. A returnable reinstatement bond should be obtained from organisers for events held on Council-owned land in order to cover the costs of any reinstatement works, litter clearance etc if not properly completed after the event.
- b. An easily accessible 'menu' of City Council owned sites available to hire for events should be produced providing clarification of the appropriate decision maker for consent.
- c. The strict policy on the use of Abbey Gardens for events should continue.
- d. A review of out of hour's provision for events should be undertaken to ensure adequate cover at events. Consideration should be given to developing an objective evaluation of whether attendance at an event was required using a risk based approach.
- e. The City Council should consider additional options to provide a "one-stop-shop" service to event organisers in order to support the Safety Advisory Group.
- f. The planned improvements to the SAG pages on the Council's website should be completed including options of on line forms and guidance which could be downloaded.

- g. A review should be undertaken on the City Council's leaflet for event organisers linked to the SAG web pages.
- h. A procedure should be developed for the handling of all events regardless of whether they fit within the parameters of the SAG, which is adhered to by all officers involved with events and all external event organisers. This should include events with an expected audience of less than 500 as these are currently only subject to a Temporary Event Notice.
- i. An investigation should be carried out into the possibility of increasing the licence fees to fund additional enforcement at events and the different options for this.
- j. The ISG endorses the need for a dedicated person to deal with the health and safety assessments of event applications and recommend that the feasibility of securing in-house resources for this purpose should be investigated.

Your Ref:  
Our Ref: RGH/SI/ISG/08  
Enq to: Robert Heathcock  
Ext. N<sup>o</sup>: 2476  
DX No: 120400

April 2008

Dear Local Representative

Re: Review of Major Outdoor Events

I am writing to you as a representative of a local organisation who I believe will have an interest in a review being undertaken by the City Council into the role the City Council plays in relation to Major Outdoor Events which take place in the District each year. Such activities involve a wide cross section of services which are delivered by the City Council, Hampshire County Council and other local agencies.

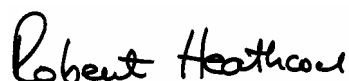
An Informal Scrutiny Group (ISG), set up the Environment Scrutiny Panel and chaired by Cllr Barry Lipscomb, is conducting the review and is keen to hear from local stakeholders about their experiences of these events in order to identify possible areas for improvement. I enclose a copy of the terms of reference of the group for your information. The ISG has set aside its meeting on the 11<sup>th</sup> June to hear representations. The meeting will take place at 3.00pm in the Saxon Suite of Winchester Guildhall and if you would like to attend could you please let Colin Veal (Committee Administrator) know on 01962 848 438 or via [cveal@winchester.gov.uk](mailto:cveal@winchester.gov.uk). While this meeting is designed to hear representations, you can, of course, also attend as an observer.

If you are unable to attend but would still like to make written representations then please send these to myself at the address shown. To make this process more manageable the ISG has agreed a series of questions as listed on the attached response form which will provide a focus for the comments received. If you would like to submit additional comments or information then these may be attached to your questionnaire response. **Please return the completed questionnaire by 13<sup>th</sup> June 2008 at the latest.**

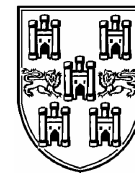
It is planned to complete the review by October 2008 when the conclusions will be reported back to Members so that any changes to current policy or practice can be considered in time for the 2009/10 period.

I hope you will take this opportunity to submit comments to the review and I look forward to hearing from you. In the meantime if you wish to discuss this matter further then please do not hesitate to contact me.

Yours sincerely



Robert Heathcock  
**Head of Environment**



**Note:** Please Use additional sheets of paper for response if required

**ENVIRONMENT DIVISION**

Name .....

Organisation .....

Contact Address.....

Phone .....

Email .....

Pre Event Planning & Licensing							
What aspects work well?				What aspects need to be improved?			
How satisfied are you with this aspect?							
Very Satisfied	<input type="checkbox"/>	Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>	Very Dissatisfied	<input type="checkbox"/>

Overall response to problems during the event							
What aspects work well?				What aspects need to be improved?			
How satisfied are you with this aspect?							
Very Satisfied	<input type="checkbox"/>	Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>	Very	<input type="checkbox"/>



Noise during the Event							
What aspects work well?				What aspects need to be improved?			
How satisfied are you with this aspect?							
Very Satisfied	<input type="checkbox"/>	Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>	Very Dissatisfied	<input type="checkbox"/>

Traffic Issues during the event							
What aspects work well?				What aspects need to be improved?			
How satisfied are you with this aspect?							
Very Satisfied	<input type="checkbox"/>	Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>	Very Dissatisfied	<input type="checkbox"/>

<b>Litter from the Event</b>							
<b>What aspects work well?</b>				<b>What aspects need to be improved?</b>			
<b>How satisfied are you with this aspect?</b>							
Very Satisfied	<input type="checkbox"/>	Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>	Very Dissatisfied	<input type="checkbox"/>

<b>Damage to Land</b>							
<b>What aspects work well?</b>				<b>What aspects need to be improved?</b>			
<b>How satisfied are you with this aspect?</b>							
Very Satisfied	<input type="checkbox"/>	Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>	Very Dissatisfied	<input type="checkbox"/>

When you have completed this form please return to

**Susan Lord, Environment Division, Winchester City Council, City Offices, Colebrook Street, Winchester, Hampshire SO23 9LJ**

**Phone 01962 848533**

**Fax 01962 848272**

**Email [slord@winchester.gov.uk](mailto:slord@winchester.gov.uk)**

**THANK YOU FOR TAKING THE TIME TO GIVE US YOUR VIEWS**