

SAFETY ADVISORY GROUP

TERMS OF REFERENCE AND GUIDANCE



Annual Review				
Version	Details of amendment	Page No	Amended by	Date
1.0	Update	All	D Provan	December 2019
1.1	Design refresh		F Tennant	April 2020
1.2			MMK	
1.3	Annual review	All		December 2020

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1.0 General

1.1 The North Lanarkshire Safety Advisory Group (SAG) is a multi-agency forum which exists to provide specialist advice, guidance and support to event organisers. This Terms of Reference and Guidance document aims to provide a general framework for procedures and running of the SAG and to highlight how members of the SAG can contribute to the process. The SAG has three main aims:

- To promote high levels of safety and welfare at events by giving advice and guidance.
- To promote good practice in safety and welfare planning for events.
- To ensure events have a minimal adverse impact on the community.

1.2 The North Lanarkshire Council SAG will advise in terms of high risk events within the council. A combination of factors are used to assess if an event is to be considered by the SAG:

- Events of an unusual nature.
- Events with high levels of risk (e.g. crowd profile, time of day, alcohol provided etc.).
- Numbers attending (greater than 1,000).
- Whether the event has occurred in the past.

1.3 A combination of the above factors may result in an event being referred to the SAG.

The types of events which may require consideration are as follows:

- Fetes and fairs
- Open air concerts and music festivals
- Trade shows
- Sporting events
- Open air entertainment including theatre, opera and historic re-enactments
- Firework displays
- Large scale corporate gatherings or parties
- Processions, marches and carnivals
- Street parties
- Religious and ceremonial events
- Funfairs

1.4 Event referrals can come from a number of different sources including:

- Directly from the event organiser or, from North Lanarkshire Council website.
- Any member of the SAG.

Referrals of events from members of the SAG are encouraged to ensure that appropriate and timely advice can be given to event organisers. These referrals will be emailed to sag@northlan.gov.uk

The events which are referred for review by the SAG are considered, initially, by the SAG Administration Team/Chair before wider circulation within the SAG for comment. Factors such as risk and available resources will determine if an event proceeds to a SAG review. SAG members may also make request for an event to be discussed at meetings of the SAG.

2.0 Policy Statement

- 2.1 It is the policy of North Lanarkshire Council (NLC) to uphold the highest possible standards of public safety at public events within the council area and to encourage the wellbeing of the public at these events. To aid in this North Lanarkshire Council will maintain a SAG for public events, and partnerships with selected agencies to offer specialist advice to event organisers to ensure high standards of health and safety at public events. The SAG exists as an advisory role to event organisers and is not responsible for the organisation of the events.

3.0 Legislation

- 3.1 Despite the SAG not having any legislative power as a group, there are options open to individual SAG members in terms of their own statutory powers and duties. These powers can, and should, be considered where it is necessary and appropriate to protect the public from harm so that all parties can show that they have paid due diligence and discharged their duties of care. The main legal powers are outlined in section 15 of this document.

While a SAG can discuss and possibly advise in relation to these powers, the exercise of them will be entirely a matter for the agency and not the SAG. **Section 15 provides a summary of the legislation that a SAG might consider as relevant to event safety proposals.*

4.0 Role and Terms of Reference

- 4.1 The role of the SAG is to provide specialist advice and guidance to event organisers intending to deliver public events in North Lanarkshire. The primary aim being to ensure the highest possible standards of public safety at events and to encourage the wellbeing of those who could be affected by such events. In this context the 'public' includes not only those attending the event, but also those in the surrounding areas who may be affected by it.
- 4.2 Organisations represented by the SAG do have decision making powers, however it is stressed that these decisions are made by the organisation in question and are not a decision taken by the SAG.
- 4.3 The overall responsibility for the safety of persons at an event will lie with the event organiser, venue owner or operator and management team.
- 4.4 The SAG will operate in accordance with agreed Terms of Reference to keep and maintain records of its activities in order that it effectively carries out this function and ensures transparency of decision-making.
- 4.5 The lessons learned by the SAG's processes and procedures will be applied for the benefit of all events within the council area.
- 4.6 The SAG will focus its resources using risk assessment and in facilitating proportionate advice and regulation.
- 4.7 The SAG will promote safer events as contributing to safer and stronger communities.
- 4.8 The SAG will support businesses and organisers through having a single point of contact for the Event and consistent professional advice and support.

4.9 SAG Chair and Administration

The SAG review process is administered by the council's Built Environment Team under the management of the Built Environment Manager and is chaired by the Events Manager.

The role and responsibilities are as follows:

- To ensure that the SAG properly achieves its functions as set out in the Terms of Reference.
- To ensure that the membership of the SAG reflects the need to address relevant risks associated with public safety and wellbeing issues.
- To ensure that due account is taken of the views of all SAG members.
- To ensure an overview of all event plans considered by the SAG.
- Facilitate a consistent and coordinated approach to all events in the council area.
- To act as a conduit promoting information sharing between the SAG and event organisers/management.
- To suggest and explore the use of relevant legislation by SAG members to ensure safety at public events.
- To arrange for event site visits as and when required.
- To review each large scale event(s) through a formal debrief, including any significant incidents or 'near misses', making recommendations as/where appropriate.
- To ensure and monitor compliance with the standards agreed.

4.10 **Role of the Environmental Health and Building Standards Officers**

Each service will be represented by an officer (or deputy) who will attend SAG meetings in an advisory role:

- To provide technical advice in relation to all matters concerning the event, with particular emphasis on event safety and any relating legislation in their respective service area and issue advice to enable event organisers to comply with such legislation.
- To consider the use of monitoring and enforcing events discussed at the SAG to ensure public safety.

4.11 **Role Of Police Scotland / Road Operations Officer**

A representative from both Police Scotland and the council's Road Operations Service will attend relevant SAG meetings in an advisory role. Where appropriate, and based upon traffic management and public road safety proposals (previously submitted by the event applicant or their agents), Police Scotland (in conjunction with the Road Operations Officer) will give advice on the suitability of these proposals, including:

- The likely impact the event will have on traffic and transport in the area - in some instances the event organiser may need to organise a transport assessment.
- The suitability of any traffic management plans where they relate to the public road.
- The suitability of any access/egress arrangements for both vehicular and pedestrian traffic.
- The suitability of any parking provision.
- Advising on the process in relation to applying for Temporary Traffic Road Orders (TTROs) and temporary event signage. The Road (Scotland) Act 1984 and the Road Traffic Regulations Act

1984 enable the council, as the local 'Roads Authority', to facilitate the promotion of appropriate road restrictions and prohibitions necessary to assist event organisers or their agents to conduct their event safely and to help reduce the impact of the event on the public road network and local community. The council will also update the roadworks register where appropriate. The cost associated with the promotion of any necessary Temporary Traffic Road Orders and any associated traffic management will be met by the event organiser or their agent. Where appropriate, early contact with Police Scotland and Road Operations Officers is recommended, especially when it is considered that the proposed event will have an impact on the public road network.

Please refer to Clause 10 'Timescales'.

4.12 Role of the Emergency Services

Emergency Services will attend each SAG meeting and advice on legislation within the remit of the service as they relate to public events, giving recommendations on:

- Public Safety and crowd management Issues
- Advice in Guidance
- Technical/Legal aspects
- Fire Risk Assessments, where applicable

4.13 Role of North Lanarkshire Council Arms Length External Organisations (ALEOs)

Council contractors may be requested to attend any SAG meeting where by it is seen relevant for them to attend. In which, they will provide recommendation on:

- Advice and Guidance
- Technical/Legal aspects
- Public Safety and crowd management Issues
- Fire safety measures

4.14 Role of the Scottish Ambulance Service (SAS)

Whilst the Scottish Ambulance Service is able to provide general advice to the SAG, it should be noted that the Scottish Ambulance Service is unable to endorse or approve any private ambulance or event medical provider as there is currently no regulation or inspection standards pertaining to the private ambulance or event medical sector in Scotland. Therefore, the Scottish Ambulance Service is unable to verify the clinical, medical equipment, personnel, training, insurance, financial, operational or fleet management standards employed by any independent provider. The responsibility for assessing whether a provider is able to deliver a service to an adequate standard rests with the event organiser or, where appropriate, licensing authority. Whether a provider is compliant with road traffic law is a matter for the Police.

5.0 Specific Terms of Reference

- 5.1 To advise the event organiser in order to ensure high standards of Health and Safety at public events.
- 5.2 To promote the principles of sensible risk assessment and good practice in safety and welfare planning.
- 5.3 To promote a consistent, coordinated, multi-agency approach to event planning and management.
- 5.4 To advise the event organiser in respect of the formulation of appropriate contingency and emergency arrangements.
- 5.5 To advise on relevant legislation and guidance (for example Health and Safety legislation, Licensing).
- 5.6 To encourage arrangements to be made to minimise disruption to local communities.
- 5.7 To receive reports relevant to debriefs, visits and/ or inspections of the venue or event.
- 5.8 To receive notification of any issues, prohibition notice(s) or prosecutions relating to events.
- 5.9 To maintain an overview of forthcoming events within North Lanarkshire.
- 5.10 To monitor compliance with the standards agreed.

6.0 Status of SAG and conflicts of interest

- 6.1 The SAG cannot take any decisions on behalf of the Local Authority, its role is advisory. The ultimate responsibility for event safety lies with the event organiser and their management team.
 - Core members of the SAG must declare any 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 withdraw and be replaced by an appropriate party agreed with the SAG.

7.0 Composition of the SAG

- 7.1 The SAG shall consist of persons with sufficient seniority, experience, competence to be able to advise on operational matters.
 - The Chair will be a representative from the Local Authority.
 - The relevant service lead will act as lead service to SAG and sub-groups.
 - The Local Authority will provide the administrative support, including taking and circulating minutes, meeting invites and creating an Agenda.
 - The SAG meetings will only be deemed quorate if a minimum of five members are present, representing NLC Contingency Planning, Police Scotland, Scottish Fire and Rescue Service,
 - Scottish Ambulance Service and at least one other NLC service.
- 7.2 The SAG will include representatives from the following council services and organisations:
 - NLC Resilience Development Unit
 - NLC Corporate Health and Safety
 - NLC Environmental Health
 - NLC Road Operations
 - NLC Licensing
 - NLC Building Standards

- NLC Trading Standards
- Police Scotland
- Scottish Fire and Rescue Service
- Scottish Ambulance Service

Optional members, as and when required:

- Strathclyde Passenger Transport
- ScotRail
- British Transport Police
- NLC ALEO's (Culture and Leisure North Lanarkshire (CLNL) and Amey)
- Voluntary Organisations
- Land Owners
- Invited representatives - as deemed appropriate by SAG Chair

8.0 Frequency of Meetings

- 8.1 The SAG shall meet as required.
- 8.2 All Core Members should be represented at SAG meetings.
- 8.3 The Safety Advisory Group may undertake site inspections.
- 8.4 Formal minutes will be circulated to relevant parties within 7 days of a SAG meeting where possible.

9.0 Notification of Events

- 9.1 The SAG can be informed of an event either directly by an event organiser or by members of the SAG, who are encouraged to refer events they are aware of to the SAG Administration Team.
- 9.2 All notifications will be received to the email account sag@northlan.gov.uk
- 9.3 Notification of an event will be acknowledged by an email from sag@northlan.gov.uk

10.0 Timescales

The SAG will require adequate notice to be able to support events effectively. The SAG will do its utmost to help events take place, but the earlier it gets to know about what is proposed, the more likely it is that the event can be supported. Please adhere to the following:

- Events for 1,000-9,999 attendees require 6 months notification.
- Events for greater than 10,000 attendees require 9 months notification.

The timescales below denote the minimum timeframe required to get aspects of event approved by NLC (not the SAG).

Timings are clear working days (the day an application is received and the event start date are not included in the working days).

Activity	Planning Time
Events requiring Temporary Structure Licence	14 working days
Events requiring an Occasional licence under the Licensing (Scotland) Act 2005	4 weeks
Events requiring planning permissions for banners or advertising	12 weeks
Events requiring TTROs (road closures/road restrictions etc.)	12 weeks
Major events requiring multiple road closures, structures and complex management	12 months

11.0 Existing Major Events

- 11.1 The SAG will maintain an Events Calendar for North Lanarkshire.
- 11.2 Where possible venues used regularly for events will be the subject of standard risk assessments and a guide incorporating standard conditions will be produced for each type of event (including variations for different crowd profiles).

12.0 Administration

All material for consideration at SAG will be circulated to members a minimum of 7 days before the meeting is due to take place (if it is not available 7 days prior to the SAG it will be circulated at the earliest possible time).

12.1 SAG Email

- All communication between SAG Members and the event organisers will be conducted through the generic SAG email account. The SAG email is sag@northlan.gov.uk and will be administrated by the Built Environment Team and SAG Chair.

12.2 SAG Minutes

- Each SAG meeting will be prearranged and have an agenda published in advance of the meeting with minutes recorded during the meeting.
- The minutes of the meetings will be circulated to all SAG members, and to such other parties as may be determined by the Chair.
- A summary of meetings of the SAG will be held by local authority as a public record and be subject to the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 1998 for further discussion).
- The Freedom of Information Act (FOIA) Inter-Agency protocol adopted by local authorities and other public authorities will operate where information is requested from the SAG's records and the involvement of another public authority is necessary prior to the decision about the disclosure or non-disclosure of information.
- SAG minutes will be recorded by the North Lanarkshire Council's SAG Administration Team.

13.0 Revision

- 13.1 The SAG Terms of Reference to be reviewed annually.

This document is due for review during December 2020.

Please forward any comments and suggestions to the SAG at the North Lanarkshire Council email address sag@northlan.gov.uk, or telephone 01236 856361.

14.0 Special Advisory Group Contact List

Available to SAG members on request, all requests should be sent to sag@northlan.gov.uk

15.0 Legislation

The following is a summary of primary legislation that a SAG might consider relevant in relation to event safety proposals.

Name and Section of Legislation	Description of use in SAG	Responsible Body
Civic Government (Scotland) Act 1982 <ul style="list-style-type: none"> • Section 7 & Schedule 1 • Section 39 • Section 40 • Section 41 	Requirement for agencies to have a clear focus on the preservation of public order and safety and the prevention of crime: <ul style="list-style-type: none"> • Temporary licences • Street Traders' licence • Market Operators' licence • Public Entertainment licence 	North Lanarkshire Council Police Scotland
Licensing (Scotland) Act 2005 <ul style="list-style-type: none"> • Section 56 (occasional licence) 	Requirement for agencies to have a clear focus on the promotion of the key licensing objectives: <ul style="list-style-type: none"> • Preventing crime and disorder • Securing public safety • Preventing public nuisance • Protecting and improving public health • Protecting children and young persons from harm Licensing Authorities are duty bound to take all such matters into consideration in the granting of a licence.	North Lanarkshire Council Police Scotland
The Civil Contingencies Act 2004 (Contingency Planning) (Scotland) Regulations 2005	This legislation places a duty on all Category 1 responders to 'asses the risk of emergencies occurring, to use this to inform emergency planning' and to 'put in place emergency plans'. They are responsible for undertaking Risk Assessments within their area of responsibility, which could include events and venues at which it may be reasonably foreseeable that emergencies may occur.	Category One Responders

Name and Section of Legislation	Description of use in SAG	Responsible Body
<p>Fire (Scotland) Act 2005</p> <ul style="list-style-type: none"> • Section 53 • Section 54 <p>Fire Safety (Scotland) Regulations 2006</p>	<p>This legislation gives enforcement authorities statutory powers to enter: and inspect premises, inspect relevant documentation, remove relevant documentation, issue alterations, issue deficiencies, enforcement or prohibition notices as it deems necessary. The powers relate to relevant workplaces or premises, the notable exceptions being non relevant, excepted or domestic premises as defined within the Act. One key feature of this legislation is that the responsibility for fire safety is that of the duty-holders or responsible person for the relevant workplaces or premises in question (which can range from owners, managing directors, managers, supervisors or simply the person in charge).</p>	<p>Scottish Fire and Rescue Service</p> <p>Health and Safety Executive</p> <p>North Lanarkshire Council (Regulated Stands and Sports Grounds)</p>
<p>1. The Fire Safety and Safety of Places of Sport Act 1987</p> <p>2. The Safety of Sports Grounds Act 1975</p>	<p>1. This legislation covers the regulation of spectator stands with a roof and a capacity of 500 or more spectators at non-designated sports grounds. In such a case the safety certificate is applicable only to the stand or stands in question, and not the entire venue as with a general safety certificate.</p> <p>2. Primarily designed to address the safety of spectators at football/sports stadia.</p>	<p>North Lanarkshire Council (Building Standards and Licensing)</p> <p>Scottish Fire and Rescue Service</p> <p>Police Scotland</p>
<p>Building (Scotland) Act 2003:</p> <ul style="list-style-type: none"> • Section 28 • Sections 29 and 30 	<p>This Act gives Local Authorities the power to apply to ensure the owner of a building or structure makes it safe within a given period or, if there is immediate danger they may take reasonable steps as is necessary to remove the danger. This could apply to temporary demountable structures at event sites which are deemed to be a danger to the public.</p>	<p>North Lanarkshire Council</p>
<p>Civic Government Scotland Act 1982</p> <ul style="list-style-type: none"> • Section 89 	<p>The requirement to obtain permission from Local Authority for any platform, stand, staging or other similar structure.</p>	<p>North Lanarkshire Council</p>
<p>The Health and Safety at Work etc. Act 1974</p>	<p>This law requires duty-holders to do what is reasonably practicable to ensure health and safety. The Act sets out the general duties that employers have towards their employees. It also requires employers and the self-employed to protect people other than those at work (e.g. volunteer staff and spectators) from risks to their health and safety arising out of, or in connection with, their work activities. You need to do a risk assessment only if you are an employer or a self-employed person. If you have fewer than 5 employees you do not have to keep a written record but it is good practice to do so.</p> <p>Health and Safety law does not, generally, impose duties upon someone who is not an employer, self-employed or an employee; for example a group of volunteers organising an event. However anyone (including volunteers) with control of non-domestic premises, such as a school or community hall, has legal responsibilities under health and safety law to make the premises and any equipment or substances provided for their use there safe, as far as is 'reasonably practicable'.</p>	<p>Health and Safety Executive</p> <p>North Lanarkshire Council</p>

Name and Section of Legislation	Description of use in SAG	Responsible Body
Public Health Acts Amendment Act 1890: <ul style="list-style-type: none"> • Section 37 	This legislation states that whenever large numbers of people are likely to assemble, any structure intended to be used for spectators must be safely constructed and secured to the satisfaction of the 'proper officer of the authority'. It makes it an offence for any person to use any unsafe structure, or allow it to be used by others.	North Lanarkshire Council
The Private Security Industry Act 2001	This legislation has the effect of imposing requirements for the training and licencing of security staff, and those involved in licensable roles (with exceptions) and CCTV operators including sport and event related staff in certain roles.	Event Organiser
Occupiers Liabilities Acts 1958 and 1984	The 1958 Act requires the occupiers of premises (generally interpreted as also applying to those in control of the premises), to take reasonable steps so that persons entering the premises are kept reasonably safe.	North Lanarkshire Council
Equality Act 2010	While a SAG may have no requirement to scrutinise compliance with this Act, it may wish to consider whether adequate provision for safety and evacuation has been considered in relation to those attending with additional needs.	North Lanarkshire Council
Local Government in Scotland Act 2003	Encourage and advance well-being at events.	North Lanarkshire Council
Road (Scotland) Act 1984 Road Traffic Regulations Act 1984	Adherence to TTROs	Police Scotland