

I am Andrew Howard, a Senior Environmental Health Officer employed by South Ribble Borough Council. I am making this representation on behalf of Environmental Health in their capacity as a responsible authority.

I have raised this representation as a result as of the licensees undermining the licensing objective of public safety on their premises at an event they held for the Euro 2020 championships on the 11th July 2021.

In order to promote the public safety licensing objective a premises would need to comply with Health & Safety legislation which is relevant to public safety. Section 3 of the Health & Safety at Work etc. Act 1974 sets out the general duty of an employer to protect the Health & Safety of people who are not their employees – in this case this would relate directly to the customers on site for the event.

The general duty above is also enhanced by the requirements of Regulation 3 of The Management of Health and Safety at Work Regulations 1999 which requires employers to carry out risk assessments which consider not only their staff but others who may be affected by their activities. Where there are changes in activities which would render the original risk assessment invalid the regulations require the risk assessment to be reviewed – a large event such as this is not part of the everyday running of the premises and it should have been obvious that a review of the risk assessment would be necessary.

The fact that the licensees failed to review their risk assessment is not merely a technical breach of regulations. By failing to review their risk assessment they failed to consider the potential for harm caused by the event and the appropriate control measures they should have taken. The results of some of those failures are evident in the videos submitted by the Police ie. large crowds behind inward opening gates with a potential for a crushing event in the case of an evacuation, exits past barbecues etc

For an event such as this a review of the risk assessment would usually take the form of an event safety plan as detailed on the Health & Safety Executive (HSE) website. While planning a large event can be complex basic guidance on event safety plans is freely available on the HSE's website.

Prior to even starting to write the plan the guidance raises the question of who will be helping with your duties. In this context the question is asking whether the organisers have access to competent Health & Safety advice. Had this event been organised with access to competent advice it would not have gone ahead in the form in which it did.

The guidance makes it clear that the first steps in the actual safety plan should be considering the scale, type and scope of the event as well as the type and size of the audience. This is necessary in order to ensure that the organiser does not lose control of the event. It also allows the organiser to determine the resources and facilities they will need to run the event safely. By running an unticketed event the licensees put themselves in a position where they couldn't give this proper consideration.

The guidance also recommends that organisers should liaise with agencies such as the emergency services and the Local Authority. Had this taken place the Council would have been in a position to make recommendations about the safety and suitability of the event.

The checklist below is taken from the HSE website and shows what should have been considered prior to the event. The ample failures shown in the Police video evidence could have been avoided if this had been followed properly.

Checklist - Planning for an event

Ask yourself:

- Have you decided who will help you with your duties?
- Is there a clear understanding within the organising team of who will be responsible for safety matters?
- Have you risk assessed your event and prepared a safety plan?
- Did you involve your workers during the planning of your event?
- Did you liaise with other agencies?
- Have you gathered and assessed relevant information to help you determine whether you have selected suitable and competent contractors?
- Have you provided the right workplace facilities?
- Have you planned for incidents and emergencies?

The numerous beaches of Covid related legislation are detailed separately but it should be noted that HSE's position is that Covid should be managed as with other workplace hazards ie. it should be addressed in risk assessments. As such it should also have been addressed in the event safety plan.

Recommendations

Given the failures outlined above and the potential for harm to arise from such poor planning I feel it is appropriate for an additional condition to be imposed on the premises licence specific to holding events. The condition should require the licensees to provide a written event safety plan to the Council prior to any outdoor event where more than 100 people could be present. The event safety plan must be prepared with access to competent health and safety advice.