

## **SCRUTINY MATTERS AND REVIEWS UNDERTAKEN BY THE COMMISSION**

### **78/07 - THE COST OF STAGING PUBLIC EVENTS - ROAD CLOSURES AND**

**HIGHWAY ISSUES:** (Councillor Newby declared a personal interest in this item on the basis that he was a Member of the Youth Festival Liaison Committee but, on the basis that the interest was not prejudicial, he remained in the room and took part in the debate and voted thereon). (Councillor Willoughby declared a personal interest in this item on the basis that she worked for NYCC at King James School, Knaresborough and was also a member of the Board of Governors at the school but, on the basis that the interest was not prejudicial, she remained in the room and took part in the debate and voted thereon).

A briefing note regarding the management of events on the highway had been circulated to Members prior to the meeting. Officers from the Department of Development Services were also in attendance. The Chair introduced Superintendent Higgins, North Yorkshire Police (NYP), to address the Commission. She outlined the historical arrangements that had been in place where by police had provided resources to stage public events and changes to legislation, relevant guidance and the current position regarding the policy of events. A detailed record of her presentation is attached to these minutes.

Questions were then invited from a number of organisations.

Colin Gibbs, Tewitt Youth Band, referred to the police support provided by Lancashire Police Authority and enquired why this level of support could not be provided by NYP. Superintendent Higgins stated that she could not comment about other police forces and that discussions about each event would be through the Safety Advisory Group (SAG), once established, and also through Safer Neighbourhood Officers. David Leonard, Harrogate Scouts, sought assurances that the SAG would agree solutions that would work for all events. Superintendent Higgins commented that appropriate guidance would be provided though the SAG once established. Alan Walgate, Knaresborough Lions, commented upon the changes in the procedures and the implication this had on Knaresborough Bed Race. Superintendent Higgins reiterated her earlier comments regarding the guidance documents and stated that there would be a police presence at this year's bed race. In response to a query over the charges for police resources at public events, Superintendent Higgins referred to her presentation and the levels of support provided by the police. It was noted that charges for road closures were different according to which type of road closure was required. This, in turn, was dependent on the level of police support at each event.

The Cabinet Member (Planning and Transport) stated that many events were chargeable and that it was wrong that event organisers would be required to use part of the monies raised for the setting up of an event. He emphasised the importance of agreeing a protocol between the NYP and the Council on the way forward particularly regarding the level of police support and the type of road closure so that event

organisers knew who to turn to for help and advice.

Mark Laycock, representing Knaresborough Fun Run, commented about the attitude of the police regarding the issue and that he had agreed a plan without the requirement for police presence. Superintendent Higgins advised that the ultimate consideration was safety and the need to ensure that communities were safe.

In response to a query from Annette Wilson, representing the St Wilfrid's Day procession, regarding the correct contact for a road closure in Ripon, Superintendent Higgins advised that Sergeant Wilson was the contact in the police and that NYCC would be the local authority responsible for any road closures in Ripon. John Stockdale, Ripon City Council, queried civic events which involved the attendance of members of the Royal Family and Superintendent Higgins advised that these events were dealt with under different protocols. Phil Jones, Tewitt Youth Band, queried the effect resulting from the termination of the Highways Agency. The Cabinet Member commented that, at this early stage, the effects of the termination of the Highways Agreement, in relation to road closures etc, were not known but the current arrangement ran out in 2011.

Questions from Members were then invited.

Councillor Philip Broadbank queried why there had been such different approaches by the police forces from the guidelines issued by ACPO and why had NYP taken their specific approach. Superintendent Higgins referred to the guidance and confirmed that the policy implemented by NYP worked within the guidelines. She also referred to the recent stance by the NYP on the events they would support with each event being reviewed individually.

Councillor Reg Marsh referred to last year's Starbeck Gala which had been cancelled due to lack of police support and commented that it was important that NYP worked closely and cooperated with the public over this issue. Councillor Galloway queried why licences were needed to hold charitable events. Superintendent Higgins stated the powers that the police had in relation to road closures and advised that all responsible authorities/bodies should be notified of all public events.

Councillor Willoughby queried the cost of road closure adverts and wondered whether these could be placed in the North Yorkshire Times to reduce costs. The Director of Development Services stated that there were charges for the advertisement of road closure orders and that these were currently borne by the Council and that the main cost was that of traffic management on the day of an event. He added that orders were required to be placed in the local newspaper, however, the Council would try to keep the cost of these down by combining adverts etc. Councillor Bayliss referred to the establishment of a Safety Advisory Group, particularly that it appeared that the reason for the delay in setting up the group was a delay of a year in receiving a response from the police. She suggested that NYP contacted Devon or Lancashire Police Authorities to see how they had dealt with the management of public events and the protocols

used.

Councillor Chris Lewis referred to the three events which the Chief Constable had stated NYP would support and queried the criteria used. Superintendent Higgins advised that even when the police supported events it may be as part of the Safer Neighbourhood Policy that it would not necessarily include traffic management arrangements.

**RESOLVED (UNANIMOUSLY):**

That (1) the Chief Constable be asked to police all the District's charitable and community events as they did up to two years ago;

(2) the Commission writes to the Police Authority stating its case and to local MPs to ask them to continue to pursue this matter; and

(3) until there is a change of policy from the Police, the Commission asks that Council Officers be as helpful as possible to all event organisers with the minimum amount of red tape.

(5.32 pm - 7.29 pm)



# **Policing of Events in North Yorkshire**

*Briefing document, April 2008*

## **Current situation**

North Yorkshire Police has three events teams, one for each area. Each team has been introduced at various times by Area management teams to meet the local demand for event planning.

Last year, the North Yorkshire Police senior leadership team identified the need for a more corporate approach to event planning across the Force area. A working group was established to review existing policies and develop a more corporate perspective. Over the last 12 months, Superintendent Ali Higgins has taken a lead in this managing this task, working closely with Legal Services and Income Generation to develop a corporate policy.

As a result of this work, North Yorkshire Police has introduced accredited event planners, corporate documentation and procedures for decision making, categorisation of events and application on Special Policing Services.

## **Why the change?**

The drivers behind such change have included the Association of Chief Police Officers (ACPO) guidance for the police service published in 2005 and written by Mr Derek Smith, West Midlands Police Finance ACPO; in addition, the following policies and guidance have been considered as follows:

- Traffic Management Act 2004
- Events Safety Guide
- Managing Crowds Safely
- The Good Practice Safety Guide for small events
- ACPO Public Safety Policy 1999
- NYP Guidance on Charging for Special Policing Services Provided to Event Organisers

- NYP Retrieval of Costs & Generation of Income through Charges for Goods & Services policy
- NYP Operational Planning & Resourcing policy

## **Issues**

There are two core aspects in relation to events:

- Traffic Management
- Special Police Services

## **Traffic Management**

Historically the Police have provided resources to assist at public events and activities both on and off the highway. In general the public perception has been that the Police are the lead agency for approving these events.

In reality the Police have no authority to either approve or ban such events. In fact, Police powers to regulate traffic for planned events would actually appear to be extremely limited - e.g. to regulate traffic in emergencies at road traffic collisions etc - and are designed for the protection of life and property. They do not therefore apparently stretch to closing sections of the highway for any 'pre-planned' or foreseen event.

In such circumstances, traffic management would therefore be overseen by the appropriate Local Traffic Authority and can be undertaken by an accredited Traffic Management company (as provided for by the Traffic Management Act 2004 (TMA)).

There have recently been miscomprehensions that it is the Police, as opposed to the Local Authority, who are responsible for billing event organisers with substantial costs for providing the road closure orders. The responsibility for charging event organisers for road closure orders also lies with the Local Traffic Authority.

Whilst the TMA clearly outlines that traffic management is the responsibility of the Local Authority, there is nothing stipulating that the Police cannot still attend these events.

North Yorkshire Police has now clearly defined in its policy which events they will support. These are the events linked to Remembrance Day, veterans' parades and military parades as well as large celebratory events i.e. St George's Day.

## **Special Police Services**

The responsibility for public safety rests with the organisers of an event, the owners of the land on which it takes place and possibly the Local Authority if the event takes place on a road.

Special Police Services (SPS) is the provision by the police of an additional special service i.e. beyond that which the police would consider necessary to meet their public

duty obligations, and which is provided at the request of organising bodies of certain events and for which the organising body must pay.

Such services have in the past been provided to events such as pop concerts, music festivals, agricultural shows, sporting events etc which are generally attended by large numbers of the public and for which it was anticipated that if the police had not provided this additional service the organising body would have had to provide them from their own resources.

The power for seeking to recover costs for policing services is granted in s.25 of the Police Act 1996 which covers the provision of SPS to third party organisations.

North Yorkshire Police has, since approximately a year ago, been gradually introducing charging for such policing services. These charges are dependant upon the nature of the event which is being organised and the category under which the event falls i.e. commercial, charity, community, statutory or De Minimus. However each event is considered on its own merits and abatements may be given in certain circumstances.

When police resources are not specifically allocated to events, the Events teams do however inform the relevant Safer Neighbourhood Team (SNT) of the event and encourage North Yorkshire Police participation at the event, eg SNT officers, Special Constables, PCSOs, the deployment of the mobile police station etc.

A 'Management Package' of templates and guidance documents regarding SPS has been developed and has been designed to ensure that the charging for SPS will be subject to the following principles:

- a A standardised method of charging will apply across the organisation.
- b The charging methodology used will be transparent to the organisation that receives the service.
- c All charges will be subject to a contract.
- d The decisions made with regard to charging will be recorded.

As a result, all events are assessed through the same procedures.

### **Partnership approach**

The police are only one body an event organiser is expected to notify when planning an event. North Yorkshire Police has over the last year encouraged all local authorities to consider setting up Safety Advisory Groups (SAGs): Eastern Area introduced theirs last year with Ryedale, Scarborough and Hambleton. York SAG works slightly differently as they are a unitary authority. Western Area's SAG has just started at Craven and on 23<sup>rd</sup> April Harrogate have their first meeting.

The SAGs are a multi agency partnership approach to managing events. They aim to discuss all elements of safety at events and determine whether a licence is issued and conditions placed on the event, i.e. police at races or football matches.

North Yorkshire Police has been working hard to encourage all local authorities to introduce this approach, alleviating issues relating to licensing, traffic management decisions and applications for road closures, ease of engaging key agencies and simplifying the process in a standard format.

Progress has been made but SAGs will need constant support from all agencies. Agencies are now becoming more informed through the work we are doing.

### **Conclusion**

It is acknowledged there is a great variance across the country as to how events planning is managed and which forces charge for SPS and if so, how much they charge.

North Yorkshire Police remains within all guidance and activity has been with the support and guidance of our legal team.

With the support of the Chief Constable, Superintendent Higgins is in the process of meeting with local authorities, district and town councils across the county. The meetings are educating stakeholders and the community on roles and responsibilities relating to event management.