

**MINUTES OF A MEETING OF THE
CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL
HELD ON THURSDAY 20 OCTOBER 2011 FROM 7PM TO 8.30PM**

*Present:- Norman Jorgensen (Chairman), Michael Firmager (Vice-Chairman),
Jenny Lissaman and Ken Miall*

Also present:-

*Julia O'Brien, Principal Environmental Health Officer (Licensing)
Steve Richardson, Environmental Health and Licensing Manager
Madeleine Shopland, Senior Democratic Services Officer*

PART I

12. MINUTES

The Minutes of the meeting of the Panel held on 28 June 2011 were a correct record and signed by the Chairman. The minutes of the joint meeting of the Corporate Services Overview and Scrutiny Panel and the Audit Committee held on 8 August 2011 were confirmed as a correct record and signed by the Chairman.

Councillor Lissaman commented that she had suggested that S106 be looked at as a review topic last year and that other councillors had suggested it as a review topic this year. A Task and Finish Group had been formed. The Chair of the Task and Finish Group, Councillor Jorgensen, indicated that Councillor Lissaman was welcome to attend meeting of the Task and Finish Group.

With regards to the joint meeting of the Corporate Services Scrutiny Panel and the Audit Committee on 8 August, Councillor Lissaman indicated that she believed that the Panel had agreed that TESC should provide summary reports to the Executive and Council. Communication had also been identified as an issue at a training session.

Members asked that the Senior Democratic Services Officer contact Councillor Deegan to arrange a further joint meeting of the Audit Committee and the Corporate Services Scrutiny Panel for February or March.

13. APOLOGIES

An apology for absence was submitted from Councillor Chris Bowring.

14. DECLARATIONS OF INTEREST

There were no declarations of interest made.

15. PUBLIC QUESTION TIME

There were no public questions.

16. MEMBER QUESTION TIME

There were no Member questions.

17. COUNCIL'S RESPONSE TO OUTDOOR EVENTS

Steve Richardson, Environmental Health and Licensing Manager provided Members with a briefing on the Council's response to outdoor events. In 2010 Councillor Stretton had suggested that a review on the Council's policy and response towards major licensed live music, public entertainment and outdoor events be carried out. It was agreed that the

issues should be progressed through the Corporate Services Overview and Scrutiny Panel.

During the discussion of this item the following points were made:

- The Council had to take various considerations to take into account when a request to hold an outdoor event was received. The first premise was to facilitate the event going ahead. The Council had to balance the needs of those who wished to hold and attend the event against those living nearby.
- Members were informed that Steve Richardson managed the Environmental Health and Licensing teams and also the Parks and Open Spaces team.
- Steve commented that the Council had various statutory duties relating to outdoor events. For example if an organisation rented Council owned land for their event the Council had duties as landowner. Also if food was being served at the event the Council would have responsibilities relating to food hygiene. The Council also had certain responsibilities under the Health and Safety at Work Act if the event was run by a company using paid employees. Where the event was run by volunteers the Council could only offer advice and could not carry out enforcement as the Health and Safety at Work Act did not apply to volunteers. The Council website pointed voluntary groups to other external sources of advice.
- All events were risks assessed. Specific risks included temporary gas installations, water supply, electricity and inflatables. Environmental Health: Health and Safety monitored events and co-ordinated with the event organiser and other agencies to ensure that the event was safe. For example ensuring that fire exits were available, and that electricity supplies and gas installations were safe.
- Council Officers attended and monitored the larger scale events. Once a large scale event had taken place, Officers held a debrief meeting with other agencies to assess what lessons could be learnt for the future. Most large scale outdoor events such as the Henley Regatta and the Rewind Festival were held an annual basis.
- Outdoor events were those which were held outdoors, not in specific premises.
- There was a form on the Council's website that those wishing to hold an outdoor event had to complete. Once this was received, this form was sent to the relevant organisations. These organisations could request a meeting of the Safety Advisory Group if they felt it necessary to discuss the organisation of the event in more detail.
- Members were informed of the Safety Advisory Group, which was made up of various agencies such as the Police, the Fire Service and the Council. The Group was not a decision making body. It was chaired by the Council and met as when group members considered it necessary to discuss a forthcoming outdoor event. The Group was a one stop shop for event organisers and the forum helped the organiser to receive co-ordinated advice from the different agencies. The Group was not a statutory body. However, it was good practice for Councils to establish such groups.
- The Council also played a co-ordinating role, bringing the relevant organisations such as the emergency services, together with the event organiser. It was noted that Henley Regatta was a series of individual events. Access was unrestricted and via a public footpath. The Council was heavily involved in co-ordinating the activities and the individual organisers to ensure that the events went smoothly. It was noted that a safety rescue boat, jointly funded by the licensees, had been put in place.
- Not all events required a licence. Events which did require a licence were those which included the performance of dance or music, the sale of alcohol or the sale of hot food after 11pm. The Panel were informed that a consultation was in process as the government was proposing that many of the events that currently required a licence would no longer need a licence. Some Members expressed concern that if the number

of events which required a licence was reduced it would be difficult to monitor them. Steve Richardson commented that there was still a duty not to create a nuisance. In response to a question regarding unlicensed gatherings, Steve Richardson commented that if an event which required a licence took place without a licence, the event organiser would be committing an offence and could be prosecuted. The Police also had powers relating to public order offences.

- Steve Richardson explained in what instances a premises licence was required. Members were also informed that a personal licence was required for the sale or authorisation of the sale of alcohol. A Temporary Event Notice could be granted for events of less than 500 people and lasting less than 4 days. Conditions attached helped ensure that the four licensing objectives were met.
- With regards to food hygiene, Environmental Health wrote to the event caterers to inform them that Officers would be performing inspections. Inspections were vital as cooking food and temperature control outdoors was a difficult and high risk area. If caterers cancelled the booking having been notified of the forthcoming inspection, Officers would inform the caterers home authority, where possible. It was noted that the Environmental Health Service was covered by an ISO accreditation.
- The Panel were informed of the role of the Environmental Protection Team. The noise of crowds, fireworks and music amongst others had the potential to cause a noise nuisance. It was not an offence to make noise but it was an offence to cause a nuisance through noise. The Council could serve noise nuisance notices if the noise level was considered to be unreasonably loud or likely to be unreasonably loud. Factors which were taken into account when ascertaining whether the noise was a nuisance included the duration, decibel level and frequency of the noise. Often a maximum decibel level was set for larger events. Officers could monitor noise levels with decibel reading equipment. Where events employed their own noise consultant, Officers worked with them.
- Where the event took place close to the borough boundary, the Council liaised with the neighbouring authority. For example the Council liaised with South Oxfordshire Council with regards to Henley Regatta.
- Fireworks displays were briefly discussed. Members were notified that it was illegal to let off fireworks after 11pm except on certain days of the year.
- The Panel were informed of the Council's role in ensuring that the response in the case of an emergency was sufficient. Big events were required to produce evacuation plans. It was also important to ensure that the emergency services had adequate access and egress routes.
- The licensing legislation was due to be amended in the future. This would impact on the Council's Licensing Policy which would need to be amended to reflect the new legislation. This policy was due to be refreshed in 2012. Councillor Firmager suggested that the Panel receive a further briefing on the Council's response to outdoor events once the new legislation had been put in place.

RESOLVED That the presentation on the Council's response to Outdoor Events be noted.

18. SELF FINANCING OF HOUSING REVENUE ACCOUNT – FINANCIAL IMPLICATIONS

The Panel considered a briefing on the self financing of the Housing Revenue Account – Financial Implications.

Members asked a number of questions relating to the self financing of the Housing Revenue Account – Financial Implications and asked that a written response be circulated

to Panel Members. The Panel agreed that a further briefing would be helpful should there be any further financial implications to the Council in the future.

RESOLVED That the briefing on the self financing of the Housing Revenue Account – Financial Implications be noted.

These are the Minutes of a meeting of the Corporate Services Overview and Scrutiny Panel

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