

## ***The new landscape for Events, the age of social distancing and local uncertainty – a briefing note for stakeholders***

### ***Introduction and thoughts on the return of events***

Since our last briefing note we thought we would provide a brief update on the current situation for event organisers to try and provide a clear route through such uncertain times. A lot has changed, with many restrictions loosened, removed entirely, and most sectors allowed to reopen under the new norm of social distancing, following sector guidance, track and trace and risk assessment. For some sectors this has been easier than others.

Since outdoor events were allowed to return with the changes contained within The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 we have seen a flurry of planning, temporary event notices and organisers wishing to attend the Event Safety Advisory Group (ESAG). Section 5 – Restrictions on gatherings, opened the door for event organisers to resume outdoor events when following the sector guidance for events which is now published, and on completion of a suitable risk assessment. Event organisers are familiar with Event Management Plans and risk assessments but the sector guidance added the detail about enhanced hygiene, social distancing and effective ticketing to enable contact tracing. In our view, the risk assessment process should remain the same taking into account all existing risks for example crowds, temporary structures, vehicle movements etc. but each layer of the tradition planning process should take into account the new reality of Covid and this should be woven in to all controls throughout.

Key areas to focus on are accepting that things will be a 'new normal', this means reduced capacity and attendance, maybe more staffing. Some events may lend themselves easier to the current situation, for instance those with less audience interaction or complexities. Common place norms like catering, hospitality, toilet facilities etc. are going to be different. As well as events sector guidance there is guidance for the hospitality sector. If you use event caterers and professional hospitality outfits by now they should be well versed in the hospitality sector guidance which covers all areas of operations from single use cutlery and packaging, to contactless payments, table service, the use of apps, the list is endless. Toilet facilities were once a simple issue of working out numbers required but now this area needs more thought with probably dedicated staff for frequent clean downs, managing queues and social distancing for example if using urinals. As well as changes to hospitality, alcohol and refreshments will also require more thought – how will the provision of alcohol impact social distancing measures, people cannot stand and drink at bar areas like they used to prior Covid, again this will take more planning and depend on the context of the event – it

may be easier managing alcohol at a socially distanced outdoor cinema screening than at say music events aimed at younger audiences.

In terms of alcohol and other regulated entertainment, if a temporary event notice (TEN) is required then we would advise as previously, getting in touch with the Licensing Police and Environmental Health (noise) at your earliest convenience as they will no doubt have questions in relation to public health controls, and if the TEN is for an existing licensed site then they may look at attaching existing conditions to the TEN. In the current context there will be more local scrutiny to ensure safety of attendees and the local community.

Specific staff members/volunteers for example those in security and first aid will require added controls and PPE. Security workers have been a high risk group for Covid and the new norm includes appropriate PPE including full face visors, and appropriate numbers to safely monitor and control the event. Security or stewards will have much more responsibility in the new context of operation, and educating and enforcing social distancing takes a lot of planning, preparation and organisation. Hopefully pre event comms and the ticketing process will educate attendees of expectations, a proper event layout taking into account social distancing at all stages from access to egress and everything in between including all pinch points, proper signage and markings, will make the life of security and stewards easier. But what will happen if people need to be ejected from the event? Or how will security staff bag search? First aid provision will also need a review, will numbers be sufficient? What will happen if someone presents with Covid symptoms? With security and first aid it's pertinent to remember for the foreseeable there will be limited blue-light support – this must be addressed at the planning stage.

Lastly, we would strongly encourage a robust comms piece and electronic ticketing. This is fundamental to educate attendees and set expectations, so that attendees can make an informed decision as to their vulnerability and whether they should attend, to allow for last minute cancellations and any relevant updates, and lastly and importantly to enable effective contact tracing. Contact tracing is a key piece and must be done thoroughly to enable effective tracing post event if there is an issue.

### ***Local 'lightening' lockdowns – new powers at a local level, to be aware of***

Event organisers are increasingly aware of the new guidance and obligations placed upon them. One issue that has come up is around insurance and cancellation policies. It is prudent for event organisers to be aware of local lockdown powers held by the Local Authority. The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 give powers to Local Authorities to implement local lockdowns. In summary, the new powers give the Council directions relating to premises, events and public outdoor places. A direction may impose a prohibition, requirement or restriction on the premises, event or public outdoor place. It is imposed on the owner/occupier or person with control over entry into a premises/event, and has to be reviewed every seven days. In terms of events specifically, the powers are relevant to planned events where the number of attendees exceed safe limits, or the nature of the event/activities is unsafe. The Council can impose prohibitions, restrictions or requirements in relation to holding an event.

It is important to note that these are strong powers, but can only be used when the following conditions are met:

- It responds to a serious and imminent threat to public health;
- That the direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the local authority's area, and;
- The prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.

The powers rely heavily on the local statistics, for example the infection rate, and the main influencer in the Authority would be the Director of Public Health. Although these powers are unnerving insurance providers, especially in relation to cancellations, it is worth noting that the powers have to meet the stringent above criteria to be used, and are based on statistics and data so would only be used when there is a clear argument for controlling at a local level (hence to an extent they should be predictable as an upward clear trend would be required and this takes time to build in the data). For all events coming through Licensing at the Council we are now working in partnership with Public Health to take into account their view on context and risk. So far this has been as part of the Event Safety Advisory Group (ESAG) process where Public Health are now sitting on the group to provide necessary support and guidance to event organisers.

As event organisers using the above information you may wish to engage with your insurance company at an early stage. Many larger national organisers have had events cancelled where they are running events in multiple areas – it may be worth planning events in local areas for a more local audience to limit the amount of information you need to gather regarding the local context. With restrictions on public transport changing also to encourage its use more, it still may be best to try and promote local travel by foot, bicycle or private car where possible as many public transport providers remain operating on reduced timetables and have the message 'if you don't have to use it, don't'. Event organisers may wish to plan events to avoid busiest routes, busy times and the rush hour. Also, to be aware of any other events being planned in the vicinity that may clash and put wider pressure on the transport network as a whole.

### ***Final thoughts for now, and links to relevant guidance notes***

As we mentioned in our last briefing note, the person responsible for organising the event must carry out a risk assessment and take all reasonable measures to limit the risk of transmission of the coronavirus. Capacity calculations should be based on social distancing requirements, available space and any other limiting factors for example pinch points, available facilities etc.

The Regulations place a clear emphasis on complying with the relevant Health and Safety Legislation, being the Health and Safety at Work Act 1974 and associated Regulations – specifically the Management of Health and Safety at Work Regulations 1999, Regulation 3. This is common practice for the events industry and safety professionals, but we would strongly recommend reviewing this area of the Regulations and ensure that the relevant risk

assessments are carried out by a competent and experienced person and arguably a multi-disciplinary team taking into account the current context and the need for a stronger public health steer.

The events sector guidance is the key reference material to understand and implement in full. This is backed up with Government guidance for the performing arts. The links are below. The Regulations clearly state that in determining whether all reasonable measures have been taken to limit the risk of transmission of the coronavirus, any guidance issued by the government relevant to the gathering in question must be taken into account. It is imperative to follow this sector guidance in full.

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/performing-arts>

**Government Guidance: Working safely during coronavirus – Performing arts**

<https://www.eventsindustryforum.co.uk/index.php/11-features/14-keeping-workers-and-audiences-safe-during-covid-19>

**Events Industry Forum: Keeping workers & audiences safe**

<https://www.aeo.org.uk/covid-19>

**Association of Event Organisers (OAUk) Outdoor arts sector – specific guidance**

Please also be aware of the wealth of information on Gov.UK including information on contact tracing, social distancing, hygiene, transport and all other relevant topics. There is also other event specific guidance for specific industries, for example outdoor cinemas, circuses etc., and the best place to check is the following link as well as any industry bodies:

<https://www.gov.uk/government/collections/guidance-for-dcms-sectors-in-relation-to-coronavirus-covid-19>

We hope this briefing note is useful to all those working in the event industry, we strongly advise that everyone remains up to date with the changing local and national picture, and the evolving Regulations and Guidance. Please feel free to contact us if you have any questions regarding events in Newham and we will do our best to assist.