

CABINET AGENDA



**TUESDAY 10 MARCH 2020 AT 7.30 PM
CONFERENCE ROOM 2 - THE FORUM**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Williams (Leader)	Councillor G Sutton
Councillor Griffiths (Deputy Leader)	Councillor Anderson
Councillor Elliot	Councillor Banks

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

1. MINUTES (Pages 3 - 11)

To confirm the minutes of the meeting held on 11 February 2020

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct for Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules as to Public Participation.

5. REFERRALS TO CABINET

There were no referrals to Cabinet

6. CABINET FORWARD PLAN (Pages 12 - 13)

7. Q3 STRATEGIC RISK REGISTER (Pages 14 - 29)

8. HRA STRATEGIC ACQUISITIONS POLICY (Pages 30 - 51)

9. EVENTS & CDM POLICY (Pages 52 - 144)

10. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3.

MINUTES

CABINET

11 FEBRUARY 2020

Councillors: Williams (Leader)
Griffiths (Deputy
Leader)
Elliot
G Sutton
Anderson
Banks

Officers:	Mark Brookes	Assistant Director - Corporate and Contracted Services
	James Deane	Corporate Director - Finance and Operations
	Mark Gaynor	Corporate Director - Housing & Regeneration
	Nigel Howcutt	Assistant Director - Finance and Resources
	Sally Marshall	Chief Executive
	Katie Mogan	Corporate and Democratic Support Lead Officer
	Matt Rawdon	Group Manager - People
	Fiona Williamson	Assistant Director - Housing

Also Attendance:

Councillor John Birnie
Councillor Terry Douris
Councillor Adrian England
Councillor Garrick Stevens
Councillor Ron Tindall

The meeting began at 7.30 pm

CA/12/20 MINUTES

Minutes of the meeting held on 14 January 2020 were agreed by Members present and signed by the Chair.

CA/13/20 APOLOGIES FOR ABSENCE

There were no apologies for absence.

CA/14/20 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA/15/20 PUBLIC PARTICIPATION

There was no public participation.

CA/16/20 REFERRALS TO CABINET

There were no referrals to Cabinet.

CA/17/20 CABINET FORWARD PLAN

The forward plan was noted.

CA/18/20 BUDGET 2020/21

RESOLVED TO RECOMMEND:

General Fund Revenue Estimate

- a) set a Dacorum Borough Council General Fund Council Tax requirement of £12.086m, and a provisional amount of £13.058m for the combined Borough Council and Parish Councils' requirement for 2020/21;
- b) approve a Band D Council Tax increase of £5 (2.48%) for Dacorum Borough Council;
- c) approve the base estimates for 2020/21, as shown in Appendix A1, and the indicative budget forecasts for 2020/21 – 2023/24, as shown in Appendix A2;
- d) approve the forecast balances of Revenue Reserves as shown in Appendix J, and approve section 10 of this report as the updated Reserves Strategy;
- e) approve increases in Fees and Charges for 2020/21 as set out in Appendices C3, D3, and E3;
- f) approve and adopt the Treasury Management Strategy for 2020/21, attached at Appendix K;
- g) approve and adopt the Capital Strategy for 2020/21, attached at Appendix L;
- h) note that this budget paper, if approved by Council, will form part of the Medium Term Financial Strategy.

Capital Programme

- i) approve the Capital Programme for 2020/21 to 2024/25, as detailed in Appendix I and Appendix M respectively;
- j) approve the financing proposals in Appendix I subject to an annual review of the financing options by the Corporate Director (Finance & Operations), in consultation with the Portfolio Holder for Finance and Resources, during the preparation of the Statement of Accounts.

Housing Revenue Account (HRA)

- k) set dwelling rents according to the new MHCLG Rent Standard, which provides for a rent increase of CPI+1% (2.7% in total). The average dwelling rents is proposed to increase to £103.12 in 202/21, from its current level of £100.47(based on 52 weeks);
- l) approve the HRA estimate for 2020/21 as shown in Appendix F.

Employer Terms & Conditions

- m) note that the hourly rate of all Council employees continues to exceed the rate proposed by the rates of the Living Wage Foundation, for 2019/20 (to be reviewed annually thereafter).

Statement by Chief Finance Officer

- n) approve the statement by the Chief Finance Officer regarding the robustness of the budget estimates and level of reserves as set out in Appendix M.

Corporate objectives

All of the Council's corporate objectives are reflected in the Budget proposals.

Monitoring Officer:

Under the Council's Constitution it is the responsibility of Cabinet to draw up firm proposals for the Budget, having regard to the responses to the consultation, and to present those proposals to full Council for approval. Once full Council has approved the Budget it is the responsibility of Cabinet to implement it.

S.151 Officer:

Comments contained in body of report. Chief Finance Officer Statement contained in Appendix N of the report.

Advice

Councillor Elliot introduced the report and said he was pleased to present the council's budget proposals for next year. All elements of the budget have been through a rigorous scrutiny process and the content of the report should be familiar to members. The headlines that are worth noting:

- achieved a General Fund savings target of £780k whilst maintaining front line services.
- The proposed capital programme will provide £320m of investment over the next five years.
- The HRA new build programme will provide £115m of development for affordable housing.

This budget proposal represents a culmination of several months of hard work from officers across the council.

Councillor Birnie said the report was the clearest and most comprehensive report he had read for a long time so congratulated officers. He referred to page 23 and the sum of money that had been put aside funded by negative RSG to fund future investment and questioned whether this would be enough in light of the complaints received from residents about the website and the planning system. He said suggestions had been made at SPAE OSC and the Task and Finish Group about the recruitment of a marketing officer to look at viability of the general website and complaints had been made about the hardware that had been bought for planning.

Councillor Williams said this was a reserve the council didn't have before.

J Deane said there was a technology reserve in the past. The RSG is for one-off benefits like further investment of the IT systems. This works hand in hand with the management of change reserve. There is a clear idea of investment and could create a reserve to cover all eventualities but this would be at the expense of another service.

Councillor Birnie said the matter needs immediate consideration as it is so important to residents.

S Marshall said she would like to speak to Councillor Birnie outside the meeting as this is the first time she has been made aware of website issues. There was a website refresh a year ago. The council have implemented a new planning system and there has been hiccups as we are in the implementation period. It would be premature to look at a complete review now.

Councillor Williams said he raised this issue with the service and has been assured the teething problems have been addressed. There have been some recruitment problems in the website team but now have three team members in place.

Councillor Griffiths said most comments on the budget had been made at the different Overview and Scrutiny Committees or will be raised at Full Council.

Recommendations agreed

CA/19/20 BUDGET MONITORING Q3

RESOLVED TO RECOMMEND:

1. Consider the budget monitoring position for each of the above accounts;

- 2. Recommend to Council approval of the revised capital programme to move £4.956m slippage identified at Quarter 3 into financial year 2020/21 as detailed in Appendix C;**
- 3. Recommend to Council approval of supplementary revenue budgets funded from reserves:**
 - Supplementary budget of £40k in the Neighbourhood Delivery service, funded from the Management of Change reserve, to fund interim resource to support delivery of new service initiatives**
 - Additional budget of £30k in the Elections service, funded from drawdown of £30k from the Election reserve**
 - Supplementary budget in the Planning service of £103k to fund the revenue costs of implementation of new Planning software, funded from the Planning & Regeneration reserve**
 - Supplementary budget of £170k to fund costs relating to the Hand Arm Vibration legal case, to be funded from the Litigation Reserve.**
 - Supplementary budget of £28k in Waste Services to fund consultancy work to support service improvements, funded from the Management of Change reserve**
 - Supplementary budget of £80k in the garages employees budget to fund interim resource, funded from the Invest to Save reserve**
 - Supplementary budget of £60k to fund one-off expenditure for a garage stock condition survey, funded from the Invest to Save reserve**
- 4. Recommend to Council approval of supplementary capital budgets required to deliver several service changes as set out below:**
 - A capital budget of £66k to fund replacement boilers at Berkhamsted Leisure Centre**
 - A capital budget of £55k to fund new poolside flooring at Berkhamsted Leisure Centre**
 - Additional capital budget of £598k in the Affordable Housing Development fund, funded from Housing one-for-one ('1-4-1') receipts**

5. **Recommend to Council additional reserves drawdowns as set out below:**
 - **Drawdown of £1,750k from the Vehicle Replacement Reserve to fund capital investment in the Council's waste fleet**
 - **Drawdown of £8k from Tring Swimming Pool reserve to fund capital works at the site.**
6. **Approve a capital virement of £900k to reallocate budget for the acquisition of Eastwick Row from the HRA New Build General budget to the Eastwick Row budget**
7. **Agree the annual update of the Council's flexible use of capital receipts strategy at Appendix D of this report.**

Deputy Section 151 Officer:

Comments included within the body of this report.

Monitoring Officer:

No comments to add to the report.

Advice

Councillor Elliot introduced the report. There is a pressure of £148k forecast in the general fund but this is projected to balance out in Q4.

Recommendations agreed.

CA/20/20 FLEXIBLE TENANCY REVIEW

1. That the revert back to using Secure Periodic Tenancies for all Dacorum Borough Council tenants and cease the use of flexible tenancies from 1 April 2020 be approved.
2. The introduction of mandatory five year visits to all general needs Dacorum Borough Council tenants be approved.
3. That a review of the secure tenancy agreement and delegate authority to the Portfolio Holder for Housing to approve new documents once updated be approved.

Corporate objectives

Affordable Housing
Building Community Capacity
Modern and Efficient Council

Deputy Monitoring Officer

The Localism Act 2011 introduced a power for local authorities to offer flexible tenancies however it is not a mandatory requirement.

Deputy S.151 Officer

The costs of implementing the recommendations are expected to be cost neutral with the reduced costs of no longer managing flexible tenancies met by an increased cost of enhanced mandatory visits.

Advice

Councillor Griffiths introduced the report. Flexible tenancies were introduced by the government and were compulsory. At the time, it was deemed a sensible approach with limited housing stock. The government has changed the rules and it is now up to individual councils whether they revert back to secure tenancies. After reviewing tenancies, it was found the flexible ones were not doing what it hoped it would do. This report recommends that the council revert back to secure tenancies for April 2020. There is now also a mandatory requirement for officers to visit every home owned by the council so issues can be kept on top of. Some council homes have never been visited because there hasn't been a reason too.

Councillor Elliot said he fully supported the proposal. Visiting all tenants will allow the council to identify any vulnerable tenants or that need any assistance.

Councillor Anderson said he fully supported the proposal but would like to know how many introductory tenancies have failed.

F Williamson said introductory tenancies last for a year. The review looked at 337 flexible tenancies in total. 299 have been granted another tenancy, in the majority of cases the tenants circumstances had not changed dramatically. 18 were identified as living in a home that was too small so they have been allocated additional points based on the allocations policy. 11 were identified as living in a home that was too large so the team have worked with them to find them a smaller home through transfer or mutual exchange. Two had savings over £16k or have a joint income over £60k resulting in one tenant putting in a request under the Right to Buy and the other tenant appealed the decision due to medical conditions and equalities issues so have now been allowed to stay. Seven were joint tenancies where one tenant has now left the home and legal work has been undertaken to create a sole tenancy.

Councillor Tindall asked if all officers visiting the homes of tenants are given domestic abuse training to spot the signs.

F Williamson said all front line staff were trained in safeguarding which includes domestic and financial abuse. In a joint tenancy, both signatures are required to convert to a sole tenancy.

Councillor Birnie asked about those families who lived in a house that was too large and if they had been given new accommodation or were still waiting and what the status of their tenancies is.

F Williamson said they were granted a new tenancy. They have been given points so they can apply for a new home under the choice based lettings system.

Recommendations agreed.

CA/21/20 SENIOR OFFICER PAY POLICY

RESOLVED TO RECOMMEND

- 1. The adoption of the Pay Policy for 2020/21 as set out in appendix 1 to the Cabinet report.**
2. That any amendments to the Pay Policy throughout the financial year 2020/2021 which may be required as a result of legislative changes can be approved by the Chief Executive in conjunction with the Council's Monitoring Officer.

Corporate objectives

The Council's policies in respect of pay and terms and conditions support all five of the Council's strategic objectives as part of ensuring that services to the community can be delivered to the required standards and with due regard to economy, efficiency and effectiveness

Deputy Monitoring Officer:

The Senior Pay Policy is required by virtue of section 38 of the Localism Act 2011 and this Pay Policy complies with the statutory requirement and associated guidance.

Deputy S.151 Officer:

No further comments to add to the report.

Advice

Councillor Williams introduced the report. This was an annual report.

Councillor Tindall referred to page 200 and the footnote to paragraph 5.7 that mentions lease car allowances are consolidated within basic pay and raised concerns about this.

S Marshall said this was looked at 2 or 3 years ago and consulted with the trade union. It was a collective agreement after negotiations. It was a compromise to

protect both parties' interests. The key reason for change was that it was a historic arrangement where car allowances were granted at a time about 15 years ago where recruitment and retention of staff was difficult and it became untenable.

Recommendations agreed.

CA/22/20 EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3.

CA/23/20 LAND DISPOSAL

Full details in part 2 minutes.

The Meeting ended at 8.05 pm

CABINET FORWARD PLAN

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/ S.151 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
1.	21/04/20	CCTV Service (Part 2)		02/04/20	Mark Brookes, Assistant Director Corporate & Contracted Services 01442 228236 mark.brookes@dacorum.gov.uk	To consider proposals to make the CCTV service centre an accredited Alarm Receiving Centre.
2.	21/04/20	Climate Change Strategy and Action plan		02/04/20	Mark Gaynor, Corporate Director Housing & Regeneration 01442 228575 mark.gaynor@dacorum.gov.uk	To be provided
3.	21/04/20	Strategic Sites Design Guidance Supplementary Planning Document		02/04/20	James Doe, Assistant Director of Planning, Development & Regeneration 01442 228583 James.doe@dacorum.gov.uk Chris Taylor, Group Manager Strategic Planning 01442 228405 chris.taylor@dacorum.gov.uk	To set out the content of a new Supplementary Planning Document to address key issues of urban design guidance on large scale, strategic development sites within the Borough
4.	19/05/20	Dacorum Borough Local Plan		30/04/20	James Doe, Assistant Director of Planning, Development & Regeneration 01442 228583 James.doe@dacorum.gov.uk	To be provided
5.	19/05/20	Provisional Outturn Report 2019/20		30/04/20	Nigel Howcutt, Assistant Director of Finance & Resources 01442 228662 nigel.howcutt@dacorum.gov.uk	To be provided
6.	19/05/20	Garages		30/04/20	Linda Roberts, Assistant Director of People, Performance & Innovation 01442 228979 Linda.roberts@dacorum.gov.uk	To update Cabinet on the progress of the Garages Review programme
7.	23/06/29	Homelessness Strategy		04/06/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk	This is a new strategy (2020-2024) to replace the council's 2016-2020 Homelessness Strategy, this strategy developed in consultation with multi-agency stakeholders, will identify the council's priorities in relation to preventing homelessness and eradicating rough sleeping in the borough.
8.	23/06/20	Private Sector Housing Strategy 2020		04/06/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk	This is a new strategy, which will be informed by the outcome of the BRE stock model report and will outline the council's approach to tackling rogue landlords and improving standards in the

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/ S.151 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
9.	23/06/20	Private Sector Assistance Policy		04/06/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk	private sector in Dacorum. New policy to support the use of Disabled facilities grant and Better Care Fund and links between housing and health

Future Items:

- South West Herts Joint Strategic Plan (J Doe)
- The Bury museum project (J Doe) - To update Cabinet on progress on options for delivering a new museum at The Bury, and seek agreement on the next stages of the project.
- Drug and Alcohol Support Commissioning (L Roberts & M Rawdon)

Agenda Item 7



AGENDA ITEM:

SUMMARY

Report for:	Cabinet
Date of meeting:	10 March 2020
PART:	1
If Part II, reason:	

Title of report:	Strategic Risk Register Quarter 3 2019/20
Contact:	Cllr Graeme Elliot, Portfolio Holder Finance & Resources James Deane, Corporate Director (Finance & Operations) Linda Dargue, Lead Officer, Insurance & Risk
Purpose of report:	To provide the quarter 3 update on the Strategic Risk Register for 2019/20.
Recommendations	That the position on the Strategic Risk Register as at the end of quarter 3, 2019/20 be noted.
Corporate objectives:	All. Risk management is an essential part of ensuring that the Council meets all of its corporate objectives
Implications:	<u>Financial</u> Incorporated within the report.
'Value For Money Implications'	<u>Value for Money</u> Risk management is closely linked to the Council's commitment to ensure that all resources are used efficiently and forms part of effective financial planning. The Council also needs to ensure that adequate provisions are in place to address anticipated risks but that these are no greater than necessary so that maximum resources are applied to services as required. To this end, the Council sets minimum target working balances for both the general fund and HRA and at the date of this report, these minimum balances are secured.
Risk Implications	Effective risk management is an important factor in all policymaking, planning and decision-making. Failure to manage risk effectively could have serious consequences for the Council leading to increased costs, wasted resources, prosecution and criticism under external

	assessments
Community Impact Assessment	The content of this report does not require a Community Impact Assessment to be undertaken. Project and policy proposals identified to mitigate the risks on the Strategic Risk Register will be subject to individual Community Impact Assessments. These will be reported to Members on an individual basis.
Health And Safety Implications	Not applicable
Statutory Officer Comments:	<p>Deputy Section 151 Officer:</p> <p>This is a Section 151 report and hence S151 comments are included in the body of the report.</p> <p>Monitoring Officer:</p> <p>No comments to add to the report.</p>
Consultees:	Chief Officer Group Audit Committee
Background papers:	Cabinet, October 2014, Agenda Item 10

1. Background

1.1 The purpose of this report is to present the Strategic Risk Register as at quarter 3 2019/20.

2. Executive summary

2.1 The revised Strategic Risk Register showing the position at the end of quarter 3 2019/20 is attached at Appendix A.

2.2 Audit Committee considered this update of the Strategic Risk Register at its meeting on 5 February 2020. There were no material concerns to report back to Cabinet.

3. Changes since the last update

3.1 There have been no changes to the risk ratings contained within the register since it was last presented to Members. A quarterly narrative update is provided against each identified risk.

4. Recommendation

4.1 That the position on the Strategic Risk Register as at the end of quarter 3, 2019/20, be noted.



Quarter 3 Strategic Risk Report

Dec-2019

Summary

The over all risk score for each or the risks highlighted within this report are arrived at by multiplying the score given for the probability of the risk happening and the severity of the consequences of this risk.

The probability and severity are scored 1-4 relating to their severity as shown in the below table

The severity of the overall risk score can also be found in the below table

Risk Score	Probability	Severity
1	Low	Low
2	Medium	Medium
3	High	High
4	Severe	Severe

Overall Score	RAG
0 - 4	Green
6 - 10	Amber
12-16+	Red

Inherent Probability	Inherent Impact	Inherent Risk Score	Mitigated Probability	Mitigated Impact	Mitigated Risk Score
SR1 - Funding and income is not sufficient to deliver the Council's Corporate Objectives					James Deane
4	4	16	3	3	9
SR2 - The Council is unable to recruit and retain the staff required to progress as a Modern and Efficient Council					Sally Marshall
3	3	9	2	3	6
SR3 - Social media risk					Sally Marshall
3	3	9	2	3	6
SR4 - Cyber Attack					Sally Marshall
3	4	12	2	3	6
SR5 - The Council will be unable to ensure that sufficient good quality and affordable homes can be delivered, particularly for those most in need					Mark Gaynor
4	4	16	3	3	9
SR6 - That the Borough does not secure sufficient investment in essential infrastructure that is required for continued and improved economic performance and housing delivery that is sustainable and fit for the future					Mark Gaynor
4	4	16	3	3	9
SR7 - Uncertainty around Brexit negotiations could result in the Council facing additional demand for its services in the short- to medium-term					Sally Marshall
4	4	16	4	2	8

Risk Owner : James Deane Porfolio holder : Graeme Elliot

SR1 - Funding and income is not sufficient to deliver the Council's Corporate Objectives

Quarterly Update

On 20 December 2019, the Secretary of State announced the Provisional Local Government Finance Settlement for 2020/21. As expected, this was a one-year settlement, with a potential multi-year deal not expected until the conclusion of Government's Fair Funding Review project currently scheduled for November 2020. In the short term, the funding for 20/21 was, as the Council forecast in its draft budget to December Joint OSC, effectively a roll forward of 19/20 funding and therefore requires no further modelling for next year's budget.

Members will be kept updated on any announcements made by Government about future funding arrangements, and the implications these have for the Council's Medium-Term Financial Strategy.

Inherent Impact	Inherent Probability	Inherent Risk Score
4	4	16
Mitigated Impact	Mitigated Probability	Mitigated Risk Score
3	3	9

LabelImpactTitle

The Council is currently in the final year of a 4-year funding deal with MHCLG, which has provided relative certainty over the minimum level of funding the Council can expect until April 2020.

Government has stated that Revenue Support Grant will not continue beyond 2020 and that in future local authorities will be funded solely through the national redistribution of Business rates. The model for determining post 2020 funding levels will be based on assessment of need, and is currently being devised through the Government's Fair Funding Review. Government has recently announced that the outcome of the Fair Funding Review will be delayed until 2021 and that the Funding Settlement for 2020 will be a one-year deal, likely to be announced in late December.

As yet there is no certainty over the level of funding that Dacorum or any other authority can expect in the future. However, there is a strong belief across the sector that the new model will divert funding away from lower tier authorities in favour of those authorities with responsibility for the provision of social care.

There are two major elements of risk associated with the impending change in funding methodology. Firstly, the Council must ensure that it's in a position to adapt to significant funding reductions at short notice when the new model is announced in November 2020. Secondly, the longer term funding outcome of the new methodology may threaten the sustainability of the services the Council plans to deliver in support of its Corporate Priorities.

Controls to manage the risk

The Council's Medium Term Financial Strategy and the HRA Business Plan are controls that mitigate the likelihood of this risk crystallising through the effective modelling of the future financial environment. Sound financial planning maximises the opportunity for the Council to identify funding risks in advance, and therefore grants more time for it to plan to provide its services differently in order to continue delivering its corporate priorities. The Council's sound financial planning processes, detailed below, have resulted in my reducing the inherent probability score from '4', Very Likely, to a residual probability score of '3', Likely.

The Council's Medium Term Financial Strategy (MTFS) details the financial implications of the Corporate Plan over a five-year period. It ensures that the Council is able to forecast likely income pressures in the medium-term, and optimise the balance between its financial resources and the delivery of its priorities. The MTFS is reviewed at least annually and is approved by Full Council, thereby providing the opportunity for Members to make informed amendments to the Corporate Plan on the basis of likely funding constraints. The current version (approved in July 2019) is accessible via the following link:

<https://democracy.dacorum.gov.uk/documents/g2126/Public%20reports%20pack%2030th-Jul-2019%2019.30%20Cabinet.pdf?T=10>

The Council's Housing Revenue Account (HRA) Business Plan maps planned income and expenditure over a thirty-year period. Government legislation that can affect the Council's delivery of social housing is incorporated within the plan and forms the basis for informed strategic decision-making.

By keeping the Corporate Plan and Communications Strategy under review the Council is able to mitigate the impact of this risk, should it occur, by keeping residents informed of the pressures faced by the Council, and consequently by managing aspiration and expectation (detail below). On this basis, I have reduced the Impact score from '4', Severe, to '3', High.

The Council reviews its Corporate Plan periodically to ensure that the vision for the borough remains relevant and realistic within the financial constraints outlined within the MTFS and the HRA plan. The aspirations of the Council and the community are managed through the Council's Communications Strategy both through social media, the local press and Digest.

Evidence the risk is being managed

The financial planning controls the Council has in place to mitigate this risk are audited annually by both Internal Auditors (Mazars) and External Auditors (Grant Thornton).

The most recent internal audits of the Council's Core Financial Systems (including Budgetary Control) were undertaken in May 2019, and all areas received a FULL level of assurance, which is the highest possible.

The external auditors, Grant Thornton, most recently gave the following 'value for money' opinion within the 2018/19 year end audit of the Council: 'based on the work we performed to address the significant risks, we are satisfied that [the Council] has proper arrangements for securing economy, efficiency and effectiveness in its use of resources.'

These independent audit opinions provide assurance that the Council is effectively controlling the processes that will enable it to derive value for money from its available resources, and therefore to maximise the opportunity for delivering its corporate objectives. Both reports are available on the following link:

<https://democracy.dacorum.gov.uk/documents/g2126/Public%20reports%20pack%2030th-Jul-2019%2019.30%20Cabinet.pdf?T=10>

Risk Owner : Sally Marshall Porfolio holder : Julie Banks

SR2 - The Council is unable to recruit and retain the staff required to progress as a Modern and Efficient Council

Quarterly Update

During this last quarter there have been a number of significant actions completed. In particular, the risk presented by the shortage of qualified Building Control professionals has been mitigated by the transfer of the service to the Hertfordshire Building Control partnership to provided additional resilience for this service.
 There has been some minor restructuring within Environmental Health which will enable the Council to pursue a new recruitment drive for EHOs. The Recruitment website has been completed and will be launched during the National Apprenticeship week.

Inherent Impact	Inherent Probability	Inherent Risk Score
3	3	9
Mitigated Impact	Mitigated Probability	Mitigated Risk Score
3	2	6

LabelImpactTitle

The Council continues to find it challenging to recruit and retain staff with the appropriate skills to deliver all of its services, particularly within professional areas.

This challenge has grown over recent years – as the economy has emerged from the worst of the recession, the private sector employment market has become relatively more buoyant due to the continued constraints on public sector funding. General competition with the private sector for skilled employees is exacerbated for Dacorum by its close proximity to the higher salaries of the London market.

This has resulted in the appointment of agency staff in some service areas in order to maintain service delivery. A reliance on agency staff can bring with it some risks:

- Statutory – staff shortages can put delivery of the Council’s statutory services at risk, e.g. Environmental Health, Housing repairs and Fire safety;
- Resilience – any need for agency staff leaves the Council vulnerable to potential higher turnover and loss of knowledge which can affect continuity of service provision;
- Financial – the cost of agency staff is higher than for permanent staff, which can pressurise budgets in several areas across the Council.
- Staff Morale - could be affected in areas which are carrying vacancies, due to increased workload pressure and as a result of lack of team rapport

This challenge affects all public sector organisations within the region, and a solution is high on the agenda for county-wide working groups of which DBC is a member.

Controls to manage the risk

This challenge affects all public sector organisations within the region, and a solution is high on the agenda for county-wide working groups of which DBC is a member.

A programme of work has been developed to enhance our ability to recruit and retain staff:

- Terms and conditions were reviewed in 2017/18 to develop a range of benefits within the remuneration package
- Flexible working arrangements were implemented at the time of moving to the Forum which provided a modern and efficient working environment
- Enhanced and expanded Graduate/apprenticeship scheme to create up to 8 new posts within areas experiencing recruitment and retention difficulties, has been implemented which is supported by a planned approach to utilising the Council's apprenticeship levy to support some of the professional training costs
- Modernisation of the recruitment web pages including video clips has been completed and the launch will coincide with National Apprenticeship week.

Further measures currently being developed and implemented include:

- Creation of a DBC framework for a talent management programme and succession planning approach supported by the career development plans
- Implementation of more robust management information which will be enabled by the implementation of a new Human Resources technology system
- Streamling of recruitment campaigns and modernisation of recruitment web pages including video clips; further develop the use of social media platforms for recruitment.
- Hosting of recruitment days to generate interest in high volume recruitment service areas and retain CV's for future reference to fast track the filling of vacancies
- Establish DBC as employer of choice by presence at careers fairs, developing links with Schools, Colleges and Universities

Evidence the risk is being managed

A recruitment and retention Project Initiation Document has been prepared for CMT.
The Chief Executive is the project sponsor and is holding regularly project management meetings.
project updates are provided to Corporate Management Team, Performance Board and Finance & Resources Overview and Scrutiny Committee.

Risk Owner : Sally Marshall Portfolio holder : Andrew Williams

SR3 - Social media risk

Quarterly Update

There has been no significant change to this risk during the last quarter

Inherent Impact	Inherent Probability	Inherent Risk Score
3	3	9
Mitigated Impact	Mitigated Probability	Mitigated Risk Score
3	2	6

LabelImpactTitle

"Almost nine in ten (86%) of UK adults now have internet access at home, and this is highest among those aged under 55. Facebook continues to be the largest social network service in the UK. In April 2016, it attracted a digital audience of 38.9 million (more than three-quarters of active internet users). This was larger than that of LinkedIn (21.8 million) and Twitter (20.9 million)" (Ofcom report 2016).

By design, social media is widely accessible and offers users easy electronic communication of personal information and other content, such as news, videos and photos. With public participation and exchange of content so readily available, this introduces a certain level of risk.

The consequences of using social media include members of the public, pressure groups or employees using DBC social media accounts to raise negative, confidential, incorrect or abusive statements/campaigns aimed at damaging the reputation of DBC. Similarly, the risk of DBC not using social media will exclude a large proportion of residents and key demographic groups including younger residents and businesses.

Controls to manage the risk

The Council monitors and protects its social media presence through a Social Media Management Platform (Social SignIn). Social SignIn provides management options for automatic moderation of abusive messages and other risk mitigation tools.

All staff are required to read and sign up to a range of policies including:

- Corporate Information Security Management Policy
- Corporate Information Technology Security Policy
- Data Protection Act Policy
- Freedom of Information Policy
- PSN/Government Connect (GSx) Acceptable Usage Policy
- Information Security Incident Procedure

Evidence the risk is being managed

An audit of DBC's internal controls in strategy and governance, training and awareness, processes and technology, found that there is a sound system of internal control designed to achieve the system objectives. (Formally audited by Mazars in 2018).

Risk Owner : Sally Marshall Porfolio holder : Andrew Williams

SR4 - Cyber Attack

Quarterly Update

Public Sector Network Compliance sign off has been achieved for 2020/21 during the last quarter.

Inherent Impact	Inherent Probability	Inherent Risk Score
4	3	12
Mitigated Impact	Mitigated Probability	Mitigated Risk Score
3	2	6

LabelImpactTitle

At least 98 million cyber-attacks were carried out on local authorities between 2013 and 2017. 114 (29%) councils experienced at least one cyber security breach - between 2013 and 2017.

The Council's ICT team is aware that the council's network is the subject of attempted cyber-attacks on a daily basis from a range of sources, likely to include organised crime and state operators.

The potential consequences of a successful cyber-attack are extremely damaging to any organisation. In the public sector, cyber-attacks on NHS trusts have led to cancelled operations, including the WannaCry attack in 2017 that affected 45 NHS organisations. In 2016 Lincolnshire County Council were hit with a £1M demand following a ransomware infection.

Within Dacorum, a successful and extensive cyber-attack has the potential to impair the delivery of all services to its residents. Also any successful Cyber Attack could significantly impact the Council's reputation, as residents may lose confidence in the management of electronic records.

Controls to manage the risk

The Council monitors and protects against threats with particular attention to the following, in line with the Government's Cyber Essentials direction:

- Boundary firewalls and internet gateways
- Secure configuration
- Access control
- Malware protection
- Patch management

Evidence the risk is being managed

Adherence to National Cyber Security Centre (NCSC) Cyber Essentials (formally audited 2017); Public Sector Network (PSN) Compliance (including annual vulnerabilities assessment by approved cyber security consultancy)

Risk Owner : Mark Gaynor Porfolio holder : Margaret Griffiths

SR5 - The Council will be unable to ensure that sufficient good quality and affordable homes can be delivered, particularly for those most in need

Quarterly Update

The Council are liaising with Homes England to bid for Affordable Housing Grant for social rent which, if successful, will allow us to increase the output of new affordable homes.

Inherent Impact	Inherent Probability	Inherent Risk Score
4	4	16
Mitigated Impact	Mitigated Probability	Mitigated Risk Score
3	3	9

LabelImpactTitle

Housing costs in Dacorum are already extremely high and among the highest in the country outside of London. The impact of this is that local people (and potential new residents) face considerable difficulties accessing decent and affordable homes. This has potential risks in increased homelessness, difficulties in attracting new business and inward investment and breakdown of family support networks if people have to move away or have to stay longer in parental homes than is desirable.

The causes for this are complex and varied, and some are outside of the Council's control, but include:

- The high cost of owner occupation due to location, local income levels, market shortage and increasing demand from people moving out from London. This can mean owner occupation is well beyond the reach of a large number of local people.
- The Private Rented Sector is not focused on providing homes of quality to those on low incomes with short 6 months tenancies and often in poor condition.
- The planning system does not have the levers to require new homes to be built and with respect of providing affordable homes the rented product – usually affordable rent at 80% of market rent - they are too expensive for those on low incomes.
- There are still cuts being made to the benefits systems and Universal Credit has seen a dramatic increase in the levels of rent arrears in those areas that have already had the full roll out. This will cause further difficulty for low income households to afford rent and would lead to still further homelessness.

The key risks this raises for the Council are:

- The supply of homes is unable to match demand
- An increase in the levels of homelessness resulting from landlords in private renting seeking to maximise their rents
- The impact of Universal Credit roll out leading to increased arrears, debt and homelessness
- A general risk that the construction industry may not have the capacity to meet the level of demand for development
- The HRA will not be able to access sufficient funds to fulfil the Council's programme of social rented housing

Controls to manage the risk

The Local Plan is currently under development and is likely to go out for public consultation in the summer of 2019. This will incorporate a very high level of housing growth and the plan needs to ensure that the sites are identified and are likely to be delivered in the timescales identified. There will be a strong affordable housing policy, building on the current one, which will require at least 35% affordable homes on every scheme above 10 units. The council is strengthening its expertise in Planning on robustly testing developers viability submissions. This will include no longer accepting developer arguments that the cost of land prevents or reduces the amount of affordable they can deliver – they should take account of the council's policy when agreeing the price.

Ensuring good masterplanning of the larger sites emerging from the Local Plan will mean that they are more likely to be built out as planned and will be more attractive for potential buyers.

The Private Housing Service in Housing, which includes Private Renting, has been reshaped and is geared up to the licensing of up to 900 Houses in Multiple Occupation and addressing issue of disrepair and harassment in the sector. It will work with and support landlords who are prepared to grant longer tenancies which will allow families more security and stability.

There is already a new build council home programme of 370 new homes by 2022 that is just starting. The government has announced that the cap on the HRA borrowing will be ended in April 2019 and the programme will be further expanded. A full assessment of the capacity of the HRA to move to an output of around 100-200 new homes per year will be made in the very near future and will gear up for that level of delivery. This will help, though not solve, the shortage of affordable homes for rent. Housing Associations will be encouraged to include social rented homes at lower rent levels than affordable to be built as grant is now available from Homes England for this aim.

The introduction of the Homeless Reduction Act has allowed the Council to be geared up to dealing with an increased number of homeless households with the initial aim of preventing the homelessness from happening. One important route will be working with those private landlords that have a desire to help those in housing need, and there are many, to be able to continue renting without losing income.

Evidence the risk is being managed

The process for setting out development delivered is through the Authority Monitoring Report. The agreed process for CIL will see an annual report setting out income due, achieved and expenditure made on agreed infrastructure. Regular reports are made as set out above in controls.

Regular reports will also made to the Housing and Community Overview and Scrutiny Committee on new build council homes, homelessness performance, and Private Renting sector performance.

Risk Owner : Mark Gaynor Porfolio holder : Margaret Griffiths

SR6 - That the Borough does not secure sufficient investment in essential infrastructure that is required for continued and improved economic performance and housing delivery that is sustainable and fit for the future

Quarterly Update

The Council continues to work with the Herts Growth Board to ensure that key projects like the A414 and Hemel Garden Communities are included as part of a growth bid to government,

Inherent Impact	Inherent Probability	Inherent Risk Score
4	4	16
Mitigated Impact	Mitigated Probability	Mitigated Risk Score
3	3	9

LabelImpactTitle

The provision of infrastructure such as schools, health, transport and other facilities is crucial to sustainability of the local community and economy. Its funding, however, is increasingly complex and difficult as central government moves away from direct provision and expects the development process and local partnerships to deliver it. The risk is, therefore, that new development at a scale not experienced in Dacorum sine the New Town development will not be matched with the infrastructure that a healthy and thriving community depends upon.

Failure to provide this infrastructure will have a number of damaging consequences:

- a reduction in the quality of life and opportunities for people in the Borough
- a serious constraint to economic growth with the impact on the prosperity of local people
- reduced financial contribution to service provision through Business Rates growth
- increased community opposition to new developments, particularly housing, on the grounds that existing infrastructure will not cope
- damage to the image of the area, worsening of community pride and social cohesion and reputational damage to the Council.

The provision of infrastructure such as schools, health, transport and other facilities is crucial to sustainability of the local community and economy. Its funding, however, is increasingly complex and difficult as central government moves away from direct provision and expects the development process and local partnerships to deliver it.

Controls to manage the risk

Infrastructure is provided through the development process (s106 and Community Infrastructure Levy) and elements of funding which comes from central government (increasingly through the LEP, bidding and HCC). The responsibility for some infrastructure elements is through privatised arrangements (utilities) or arms-length government agencies such as Network Rail. The ability of the Council to control these processes is limited.

The Council is able to promote the quantum, nature and timing of growth making it more likely that the infrastructure will be delivered. It is also able to promote partnerships and use its asset base and influence to stimulate desired development. Current controls include:

- Ensuring that the Local Plan (and its component elements such as site allocations, supporting policies and so on) is up to date and sets out very clearly the requirements of proposed development. This promotes sustainable development by design, access and movement, materials.
- Working with other South West Herts councils and HCC to make a case at national level for strategically important infrastructure
- Bidding into government funding pots such as the Housing Infrastructure Fund where possible.
- Use of masterplanning which supports what is required to be delivered to produce sustainability on larger sites and formalising as a Special Planning Document where appropriate to give it more 'teeth'.
- The approved Council's Community Infrastructure Levy Policy and schedule (CIL) provides for the levels of contributions that must be made by developers and the purpose for which they will be spent. This also includes an element of CIL which can be spent by local communities and act to link growth directly with infrastructure provision that local people want.
- Operating an 'open for business' approach to how the Council deals with potential development with a presumption of making acceptable development easier to deliver by proactive advice through the planning process. Allied to this is ensuring that the development management service is capable of achieving decision making within required time limits.
- Stimulating required growth through the Council's own regeneration activity, including the Enterprise Zone making inward investment being more likely.
- Increasing inward investment through initiatives such as Dacorum Look no Further, Ambassadors, direct provision of business advice and a supportive approach to new development.
- Good market intelligence through regular liaison with local employers, landowners, developers, institutional investors and land agents regarding demand and expected assistance.
- Partnership with the LEP as the main route for additional funding for infrastructure through influencing the Strategic Growth Plan (in which Hemel Hempstead and the M1 corridor is a priority) and bidding for resources for infrastructure (such as the £5M achieved for West Herts College)
- Working to create key partnerships to bring forward development capable of funding major infrastructure such as Hemel Garden Communities with the Crown Estate, St Albans and City Council, HCC, the LEP and the Enterprise Zone.

Evidence the risk is being managed

These controls are exercised and reported within the following:

- Regular reporting to the Growth and Infrastructure Group, CMT, Cabinet and Overview and Scrutiny Committee
- Fortnightly reporting on key projects to CMT
- Reporting to Performance Board before each Cabinet Meeting
- A clear programme for the Local Development Framework and CIL Quarterly reporting to Overview and Scrutiny
- Regular reporting to Cabinet
- Adherence to the agreed performance and project management processes

The process for setting out development delivered is through the Authority Monitoring Report. The agreed process for CIL will see an annual report setting out income due, income achieved and expenditure made on agreed infrastructure. Regular reports are made as set out above.

Risk Owner : Sally Marshall Porfolio holder : Andrew Williams

SR7 - Uncertainty around Brexit negotiations could result in the Council facing additional demand for its services in the short- to medium-term

Quarterly Update

This risk will be reviewed in detail during the next quarter following the UK exit from Europe on the 31st January, 2020 as the UK enters a transition phase.

Inherent Impact	Inherent Probability	Inherent Risk Score
4	4	16
Mitigated Impact	Mitigated Probability	Mitigated Risk Score
2	4	8

LabelImpactTitle

On 23 June 2016, the UK voted, through a referendum, to leave the EU. In March 2017, the Prime Minister invoked article 50 of the Lisbon Treaty, formally notifying the European Council of the UK's intention to leave. This provided a two-year negotiation period in which to agree future ties, with the UK exiting the EU on 29th March 2019.

The negotiations around Brexit continued. The risk of a 'no-deal' outcome has been removed following Parliaments approval of the Brexit deal. The UK will exit Europe on 31st January and enter into a transitional phase. A review of the impact on services in the short-, medium-term will be undertaken. The position post transition poses a strategic risk to the Council primarily because there is lack of clarity over the outcome of the detailed trade discussions. In the absence of more detail, the Council is, in general terms, planning to 'be prepared'.

In addition, there is the possibility that the Council may be required to carry out functions under its Civil Contingencies responsibilities.

Controls to manage the risk

The Chief Executive prepared a report to Members outlining the sector's view on where the key Brexit risks currently lie.

The Corporate Management Team (CMT) has put Brexit negotiations as a standing item on its agenda. All service areas are represented at this meeting, and the majority of CMT members operate within county- and nation-wide professional groups. This means that the knowledge reach of the group is wide and varied, meaning that emerging issues are likely to be raised for discussion around impact as they arise.

CMT has also ensured that all service areas revisit their Business Continuity plans to ensure that they remain up-to-date and capable of mitigating known and emerging risks.

CMT also review and update the a Brexit risk register.

A member of Corporate Management Team - Assistant Director Neighbourhood Delivery has been nominated as the Council's Brexit Officer.

The Leader of the Council and the Chief Executive have taken part in webinars hosted by MHCLG with various Government departments in preparation for Brexit.

Evidence the risk is being managed

The subject of Brexit has been designated as a standing item on the CMT agenda. Members will be kept advised as more information becomes available.

Agenda Item 8



Report for:	Cabinet
Date of meeting:	10th March 2020
Part:	1
If Part II, reason:	

Title of report:	Housing Strategic Acquisitions Policy
Contact:	Cllr Margaret Griffiths, Portfolio Holder for Housing Fiona Williamson Assistant Director Housing
Purpose of report:	Introduction of a new policy to enable the strategic acquisition of land or property to support the corporate priority to ensure the ongoing delivery of affordable homes in the borough.
Recommendations	1. That the policy as set out in the report and Appendices A, 1 and 2, be approved 2. That delegated authority be given to the Corporate Director Housing and Regeneration in consultation with the Corporate Director Finance and Operations and the Assistant Director, Corporate and Contracted Services and the Portfolio Holder Housing and Portfolio Holder Finance and Resources to purchase assets of a value up to £5,000,000 in line with the objectives of this policy.
Period for post policy/project review	It is proposed that the policy will be reviewed every two years or following changes in relevant legislation.
Corporate objectives:	The Strategic acquisition policy contributes to following corporate objectives: Providing good quality affordable homes, in particular for those most in need Building Strong and vibrant communities
Implications:	<u>Financial</u> All acquisitions will be subject to a viability assessment and will only be undertaken if there is capacity within the business plan

<p>'Value for money' implications</p>	<p>and available budget.</p> <p><u>Value for money</u></p> <p>Any acquisition under consideration will be subject to a value for money assessment in respect of net present value and/or future use value to make sure that it contributes positively to the housing asset base.</p>
<p>Risk implications</p>	<p>The housing risk register presented to members on a quarterly basis will take the impact of the new policy into consideration.</p>
<p>Community Impact Assessment</p>	<p>A Community Impact Assessment has been undertaken and is attached in Appendix B</p>
<p>Health and safety Implications</p>	<p>Acquired properties will be required to adhere to all statutory provisions that are required for the management of social housing and will be brought up to the appropriate standard prior to letting.</p>
<p>Monitoring Officer/ S 151 Officer Comments</p>	<p>Deputy Monitoring Officer:</p> <p>Local authorities have wide ranging powers to buy and develop land as set out in various statutes including:-</p> <ul style="list-style-type: none"> • Section 120 Local Government Act 1972 – power to acquire land by agreement for any purposes for which it is authorised. • Section 9 Housing Act 1985 – power to erect houses, convert buildings on land acquired or acquire houses in order to provide accommodation. <p>It is good practice to adopt a policy to which sets out how the above powers are used.</p> <p>Deputy S.151 Officer:</p> <p>The authorisation policy and delegated authority as outlined in section 2 and section 3 of Appendix A1, details the requirement for a full cost appraisal and benefit analysis to be undertaken prior to any purchase.</p> <p>It also details the requirement for officer and member scrutiny of the cost implications prior to approval.</p>
<p>Consultees:</p>	<p>Housing and Communities Overview and Scrutiny Committee Mark Gaynor, Corporate Director Housing and Regeneration David Barrett, Group Manager Development Natasha Beresford, Group Manager Strategic Housing Alan Mortimer, Group Manager Property and Place Layna Warden, Group Manager Tenants and Leaseholders</p>

	<p>Richard Rice, Group Manager Commercial Assets and Property Development</p> <p>Aдриanna Livingstone, Valuation and Estates Team Leader</p> <p>Ben Hosier, Group Manager, Procurement & Contracted Services</p>
Background papers:	Appendix A1 Strategic Acquisitions Policy, Appendix A2 Community Impact Assessment
Glossary of acronyms and any other abbreviations used in this report:	<p>Housing Revenue Account (HRA)</p> <p>Temporary Accommodation (TA)</p>

1. Introduction

- 1.1 Following the implementation of self-financing in 2012, the Housing Revenue Account business plan has been developed to ensure that the investment in existing stock and the development of new homes remains viable. There is provision within the plan for the acquisition of land for new build purposes. It has been identified that there are other opportunities to acquire properties, subject to defined criteria, to increase the portfolio of affordable social homes. Additionally the demand for temporary accommodation (TA) for homeless applicants has continued to rise and therefore there may be instances where properties offered for sale on the open market could be suitable for use as TA.
- 1.2 The acquisitions policy has been developed to set out and inform members, officers and other interested parties, as to the principles, by which, the Councils housing service will acquire land and property.

2. Scope of Policy

- 2.1 The policy has been developed to enable the housing service to consider the strategic acquisitions of property or land to meet the ongoing demand for properties let at social rent within the borough and for the provision of temporary accommodation.
- 2.2 The Housing Service includes Housing Revenue Account (HRA) activity: as a landlord to tenanted properties; as freeholder to leasehold properties; general fund activity; as an authority with statutory duties to allocate social homes, provide housing advice, administer the provisions of the Homelessness Reduction Act; provide temporary accommodation; and licence and regulate the Private Rented Sector.
- 2.3 The policy scope covers all acquisitions potentially undertaken by the housing service for all areas of the service outlined above. The accountancy and financial rules for these functions are separate, and therefore the appropriate decision-making frameworks will be applied.

3. Housing Revenue Account Acquisitions

- 3.1 The existing covenants on all properties, which the Council sells under right to buy, allows for the properties to be offered back to the Council at the point of the first ongoing open market sale (indeed for the first ten years after purchase it is a requirement to offer it to the Council). Historically under the subsidy system the Council did not have sufficient available capital to be able to consider purchasing properties and these were offered to registered providers (Housing Associations), who operate in the borough.
- 3.2 The increasing build costs for new homes and the high price of land within the borough now mean that it is possible to purchase some property from the open market for less than the cost to build. With increasing pressures on land availability and no foreseeable reductions in build costs, the acquisition policy will enable the Council to consider supplementing the new build programme with acquisitions.
- 3.3 Additionally a slowing of the private market sector has resulted in some developers looking to offer additional units on a site for affordable rents.

Currently these are being offered to registered providers who have the ability and policies in place to increase their portfolios through the acquisition of S106 properties, which subject to the appropriate business case and viability assessment may be of interest to the Council.

4. General Fund (Housing Service) Acquisitions

- 4.1 The acquisitions policy covers purchasing of property for use as temporary accommodation and is not designed to cover the acquisition of commercial or community assets, which are administered by the corporate estates team.
- 4.2 The Council has governance structures in place to acquire assets into the General Fund. The housing service may request that acquisitions are considered by the General Fund, where the acquisition will have a strategic benefit for the housing service (for example, in order to increase temporary accommodation stock).

5. Recommendation

- 5.1 The recommendation is for Cabinet to approve the policy as set out in Appendices A, 1 and 2.



HRA Strategic Acquisitions policy

February 2020

1.0 Social Housing Acquisitions Policy overview

This policy was adopted by Cabinet on XXX and is managed and adhered to by XXX. This policy will be reviewed on a biennial basis.

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Policy overview

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- 1.3 Links to the Council's corporate aims
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2.0 Acquisition Policy detail

2.1 Acquisition criteria

3.0 Financial and Legal considerations

4.0 Links to other corporate strategies and policies

5.0 Legislation

1.1 Introduction

Dacorum Borough Council is a stock retaining authority with just over 10,000 homes for social rent. Since 2014 the Council has delivered a new build development programme, which continues to provide a supply of new homes, let at social rent.

However the demand for social rent homes remains high at around 6000 applicants and there are an increasing number of presentations of individuals and families who are homeless, requiring temporary accommodation.

To supplement the supply of new build homes, the Council are able to acquire properties off the open market and this policy has been developed to enable those acquisitions.

1.2 Aim(s) of the policy:

The purpose of this HRA Strategic Acquisitions Policy, is to set out the framework for decision making, which will be applied when considering opportunities to:

- acquire property;
- acquire land

The policy scope is applicable to all areas under the management of the Housing Service, and considers the wider Housing Strategy, Business Plan and financial implications.

Procedures for the acquisition of land and property should be transparent and consistent.

The prevailing market conditions and condition of the property will determine the financial viability of any acquisition and financial modelling will be undertaken.

1.3 Links to Council's corporate aims:

This policy supports the Council's corporate priorities, which are set out in ['Delivering for Dacorum – Corporate Plan 2020-2025'](#).

1.4 Equality and diversity

The Council is committed to promoting equality of opportunity in all service areas and has procedures in place to ensure that all Applicants, tenants and Leaseholders are treated fairly and without unlawful discrimination.

The Equality Act provides a legislative framework to ensure Council services are not provided in a discriminatory manner by having due regard to eliminating discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations. A Community Impact Assessment has been completed to support this policy.

1.5 Policy Statement(s)

The Council are required to ensure the best use of funds and this applies equally for the HRA and GF.

Our role as a Housing service is to assess investment options to determine the appropriate use of capital and balance investment in existing stock with the acquisition of property and provision of new homes.

One of the core principles of an asset strategy is to provide buildings that are fit for purpose, sustainable, provide suitable access and are appropriate for use.

2.0 Acquisition Policy detail

The Housing Service includes Housing Revenue Account (HRA) activity: as a landlord to tenanted properties; as freeholder to leasehold properties; and general fund activity; as an authority with statutory duties to allocate social homes, provide housing advice, administer the provisions of the Homelessness Reduction Act, provide temporary accommodation and licence and regulate the Private Rented Sector.

The accountancy and financial rules for these functions are separate, and therefore the appropriate decision-making frameworks are to be applied.

For the purposes of the Policy, an acquisition of land or property is considered to be an outright acquisition if it consists of:-

- A transfer of the freehold of the asset; or
- A transfer of the leasehold of the asset for a period in excess of 21 years.

This policy places emphasis on adopting procedures that are open, transparent and consistent and aims to ensure maximum benefit from the effective purchase and subsequent management of the Council's assets.

Within this framework the policy will ensure the Council achieves best value, acts within the appropriate legal framework, acts in a demonstrably fair and open manner and considers whole life

The framework for decision-making will consider whether each opportunity adds sufficient value to merit the required capital investment, based on:

- The Corporate Priorities
- current service plan objectives,
- strategic development plans
- Return on Investment and Net Present Value
- Demand for Temporary Accommodation and homes at social rent.

This policy together with the Constitution/Scheme of delegation are key documents in the overall management of the Council's land and property portfolio.

Definition of an Acquisition

This policy will apply to all acquisitions of land and property for social housing or temporary residential accommodation uses for the purpose of this policy, an acquisition is defined as the taking of a freehold, leasehold or licence in land and property

NB: This policy will not apply for General Fund Commercial Property transactions

2.0 Acquisition Policy detail

2.1 Acquisition criteria

Acquisitions by the HRA

The Council acting in its capacities under the HRA will apply set criteria in considering:

- opportunities to take up its Right to First Refusal and acquire a property previously sold under Right to Buy;
- and other options for acquiring assets or land.

These criteria are:

- a) Housing need and demand has been established for the type of asset being offered and the area in which it is located ***and***
- b) The cost of any refurbishment work required to bring the asset up to the Council's Lettable Standard (or other relevant minimum standard) is financially viable ***and***
- c) Capital funds have been identified and are available for this purpose ***or***
- d) The purchase of the asset would free up land or enable access to a site suitable for the development of housing that is consistent with the ongoing development plans of the HRA.

Prior to the purchase of any site or property a full options appraisal, including whole life costing, should be carried out which would involve appraisal of all of the options for delivery of the final objective. Consideration should be given to all other Council owned property and its suitability prior to any acquisition.

All option appraisals should take into account the on-going cost of ownership, over its lifetime and ensure that any decision to acquire land is informed by both the capital and revenue implications.

VAT implications must be considered as part of the appraisal process prior to any decisions being made to acquire.

The Council should take a medium to long-term view when planning delivery of their services and will need to identify any requirements to acquire land and property.

2.0 Acquisition Policy detail

Acquisitions by the General Fund (for Temporary residential Accommodation)

The Council has governance structures in place to acquire assets into the General Fund. The housing service may request that acquisitions are considered by the General Fund, where the acquisition will have a strategic benefit for the housing service (for example, in order to increase temporary accommodation stock).

The Housing Service includes Housing Revenue Account (HRA) activity: as a landlord to tenanted properties as freeholder to leasehold properties' and general fund activity' as an authority with statutory duties to allocate social homes, provide housing advice, administer the provisions of the Homelessness Reduction Act, provide temporary accommodation and licence and regulate the Private Rented Sector.

The accountancy and financial rules for these functions are separate, and therefore the appropriate decision-making frameworks are to be applied.

The Council acting to ensure it meets the service requirements for the provision of Temporary Accommodation will apply set criteria in considering:

- Acquiring assets or land.

These criteria are:

- e) Temporary Accommodation demand has been established to ensure that the type of asset being offered and the area in which it is located ***and***
- f) The cost of any refurbishment work required to bring the asset up to the Council's Standard (or other relevant minimum standard) is financially viable ***and***
- g) Capital funds have been identified and are available for this purpose ***or***
- h) The purchase of the asset would free up land or enable access to a site suitable for further development, to meet DBC strategic aims, and is consistent with the ongoing development plans of DBC.

Prior to the purchase of any site or property a full options appraisal, including whole life costing, should be carried out which would involve appraisal of all of the options for delivery of the final objective. Consideration should be given to all other Council owned property and its suitability prior to any acquisition.

All option appraisals should take into account the on-going cost of ownership, over its lifetime and ensure that any decision to acquire land is informed by both the capital and revenue implications.

VAT implications must be considered as part of the appraisal process prior to any decisions being made to acquire.

The Council should take a medium to long-term view when planning delivery of their services and will need to identify any requirements to acquire land and property.

3.0 Financial and Legal considerations

The Council must have available funds to purchase an asset. In any cases of any joint ventures considered by the General Fund, proposals will receive additional scrutiny to ensure the Council is not being exposed to financial risk.

Any acquisition will need to be in line with the HRA Business Plan and not impact detrimentally the capital programme or reserves.

In the case of an acquisition made by the HRA through the Right to First Refusal, the cost of any works required to bring the asset up to the Council's re-let Standard would be deducted from the sum the Council would pay to acquire the property. This sum is worked out using the standard method of calculation, as detailed in appendix 2.

Delegated authority for the acquisition of properties offered back to the Council under the rule of first refusal, is to the Assistant Director of Finance.

Delegated Authority for the acquisition of land or other assets will be to the Director of Housing and Regeneration in consultation with the Director of Finance and Operations and with the Portfolio Holder for Housing and the Portfolio Holder for Finance and Operations.

Legal advice must be sought for all property (land and buildings) transactions and approved by the monitoring officer.

All acquisitions will require formal third party independent valuation advice, such as red book

All proposed asset acquisitions will be subject to appropriate legal investigations and due diligence (including relevant surveys) to de-risk the purchase. If these investigations identify risks which render the acquisition unviable, the transaction will not proceed.

Land and asset acquisition

The Local Government Act 1972 section 124 empowers a local authority to acquire, by agreement, land both inside and outside its boundaries for the purposes of:

- Any of their functions under this or any other public general Act, or
- For the benefit, improvement or development of its area.

Local Government Act 2003 section 12 empowers a local authority to invest if the purpose is relevant to its functions and consistent with the prudent management of its financial affairs.

4.0 Links to other corporate documents

This policy links to and should be read in conjunction with the following policies and strategies:

- Disposals Policy
- HRA Business Plan
- Housing Strategy
- Homeless & Rough Sleeping Strategy
- Council's Financial Regulations
- The Local Plan

5.0 Legislation

The legislation listed below will be taken into consideration when implementing this policy:

- Data Protection Act 1998, 2003 and 2018
- Housing Act 2004
- Housing Act 1996
- Homelessness Reduction Act 2018
- Freedom of Information Act 2000
- Equality Act 2010 Local Government Act 2003
- The Housing (Right of First Refusal) (England) Regulations 2005
- Public Contract Regulations 2015

Appendix 1

Right of First Refusal for properties sold under the Right to Buy

- 1.1 All properties sold under the Right to Buy (freehold and leasehold) since 18 January 2005 are bounded by the covenant the 'Right of First Refusal'. If the owner wishes to sell their property within 10 years of purchase they must first offer the property back to their former landlord (the Council).
- 1.2 The owner wishing to sell the property must submit an Offer Notice to the Council which should:
- a. Be in writing
 - b. State the wish to sell the property, giving its full postal address
 - c. State that there is a covenant requiring the property to be offered first to the Council
 - d. Specify whether the property is a house, a flat or maisonette;
 - Specify the number of bedrooms
 - Give details of the heating system
 - Specify any improvements or structural changes which have been made since purchase
- 1.3 The Council will send an acknowledgement of receipt within 5 working days. This acknowledgement will specify the date on which the Offer Notice was received and give more details regarding the Right of First Refusal.
- 1.4 If the Council wishes to accept the offer it will confirm this to the owner within 8 weeks of receipt of the Offer Notice, and by issuing a written Acceptance Notice. The Council will ask its nominated valuer to value the property, which must be agreed between both parties. If no agreement can be made the value will be determined by the District Valuer.
- 1.5 If an offer to purchase the property is made by the Council a binding contract must be entered into with the owner:
- No later than 12 weeks after the date on which the Acceptance Notice is served on the owner or
 - No later than 4 weeks after receipt of written confirmation from the owner that they are ready to complete (*whichever is later*)
- 1.6 For Dacorum Borough Council the *Group Manager - Property and Place* will decide whether:
- a) The Council wishes to accept the offer and purchase the property;
 - b) The property should be offered to another nominated housing association in the area for purchase; or
 - c) The offer should be rejected.
- 1.7 If the nominated housing association wishes to accept the offer, they must state this in writing.

- 1.8 If the Council (or any nominated housing association) do not wish to accept the offer then a Rejection Notice will be served as soon as possible. If the Council has not served an Acceptance Notice or Rejection Notice within 8 weeks of the receipt of the Offer Notice the owner may proceed with selling the property as they see fit.
- 1.9 If a period of 12 months expires and the owner has not sold the property and then subsequently wishes to do so they must serve a fresh Offer Notice to the Council.

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Appendix 2

Re-payment of discounts offered through the Right to Buy

1.1 Calculating the discount as a percentage of the re-sale value

If a property is being re-sold within 5 years of the Right to Buy purchase, then the original percentage discount is used to work out a new re-sale discount value to be re-paid (disregarding the value of any improvements).

1.2 Percentage of discount total to be repaid

The owner will be required to pay back a percentage of the discount based on a sliding scale (see table below).

Property sold after 1 year	100% discount must be re-paid
Property sold during second year	80% of discount must be re-paid
Property sold during third year	60% of discount must be repaid
Property sold during fourth year	40% of discount must be re-paid
Property sold during fifth year	20% of discount must be re-paid
Property sold after five years	No repayment of discount required

1.3 Example

A property was bought through the Right to Buy for £60,000, with a value of £100,000, and therefore had a 40% discount applied (£40,000). This property was then re-sold after 18 months for £120,000.

40% of £120,000 is £48,000. As the owner is in the second year after purchase, they would repay 80% of £48,000 (£38,400).

1.4 Exemptions

Certain sales or transfers are exempt from the requirement to re-pay discount e.g. transfers between certain family members. In addition if the owner would face hardship by having to repay the discount, and their circumstances justify it, the Council may decide not to ask them to pay some or all of what they owe.

Appendix 3

Appeals procedure for decisions made regarding First Refusal of Right to Buy properties

1.1 Appeals must be received within 28 days of the decision letter.

1.2 Where the appeal is in respect of how the policy and procedure have been applied the Property and Place Group Manager will investigate the matter and respond.

1.3 Appeals against decisions will be considered by the Assistant Director - Housing whose decision is final.

Dacorum BC Community Impact Assessment (CIA)

Policy / service / decision

Strategic Acquisitions Policy - Housing

Description of what is being impact assessed

What are the aims of the service, proposal, project? What outcomes do you want to achieve? What are the reasons for the proposal or change? Do you need to reference/consider any related projects?

Stakeholders; Who will be affected? Which protected characteristics is it most relevant to? Consider the public, service users, partners, staff, Members, etc

It is advisable to involve at least one colleague in the preparation of the assessment, dependent on likely level of impact

The aims of this policy is to provide the Housing Service to acquire property from the open market or through the Right to Buy, buy back scheme, so that is can continue to address the demand for housing at social rent. The policy also includes the purchase of property for use as Temporary accommodation (TA). The funding for TA is from the General Fund.

The policy aims to provide additional accommodation at social rent or for use as TA and considers the suitability of properties on the financial viability on the basis that there would be an increase in stock available to individuals regardless of any protected characteristic.

Properties will be assessed in respect of the potential for adaptations to be undertaken although it is not the only factor that is considered when determining whether to purchase an asset.

The need to ensure that any grant funding is allocated in accordance with the conditions stipulated. Administration of the acquisitions policy will require some internal training.

The policy will require approval from members and will be taken through the scrutiny and Cabinet approval process.

Evidence

What data/information have you used to assess how this policy/service/decision might impact on protected groups?

(include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, CIAs from other projects or other local authorities, etc.). You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.

Appendix A2

Review of other stock retained authority's acquisitions policies.
 Housing Register
 Increasing Homeless caseload
 Requests for adaptations to properties in the private and social sector within Dacorum

Who have you consulted with to assess possible impact on protected groups? *If you have not consulted other people, please explain why? You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.*

Housing Aids and Adaptations surveyors, Group Manager Property and Place, Corporate Director Housing and Regeneration, Housing senior management team.
 Portfolio Holder for Housing, Cllr Margaret Griffiths.
 Corporate Estates Group Manager

Analysis of impact on protected groups (and others)

The Public Sector Equality Duty requires Dacorum BC to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service/decision will achieve these aims. Using the table below, detail what considerations and potential impacts against each of these using the evidence that you have collated and your own understanding. Based on this information, make an assessment of the likely outcome, **before** you have implemented any mitigation.

- *The PCs of Marriage and Civil Partnership and Pregnancy and Maternity should be added if their inclusion is relevant for impact assessment.*
- *Use "insert below" menu layout option to insert extra rows where relevant (e.g. extra rows for different impairments within Disability).*

Summary of impact		Negative impact / outcome	Neutral impact / outcome	Positive impact / outcome
Protected group	<i>What do you know? What do people tell you? Summary of data and feedback about service users and the wider community/ public. Who uses / will use the service? Who doesn't / can't and why? Feedback/complaints?</i>			

Appendix A2

Age	No detrimental impact on this protected group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability (physical, intellectual, mental) <i>Refer to CIA Guidance Notes and Mental Illness & Learning Disability Guide</i>	Properties will be assessed to determine their suitability for adaptations.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	No detrimental impact on this protected group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	No detrimental impact on this protected group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	No detrimental impact on this protected group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	No detrimental impact on this protected group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	No detrimental impact on this protected group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix A2

<p>Not protected characteristics but consider other factors, e.g. carers, veterans, homeless, low income, loneliness, rurality etc.</p>	<p>The policy is designed to consider the demand for property, whilst considering the specific requirements of any applicants on the housing register or presenting homeless, so that appropriate property is acquired to address a range of or specific needs as appropriate and viable.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Negative impacts / outcomes action plan

Where you have ascertained that there will potentially be negative impacts / outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken <i>(copy & paste the negative impact / outcome then detail action)</i>	Date	Person responsible	Action complete
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>

Appendix A2

	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
If negative impacts / outcomes remain, please provide an explanation below.			
Completed by (all involved in CIA)	Fiona Williamson, Assistant Director Housing, Natasha Beresford, Group Manager Strategic Housing, Layna Warden, Group Manager Tenants and Leaseholders		
Date			
Signed off by <i>(AD from different Directorate if being presented to CMT / Cabinet)</i>			
Date			
Entered onto CIA database - date			

Appendix A2

To be reviewed by (officer name)	
Review date	

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Agenda Item 9



Report for:	Cabinet
Date of meeting:	10th March 2020
Part:	1
If Part II, reason:	

Title of report:	Events Policy CDM and Management of Contractor Policy
Contact:	Julie Banks, Portfolio Holder for Community and Regulatory Services Author/Responsible Officer Russell Ham, Team Leader, Corporate Health, Safety and Resilience Emma Walker, Group Manager, Environmental and Community Protection Bill Buckley, Interim Assistant Director, Neighbourhood Delivery
Purpose of report:	To provide Members with an overview of the Corporate Event Policy and CDM and Management of Contractors policy that will be put in place for staff and managers to follow. To gain the formal approval of Cabinet.
Recommendations	That Cabinet consider and formally approve the policies.
Corporate Objectives:	To comply with current H&S legislation and Implement Best Practice.
Implications:	<u>Financial</u> None.
'Value For Money Implications'	<u>Value for money</u> Complying with the Health and Safety at Work etc. Act 1974

	and relevant regulations supports the Council in compliance and providing safe planned and managed events for its citizens.
Risk Implications	None
Community Impact Assessment	Community Impact Assessment is not required as the policies follow H&S legislation.
Health And Safety Implications	None
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>Both policies will ensure that health and safety law and best practice is complied with when the council is carrying out relevant activities.</p> <p>Deputy S.151 Officer</p> <p>No further comments to add to the report.</p>
Consultees:	<p>Relevant managers and staff involved in managing events and or contractors have been consulted. The Event policy was also consulted with attendees of the June 2019 Health Safety and Resilience Committee, and the CDM and management of Contractors in the September 2019 Health Safety and Resilience Committee. Following both Committees the Policies were approved by CMT.</p> <p>On the 28 January 2020 both policies went to OSC and were formally approved.</p>
Background papers:	<p>CDM and Management of Contractor Policy</p> <p>Event Policy</p>
Glossary of acronyms and any other abbreviations used in this report:	CDM – Construction Design Management

1. Background

- 1.1 Dacorum Borough Council uses Safety Policies to guide and instruct DBC staff on how to comply with Health and Safety Legislation.
- 1.2 The Corporate Health, Safety and Resilience Team have provided a range of Policy documents.

2. Note

- 2.1 Following the OSC meeting on the 28 January the restriction of sky lantern use on council land has been included into the Event Policy.

3. Event Policy

- 3.1 This is an internal policy that sets out the key principles by which DBC staff will approach the application and processing events, and the required risk management.
- 3.2 The purpose of this policy is to outline the procedures for arranging or managing/processing events, so that they comply with relevant legislation, industry codes and best practice. It will ensure that organisers have clear expectations for events held in Dacorum. As an employer, the event organiser - whether an individual, collective or local authority - has a general duty to ensure, so far as reasonably practicable, the health, safety and welfare of their employees. They also have a duty to ensure, so far as is reasonably practicable, that others - including volunteers and spectators - are not exposed to risks to their health and safety arising from the operation of the event.
- 3.3 The information within this policy supports the Corporate Health and Safety Policy and aligns the management of risk to operational managers. This policy sets out the importance of planning events, together with specific roles and responsibilities. It is noted that there is a significant amount of effort and time resources on many areas of the Council involved in facilitating events. A planned, well managed event brings many positive benefits to the borough and communities.
- 3.4 Dacorum Borough Council (DBC) recognises the importance of supporting the contribution such events make to DBC's cultural landscape and the economy, whilst minimising the potential impact of temporary events on the community.
- 3.5 Dacorum Borough Council is committed to enabling events within the borough and recognises that a diverse programme of varied and well-managed activities contributes to the promotion of a vibrant multi-cultural community.

4. CDM and Management of Contractor Policy

- 4.1 Health and safety management systems must be in place to ensure the selection and monitoring of contractors is achieved. This Construction, Design and Management of Contractors policy is supported by the 'Contractor Site Health & Safety Induction Pack' and Corporate Health & Safety Policy.

- 4.2 All of which have been approved by the Corporate Health and Safety Committee to define the Council's policy for ensuring that all work involving contractors is safely managed by competent persons. The Council recognise the risk of poor management of contractors, including contractor selection and control, and are ultimately responsible for ensuring compliance with health and safety law.
- 4.3 Construction and demolition activities carry significant risks and can be undertaken safely only by persons with appropriate knowledge, training and experience. It is The Council's policy that such work must be managed by suitably qualified and competent professionals.
- 4.4 The Council will have specific duty holder roles and responsibilities that fall under the CDM regulations.

Policy

Event Management

Author	Corporate Health, Safety & Resilience		
Version no.	1	Date of publication	TBC
		Review date	TBC
Updates: N/A			
Associated documents:			

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PART ONE INTRODUCTION

1.0 Definition of Event

An event

An event that is planned for a defined period of time, in a specific location, that allows the members of public to attend. Either indoors or outdoors, on private or public property. The Event can be expected to cause a public gathering that is not part of the normal course of business at that location and time.

1.1 Introduction and Purpose

Dacorum Borough Council (DBC) recognises the importance of supporting the contribution such events make to DBC's cultural landscape and the economy, whilst minimising the potential impact of temporary events on the community.

Dacorum Borough Council is committed to enabling events within the borough and recognises that a diverse programme of varied and well-managed activities contributes to the promotion of a vibrant multi-cultural community. This policy sets out the key principles by which DBC approaches the application and processing of both internal and externally run events, and the required risk management.

The information within this policy supports the Corporate Health and Safety Policy and aligns the management of risk to operational managers. This policy applies to all public events held in the borough that meet the definitions in section 1.2 below. It sets out the importance of planning events, together with specific roles and responsibilities. It is noted that there is a significant amount of effort and time resources on many areas of the Council involved in facilitating events. A planned, well managed event brings many positive benefits to the borough and communities.

The purpose of this policy is to outline the procedures for external event organisers and Council officers involved in either arranging or managing/processing events, so that they comply with relevant legislation, industry codes and best practice. It will ensure that organisers, both internal and external, have clear expectations for events held in Dacorum. As an employer, the event organiser - whether an individual, collective or local authority - has a general duty to ensure, so far as reasonably practicable, the health, safety and welfare of their employees. They also have a duty to

ensure, so far as is reasonably practicable, that others - including volunteers and spectators - are not exposed to risks to their health and safety arising from the operation of the event.

1.2 Type of Event

Commercial

Commercial events are those that are intended to make a profit, including product launches, corporate events, and other marketing and promotional activities. This also includes fairgrounds, circuses, and ticketed festivals.

Community

These are events organised by local not-for-profit, community or voluntary groups that directly benefit the residents of the Borough and do not provide significant advertising or other commercial benefit to a profit-making business or organisation.

Charity

Events organised by registered charities and are predominantly fund-raising or awareness-raising events for the benefit of the charity. A registered charity number should be provided.

Organised fitness

These are sporting or physical activity events organised with or without a charge to those attending the activity. Organised fitness events will also fall into one of the other event types described.

1.3 Scope

This policy applies to all events held in the Borough within DBC owned or managed public buildings/land, including any group, organisation or person wanting to hold an event on Council land. This includes DBC internally organised and managed events, as well as externally managed events.

This Policy does not apply to:

- Unpublicised informal social or family gatherings in outdoor venues where no equipment is involved (standard park rules apply)
- Outdoor Markets
- Seasonal use of sports fields by schools and registered sporting clubs
- Public rallies and demonstrations

- Commercial fitness training
- Filming
- Community Centres (unless voluntarily submit under SAG process)

The Council may cancel or modify events at any stage in its development including, but not limited to:

- Extreme weather
- Identified high risks
- Site safety or conditions
- On the advice of emergency services

1.4 Objectives

The objectives of this policy are to:

- Clarify the expectations and classification of events in Dacorum
- **Provide a framework for the event application process, for both internal and external events**
- Provide controls that minimise adverse impacts of events on the non-event community and environment
- Ensure effective planning and management of events
- Promote the licensing objectives
- Provide a consistent and co-ordinated approach to how events are supported and facilitated by the Council
- Ensure that pre-event consultation and planning takes place with event organisers and stakeholders where necessary
- Maximise the safety of event attendees and the event workforce and ensure that safety is placed as a priority in decision making
- Minimise disruption to residents and businesses
- Ensure that events are accessible to all
- Develop an events programme and encourage local and national groups to organise or participate in new and existing events
- Promote the management of the health and safety of persons attending the events
- Promote compliance with relevant legislative requirements and standards

1.5 Benefits

A well-managed and appropriate events policy brings positive benefits to the borough, including:

- Providing residents with an interesting, fun, and diverse range of things to do
- Enhancing DBC's cultural offering and reputation as diverse and thriving borough
- Enhancing the image of the borough
- Helping to promote the area as a place of business, culture and community
- Playing a key part in DBC's vision by drawing visitors to the borough
- Increasing the number of events run within the borough
- Developing a strong community by increasing and improving cross-community relations

PART TWO: PROCESSING AN EVENT

2A External events

All events held on DBC public land or in buildings owned or managed by the Council require permission/notification and/or approval from DBC. Anyone looking to organise an event or carry out commercial activities on Council-owned land will need to seek permission in advance by contacting: es-estates@dacorum.gov.uk. For events in the Town Centre contact business@doacorum.gov.uk

Online applications for externally arranged events will be processed via the Dacorum Safety Advisory Group (DSAG), with details entered onto the DBC Event notification form available on the following link:

<http://www.dacorum.gov.uk/home/environment-street-care/licensing/event-safety>.

This form should be used to give initial notification of a proposed event within the Dacorum area. It should be completed by the **event organiser**, in as much detail as possible, and as far as reasonably practicable submitted no later than:

- 6 weeks prior to the event for small events (fewer than 500 people attending)
- 12 weeks prior to the event for larger events (500 or more people attending)
- Note – applications submitted late will not be considered

The completed form and any attachments will be circulated to members of the Dacorum Safety Advisory Group (DSAG) as means of notification of a proposed event, and to allow advice to be

given. Organisers may be invited to address a meeting of the group or meet with officers of the Council to discuss specific elements of the event.

It must be noted that submission of this form will not relieve organisers of any legal obligations to obtain consents, licences, registrations or traffic orders as may be required.

Event organisers should have prepared (or be working on) a number of documents in respect of their event, and copies of these should be submitted with the notification form, or shortly afterwards. Many of these documents will continue to change right up to the day of the event, but providing DSAG with current drafts will mean advice can be offered.

The following information is requested with the initial notification:

- A **site plan** showing how the event site will be laid out
- An **event management plan**, setting out how and when the site will be set up and operated, the chain of operational command and responsibility during the event (with contact details), a full list of the activities being undertaken as part of or in connection with the event, and any other relevant information
- An **event safety plan**, setting out what additional measures have been taken in respect of security, safety, first aid, and any emergency procedures
- A general **safety risk assessment** and a **fire safety risk assessment** for the overall event (the latter is a legal requirement under the *Regulatory Reform (Fire Safety) Order 2005*)
- Evidence of a **public liability insurance** policy for the overall event.
- A copy of any **licences** obtained (where required for the event)

The information given on the form will be circulated to members of the group. Members can then provide information independently, or, if there are a number of specific points for discussion, the event organiser may be invited to a meeting. The DSAG is managed by the Corporate Health, Safety and Resilience Team, with the notification forms being processed by this team.

For larger scale events, organisers must attend a Dacorum Safety Advisory Group meeting to help ensure all the correct measures are in place. There is a minimum of three months' notice to ensure there is time for the application to be processed.

Key documents to assist and review the considered risk management of events include risk assessments and public liability insurance for **ALL** activities and equipment providers.

2B Internal events

Any staff/service areas that arrange events are required to manage and monitor risk management of the event. All events categorised as internal (DBC arranged), which are normally community/corporate events, will need processing by the Corporate Health, Safety and Resilience Team. Each event organiser will be required to submit the **internal notification form** (appendix 1) to SafetyAdvisoryGroup@dacorum.gov.uk, and as far as reasonably practicable submitted no later than;

- 6 weeks prior to the event for small events (fewer than 500 people attending)
- 12 weeks prior to the event for larger events (500 or more people attending)
- **Note** – applications submitted late will not be considered

The following information should be completed/reviewed by the **event organiser**:

- The **internal event management plan**, setting out how and when the site will be set up and operated, the chain of operational command and responsibility during the event (with contact details), a full list of the activities being undertaken as part of or in connection with the event, and any other relevant information. This includes the **event safety plan**, setting out what additional measures and plans have been taken in respect of security, safety, first aid, and any emergency procedures
- A **health and safety risk assessment** and a **fire safety risk assessment** for the overall event (see appendix for event risk assessment guidance)
- Confirmation and evidence that the Council's **public liability insurance** policy covers the overall event.
- Assurance of **provider risk assessment**, competence, insurance and emergency procedures

It is the responsibility of the organising operational staff who are managing the event to ensure that they have assurance that;

- The internal event management plan is completed and assessed
- All providers are checked and competent
- All providers insurance is up to date, including the time covering the event dates

- Checking that all **Amusement Device Inspection Procedures Scheme** (ADIPs) and **Pertexa Inflatable Play Accreditation** (PIPAs) are in place for each piece of named ride/equipment
- Any structures, platforms or building works are considered under *Construction (Design and Management) Regulations 2015* (CDM)
- All risk assessments are in place for the event, and from each provider, checked to ensure they are in date, suitable and sufficient for the activity/event
- Emergency planning and preparedness is required as part of the internal review/assurance requirements
- Any required licences and/or permissions are in place

Once all of the above checks have been completed, the operational service organiser should finalise the **internal event management plan** as this maybe requested or forwarded to the Corporate Health, Safety and Resilience Team for corporate/community events.

PART THREE: ROLES AND RESPONSIBILITIES

3.0 Clear lines of responsibility

The complex nature of event management means it is crucial that everyone involved clearly understands their wider legal duties as well as those under Health and Safety Legislation. The person responsible for health and safety should be detailed in the event management plan, or contract.

The control of the venue may be shared between a number of services and/or people. If this is the case, the respective responsibilities should be clearly defined and assigned. Organisations and individuals who have any control of the premises or work should consider what measures they need to take to ensure the venue is safe, and detailed within the event management plan.

There should be effective liaison arrangements between all parties on health and safety matters and sharing of safety-related information, e.g. the location of buried services, CDM construction phase plan, risk assessments, and detailed within the event safety plan.

3.1 Dacorum Safety Advisory Group (DSAG)

The remit of the Dacorum Safety Advisory Group (DSAG) is to advise on whether or not an event should proceed on safety (and not any other) grounds. The SAG normally reviews externally run events via an online 'safety advisory group event notification form.' Event organisers must seek the advice of the SAG if they wish to hold an Event on DBC land. Ideally, notification should be made months before the event takes place.

The consent of the Council or 'landlord' may be withdrawn upon advice of the DSAG. There are many aspects to ensuring that an event is safe and successful, all of which event organisers will need to consider during the planning of their event.

The DSAG does not "sign off" event proposals, nor will the group or member agencies accept any liability for issues arising from an event. The event organiser is legally responsible for the safety of the people attending. The DSAG are also unable to assist in the preparation of event safety documentation, risk assessments, or similar. Notifying the safety advisory group of an event does not replace any other legal requirements, such as obtaining permission to make use of private or Council-run land, licences, traffic orders, planning permission or food hygiene registrations. However, in some cases, having notified the group may simplify these processes.

The DSAG will also co-ordinate any safety debrief meetings that take place post-event. A debrief is required by Dacorum Borough Council for all large and major events. A debrief will also take place for small and medium events if there have been any safety concerns noted by the Council or any of the partners. Safety concerns must be notified to the Chair of the DSAG in writing/email to trigger a debrief for small events.

Any issues will be discussed with the event organisers. It is recognised that cancellation of an event is a last resort, but in cases where there is increased risk to public safety if the event proceeds, this recommendation will be passed to the event manager, or to Director level, as appropriate.

3.2 Event Organiser

The overall responsibility for the planning and management of the event / activity is retained with the event organiser / organising team. This includes (but is not limited to):

- Production of the relevant documentation e.g. risk assessment / site plan

- Requesting and checking any third-party documentation e.g. risk assessment, insurance etc.
- Requesting and checking any documentation from other DBC service areas contributing to the event
- Notification to the Corporate Health, Safety and Resilience Team (CHS)

3.3 Corporate Health and Safety

When notified via the internal notification form (appendix 1), the CHS team may request to see a selection of supporting documentation. For all events, and as far as reasonably practicable CHS require notification no later than;

- 6 weeks prior to the event for small events (fewer than 500 people attending)
- 12 weeks prior to the event for larger events (500 or more people attending)
- Note – applications submitted late will not be considered

The Corporate Health, Safety and Resilience Team will review events that are either run by the Council, and/or include fairground rides that are part of the event/s. They do not authorise, approve or 'sign off' events, that is the responsibility of the Event Organiser.

Ultimately, the Corporate Health, Safety and Resilience Team forms part of the health and safety management system. They may request further information, give advice based on the information provided, or in some instances conduct a site visit or meeting.

3.4 Environmental Health - within Environmental & Community Protection Department (ECP)

When notified of internal events, the Environmental Health Team may request to see a selection of the documentation (audit) based on the supplied notification form.

For all events, the Corporate Health, Safety and Resilience Team have responsibility for co-ordinating DSAG. The Environmental Health Team review events that are not Council run, but commercial. They do not authorise or approve, or 'sign off' events, that is the responsibility of the Event Organiser.

3.5 Team Leaders

Will ensure any staff that organise events on behalf of DBC have the appropriate competence and implement systems of checks and balances to ensure thorough planning and appropriate health and safety management is achieved for each event.

If you or your staff are responsible for booking 3rd party events you should ensure the responsibilities of the Event Organiser are fulfilled, as set out in 3.7 of the this policy, and through the submission of a complete set of documents as detailed in the SAG notification form.

3.6 Group Managers

Must be notified by their Team Leaders of all events and be confident that the planning and arrangements of all events are suitable and sufficient.

You should ensure that if your team leaders manage the booking of 3rd party events the responsibilities of the Event Organiser are fulfilled as set out in 3.7 of this policy, and through the submission of a complete set of documents as detailed in the SAG notification form.

3.7 Role of the event organiser and their obligations

- Events should be organised as far in advance as possible - generally an event with more than 1,000 people attending can take six months or more to organise and secure all of the required resources and processing.
- Event Organisers, external or internal to the Council, are responsible for managing and ensuring that the risk management and compliance of their event is met and have all their management processes in place.
- Provide complete and accurate event documentation within the required timeframes and respond promptly to any queries raised by the Council or member of the Dacorum SAG.
- Ensure that any information given on behalf of the organisation they represent is accurate and that they have the legal authority to enter agreements on behalf of that organisation or have the delegated legal authority.
- Ensure appropriate insurance and liability cover is in place.
- Permissions, licences and safety documentation must be sought well in advance.
- The event organiser should ensure the event is run according to the submitted plans.

PART FOUR: PLANNING YOUR EVENT

4.0 Safety

Responsibility for safety rests with the event organiser, whether this is a Council-run event or externally run event. Event organisers and their partners have a duty to ensure all relevant health and safety guidance is followed, including the preparation of full risk assessments and method statements.

The first-priority of all involved in managing events must be human safety. Every event should have a designated safety officer, and/or a system of competent management that includes person/s with event specific management and knowledge to review and advise on all safety related matters

Managing Health and Safety

Events and activities must be planned and managed in a proportionate and sensible way. One approach is to apply the *Plan – Do – Check – Act* (PDCA) cycle; this is consistent with Health and Safety Executive (HSE) methodology. This is also consistent with international safety management systems, including ISO 45001/2/3 2018. The PDCA cycle is one that supports on-going improvement. By choosing to follow this approach the event organisers and DBC are demonstrating their commitment to industry best practice.

In simple terms, plan what you are going to do; identify potential risks and implement your plan; check that it works or determine if more needs to be done and finally review, take action as needed to improve or change.

Table 1 (below) provides an overview of the PDCA cycle as it relates to event / activity planning. One of the main control measures for any event is the preparation and planning, and this requires one vital element: **time**. A poorly planned, rushed event would be considered high-risk compared to a well-planned, well prepared, risk-based event, and shouldn't be allowed to proceed.

Table 1 relates the PDCA cycle to the management of an event:

Plan	<p><i>Event Planning</i></p> <ul style="list-style-type: none"> ▪ When is the event; where will it be held; what is its purpose and who is it aimed at? ▪ Who is responsible for managing the event and how will you achieve your event aims? For larger events where there are multiple providers / activities, it may be useful to have a ‘<i>Safety Review Group</i>’ to help scope, develop and manage the event ▪ How will you manage fire and other emergency situations e.g. specific ride safety; lost child procedures? ▪ Are you going to engage external providers? How will they be selected? ▪ Will there be support from other DBC internal service areas such as Corporate Health and Safety? ▪ Have you left enough time to notify CHS or Environmental Health with EC&P (Environmental & Community Protection)/Licensing/Completion of notification form etc?
Do	<p><i>Identify your risk profile</i></p> <ul style="list-style-type: none"> ▪ Identify risks associated with your event ▪ Complete risk assessments ▪ Collate information from external or internal providers e.g. risk assessments, method statements etc. <p><i>Organise your activities to deliver your event plan</i></p> <ul style="list-style-type: none"> ▪ Communicate your event ensuring that everyone is clear about their role and what is needed e.g. is there a lead liaison person with external providers? ▪ Ensure you have adequate resources to implement your plan including competent advice where needed <p><i>Implement your plan</i></p> <ul style="list-style-type: none"> ▪ Decide on the control measures and put them in place
Check	<p><i>Measure your performance</i></p> <ul style="list-style-type: none"> ▪ Make sure your plan is being implemented. For example, have you received all the necessary documentation from external and internal providers; has it been reviewed? Note, documentation on its own is not necessarily a good performance measure. ▪ Assess whether your identified risks are being adequately controlled. For example, are fairground rides being managed; activity numbers are not exceeded; fire and emergency exit routes being maintained etc.

	<i>Investigate any concerns, incidents or near misses, poor crowd control, lack of welfare facilities (examples)</i>
Act	<p><i>Review your performance</i></p> <ul style="list-style-type: none"> ▪ Learn from your event experience, both positives and negatives ▪ Give a team and consultation debriefing if necessary ▪ Review any accident or incident that occurred; notify CHS using relevant forms ▪ Revisit plans, documentation and risk assessments to see if they need updating <p><i>Take action on lessons learned</i></p>

4.1 Submitting an event proposal

4.1a Submitting an internal event proposal

The DBC event management advice is to bring together not just the externally managed events, but also the many internally managed events that occur directorate and service wide. The responsibility of managing events is for each event organiser within the Council and their Group Manager to ensure the planning, safety and management of each event is in place. To further improve this, complete an ‘**internal notification form**’ (**appendix 1**) which will promote and improve the co-ordination and communication with various competent Council services to ensure another layer of risk management is implemented.

4.1b Submitting an external event proposal

The externally managed event proposals are processed via the Dacorum Safety Advisory Group (DSAG) with the relevant details within the notification procedures found on the DBC website pages.

Consultation on medium and large events will involve members of DBC’s Safety Advisory Group and may involve stakeholders including Councillors, Members, and other local Groups depending on the impact the event is likely to have.

4.2 Location

Is the event taking place within a park, on a highway, or in a building?

- What is the purpose of the event (For example is it a family fun day, a sports community event, a concert, a public health awareness or a political demonstration?)

- What structures and activities will be included (For example is there a mobile climbing wall, funfair rides, a large stage or tent, an inflatable, or a fireworks display?)

All of which consider detailed risk management, and should be detailed on any notification form and also an Event Management Plan.

4.3 Audience

Who is expected to attend the event? For example, is this predominantly a family event, or would the activities attract large groups of teenagers or young adults? Is it for local people or will there be transport issues resulting from people travelling some distance to attend?

For medium to larger attended events consultation may involve planning meetings taking place with the necessary departments within the Council and external agencies to ensure all affected groups are aware of and prepared for the event.

This will be partly dependent on the size of the event being planned. Small events will not be subject to full consultation as they will have virtually no impact on the venue or the surrounding area. If a small event does require consultation this will generally only occur on the first occasion unless there are concerns raised once it has taken place.

4.4 Risk Management

Risk Management is an important obligation which Dacorum Borough Council takes very seriously and pro-actively manages. In the delivery of Events, DBC is aware that there may be risks to employees, the Community and property in relation to events.

In the process of planning these events all event managers are encouraged to consider applicable perceived risks and, if necessary, communicate these to the relevant manager, competent advisor, or advisory body, prior to the commencement of the event. This may include Dacorum Safety Advisory Group, Environmental Health with EC&P (Environmental & Community Protection), or Corporate health, Safety and Resilience. This guidance expands on each of the named service/group roles concerning event planning and management.

It is good practice for any event to adopt a risk assessment approach to safety management, and this should be incorporated into an operational event assessment. There is a requirement for every employer (including event organisers) involved in events to carry out a 'suitable and sufficient'

assessment of the risks to the health and safety of employees and others, including the audience. The assessment should be completed by a competent person and shared with relevant parties. A competent person will have the skills, knowledge and experience necessary to be able to identify all significant hazards, and put in place suitable and sufficient control measures. The HSE provide guidance on the definition of competence: <http://www.hse.gov.uk/competence/what-is-competence.htm>

KEY MESSAGES; (based on the purple event guidance)

- Effective planning is central to putting on a safe event
- Requirements to Prepare an event safety plan and share with relevant persons
- Have appropriate management arrangements in place to ensure the health and safety of employees and others, including volunteers and the public, during all stages of the event
- Carry out a systematic assessment of the risks to employees, volunteers and the public
- Implement risk control measures identified by the risk assessment and identify the person(s) responsible for carrying them out
- Put appropriate arrangements in place to monitor health and safety compliance
- Provide or seek out competent health and safety advice
- Liaise with other interested parties
- Thorough investigation of the site to be used

Good planning and organisation are key to putting on an event that is both safe and enjoyable. The need to plan and organise for effective safety management is a legal requirement and, in all instances, the degree of sophistication and detail needs to be proportionate to the scale of the undertaking and the level of risk. Effective planning includes the safe management of activities through identifying then eliminating the risk. Where this is not practicable, the aim should be to reduce, isolate or control hazards and risks. The amount of time that needs to be set aside for planning will be very much dependent upon the size, type and duration of the event. For large events, experience shows that a year beforehand is not too early to start.

4.5 Know your event

The first step is to know and understand the event. Knowing the event means having a detailed understanding on a range of factors, each of which should influence how the event is planned and how you need to allocate your time and resources. Some of the main considerations are shown in

Table 2. It is important that these factors are considered from the early planning stages of the event.

Table 2: Key things to consider when planning an event

Key things to consider: <i>Based on the Event Purple Guide</i>	
The location (venue/site)	<ul style="list-style-type: none"> The choice of location will determine what specific hazards are likely to be present and inform decision-making about risk management on a range of issues
Event activities	<ul style="list-style-type: none"> The type of event activities will determine the health and safety risks involved
Audience profile	<ul style="list-style-type: none"> The activity will determine the type of people who come and their expectation of the event. Establishing an audience profile will lead to predictions regarding anticipated behaviour and indicate where particular risks may arise The audience profile will inform decisions on various issues, including the type of construction required, welfare facilities and stewarding
Crowd numbers	<ul style="list-style-type: none"> The number of people expected to attend will affect the resources and facilities required, from basics such as toilets and parking, through to determining whether special arrangements are needed for medical services and waste management
Length and timing of event	<ul style="list-style-type: none"> Consider how long the event will last, plus the time of day and time of year
Access	<ul style="list-style-type: none"> Access to and around the site will require careful planning to reduce the likelihood of overcrowding and any potential risk of crushing. You will also need to plan how people arrive and leave your event in terms of transportation
Infrastructure	<ul style="list-style-type: none"> The type and scale of the event will determine what resources are needed to allow safe enjoyment, e.g. availability of a safe electrical supply. Planning for this will be required at the outset

Many of the smaller events organised via different Council service areas may have staff with the basic knowledge to manage, but some issues may require technical knowledge outside their experience. In such cases, they need a source of competent advice, whether in-house or external. It is very important to be aware of your own limitations, and not put yourself or DBC and others at risk due to lack of experience or knowledge in running and managing events.

For medium to larger events, or the higher impact risk events, organisers (if not having the required competence and experience for their event management) must appoint a suitably competent Safety Co-ordinator to help comply with health and safety legislation. This person should report directly to them. The Safety Co-ordinator must be appointed as early as possible so they are involved in event planning, if it is in-house, the same procedures apply.

The Safety Co-ordinators/Competent Event Advisory role should be defined in the responsibilities section of the event health and safety plan, and remit should include:

- advising on venue or site suitability
- assisting the event organiser in identifying hazards and risks at the planning stage
- helping the event organiser to identify and control hazards and risks as the event progresses
- assisting the event organiser in determining suitable and sufficient precautions to be taken to control the risks
- advising the organiser on the adequacy of the event safety plan and risk assessments
- where the event involves construction work (such as marquees, staging, scaffolding etc.) assisting the organiser to write a Construction Phase Plan and create a Health and Safety file in compliance with the *Construction (Design and Management) Regulations 2015*
- aiding the organiser in the competence assessment of contractors and subcontractors
- advising on the development of site safety rules
- identifying event-specific health and safety training needs for employees, contractors and others
- developing monitoring arrangements to be applied by key event staff
- auditing and inspecting of safety performance throughout the event
- incident investigation
- liaising with enforcement agencies
- reviewing outcomes of monitoring and preparing a debrief report
- ensure adequate health and safety supervision is on site at all times

Competence is best defined as a mix of education, training and experience. It is not the responsibility of the Corporate Health, Safety and Resilience Team to appoint competent contractors (that remains with the organiser), but competence and good practice extend across all areas of event planning and risk management.

As required by the Management of Health and Safety at Work Regulations 1999, employers (including event organisers) must have access to competent advice in applying the provisions of health and safety law. This means that an organiser must have the health and safety knowledge

and skills to identify any hazards and assess the related risks. If this is not already available in-house (within the department organising the event), help with managing health and safety should be sought from other sources, such as specialist contractors and health and safety consultants/advisers.

It must be remembered that the organiser, not the health and safety coordinator or consultant, has the ultimate legal duty to ensure that risk management is implemented and carried out properly.

4.6 Documentation

The results of event safety plans will form the basis of risk assessments and vice versa. It is important to communicate these plans to key staff and contractors throughout the planning stages. This does not necessarily mean they need to be given the whole risk assessment document, just the relevant findings and any particular hazards or working arrangements that may affect them.

The Event Safety and Management Plan consolidates all relevant information into a single authoritative document. This will vary significantly in size and detail, depending on the scale and complexity of the event.

Of which the main key components include:

- an outline of the event – date, location, start/finish time, type of activity or event
- the organisation chart and levels of safety responsibility
- an audience profile – who is expected to come and what implications this might have for safety management, such as arrival circulation and exit profiles, expected densities, and the numbers and types of stewards
- a management outline – details of the key management holders and their duties
- details of the event, including venue design, structures, audience profile and capacity, duration, food, toilets, refuse, water, special effects, access and exits, music levels etc
- the transport management plan detailing the parking arrangements, highway management issues and public transport arrangements
- the contingency plan including a major incident plan
- summary of key risk assessments and findings
- site plans

4.7 Managing the phases of an event

Ensure appropriate management arrangements are in place for each stage of the event, from planning through to construction and load-in, the event itself and dismantling;

Managing the Phases of an Event: <i>Based on the Purple Guide;</i>	
The 'planning phase'	Plan the venue design, select competent workers, select contractors and subcontractors etc. Under the <i>Construction (Design and Management) Regulations</i> you are required to appoint a Principal Designer and Principal Contractor or take on the role yourself. The Principal Designer should create a Health and Safety file to include (amongst other things) any structural engineering calculations, health and safety inspection forms and structural sign-off forms) http://www.hse.gov.uk/construction/cdm/2015/index.htm . Use the Construction Phase Plan (CPP) to identify the provision of first-aid and welfare facilities (including an adequate water supply) for the people who will be working onsite and ensure they are suitable, in sufficient numbers and available from the time that work begins. A template CPP can be found at http://www.hse.gov.uk/pubns/cis80.pdf
The build-up and load-in	Plan for the safe delivery and installation of equipment and services that will be used at the event e.g. construction of the stages, marquees and fencing, erection of stage equipment used by the performers, lighting and public address (PA) systems etc
The live event or public phase	Plan effective strategies for crowd management and transport management Deal with fire, first aid, contingencies and major incidents Plan for the servicing of facilities and supporting services
The breakdown and load-out	Plan for the safe removal of structure, equipment and services, the collection of rubbish or waste and the eventual return of the site to its original use or preparing it for the next incoming event
Debrief	Arrange to receive debrief notes from key people. Debrief meeting and plan for next event

4.8 Contractor selection and management

Contractor selection and suppliers for an event is an important part of the organiser’s role.

Contractors should:

- be prepared to demonstrate knowledge and understanding of their work and the health and safety hazards involved and take responsibility for their own safety

- provide evidence on the competence of key staff for the project and trained workforce
- confirm that they have sufficient resource levels to do the work
- demonstrate adequate levels of insurance specific to the tasks they are going to undertake
- provide evidence of previous successful work that shows they can adopt and develop safe systems of working
- in the absence of experience of previous work, demonstrate an appropriate level of technical ability (being a member of an accreditation scheme, professional organisation or trade association may help with this).

Once physical activity starts at the event site, the focus of attention needs to move away from planning and paperwork to the effective management and monitoring of site operations. This may include site visits, site meetings, depending on the size and length of event, as some events may be over a period of days, compared to a one-day event.

4.9 Information, instruction and training

Information must be provided to employees and others, including contractors, with relevant information on any risks to their health and safety identified by your risk assessment/s. Contractors will need to do the same for their employees. This can be part of a briefing about a work activity or task. You may also want to provide relevant information to the public, e.g. in the form of signage.

A useful means of ensuring everyone works safely onsite is to set some basic rules and carry out a short briefing or site induction to communicate important information, such as site hazards and control measures. For example, people coming onto site may need to be told about:

- health and safety measures
- buried services, such as electric cables - NOTE: there must be no breaking of ground without the use of cable avoidance tools
- overhead services, such as electric cables
- safe speed limits
- where they can safely park
- first aid, toilets and wash facilities
- emergency arrangements

To be of any value, a site induction has to take place before crews start work, so it needs to be brief, adaptable and, above all, relevant. In the events industry, this can often be linked to issuing of accreditation required to gain access to the site or specific work area.

4.10 Competency

A competent person is someone who can demonstrate that they have sufficient professional or technical training, knowledge, experience, and ability to enable them to:

- carry out their assigned duties at the level of responsibility allocated to them
- understand any potential hazards related to the work (or equipment) under consideration
- notice any technical defects or omissions in that work (or equipment), recognise any implications for health and safety caused by those defects or omissions, and be able to specify a remedial action to mitigate those implications

4.11 Supervision

There may be a requirement for supervision, an appropriate level of competent supervision, proportionate to the risk, nature of the work involved and the personnel involved.

4.12 Monitoring

The controls within your risk assessment should set out the frequency of checks, who is responsible for them and the methods they use.

The agreed methods for controlling risks should be periodically checked and tested to ensure they are working and being followed.

For larger event sites, a number of people may share the monitoring role. Whomever is given the role should be familiar with the risk assessment findings and control measures, and be able to identify new hazards and assess risks as they arise.

For small-scale events, a simple checklist will most likely be enough. Others with managerial responsibilities can also assist in this monitoring role while undertaking their other duties.

4.13 Regulatory compliance

Key Messages from the Purple Guide

- Health and safety law places duties on businesses involved in events to ensure the health and safety of their employees and the public
- Further legislation relating to entertainment licensing, fire safety and safety at sports grounds applies to events and is signposted in The Purple Guide
- Events run by volunteers (where no one is employed) are generally not covered by health and safety law, unless someone is in control of premises see www.gov.uk/government/news/can-do-guidance-will-make-organising-volunteer-events-simpler. However, that does not mean they are not responsible for managing safety and civil law may also be applied.
- Enforcement of health and safety law at events is shared between the Health and Safety Executive (HSE) and local authorities.
- Enforcement of fire safety legislation generally rests with individual fire and rescue authorities. There are exceptions such as Sports Grounds, please ensure you liaise with your Fire Service who will be able identify this for you.

The main law governing health and safety at work in the UK is the Health and Safety at Work etc Act 1974 (HASWA). This places general duties on employers, the self-employed and people in control of premises to ensure, so far as is reasonably practicable, the health and safety of their employees and anyone else that may be harmed by work activities or the workplace, e.g. the audience, members of the public. Other responsibilities include the *Occupiers' Liability Act 1957* - a duty owed to visitors, and the *Occupiers' Liability Act 1984* - a duty owed by the occupier to persons other than visitors. The *Regulatory Reform (Fire Safety) Order 2005* deals with duties arising under fire safety. The *Licensing Act 2003* is a specific area where additional responsibilities and duties may apply to organisers.

The most significant difference between events organisation and other work activities is the large numbers of people who, though not employees, are still owed a duty of care. It is known that due to the events, and relaxed nature, people enjoying themselves can behave differently; they will be in unfamiliar surroundings, they may be trying new activities, celebrating, or under the influence of drink and drugs.

Organisers need to think about their audience and the performer profile, and bear in mind who is coming to the event and how they are going to behave. There is a need to consider the most

vulnerable, e.g. children, the less able and the intoxicated when planning/designing a safe site. Each crowd is unique to that event/activity.

HASWA section 2 places duties on employers to provide their employees with:

- safe machinery, equipment and systems of work – this includes all equipment used at events, from structures to lasers and generators
- methods for ensuring equipment and harmful substances are used properly and stored safely
- necessary information, instruction, supervision and training
- a safe and healthy workplace
- a safe and healthy work environment, including adequate lighting, heating, ventilation and toilet facilities.

Volunteers

The job of volunteering doesn't fall within the scope of health and safety law unless it is done through an organisation that is an employer, although the organiser of an event is still responsible for its safe management. It should be noted that volunteers should be inducted and trained/made aware of all risks detailed within the risk assessment documentation.

4.14 Environment

The County Council must agree any works that affect the highway and associated equipment, including additions to lamp columns, in advance. It reserves the right to carry out any agreed work itself at the organiser's expense. All advertising must have consent from the Council as this can undermine the character and image of the borough, and may obscure essential information. Removal of all structures and materials relating to an event is to be achieved as quickly and as safely as possible after the event.

Temporary, reversible decoration (e.g. banners, lights, and signage) may be justified in some circumstances. Additions to the street may require planning permission or advertisement consent and advice should be sought before putting anything in place

4.15 Noise

Events must also comply with *The Control of Noise at Work Regulations 2005* for staff and contractors on site.

Noise levels generated from an event need to be agreed in advance and kept at a reasonable level. If DBC Environment Health have cause for concern about the noise from a planned event they reserve the right to require the event organiser to appoint an independent acoustic consultant to be on site to provide continual monitoring of noise levels. The organiser is expected to reduce sound levels on the day if conditions require it, and if instructed by EHO's.

Noise should not create an unreasonable impact on any business or residential premises in the vicinity of the event site. If the event has a Premises Licence, then it must operate in accordance with any sound level limit or conditions attached to the Licence. A sound level limit may need to be set and/or continuous noise monitoring put in place, to ensure compliance with Licence conditions and ensure that the event does not cause a statutory nuisance.

4.16 Parking

For large scale suspensions of bays used by residents, alternative parking for residents will need to be provided nearby, by the removal and temporary conversion of paid-for visitor parking bays. The conversion of these bays is chargeable.

Additional parking requirements resulting from events must be planned, such as servicing, dropping off visitors by coaches, and space for taxis.

Parking will not be suspended to create space for VIP arrivals or departures unless the circumstances are exceptional.

4.17 Traffic and highways management

Herts County Council is required to consider all traffic and highways management implications of events to fulfil its duty to keep the borough moving. A minimum period is required to implement traffic management measures, such as *Temporary Traffic Management Orders* to close roads, advance warning signs of events, diversion routes, and traffic controls. Costs for any traffic management order must be incurred by the event organiser. Details of current costs are available on the Council's website.

There are restrictions on the number of times roads can be closed in a calendar year so this will be considered as part of the application process and may mean that permission for the event is refused or that an alternative location is suggested.

Structures in the highways such as cranes and scaffolding require a highways licence which must be sought from the council in advance. Herts County Council must give permission for any change to the highway, such as removing street furniture to alter the character of a street, and would typically insist such works are carried out by its own contractor at the organiser's expense.

Residents, visitors and those engaged in business must be able to move reasonably freely through the borough, and public services should be able to operate without unreasonable disruption. Occupiers must be able to access their premises with minimum disruption. Access for emergency vehicles must be maintained with minimal impact on response times.

4.18 Licensable activities

The event organiser is responsible for ensuring that all required licences are obtained in sufficient time and all conditions specified in these licences are adhered to. The costs for any licence shall be incurred by the event organiser. Details of current costs are available on the Council's website.

Such licences could include, but are not limited to:

- Performing Rights Society (PRS)
- Phonographic Performance Limited (PPL)
- Street Trading Licence
- Special Treatment Licence
- Premises Licence
- Temporary Event Notice (TEN)

Events that include 'licensable activities', such as the sale of alcohol and regulated entertainment (such as live music) need to be covered by a Premises Licence. Small events can be covered by a Temporary Event Notice (TEN). The Council may attach conditions to a licence, and these could address any of the four licensing objectives; prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

The Council can grant licences for 'regulated entertainment' for certain areas of publicly accessible streets and open spaces, which means that these areas are treated as premises, or 'venues' for licensing purposes. Events in these areas will be expected to be run under the conditions of any existing Premises Licence for these areas unless an additional TEN has been submitted. It should not normally be necessary for a TEN to be submitted in these circumstances.

4.19 Food Safety

If mobile food traders are to cater the event, the traders are to complete the online DBC food safety questionnaire. This allows environmental health officers to check the food safety and hygiene measures that will be followed, and to give appropriate advice where necessary.

 [Food safety questionnaire for outdoor event caterers \(PDF 93KB\)](#)

It is the responsibility of the event organiser to ensure these questionnaires are completed and return to the Environmental Health Team: ecp@dacorum.gov.uk

4.20 Waste and recycling

The event organiser must provide a waste management plan which is approved by the Council. The waste management plan should show how the organiser will work with the council to reduce the amount of additional council contractor cleansing that is needed during and after the event (if on DBC land).

The waste management plan should show how the organiser will manage, recover and recycle or dispose of waste and street litter safely, and meet all environmental regulations and statutory requirements. Waste should be minimised and recycled as much as possible.

The Council has a strict 'No Drinking Glass' policy at events.

4.21 Public conveniences and welfare facilities

The event organiser is responsible for the welfare of the public, which includes provision of temporary toilets. An adequate number of toilets must be available for an event and any temporary toilets must not obstruct the highway. All facilities must meet health and safety requirements. Further guidance can be found on the Council's website.

4.22 Sharing Information

Communications and publicity about events must be co-ordinated with the Council and its partners.

All events are expected to fully disclose any information relating to or impacting upon any aspect of the event, so the Council and its partners have no surprises that have not be assessed for risk and danger to the public.

4.23 Planning permissions and advertisement consent

Planning permission will normally be required for all temporary uses within a building, and temporary moveable structures placed within the curtilage of a building. Temporary events on land not within the curtilage of a building, and associated moveable structures, are allowed up to 28 days in any calendar year without the need for planning permission. This reduces to 14 days where events involve street trading and some other activities such as motor racing. Advertisements (including sponsorship branding) visible from the highway normally require consent and advice should be sought before anything is put in place. This includes the display of sponsors' details on banners and directional signage. Any attachment or alteration to a listed building or listed structure will normally require listed building consent.

4.24 Parks and open spaces

There are a number of parks and open spaces that can be hired for events throughout the borough. Examples of events that may be held in DBC parks include circuses, charity functions, festivals, fetes and fairgrounds.

4.25 Balloons and Sky/Floating Lanterns

The use of Sky Lanterns or Balloons is strictly prohibited on DBC Land. The application for the use of council land for special events list the restriction as a condition of hire (**appendix 11**).

Balloons and sky lanterns have been identified as a choking hazard for wildlife and farm animals. Balloons, plastic parts, wire and ribbons can all be eaten by animals and wildlife causing a risk of choking or blockage leading to starvation. In addition they can get mixed together with grass cut for silage which is then fed to livestock.

Sky lanterns pose a further risk as a fire hazard with the potential to spark fires in crops, heath, moorland, forestry and buildings.

Appendix 1 Internal Events Notification form

DBC INTERNAL EVENTS NOTIFICATION FORM		
Event details:		
Name of event:		
Date(s) of event:		
Time(s) of event:		
Set-up from:	Start of event:	End of event:
Briefly describe the event and activities to be undertaken:		
Expected attendance:		
Private or public Event:		
Please list any higher-risk activities proposed as part of the event:		
List of all Providers:		
Confirm that all insurance, risk assessments, ADIPS, Pipa have been checked:		
Event location:		
Event will take place:	Indoors	Outdoors Both
Event organiser name:		
Directorate/Service:		
Please return your completed form, and any related documents, by email to: SafetyAdvisoryGroup@dacorum.gov.uk		

Appendix 2 Health and Safety Information for Small Street Parties

Exemplar:

Must = Compliance with Health and Safety and Fire Safety Laws

Should = National Standards and Recommended Good Practice

This information covers the most common hazards associated with Small Street Parties. It is not an exhaustive list of hazards, and health and safety responsibility lies with the duty holder (i.e. The Event Organiser(s)). Please note that a risk assessment **must** be completed, which identifies and controls the risk of harm from all significant hazards at the event, as far as reasonably practicable.

1. Structures

- (a) All structures; stalls, gazebos, awnings, tables, **must** be erected and used in line with the manufacturers guidance and must be stable.
- (b) All structures **must** be suitable for the load placed upon them so as not to cause structural collapse, this includes shelves and rails.
- (c) All entrances and exits to buildings/structures **must** be kept clear.
- (d) All walk ways, entrances, exists, and public areas **must** be kept free of obstructions and trailing cables.

2. Inflatables (e.g. Bouncy Castle)

- (a) All inflatables **should** be to the relevant standards, BS EN 14960 and be sourced from a reputable company.
- (b) All inflatables **must** have undergone an annual examination by competent person. (*Ask to see proof of this examination by a recognised body such as PIPA or ADIPS*).
- (c) Ensure a suitable location is identified which does not impede on pathways and exit routes. There **should** be plenty of room around the bouncy castle especially at the entry point to avoid congestion.
- (d) Inflatables **must** be properly anchored as per manufacturer instructions; this should usually be done by the supply company. **Must** have minimum 6 anchor points, and more if the manufacturer guidelines specify, and **must** detail this information within the risk assessment
- (e) Blowers **must** be suitably guarded at the inlet and outlet.
- (f) Impact absorbing mats **must** be positioned at the open side of the inflatable.

- (g) At least one person **must** constantly supervise the children on the inflatable.
- (h) The inflatable should not be overcrowded and **must** not exceed the maximum load capacity (*Provider/Hire company should be able to advise you of the inflatables maximum capacity*).
- (i) Mixing small children with bigger children **should** be avoided at busy times to prevent small children being crushed by bigger ones.
- (j) Shoes and sharp objects such as jewellery **should** be removed before entering in the inflatable.
- (k) The inflatable **must** not be used in poor weather conditions such as strong winds or heavy rain, and there **must** be a detailed monitoring and control measures of how wind is measured. This control measure and emergency planning control measure also required to be detailed in the risk assessment.

Animal Safety and Infection Control, - e.g. mobile farms and donkey rides

If you wish to have animals at your event you **must** speak to the Dacorum Borough Council Environmental Health team as this may require a Licence. You **must** also note the following:

- (a) Choose a reputable company and ask to see their risk assessment for your event. If you are hiring donkeys or ponies for rides the company must have a licence under the *Riding Establishments Act 1964*.
- (b) Check the company are bringing any personal protective equipment required for the event- e.g. helmets, safety boots, etc.
- (c) If you are hiring a mobile farm check that all animals will be securely penned in during the visit.
- (d) Check if the company are bringing their own hand wash facilities. If hand washing facilities are not provided by the hiring company you will be responsible for providing this. Hand washing facilities must be easily accessible, have hot and cold or warm running water, soap and hygienic hand drying facilities. All of which should be reviewed and audited during set up and event period.
- (e) Ensure all children are accompanied by an adult.
- (f) Ensure that arrangements are in place to inform people that they must wash their hands after touching the animals, signage placed at various areas and of a size to be clearly noticed
- (g) Check the company's arrangements for removing the animal waste and clearing the site after the event.
- (h) Check sufficient staff members will be attending the event.

1. Face Painting

- (a) Parental permission **should be** obtained before painting a child's face.
- (b) If the child has any open cuts or sores or fresh bruising face painting **should** not be undertaken.
- (c) A skin test is **advised** if the child has any food allergies or allergic reactions to soaps, skin creams, etc. All brands are different, so a reaction to one brand does not mean someone will react to another brand.
- (d) Ensure the parent cleans the child's face before painting.
- (e) Separate wipes/sponges **should** be used for each child.
- (f) Professional hypoallergenic paints and products **should be used**.
- (g) Use clean utensils. Wash containers, brushes and sponges thoroughly after each session. Try to keep them clean during the session.
- (h) Change brush water frequently.

2. Henna Hand painting

- (a) Henna also known as mehndi **should** only be carried out by an experienced person.
- (b) The application of henna **should** be restricted to hands and forearms.
- (c) An assessment **should** be made whether a child is too young to have henna applied on their hand(s).
- (d) Black henna (sometimes called natural henna) **must** not be used at all. These are known to cause permanent scars and cause serious skin allergy.
- (e) Henna **must** not be applied over cuts, spots, eczema, psoriasis or any other skin conditions.
- (f) A basic hand washing and drying facility **should** be available for the henna applicator.

3. Electrical Safety

- (a) All electrical equipment used, including cables and sockets, **must** be maintained in good condition.
- (b) All electrical equipment used, especially extension leads and sockets, **must** be suitable for outdoor use.
- (c) Any supply likely to be above a max of 13 Amps sourced from a commercial or private property **must** be done via a competent NICEIC or equivalently trained electrician.

(d) All outdoor electrical connections **should** be protected by Residual Current-operated Circuit Breakers with a 30mA tripping current which has been regularly tested by a competent electrician.

4. Generators

*You must only use a generator to generate electricity if you have permission to do so. Event Providers **must** not be allowed to dictate their own choice and preference of fuel for generator, but be instructed to follow DBC guide;*

- (a) Generators **should** be diesel - this is because the fuel is less flammable.
- (b) Generators **must** not be overloaded – use the correct generator capable of safely supplying the electrical load placed upon it.
- (c) Generators **must** be protected from adverse weather
- (d) Generators **must** have adequate ventilation at all times.
- (e) Generators **must** be sited away from the public and/or in a protective cage on a hard standing or firm ground.
- (f) All external plugs and sockets connected to a generator **must** be suitable for outdoor use.
- (g) Electrical connections from generators **should** be fitted with an inline Residual Current Device (RCD) or circuit breakers.
- (h) All generators **must** be located in suitable area that will not cause hazards or nuisance.
- (i) Where necessary generators **must** be suitably guarded to prevent access by unauthorised persons.
- (j) Generators **must** be switched off while refuelling.

5. Barbeque and hot equipment

- (a) All Barbeques (BBQs), and other hot appliance/equipment **must** be stable and secure.
- (b) All BBQs and other hot equipment **must** be located in a suitable location that does not cause a hazard to the public or persons on the stall (e.g. block fire exits or fire breaks)
- (c) All BBQs and other hot equipment **must** be adequately guarded to protect the public from the hot surfaces.
- (d) Any hot coals **must** be damped down and cooled sufficiently prior to disposal.

6. Use of Liquid Petroleum Gas (LPG)

6.1 Appliances

- (a) All gas appliances **must** be suitable for use with LPG.
- (b) All gas appliances used **must** have been serviced by a competent Gas Safe registered engineer within the last 12 months.
- (c) All fryers **should** be fitted with an automatic high temperature-limiting device (that limits the temperature of the fat or oil used to 250°C or lower)
- (d) All gas appliances **must** be secured on a stable, heat proof table
- (e) All gas appliances **must** be located away from materials that could easily catch on fire. Ideally they **should** be 300mm from the wall of the structure.
- (f) There **must** be a system in place to ensure the gas supply is cut off in the event of the flame going out to prevent a leak of LPG. Modern appliances used are fitted with a flame failure or flame supervision device and this is the most effective method.

6.2 Hoses and connections

- (a) All LPG hoses **must** be in good condition.
- (b) All LPG hoses **should** comply with BS 3212 or BSEN 1763.
- (c) All LPG hoses **should** be less than 2 metres in length from the cylinder.
- (d) All fastenings to connect hoses to appliances, cylinders etc., **should** be crimp fastenings (i.e. Double Ear "O- Ring" Clips).
- (e) All connections **must** be checked for leaks before any cooking commences. This **should** be done via the use of leak detection fluid.

6.3 Cylinders

- (a) All cylinders **should** be stored in well ventilated areas.
- (b) All cylinders **should** be stored upright and away from any ignition sources or flames.
- (c) All cylinders **should** be located 2 metres away from any drain or gully.
- (d) All cylinders **must** be fitted with the correct pressure regulator for the gas type (i.e. propane or butane) and appliance and **should** comply with BS 3016 or BS EN 12864.
- (e) All cylinders **should** be fitted with an automatic cut off valve.
- (f) All cylinders **must** be turned off when not in use.
- (g) Where cylinders are 13kg or larger they **should** be appropriately secured to prevent them falling over.

References

Legislation

The Health and Safety at Work Etc. Act 1974

The Management of Health and Safety at Work Regulations 1999

The Gas Safety (Installation and Use) Regulations 1998

The Electricity at Work Regulations 1989

The Workplace (Health, Safety and Welfare) Regulations 1992

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

The Regulatory Reform (Fire Safety) Order 2005

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

The Riding Establishments Acts 1964

Standards and Guidance

UKLPG User Information Sheet 017 – Use of clips to secure vapour phase LPG hose and tubing to BS3212 and EN1763 to end fittings

UKLPG User Information Sheet 028 – Safe Use of Propane and Butane Cylinders & Cartridges

Calor Gas Limited, Technical Publication – Guidelines for the Safe Use of LPG in Mobile Catering Installations and Vehicles

Calor Gas Limited, Technical Publication – Calor Cylinder Storage Information

Appendix 3 Health and Safety Information for “Running” and “Jogging” Events

Exemplar;

Event organisers should draw up an ‘Event Management Plan’ that will address all the significant arrangements needed for the smooth running of the event. This should also include a site plan. In addition, a risk assessment must be completed for all significant hazards at the event based on the size, location and nature of the running/jogging event.

This information sheet is for advice only. The management responsibility of health and safety at events lies with the duty holder (Event Organiser).

Must = Compliance with Health and Safety and Fire Safety Laws

Should = National Standards and Recommended Good Practice

1. Participants

- (a) All participants **should** be provided with a health questionnaire to complete and return. This will identify if anyone has any serious underlying health condition and whether or not additional precautions need to be in place.
- (b) Facilities **should** be provided for the participants to securely store their valuables.
- (c) A group warm-up session **should** be carried out before the run to minimise muscular injuries.
- (d) Depending on the number of participants, a staggered start to the run **should** be considered based on individual ability and performance history.

2. Route

- (a) On the event day the whole route **must** be checked for any hazards such as broken glass, loose branches etc. and removed safely.
- (b) Suitable signs **should** be erected along the route to ensure runners do not stray from the intended route.
- (c) Stewards **should** be suitably positioned to monitor any incidents on route and re-direct any stray runners.
- (d) Accessibility and provision for disabled runners **must** be made if they are permitted to partake in the event.

- (e) Where a race is off track, adequate numbers of marshals must be placed on all crossing points to ensure collisions between runners, pedestrians and vehicles are avoided.

3. Structures

- (e) All structures; stalls, gazebos, awnings, tables, **must** be erected and used in line with the manufacturers guidance and must be adequately stable.
- (f) All structures **must** be suitable for its purpose.
- (g) All entrances and exits to structures **must** be kept clear and free of obstructions.

4. Inflatable Gantries

- (a) Inflatable gantries **should** be sourced from a reputable company.
- (b) Ensure a suitable location is identified which does not impede on pathways and exit routes.
- (c) The inflatable gantry **must** be anchored sufficiently by professionals and take into account the wind direction, strength and speed on the day.

5. Electrical Safety

- (e) All electrical equipment used, such as a PA system, including cables and sockets, **must** be maintained in good condition.
- (f) All electrical equipment used, especially extension leads and sockets, **must** be suitable for outdoor use.
- (g) All outdoor electrical connections **should** be protected by Residual Current-operated Circuit Breakers with a 30mA tripping current which has been regularly tested by a competent electrician.

6. Food Caterers

- (a) Any external Caterers contracted for the event **must** be notified to the DBC Environmental Health Department of the Council in order to check the caterer has adequate provisions arranged for the day to serve food to the public safely.
- (b) Before appointing a caterer, consider checking their Food Hygiene Rating Score. This can be done through the Food Standards Agency website: <http://ratings.food.gov.uk/>

7. Welfare Facilities

- (a) Toilet facilities **must** be provided for participants and staff working during the event. The number of portable toilets you require will depend on the duration of the event and the number of participants expected to attend. For events lasting less than 6 hours, 1 toilet **should** be provided for every 125 female and 1 toilet for every 600 males. In addition 1 urinal **should** be provided for every 175 males. Also consider at least one toilet for disabled use.
- (b) Drinking water provision **should** be made available to participants especially during and after the race. This would be more pertinent on a hot day to avoid any cases of dehydration.
- (c) First aid provision **must** be available to treat minor injuries such as cuts and grazes. Appropriate number of trained first aiders **must** also be arranged. Arrangements should be made during the event planning stage on how to deal with major injuries and emergencies.

8. Child Safety

- (a) A child safety Guidance note **must** be in place to address lost children, child abuse etc.
- (b) A lost child area **should** be identified in the event plan.
- (c) Staff responsible for handling a lost child **must** be DBS checked.

9. Special treatments

- (a) Therapists arranged to carry out treatments such as foot massage, sports massage etc. may be subject to a special treatments licence. An application for a licence **must** be made at least 6 weeks before the event. Special treatments cannot be carried out without a valid licence unless an exemption applies which must be approved by the Council.
- (b) Further advice can be obtained from Dacorum Borough Council Environmental Health (Health and Safety) Team.

References

Legislation

Health and Safety at Work etc. Act 1974

The Management of Health and Safety at Work Regulations 1999

The Electricity at Work Regulations 1989

The Workplace (Health, Safety and Welfare) Regulations 1992

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

The Health and Safety (First Aid) Regulations 1981

Standards and Guidance

The Event Safety Guide (Second Edition): A guide to Health and Safety and Welfare at Music and Similar Events – Health and Safety Executives (HSE). ISBN: 9780 7176 24539

<http://www.hse.gov.uk/risk/index.htm> - Risk Assessment and Examples

<http://ratings.food.gov.uk/> - Food Standards Agency, Food Hygiene Rating

Nationwide Caterers Association (NCASS) – Guidance for the Installation of LPG and LPG Fired Equipment in Tented Structures, Stalls and Gazebos

Chartered Institute of Environmental Health (CIEH) – National Guidance for Outdoor and Mobile Catering

Preventing or Controlling Ill Health from Animal Contact at Visitor Attractions Industry Code of Practice

<http://www.facepaintingassociation.com/about-face/code-of-practice.html>

<http://www.hse.gov.uk/entertainment/fairgrounds/faqs.htm> - Inflatable FAQs

<http://www.hse.gov.uk/risk/index.htm> - Risk Assessment and Examples

Appendix 4 Temporary event notice and Premises Licence criteria

- Advance notice

If you submit your application at least 10 full working days before the start of your event, it will be considered as a standard temporary event notice. This period excludes:

- the day on which you made your application
- the day(s) of your proposed event
- any Saturdays, Sundays, bank holidays or other public holidays

You are permitted to give a small number of late temporary event notices each year, which can be submitted between five and nine full working days before the start of your event. Late temporary event notices (TENs) are subject to immediate veto if any objections are made against them, so we strongly encourage event organisers to give standard TENs wherever possible. The maximum number of late TENs which can be given in each calendar year is:

- 10 late TENs per year - if you hold a valid personal licence
- 2 late TENs per year - in all other circumstances

We cannot accept any temporary event notice which is given to us less than five full working days before the start of the event.

- Size of event

Temporary event notices are only intended to be used for small, infrequent events. As such, they can only be used by the organisers for events with no more than 499 persons present at any time. This figure includes all customers, organisers, staff, contractors and performers who will be present on the event site.

If you are planning an event which may have more than 499 people on site at any time, you will need to apply for a premises licence instead.

- Duration of event

A temporary event notice can last for a maximum of 168 consecutive hours (equivalent to seven days) from start to finish. If you are arranging a single event with a longer duration, you will instead need to apply for a premises licence.

A series of events taking place at a single premises can be authorised either under a single TEN (if they take place on consecutive days), or multiple TENs (if spread over a longer period), subject to the other criteria being met.

- Separation of events

If you are organising multiple events at a single premises, you will need to ensure that there is a gap of at least 24 hours between the end of one temporary event notice and the start of another.

If you are planning events on consecutive days, you can put these on to a single TEN, subject to the other criteria being met.

- Frequency of events at premises

Each 'premises' can have up to 15 temporary event notices in a calendar year, which when added together allow events on no more than 21 calendar days in that year (so that an event starting before midnight and ending after midnight will count as two days).

The definition of premises includes any building, land, vessel or vehicle, or part thereof, providing that there is adequate separation and control of each separate part of the premises.

- Quota of events by applicant

In each calendar year, an individual applicant is permitted to give:

- up to 50 temporary event notices, if they hold a valid personal licence
- up to five temporary event notices, in all other circumstances

This limit applies across the whole of England and Wales, so if you've already given temporary event notices in another council area, you will be able to give fewer TENs in Dacorum.

The limit also applies jointly across any associated persons, so a married couple, family members, work colleagues or business partners will only be able to give 50 or five TENs between them.

- Age of applicant

Temporary event notices can only be given by individuals who are at least 18 years of age.

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Making an application

You can apply for a temporary event notice online, or by printing the application form and returning it to us. The fee for each temporary event notice is £21, and payment must be made at the time of application.

- [Apply online for a temporary event notice](#)
-  [Temporary event notice application form \(PDF 667KB\)](#)

If you make a paper application, you must also send copies of your application to the police and environmental health, at the addresses given on the front of the application pack. If you apply online using the above link, we will do this for you.

Police and environmental health officers can make objections about your event within a period of three working days, beginning from when they receive your application. They may also contact you to see if you would be prepared to modify your TEN in a way that would resolve any concerns (for example, reducing the hours you are seeking). There is no legal power for any other party, including members of the public, to object to temporary event notices.

If an objection is made against your temporary event notice, we will let you know as soon as possible. What happens next will depend on how far in advance you applied:

- if you gave a standard TEN: we will arrange for your temporary event notice to be considered by our Licensing Sub-Committee (a panel of three councillors) at a public hearing, and you will be invited to attend this. After hearing from all parties, the Sub-Committee will make a decision either to allow your event to take place, or to issue a counter-notice which will veto the event. If the event is allowed to take place and the application relates to licensed premises, the Sub-Committee may also decide to bring forward conditions from the premises licence and apply these to the temporary event notice.
- if you gave a late TEN: we will automatically issue a counter-notice, which vetoes the event. Given the limited timescales, there is no right to a hearing in these cases.

When we receive a valid temporary event notice, we will send you an acknowledgement letter - by law, we have to send this before the end of the period for objections to be made. Unless you hear otherwise from us, once you have received the acknowledgement letter you may proceed with your event. During the event, you must have a copy of the TEN on display or available for inspection by either police officers or authorised council officers, who have a right of entry to the event site.

Tacit consent

Tacit consent will apply to all valid and correctly served temporary event notices, to which no objections are made. If you have not heard from us within five working days of submitting your application, you may proceed with your event.

Related Legislation

- a) The Licensing Act 2003
- b) The Live Music Act 2013
- c) The Deregulation Act 2015

Appendix 5 Related legislation

Organisers running modest scale events may wish to also refer to the HSE's event safety web page www.hse.gov.uk/event-safety/index.htm

Related Legislation

- a) The Environmental Protection Act 1990;
- b) The Food Safety Act 1990;
- c) The Food Safety and Hygiene (England) Regulations 2013;
- d) Regulation (EC) 852/2004
- e) The Factories Act 1961;
- f) Construction (Design and Management) Regulations 2015;
- g) Work at Height Regulations 2005;
- h) Lifting Operations and Lifting Equipment Regulations 1998;
- i) Provision of use of Work Equipment Regulations 1998;
- j) Personal Protective Equipment at Work Regulations 1992;
- k) Manual Handling Operations Regulations 1992;
- l) Control of Noise at Work Regulations 2005;
- m) Control of Substances Hazardous to Health Regulations 2002;
- n) The Occupiers' Liability Acts 1957 and 1984;
- o) Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013;
- p) The Health and Safety (First Aid) Regulations 1981;
- q) The Workforce (Health, Safety and Welfare) Regulations 1992;
- r) The Management of Health and Safety at Work Regulations 1999;
- s) The Health and Safety (Display Screen Equipment) Regulations 1992;
- t) The Health and Safety (Information for Employees) Regulations 1989;
- u) The Electricity at Work Regulations 1989;
- v) Health and Safety (Safety, Signs and Signals) Regulations 1996;
- w) Regulatory Reform (Fire Safety) Order 2005;
- x) The Gas Safety (Installation and Use) Regulations 1998;
- y) The Control of Asbestos Regulations 2012.
- z) The Dacorum Borough Council Byelaws For Pleasure Grounds, Public Walks And Open Spaces
- aa) The Health and Safety at Work Etc Act 1974;

Appendix 6 The Event Toolkit

The event toolkit is a collection of documents and guidance that will help you to successfully hold a small to large scale event in Dacorum.

Notify us of your event

Sample Documents and Templates

General Guidance

- [Dacorum Borough Council Event Guidance](#)
- [Health and Safety Executive - Guidance on running events safely](#)
- [The Purple Guide to Health, Safety and Welfare at Music and Other Events](#)
- [Health and Safety Executive - Guidance for events which attract large numbers of visitors, such as festivals and concerts](#)
- [National Counter-Terrorism Security Office - Advice to help mitigate the threat of a terrorist attack in crowded places](#)

Specific Guidance

- [Managing Event Water Safety: Principles and Practice](#)
- [Crowded Places Guidance 2017](#)

Appendix 7 Emergency Preparedness

KEY POINTS:

- **To emphasise the importance of risk management throughout the event planning and event stages. To reduce, mitigate and plan for consequences of identified threats and hazards, to the event.**
- **To emphasise the importance of having plans in place to effectively reduce and mitigate risks; prepare and respond to disruption; health and safety incidents and emergencies.**
- **Being prepared for the initial response to an emergency is the responsibility of the event safety management.**
- **Liaise with the emergency services, and other relevant agencies, to prepare appropriate plans.**
- **That robust management and communication arrangements are in place to implement these plans.**
- **All involved with the management of events (including employees and volunteers) need to be trained and briefed in emergency procedures; be assigned to, and understand, their specific roles, should an incident or emergency occur.**
- **The importance of testing these plans in the most practicable way.**

Appendix 8 Amusements

KEY POINTS:

- **During the planning stage, consider the type of amusements and attractions that will be present at the event**
- **Amusements and attractions may include fairgrounds, individual fairground rides, inflatable devices (e.g. bouncy castles), bungee jumping, fire-eaters, etc.**
- **Carefully choose the location of attractions to ensure the ground is suitable (probably best left to the controller/lessee, along with the layout plan, if there are multiple devices) but communication between the two parties would be advised.**
- **Check there is proper access for emergency vehicles**
- **Ensure the layout of attractions allows safe circulation of crowds**
- **Clearly define responsibilities for managing health and safety and identify roles under the Construction (Design and Management) Regulations 2015 (CDM)**
- **Event organisers should ensure that ride controllers inspect and maintain their equipment and comply with their duties as operators so that their rides can be run safely**

Common accidents include:

- **operators falling from height when building or pulling down rides;**
- **poor maintenance, set-up or inspection of rides leading to injury, breakdowns or collapse, slack operating procedures, such as rides being run too fast, riders not being properly secured in the ride and height restrictions not being enforced;**
- **inadequate fencing of fast-moving rides;**
- **inadequate or absent rescue procedures to get riders off if the ride stops unexpectedly for any reason;**
- **inflatables not being effectively secured to the ground using pegs or suitable alternatives (e.g. water ballast, tying to other secure immovable objects).**
- **unchallenged inappropriate behaviour, such as riders standing up;**
- **ground conditions not being suitable for the devices and the ineffective packing/stabilising of devices;**
- **insufficient space for emergency vehicle access and public evacuation**

Appendix 9 How do I develop a site plan?

First you need a map of the site. You may be able to find a suitable map online from Google Maps, <https://www.bing.com/maps?FORM=MMREDR>. You can design your site plan on paper or electronically, and you may find it helpful to do both. A paper version is easy to work on when on site and at meetings. Then you can produce an electronic version for your final site plan, which can be used by all the event organisers, participants and in the event programme. When designing your site plan, you could try out different layouts by using a large map and cut out icons to represent each activity or item of infrastructure. These will include things like:

- Staging
- PA system
- Toilets
- Crowd barriers
- Marquees and gazebos
- First aid tent
- Information tent
- Power points
- Parking
- Entrance and exit points

Go over the site plan with other people who will be working on your event and discuss what will work best. Think carefully about where your event's central point will be. This could be a staging area or an arena, and people should be able to hear event announcements here. You should also visit the site with the plan to make sure you are familiar with everything. You can carry out a preliminary assessment at the same time. The areas to consider will depend on your event, but will probably include:

- Entrance and exit points
- Emergency routes
- Central arena/staging area
- Audience space
- Stall area
- Parking
- Power points
- General safety of the site

You should update your risk assessment when you know what activities are taking place and where.

Appendix 10 Event Risk Assessment

Description of Activity	'Name of Event' provide description of event to incl. point of contact/person organising the event; overview of event; target audience; use of 'providers' (both internal or external)		
Location			
Completed by			
Date of Assessment		Review Date	

What are the hazards?	Who & how might someone be harmed?	What are you currently doing to control risks?	Risk Rating L / M / H	What else do you need to do (if applicable)?	Action by who / when?	Date Completed
<p>Management of H&S with clear responsibilities:</p> <p>e.g. poor communication of responsibilities; unaware of hazards that could cause injury or leave the organiser potentially negligent</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury; property damage</i></p>	<p>Produce event plan describing how the event organiser intends to manage safety; identify who has what responsibilities and how these will be achieved</p> <p>Inclusion of contingency plan e.g. what if Event point of contact unwell; late delivery of resources; adverse weather etc.</p> <p>Confirm public liability insurance for the event</p> <p>If you hire equipment from external body/organisation (e.g. inflatable), it is the Event Organiser's responsibility to ensure that they have their own public liability insurance (also see below)</p> <p>A 'safety review team' should be formed to support planning and management of event. Two or three people may be sufficient for small events</p> <p>Event briefing in place; distributed to all staff or helpers involved</p>		<p>Ensure responsibilities are agreed, confirmed and communicated to all stakeholders</p> <p>Event documentation to be in place and accessible during the event</p> <p>If advice from CORPORATE HEALTH AND SAFETY team is required, provide event documentation minimum six weeks pre-event. Note CORPORATE HEALTH AND SAFETY do not 'sign-off' on events; responsibility for the event rests with the Event Organiser.</p> <p>If applicable, ensure any applications for Licences are completed within specified timescales (refer to Commercial Health & Safety and Licensing functions)</p>		

		De-brief to reflect on event and any 'lessons learned' for next time				
Page 106	<p>Emergency Response: e.g. delays in emergency response; obstructed exits; uncontrolled management / inadequate evacuation planning</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury; deterioration in health; crowd crushing due to inadequate planning</i></p>	<p>Establish and confirm method of contacting emergency services; access to site; specifics of address etc.</p> <p>Establish how event attendees will be advised of emergency evacuation if required</p> <p>Event Organiser to ensure any third party organisations / contractors inducted to site and aware of emergency procedures</p> <p>All exits from event venue free from obstruction, clearly signposted</p>			
	<p>Fire Safety e.g. uncontrolled fire at cooking facilities; use of flammable sources/materials (e.g. petrol / diesel)</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury; property damage</i></p>	<p>Fire Risk Assessment (FRA) in place. Premises and fire-fighting equipment, fire detection, emergency routes and exits maintained and in efficient working order</p> <p>The use of petrol should be avoided at public events; diesel or electrical supply is preferable due to highly flammable nature of petrol</p> <p>All cooking-related activities should have adequate supervision</p> <p>Good housekeeping should be maintained throughout the event to minimise build-up of rubbish and sources of fuel</p> <p>The use of sky lanterns are banned from use on Council land</p>			

<p>Medical Emergency & First Aid: e.g. delay in first aid response</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury; deterioration in health status</i></p>	<p>Establish and confirm first aid arrangements e.g. numbers and location of first aiders</p> <p>Confirm method of contacting emergency services; access to site; specifics of address etc.</p>		<p>Completion of Accident form for any accidents / near-miss events</p>		
<p>Crowd Management e.g. exceeding agreed numbers of attendees; crowd crushing; insufficient facilities</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury; crowd crushing due to inadequate planning</i></p>	<p>Consider anticipated crowd capacity (refer to previous event data); ensure adequate welfare facilities</p> <p>Event Organiser to ensure agreed occupancy numbers are not exceeded</p> <p>Supervision of the event is adequate e.g. numbers of staff / stewards / volunteers etc. Determine means of communication and ensure system/process is working e.g. radios / PA system</p> <p>Ensure adequate entrance/exit routes; free from obstruction and clearly signposted. If barriers are required, consider design of venue to help support movement of crowd i.e. avoid pinch-points</p>		<p>Prior to event start, Event Organiser to conduct site walk-through. In general, ensure access / egress routes are unobstructed; free from slip/trips hazards</p> <p>Specifically, fire and emergency facilities:</p> <ul style="list-style-type: none"> - All fire exits unlocked - Escape routes clear - Emergency lighting works - Fire-fighting equipment and alarms in working order - If using PA system, ensure it is audible in all areas of the event 		
<p>Public Disorder e.g. violence, aggression or antisocial behaviour</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Physical or verbal assault</i></p>	<p>Where event requires, Security staff engaged</p> <p>Sufficient numbers of staff to run event available, deployed throughout site</p> <p>Event numbers are managed; clear signage for members of the public in terms of event access / queuing systems (for rides / games etc.).</p> <p>No alcohol served during event or served to those under the influence (if drinking is permitted)</p>				

		No glass at the event				
Page 108	<p>Slips, Trips & Falls e.g. uneven ground or obstructions and debris in pedestrian areas / path routes</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Slip, trip, fall injury</i></p>	<p>Event Organiser has carried out a pre-event visit to ensure location is suitable to host event</p> <p>Uneven or damaged surfaces appropriately highlighted; consider use of physical barrier / hazard tape until area</p> <p>Any contractor to ensure activities do not create slips / trip hazards e.g. ensure path routes remain free from obstruction; any spillages are cleaned etc.</p> <p>Working at height must be avoided wherever possible. If not, it must be subject to risk assessment, planned and organised. Any equipment used must be inspected and maintained and not create additional risk to members of public e.g. not accessible</p>		As above, Event Organiser to conduct walk-through / visual inspection of event location	
	<p>Use of Contractors/Providers (note this includes both external or internal DBC services) e.g. inadequate health and safety procedures which could introduce hazardous situations leading to injury; could leave the event organiser (DBC) potentially negligent</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury; property damage</i></p>	<p>Request copies of contractor’s health and safety policies, risk assessment, method statements and public liability insurance prior to engagement</p> <p>Request copies of risk assessments and method statements from contractors or subcontractors hired to support / build any event structures e.g. stages; marquees</p> <p>Where ‘amusement rides’ are included, the roles and responsibilities of the Event Organiser and Provider should be clearly defined (also refer to ‘Equipment & electrical failure’ for statutory inspection requirements)</p>			

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		If Young People are used to volunteer at the event, adequate adult supervision should be in place				
<p>Equipment & Electrical Failure e.g. injury to those working on/with equipment incl. potential collapse</p> <p>In risk assessment; state what equipment is being included e.g. fairground ride; who is the provider; who is in control of the ride (see below example)</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury</i></p>	<p>Ensure equipment is maintained and in good working order</p> <p>For equipment that requires statutory inspections (e.g. inflatables, mobile climbing wall, fairground rides etc.), the Event Organiser is responsible for ensuring that they are provided with a copy of relevant inspection certification (ADIPS); public liability insurance and risk assessments prior to the event. <i>This is applicable for both external and internal (other DBC) providers of equipment</i></p>		<p>If appropriate documentation is not received or out-of-date etc. the equipment (e.g. inflatable, mobile climbing wall, fairground ride etc.) <i>are prohibited</i> from the event until all suitable and sufficient information is received.</p>		
<p>Bungee Run (Inflatable) e.g. Injury due to equipment failure; poor management of inflatable etc.</p>	<p>Members of public Employees Volunteer Contractor</p> <p><i>Injury</i></p>	<p>Bungee Run inflatable is provided by XXXXX who are responsible for the set-up, management of the amusement and dismantling of the 'ride' XXXXX documents including ADIP inspection certificate; risk assessment; public liability insurance has been received and saved in shared Event Folder (reference)</p>		<p>Note, if you make reference to other documentation; this should be available / evidenced if requested e.g. by Fire Brigade; CORPORATE HEALTH AND SAFETY; HSE; audit purposes etc. <i>(Applicable to any document reference)</i></p>		
<p>Vehicle Movement e.g. car parking, deliveries to venue etc.</p>	<p>Members of public Employees Volunteers Contractors</p> <p><i>Injury; collision</i></p>	<p>Any designated parking areas clearly marked and in place; free from potholes, debris etc.</p> <p>External organisations advised of parking / restrictions etc.</p> <p>Speed limits to be clearly signed and adhered too</p> <p>Restrict / minimise any vehicle movement at the location during event</p>				
<p>Children & Young Persons e.g. inadequate supervision; Lost Children</p>	<p>Members of public Employees Volunteers</p>	<p>Event Organiser to determine site location is suitable for young persons</p>				

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	Contractors <i>Injury; distress if child becomes separated from parent/guardian</i>	Lost Child procedures to be in place and communicated to all event staff; reminded at pre-brief meeting If Young people are volunteering at the event, adequate supervision to be in place. No groups of under 16's to be working in an area without direct adult supervision				
Physical Hazards at Event Site e.g. drowning in lake; falling down steep slopes; gaining access to other parts of the building / venue that are not part of the event	Members of public Employees Volunteers Contractors <i>Injury; property damage</i>	Event organiser to determine site location is suitable for the type of event. <i>Do you need to consider how members of the public will access the site e.g. events held in Parks and open spaces may be close to main roads</i>				
Manual Handling e.g. moving and handling of equipment during set-up and dismantling of the event	Members of public Employees Volunteers Contractors <i>Injury; property damage</i>	Avoid hazardous manual handling where possible. If it cannot be avoided, conduct a specific risk assessment; provide appropriate training and supervision Employees / volunteers to be advised of handling activities and instructed to assess the load beforehand Encourage regular breaks Use individuals who have been trained in manual handling techniques or provide basic training beforehand if needed				
Weather Issues e.g. disruption to event activities due to weather conditions	Members of public Employees Volunteers Contractors	Event Organiser to cancel activity if the weather is extreme e.g. high wind, rain etc. Amusement Provider is responsible for ensuring conditions are suitable to operate 'ride'				

	<i>Injury; dehydration; ill-health</i>	Event team to be advised of appropriate clothing e.g. warm clothing / footwear etc. Provision of / access to adequate supply of water to prevent dehydration				
Disposal of Waste: e.g. build-up of waste attracting vermin; potential slip/trip hazard; fuel source for arson	Members of public Employees Volunteers Contractors <i>Injury; ill-health</i>	Event plan includes arrangements for cleaning the site post-event; where necessary including removal of hazardous waste e.g. medical waste Waste disposal bags/arrangements in place for addressing any immediate spillages or issues Staff to wear appropriate Personal Protective clothing and Equipment (PPE)				

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Overall Residual Risk for Activity (L / M / H):

Level of Risk	Suggested Action
LOW	Control measures are adequate but continue to monitor and review; ensure that they remain satisfactory and appropriate
MEDIUM	Control measures need to be introduced within a specified time period; continue to monitor and review
HIGH	Unless control measures can be immediately introduced to reduce the risk so far as is reasonably practicable, the task or activity should be suspended

Appendix 11

**Application for the use of council land for special events
COMMERCIAL ASSETS & PROPERTY DEVELOPMENT
APPLICATION FOR THE USE OF COUNCIL LAND FOR
SPECIAL EVENTS**



An application for a special event is required 6 to 12 weeks (depending on size of event) prior to the date of the event. A copy of the application form and the DSAG form must be submitted to Commercial Property and the Chief Officer of Police (see notes below).

Nature of Event : -----

Location : -----

Organising Body : -----

Date of Event : -----

Period of Hire : -----

Correspondence Contact : -----

Correspondence Address : -----

We regularly receive enquiries from members of the public/potential stallholders seeking information on special events. Please give a name and telephone number we can give out.

Contact Name : -----

Contact Numbers (Day) : ----- (Eve) : -----

Please give the contact details of a key individual who will be organising the event and be responsible for it's operation on the day.

Contact Name : -----

Contact Numbers (Day) : ----- (Eve) : -----

The following information and documents must be submitted with the application form. If you need assistance or would like to discuss this further, please contact Commercial Property, or the appropriate member of Dacorum Safety Advisory Group (see notes).

- Description of event - including timing of setting up, event and clearing away, anticipated numbers attending, details of the activities to take place and a site layout plan.
- Copy of Public Liability Insurance Certificate.
- Details of any catering for the event.
- Risk Management Strategy – copy of risk assessment, safety policy and site safety rules. This should consider the aspects detailed below. This list is not exhaustive, and should be adapted as appropriate to the event:-
 - Fire safety; Emergency Plan; Communication between organisers during the event;
 - Crowd Management; Transport and vehicles on site; Structures and Certificates,
 - Barriers, Electrical Installation and Lighting, Amusements and Attractions, Sanitary
 - Facilities, Waste Management, Sound (noise and vibration), Special Effects (eg firework and pyrotechnics), Facilities for People with Special Needs, Medical and First Aid Facilities, Child Safety.

Further information can be found in The Event Safety Guide and Managing Crowds Safely, both published by the Health & Safety Executive.

Please note that under the 2003 Licensing Act, activities such as plays, live music, and dance performance are now regulated entertainment and may require a Temporary Events Notice or Premises Licence. Please contact the Licensing Authority if you would like to discuss this.

Will your event include regulated entertainment? YES / NO

DEFINITIONS

- "The Site" is the area of land being applied for.
- "The Event" is the activity for which the site is required.
- "The Hirer" is the person or organisation making the application, to use the site, irrespective of whether a fee is charged.
- "The Period of Hire" is the total length of time for which the site is required, irrespective of the duration of the event.

CONDITIONS

1. The Hirer hereby indemnifies Dacorum Borough Council (DBC) against all actions costs proceedings claims and demands arising out of any negligent act error or omission of the Hirer, its agents or contractors resulting in loss or damage to property, injury and illness to persons in connection with the Hirer's use of the site. The Hirer is responsible for all aspects of safety during the period of hire and must ensure that all current legislation is adhered to.
2. The Hirer hereby undertakes to arrange Public Liability Insurance cover for their event (minimum level £2 million). Increased Public Liability cover may be required for larger events. This will be confirmed with the booking permission. Failure to obtain the required cover invalidates the hiring agreement. The Hirer must hold a current

certificate of worthiness for any fairground type rides used and they must also obtain any licences applicable e.g. Temporary Events Notice.

3. The Hirer must provide, stock and maintain in clean working condition sufficient toilets for the number of people attending the event, including provision for disabled people.
4. The site must be kept clean, safe and tidy during the event and handed back in like condition. The Hirer hereby agrees to pay the cost of any repairs, reinstatement work or additional litter clearance necessary as a result of their use of the site. The Hirer is responsible for the removal of all rubbish from the site immediately after the event.
5. The erection of advertising banners and fly-posters is prohibited. The Hirer will be required to pay the cost of removing any such advertising. All permitted forms of advertising must also be removed immediately after the event.
6. Vehicles are not permitted on grassed areas unless previously authorised by DBC in writing. Any areas being re-seeded must be left undisturbed. Authorised vehicles must drive no faster than walking pace whilst on the parkland.
7. The Hirer must make adequate and suitable arrangements for car parking in connection with their event and must contact the Police where there is any likelihood of traffic congestion resulting from the event. Permission must be sought for any car parking on the parkland.
8. For events where a hire fee is charged by DBC, the sum requested must be paid in full, in advance and an official receipt obtained. Cheques should be made payable to DACORUM BOROUGH COUNCIL.
9. Existing access to the site must not be restricted in any way, nor may it be charged for by the Hirer.
10. The Hirer must provide DBC with a complete list of the activities proposed as part of the event, well in advance and at least eight weeks prior to the event. DBC reserve the right to refuse permission for certain activities, at their discretion. The Hirer will bear the cost of cancelling any performance or activity that is refused permission. Please note that certain activities may not be suitable for particular locations. Consideration should be taken of the effect of noise on nearby residents, and you may be asked to notify residents of your event in advance. The use of Sky Lanterns or Balloons is strictly prohibited on DBC Land.
11. The Council has the right to share this application (and supporting documentation, including the DSAG form) subject to DPA/FOI Exemptions with local Town or Parish Councils if required.

ACCEPTANCE OF CONDITIONS

I am the Hirer or a duly authorised agent of the Hirer. I have read all these conditions above and accept them and agree to abide by them.

Signed : _____ Date : _____



CDM and the Management of Contractors

Policy

Author	Rosherville Safety Solutions		
Version no:	1	Date of publication	TBC
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Updates:			
Associated documents:	Contractors Induction		

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1 PART ONE CONSTRUCTION DESIGN

1.1 INTRODUCTION

Health and safety management systems must be in place to ensure the selection and monitoring of contractors is achieved. This Construction, Design and Management of Contractors policy is supported by the 'Contractor Site Health & Safety Induction Pack' and Corporate Health & Safety Policy.

All of which have been approved by the Corporate Health and Safety Committee to define the Council's policy for ensuring that all work involving contractors is safely managed by competent persons. The Council recognise the risk of poor management of contractors, including contractor selection and control, and are ultimately responsible for ensuring compliance with health and safety law.

It is noted that the New Build Housing Development Team have their own specific policy titled 'Management of Construction Risks - Control of Contractors', in addition to the corporate policies and guidance.

1.2 CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015

Construction and demolition activities carry significant risks and can be undertaken safely only by persons with appropriate knowledge, training and experience. It is The Council's policy that such work must be managed by suitably qualified and competent professionals.

The best method of meeting this standard of competence is to contract out construction work. CDM 2015 and Health and Safety legislation in general impose duties on clients commissioning work to exercise due diligence to ensure that their contractors work safely. The Council will have specific duty holder roles and responsibilities that fall under the CDM regulations.

The principles of the Council's policy for selecting and managing competent contractors are defined in this policy, which should be read in conjunction with the Council's Commissioning & Procurement Standing Orders. For advice on the selection of contractors and managing construction work generally, contact the Council's Building Services team located in Community Assets & Property Development for non-housing related works and the Planned Maintenance team located in the Property and Place for housing related works.

This policy is not a definitive explanation of the Construction (Design and Management) Regulations 2015. It is provided only to alert Council employees to the duties of clients commissioning construction or demolition work. All construction work must either be through Building Services for non-housing related work and Planned Maintenance for housing related work.

1.3 SCOPE OF CDM REGULATIONS

Construction work is often misleading as many only consider construction as a large construction site, but construction work under the CDM 2015 regulations means the carrying out of any building, civil engineering or engineering construction work that includes:

- the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure, or the use of corrosive or toxic substances), de-commissioning, demolition or dismantling of a structure;
- the preparation for an intended structure, including site clearance, exploration, investigation (but not site survey) and excavation (but not pre-construction archaeological investigations), and the clearance or preparation of the site or structure for use or occupation at its conclusion;
- the assembly on site of prefabricated elements to form a structure or the disassembly on site of the prefabricated elements which, immediately before such disassembly, formed a structure;
- the removal of a structure, or of any product or waste resulting from demolition or dismantling of a structure, or from disassembly of prefabricated elements which immediately before such disassembly formed such a structure;
- the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are normally fixed within or to a structure, but does not include the exploration for, or extraction of, mineral resources, or preparatory activities carried out at a place where such exploration or extraction is carried out.

The CDM Regulations apply to all building and construction projects and to all services utilising contractors to undertake any manner of work for the Council inclusive of work in properties, projects, people and the hiring of consultants, regardless of the size, duration and nature of the work including:

- All design work for the purposes of construction;
- All demolition or dismantling of structures.

A project is notifiable to the Health & Safety Executive (HSE) if the construction work on a construction site is scheduled to:

- last longer than working 30 days and have more than 20 workers working simultaneously at any point in the project; or
- exceed 500 person days.

The definition of maintenance work from the CDM 2015 Regulation 2 (1) and ACOP L 153 Managing Health and Safety in Construction states; "The following are not construction work as defined: general maintenance of fixed plant, except when this is done as part of other construction work, or it involves substantial dismantling or alteration of fixed plant which is large enough to be a structure in its own right, for example structural alteration of a large silo; complex chemical plant; power station generator or large boiler"

A common-sense definition of construction work should be applied, along with a risk -based approach. If it looks like construction work, requires construction skills and uses construction materials, it probably is construction work. General maintenance of fixed plant which mainly involves mechanical adjustments, replacing parts or lubrication is unlikely to be construction work.

If the maintenance work is defined as construction work, and there is only one contractor, then no Principle Contractor (PC) or Principle Designer (PD) appointment is required. However, a construction health and safety plan will be required. If more contractors are brought in, then a PC and PD need to be appointed for that particular project.

It is extremely important to note and understand that all construction work under CDM 2015 requires project planning, but the plan for smaller jobs should be simple, short and proportionate to the risks.

1.4 DEFINITION OF DEMOLITION, DISMANTLING AND STRUCTURAL ALTERATION

Demolition, dismantling and structural alteration are high-risk activities whose safe execution is both complex and technical and where expertise is vital. They require careful planning and execution by contractors who are competent in the full range of demolition techniques.

During demolition and dismantling, workers are often injured in falls from edges and through openings and fragile surfaces. Workers and passers-by can be injured by the premature and uncontrolled collapse of structures or parts of structures and by flying debris. Effective traffic management systems are essential to avoid workers being put at risk of being hit by slewing or reversing plant. Dust, noise and vibration are also significant problems that need to be considered and controlled when planning any demolition work.

The CDM Regulations apply to all demolition and dismantling work.

However, a project is only notifiable to the HSE when:

- The construction is scheduled to last longer than 30 working days, and it will have more than 20 workers working at the same time at any point in the building project,
- Or if the construction work has more than 500 person days.

A systematic approach to the demolition process starts with responsible clients who have a legal obligation to appoint adequately resourced and competent duty holders such as structural engineers, planning supervisors and principal contractors. It is vital that clients also fulfil their legal obligation to provide information about the structure to be demolished and this often means commissioning a pre-demolition structural survey from a structural engineer.

The expertise of a structural engineer must be used in the following cases:

- in the design of a façade retention scheme;
- where there is doubt over the building's stability;
- where there is doubt about the proposed method of demolition;
- where there is doubt about the capacity of the building to take loadings.

It is good practice to consult a structural engineer at the planning stage of demolition to avoid uncontrolled collapse.

The principal contractor, who may also be the demolition contractor, must be able to co-ordinate and manage the health and safety issues during the demolition works. References must be sought, and pertinent questions asked by the client to establish the credibility of the demolition contractor, especially if it is intended to appoint the demolition contractor as the principal contractor for the demolition phase of the work. A genuine and competent contractor will supply the name of the client for whom their last contract was carried out. They can be asked for information about the size and scale of the works, whether any problems were encountered, how the contractor performed and whether they would use the contractor again.

1.5 WHO HAS DUTIES?

The main purpose of the CDM Regulations is to improve the communication and co-ordination of health and safety arrangements by the multiple employers commonly involved in construction work.

The CDM 2015 Regulations are made under the Health and Safety at Work etc. Act 1974, so duties are imposed mainly on employers and the self-employed.

However, in this context the CDM Regulations assign duties to six key parties who may be organisations or individuals.

These are:

- **Client** - any party for whom construction work is carried out;
- **Designer** - any party commercially designing all or part of a structure;
- **Principal designer** – party who plans, manages, co-ordinates health and safety in the pre-construction phase of the project;
- **Principal contractor** - party with overall responsibility for co-ordinating health and safety during the construction phase of the project involving more than one contractor;
- **Contractor** - any party commercially carrying out or managing construction work;
- **Everyone** – CDM imposes duties on everyone involved in the project.

1.6 CLIENT DUTIES

The client's role is seen by the HSE as pivotal to setting the scene for goal setting and the client's expectations for construction safety management throughout the process. The client has a major influence over the way a project is procured and managed. Regardless of the size of the project, the client has contractual control, appoints designers and contractors and determines the money, the time and other resources available.

CDM 2015 sets out in Part 2 (Regulations 4 and 5), the client's duty to make suitable arrangements for managing a project, maintaining and reviewing these arrangements throughout and ensuring that the project is carried out in a way that manages the health and safety risks. For projects involving more than one contractor, these regulations require the client to appoint a principal designer and a principal contractor and make sure they carry out their duties. The Council by law, must provide pre-construction information from feasibility stage, to each designer (including the Principal Designer) and contractor (including the Principal Contractor) that is involved with a project, to fulfil the Client's duties under CDM 2015.

As a client the Council is required to:

- Ensure that suitable arrangements are made by them for managing a project, including the notification to the HSE or relevant enforcing authority and allocation of sufficient time and other resources;
- Confirm that people and organisations appointed by them have the necessary skills, knowledge and experience to carry out the work in a way that secures health and safety;
- Ensure that the construction work can be carried out, so far as is reasonably practicable, without risks to the health or safety of any person affected by the project;
- Ensure that suitable welfare facilities are provided;
- Provide pre-construction information to every designer and contractor appointed or being considered for appointment;
- Ensure that the contractor or Principal Contractor prepares a Construction Phase Plan before construction begins;

- Where applicable, formally appoint a Principal Designer and Principal Contractor as soon as is practicable and before the construction phase begins. (Note that these roles default to the client if no appointments are made);
- Ensure that the Principal Designer prepares a Health and Safety File (for projects involving more than one contractor).

1.7 DESIGNER DUTIES

Designers are required to:

- Confirm that the client is aware of the client's duties under CDM 2015;
- Eliminate hazards and reduce risks during design;
- Provide information about any residual risks to the Principal Designer and ensure that appropriate information is included in the health and safety file;
- Provide sufficient information about the design, construction or maintenance of the structure to adequately assist the client, other designers and contractors to comply with their duties under the regulations.

1.8 PRINCIPLE DESIGNER DUTIES

The Principle Designer (PD) function where possible, should attach to an existing design appointment. The chosen appointee should be a designer who is best placed to control the design and planning stage. This is likely to be an architect on new build or refurbishment projects or an engineer on mechanical or electrically biased projects. Initially, many designers may be unfamiliar with the duties placed upon them when acting as a PD. In these circumstances the PD should be encouraged to seek the support of a CDM advisor role. A CDM advisory role may also be suitable to ensure continuity throughout the project where different architects will be appointed.

Key function of the PD is to ensure Fire, Health and Safety (FHS) implications of the project are given due consideration, foreseeable risks are identified, reduced where possible and communicated to allow the project to be built (or refurbished), used, operated, maintained (including cleaned) without undue risks. They must:

- Plan, manage and monitor the pre-construction phase and coordinate matters relating to health and safety during the pre-construction phase to ensure that, so far as is reasonably practicable, the project is carried out without risks to health or safety;
- Identify and eliminate or control, so far as is reasonably practicable, foreseeable health and safety risks;
- Ensure that all designers comply with their duties;
- Ensure that all persons working in relation to the pre-construction phase cooperate with the client, the principal designer and each other.
- Assist the client in the provision of the pre-construction information;
- Liaise with the Principal Contractor for the duration of the Principal Designer's appointment;
- Prepare the Health and Safety File and hand it over to the client at the end of the project, or to the Principal Contractor where the Principal Designer's appointment does not extend to the end of the project.

1.9 WHO SHOULD BE APPOINTED AS PD?

This depends upon the nature and complexity of the scheme. On larger schemes, the Council should look towards an existing designer who is best placed to lead and control the design and planning stage. On smaller schemes, this may be undertaken in-house (with or without support). Initially, designers may be unfamiliar with the duties and may need to be encouraged to seek the support of a CDM Advisor role.

In all cases the PD must as per Regulation 8 (1) of CDM 2015 have the skills, knowledge and experience, and, if they are an organisation, the organisational capability, necessary to fulfil the role that they are appointed to undertake, in a manner that secures the health and safety of any person affected by the project.

The PD should be a direct appointment by the Council, in circumstances where the designer acting as PD novates across to the contractor then the PD function should remain with that designer. However, to ensure independence, avoid potential conflicts of interest a CDM Advisor should be appointed as a monitoring role to ensure compliance with Regulation 4 (2)(b) (welfare), (6)(a)(b), PD & PC are complying with their duties and where applicable Regulation 5(3)(4).

1.10 ON SMALLER PROJECTS AND PLANNED WORKS

There is no reason why on smaller projects that the role of Principal Designer (PD) cannot be undertaken by a member of Building Services or Planned Maintenance team or an external organisation. They must meet the competencies as detailed in regulation 8 and if an internal appointment this must be made formally by the person's manager once the assessment has been made and prior to the works commencing. This appointment can be made via e-mail.

When a project spans between Building Services or Planned Maintenance and another service area, for example a refurbishment works, then it will be agreed which department will nominate an individual to act as PD. This will depend on the planned works. An example would be a complete refit of IT equipment with the room having a coat of paint the PD would probably be better appointed from Building Services.

The PD is a primary duty holder of CDM 2015 and an integral part of a Design Team. The PD must be a designer on the project and be in a position to have control over the design and planning stage.

The PD needs:

- a technical knowledge of the construction industry, relevant to the project;
- an understanding of how health and safety is managed through the design process the skills to be able to oversee health and safety during the pre-construction phase of the project and the ongoing design.

If the PD function is completed by an internal resource e.g. Building Services, then they will be the duty holder. On larger schemes or those of an unusual nature or those presenting significant risks the Council will need to appoint externally. In these, circumstances the PD will be required to complete the PD functions in their entirety.

Ideally, the PD should have skills commensurable with the type of project under consideration i.e. an architectural background for building refurbishment projects, an engineering background on mechanical biased projects and electrical where works involve significant changes to electrical infrastructure. Whether internally or externally appointed the PD should be active at

the all stages including feasibility, design, pre-construction, construction and handover of a project.

Note:

All appointments made whether internal or external must also be formally confirmed in writing. Where the appointment is not made in writing before the work commences then these roles and responsibilities fall back to the Council.

1.11 PRINCIPAL CONTRACTOR DUTIES

A Principal Contractor must be appointed where there is more than one contractor working on a project. The Principle Contractor's duties are as follows:

- Plan, manage and monitor the construction phase and coordinate matters relating to health and safety during the pre-construction phase to ensure that, so far as is reasonably practicable, the project is carried out without risks to health or safety;
- Organise cooperation and coordination between contractors;
- Ensure that site inductions are provided;
- Ensure that necessary steps have been taken to prevent access by unauthorised persons to the construction site;
- Ensure that suitable welfare facilities are provided throughout the construction phase;
- Liaise with the Principal Designer for the duration of the Principal Designer's appointment and share with them relevant information;
- Where the Principal Designer's appointment does not extend to the end of the project, hand over the Health and Safety File to the client.

1.12 CONTRACTOR DUTIES

Contractors are required to:

- Confirm that the client is aware of the client's duties under CDM 2015;
- Plan, manage and monitor their own work and that of their workers;
- Comply with directions given by the Principal Designer and the Principal Contractor (when such appointments apply);
- Prepare the Construction Phase Plan (where there is no Principal Contractor);
- Check that any appointee has, or is in the process of obtaining, the necessary skills, knowledge, training and experience;
- Provide each worker under their control with appropriate supervision, instructions and information;
- Not begin work on a construction site unless reasonable steps have been taken to prevent access by unauthorised persons to that site;
- Ensure that suitable welfare facilities are provided;
- Health and Safety File: A file appropriate to the characteristics of the project, containing relevant health and safety information to be taken into account during any subsequent project. The file is only required for projects involving more than one contractor;
- Construction phase plan: A plan which sets out the health and safety arrangements and site rules taking account, where necessary, of the industrial activities taking place on the construction site.

1.13 EVERYONE

More generally, CDM 2015 imposes duties as follows on everyone involved in the project to:

- Be able to demonstrate they have the necessary health and safety skills, knowledge and experience to carry out the work;
- Co-operate with others involved with the project or any project on an adjoining site;
- Report instances where they or others are working in a way that puts them or anyone else in danger;
- Where they are required to provide health and safety information or instructions to anyone else, to ensure that this is easy to understand and is provided in a timely manner.

2 MANAGEMENT OF CONTRACTORS

2.1 SCOPE OF MANAGEMENT OF CONTRACTORS

It is applicable to all contractors working directly under the instruction and management of either DBC owned premises or DBC leased premises.

2.2 PURPOSE

Health and safety management policies and guidance must be in place to ensure the selection and monitoring of contractors is achieved. The Council recognise the risk of poor contractor selection and control, and ultimately are responsible for ensuring compliance with health and safety legislation.

The purpose of the policy that details the Management of Contractors is to ensure that DBC meets its responsibilities in accordance with the following legislation:

- Health & Safety at Work Act 1974;
- Management of Health & Safety Regulations 1999;
- Construction (Design and Management) Regulations 2015.

With respect to contractors/consultants. The policy ensures contractors and consultants, whether engaged or not on construction/maintenance work to perform their duties with due regard to occupational Health and Safety.

The policy deals with the necessary steps to be taken by an employee wishing to use a contractor at sites and deals with the control of that contractor whilst working.

The procurement of all works must be procured in compliance with the Council's Commissioning & Procurement Standing Orders, advice should be sought from the Council's procurement team.

It is intended that only approved contractors and consultants, who have met all the conditions of the approval procedure are permitted. To assist with the process there is a need to:

- ensure acceptance criteria with regard to the selection of contractors before the award of contracts is clearly stated;
- The requirement for pre-contract meetings are required;
- provide potential contractors with adequate and comprehensible information to enable them to comply with relevant statutory provisions is made explicit;

- Evidence of satisfactory health and safety performance to satisfy acceptance criteria including:
 1. Scrutiny of contractor's health and safety policy documents;
 2. Scrutiny of the contractor's accident performance;
 3. Scrutiny of the contractor's health and safety management system;
- The contractor is to hold regular meetings with the client to discuss health and safety issues;
- Contractor plans or method statements/Construction Phase Plan to include the following:
 1. Competence of key individuals involved with the project or contract;
 2. Details of joint health and safety inspections or monitoring arrangements;
 3. A general description of the work comprised in the project or contract;
 4. Details of the time within which it is intended that the project and any stages will be completed;
 5. Details of the reasonably foreseeable risks to health and safety of any persons carrying out the work;
 6. Details of the reasonably foreseeable risks to health and safety of other persons not carrying out the work and likely to be affected;
 7. Any other information that all parties concerned may be reasonably expected to know in order to carry out the work required and to comply with any requirements placed upon the client and contractor;
 8. That joint health and safety inspections or other monitoring arrangements, take place and are completed within the allotted timescale.

2.3 PROCUREMENT

The Council have produced a 3-stage approach:

1. Pre-procurement;
2. Tender Process;
3. Contract Period.

A number of documents have been produced that support officers to ensure their projects comply with this procedure.

2.3.2 Pre-Procurement

- Prior to the procurement process commencing, the client should (where appropriate) undertake open dialogue with the market to understand amongst other things the market's understanding of health & safety;
- During the commissioning period, the client must fully understand the Health & Safety implications of the Service or the Works that are being procured;
- The Health & Safety requirements (legislation, standards, standard operating procedures etc.) must be clearly stated and be included within the minimum requirements of the specification, and/or included within the evaluation criteria and included in the terms & conditions of contract;
- A Health & Safety checklist (appendix A) has been produced to support DBC staff (the client) to ensure that all relevant Health & Safety implications have been taken into consideration throughout the commissioning process;
- Tender templates are available for the appointment of a CDM Adviser if required.

- The client must also understand the Health & Safety responsibilities of the Council and the Contractor or Service Provider and ensure that the appropriate level of resource (experience, skill, awareness etc.) for all parties.

2.3.3 Tender Process

- Update all Supplier Questionnaires (SQ) and Invitation to Tender (ITT) to include the new Health & Safety questions (based upon Pas91), which must be completed and submitted by Bidders. This will be evaluated by an appropriately experienced officer from the client (CDM Adviser);
- All lower value quotations for Works and Services will include a Contractors Health & Safety Questionnaire (based upon Pas91), which must be completed and submitted by Bidders. This will be evaluated by an appropriately experienced officer from the client (CDM Adviser);
- In addition submissions should include any specific Health & Safety evidence that demonstrates compliance with the minimum requirements part of the specification and provide responses to any Health & Safety questions that are included within the tender evaluation. This will be evaluated by an appropriately experienced officer from the client (CDM Adviser).

2.3.4 Contract Period

- Where a project is notifiable under the CDM regulations (project that lasts longer than 30 days and has more than 20 workers, working simultaneously at any one point or exceeds 500 person days) then project will not commence until Procurement have received a copy of the signed F10 form. A central database needs to be kept by Procurement;
- A Health & Safety Site Inspection Report must be undertaken at regular intervals for all Works & Service contracts in accordance with the CDM Adviser;
- A Management of Construction Risks - Control of Contractors document must be undertaken for all Works & Service contracts in accordance with the CDM Adviser;
- Rocket to be used to monitor Health & Safety compliance on an ongoing basis. Questions on contracts to monitor – value/risk/complexity and Monitored monthly.

2.4 DEFINITIONS

Contractor

Any individual, firm, company or organisation that provides and receives payment for a service performed on or to the Council site and that affect the operations of the Council and is not a direct employee of the Council.

This includes consultants and consultancy work whether done on or off the site as well as installation contractors/ equipment suppliers and covers all services of the site; all engineering and building work, insurance, computer, procedure and inspection work, cleaners and waste removal work, etc. within any area under the control of the Council.

Site Contact or Nominated Deputy

The person who arranges for contractors to come onto site and takes responsibility for them; including arrangements for induction and monitoring.

The responsibility of site contact can be delegated to another member of personnel by prior agreement (Nominated Deputy).

2.5 LEGAL DUTIES

The basic principles of the Council's policy for ensuring safe working with contractors are:

- In proportion to the degree of risk, find out enough about relevant legal duties and professional qualifications to define competence and performance standards;
- Assess contractor capability and select only those who meet these standards;
- Specify the standards in contract terms;
- Monitor compliance and intervene if the standards are not achieved.

It is permissible for volunteers to undertake work instead of contractors but the same competence and performance standards must be enforced. Since there is unlikely to be a formal contract safe working requirements should be communicated via a risk assessment.

The following statutory duties are particularly relevant to work involving contractors.

Health and Safety at Work etc. Act 1974:

- Section 2 - the **employer** must ensure, so far as is reasonably practicable, the health and safety at work of all his employees. This duty cannot be delegated to contractors;
- Section 3 - the **employer** must ensure, so far as is reasonably practicable, the health and safety of all non-employees (including contractors and volunteers) involved in his activities;
- Section 4 - **persons in control of premises** must ensure, so far as is reasonably practicable, that the premises are safe for non-employees working there.

The meaning of the expression so far as is reasonably practicable (HASAWA Sections 2, 3 and 4) are subject to the qualifying statement **so far as is reasonably practicable**. This expression is not defined in law but implies a balance between the degree of risk and the amount of resources devoted to overcoming it. Risks can always be reduced by funding additional control measures but if the advantage gained is insignificant when compared to the expenditure the action is not reasonably practicable. Priority should be given to controlling the most significant risks. Application of this principle requires subjective judgement and in order to demonstrate compliance the decision-making process needs to be retrievable. Only the courts can decide what is reasonably practicable in any given case.

Failure to comply with HSW74 is a criminal offence and charges may be brought against directors, managers and employees as well as a **body corporate**, (e.g. the Council). Employees complying or attempting to comply with the Council's Health and Safety Policy will have a defence against individual prosecution.

Management of Health and Safety at Work Regulations 1999

Section 3 of the Health and Safety at Work etc. Act 1974 imposes general duties on employees and the self-employed to ensure the health and safety of non-employees. These are supplemented by specific requirements of the Management of Health and Safety at Work Regulations 1999 (MHSWR).

MHSWR Regulation 9(1) requires that where two or more employers share a workplace each employer must:

- Co-operate with the other employers to comply with health and safety law;
- Co-ordinate risk control arrangements.

MHSWR Regulation 9(2) stipulates that these duties must be applied to and by the self-employed as well as other employers.

The general co-operation and co-ordination duties in Regulation 9 are supplemented by specific requirements for information provision in Regulations 10 and 13. These place duties on the Council, other employers and the self-employed to make sure that comprehensible information about risks to health and safety and precautions to control them are communicated to all workers who are at risk. Where more than one employer is involved the regulations often place duties on **both** employers to communicate this information to ensure that its provision is not overlooked.

Regulations 10 and 13 refer to the following types of employer, employee and contract:

- **Employment business** - defined in Regulation 1(2) as a business which supplies its employees to work for and under the control of other persons (e.g. an employment agency);
- **Fixed-term contract of employment** - defined in Regulation 1(2) as a contract of employment for a specific term which is fixed in advance or which can be ascertained in advance by reference to some relevant circumstance;
- **Temporary worker** - indirectly defined by the title of Regulation 13 as an employee of an employment business or on a fixed-term contract;
- **Contractor** - not specifically defined by the regulations but interpreted for the purposes of DBC policy as an employer whose employees undertake work for the council but remain **under the control of the contractor**;
- **Self-employed person** - a person who attracts either or both of employer and employee duties under MHSWR depending on contractual arrangements which define who controls the work.

The communication requirements of this note generally refer to information which Council departments must provide to workers who are not Council employees. However, a Council employee working under the control of another employer would be owed similar duties by that employer.

2.6 RISKS TO THE HEALTH AND SAFETY OF NON-EMPLOYEES

Identified by risk assessments for operations controlled by Council managers must be communicated to:

- Temporary workers, contractors' employees and self-employed workers at risk;
- The employers of non-employees at risk.

This duty applies to risks inherent to Council premises or created by Council activities rather than risks associated with work managed by the other employer(s) or self-employed worker(s). However, Regulation 8 requires such risks notified by other employers to be passed on to Council employees.

2.7 HEALTH AND SAFETY PRECAUTIONS

Taken to control the risks must be communicated to:

- Self-employed workers at risk;
- The **employers** of non-employees at risk.

It is DBC policy to provide information on safe working procedures directly to non-employees as well as their employers where this is desirable and reasonably practicable. In particular temporary workers under the control of Council managers (e.g. agency staff) must be informed of relevant safety precautions.

2.8 SPECIAL OCCUPATIONAL QUALIFICATIONS OR SKILLS

Necessary for safe working must be communicated to:

- Temporary workers;
- Employment agencies providing temporary workers.

In addition employment agencies must be told the specific features of jobs likely to affect the health and safety of their employees.

Health surveillance requirements must be notified to temporary workers affected.

The identity of competent persons implementing emergency procedures must be made known to:

- Self-employed workers at risk;
- Temporary workers at risk;
- Contractors' employees at risk;
- The employers of non-employees at risk.

It is DBC policy to ensure that all non-employees are given all the information they need about emergency procedures.

2.9 PRINCIPLES OF SHARED HEALTH AND SAFETY MANAGEMENT

Different employers must co-operate with each other to ensure that health and safety arrangements:

- Cover all risks;
- Cover everybody at risk;
- Do not conflict.

Effective co-operation, co-ordination and management depends upon:

- Identifying and assessing foreseeable risks;
- Agreeing acceptable risk control measures;
- Agreeing which employer manages which control measures (ensuring no omissions);
- Agreeing competence standards for operators;
- Defining control measures and management responsibilities in written agreements (e.g. contracts);

- Communicating agreed controls and responsibilities to those who manage and undertake the work;
- Establishing mechanisms to monitor that agreed procedures are carried out;
- Establishing communication mechanisms to:
 1. Resolve misunderstandings about agreed procedures;
 2. Resolve non-compliance with agreements;
 3. Agree controls for unforeseen risks.

2.10 INFORMATION FOR NON-EMPLOYEES

Statutory duties for information provision are rather complex, the best way to ensure the health and safety of non-employees is to provide the following information directly to them:

- Emergency procedures;
- Identity of fire wardens, first aiders, etc;
- Safe working methods for activities controlled by Council managers;
- Correct contact(s) for further information.

This information should be provided as a verbal summary at the time of first attendance and backed up with documents as necessary.

2.11 TRAINING OF NON-EMPLOYEES

Training is the responsibility of the employer. Particular care must therefore be taken to ensure that agency staff, self-employed workers, etc. are competent to operate safe working procedures when working under the control of Council managers. Standards of competence should be agreed and verified prior to commencement.

Agency staff and self-employed workers should be given the same information on safe working and emergency procedures as employees. Where training is necessary to support these procedures, it should be provided (e.g. induction training, fire drills, etc).

2.12 CONTRACTORS

DBC policy on co-operation and co-ordination arrangements for contractors is defined within this policy.

2.13 SUPPLIER

Someone who only supplies goods thus all others by definition must be contractors.

2.14 WORKER UNDER THE CONTROL OF THE ORGANISATION

A Council employee, consultant or Council appointed contractor, working under the instruction of the Council as an organisation, who undertakes work-related activities under the control of the Council as a workplace. Note: organisations may also have a legal requirement for the health and safety of persons beyond the immediate workplace or those who are exposed to the workplace activities.

2.15 WORKPLACE

Any physical location in which work-related activities are performed under the control of the organisation.

2.16 CONTRACTOR APPROVAL

Any individual wanting to use a new contractor must follow the Council's Commissioning & Procurement Standing Orders, the following related linked documents include:

- Contractor Health and Safety (Pre-Procurement, Tender Process);
- New Build Housing Management of Construction Risks (Specifically for new builds);
- Health and Safety CDM Site inspection list;
- Process Map;
- Pre-Procurement Clients Checklist;
- Health and Safety questionnaire for contractors;
- CDM advisor services Invitation to Quote/Tender;
- Contractor Induction Pack.

The contractor will be requested to complete Contractors H&S Questionnaire and sign the Receipt of Contractor Site Health & Safety Induction Pack Form to confirm that they will conform to the guidelines issued and return the Council contact.

Through procurement, who use the contractor safety check systems of a 3rd Party Auditor, i.e. Pas91, CHAS Safe Contractor, EXCOR, Etc. will assess the proposed contractor on the following criteria and decide whether the Contractor will be approved or not:

- Experience in the work to be undertaken;
- Specialist skills and qualifications;
- Safety history and performance;
- Health & Safety Policy and Statement;
- Employers Liability Insurance, Public Liability Insurance and Professional Indemnity Insurance - the contractor must have Professional Indemnity Insurance if they are to carry out design elements of the works (D&B), but they must have Employers Liability (if they have no employees, this is not required) and Public Liability Insurance.

The indemnity levels of contractor's insurances MUST be (as a minimum) as follows:

- Public Liability – Minimum £5 million;
- Employers Liability - Minimum £10 million;
- Professional Indemnity - Minimum £2 Million;
- Risk Assessments & Method Statements;
- Statutory Inspection Certification for any contractor owned work equipment being bought onto site i.e. PAT testing certificates for electrical power tools.

Task specific Risk Assessments and Method Statements, which form the safe system of work, must be submitted to the Council client officer or Principle Contractor for review and approval prior to any approved contractor being permitted to carry out any work.

2.17 EMERGENCY CONTRACTOR PROCEDURE

In the event of an emergency contractor being required, which maybe a very specialised subject/area/profession or an urgent health and safety concern/repair. Where possible, with careful planning, the use of such procedure should not arise but it is still considered a potential possibility. The Emergency Contractor Form is to be filled in by the person wishing to use the emergency contractor along with the Insurance Certificate & H&S Policy Statement of the suggested contractor as a minimum.

Once the form has been completed; the person wishing to use the emergency contractor must obtain the client officer's signature prior to the emergency contractor starting work. They must also be satisfied that the person(s) controlling the emergency contractor is competent to do so and that the contractor will be working safely to the Contractors Site Induction Pack.

The person wishing to use the emergency contractor must arrange a site induction via the Council contact/client officer and must be responsible for the delivery of any site induction if working on a client site. Contractors must work safely at all times and with the necessary permits if required.

2.18 MONITORING, PERFORMANCE AND REVIEW OF CONTRACTORS

Contractor's performance with regard to health safety should be monitored in addition to monitoring quality of work and progress/supervision.

The frequency and depth of scrutiny of monitoring activities will be decided by the contract manager and will depend on the level of risk of operation and the contractor's experience of the site. The monitoring of contractors undertaking high risk activities should be more onerous than for low risk activities. The findings of monitoring activities should be reviewed and the information recorded for future reference.

Monitoring should be based on contractor's safety systems, risk assessments and method statements etc.

An annual review of the approved Contractors and their documentation should be undertaken to ensure that all documents are current and up to date with current legislation and to note any changes to the company i.e. their accident statistics.

2.19 ASSIGNING WORK TO A CONTRACTOR

If a contractor is required to undertake work within the DBC site; task specific risk assessments and method statements must be requested from the contractor as part of the planning and as early as possible to prevent any hold ups.

These documents; which form the safe system of work, must be submitted to the DBC client officer/DBC contact for review prior to any approved or emergency Contractor being permitted to commence with any work.

2.20 PROCEDURE FOR THE CONTROL OF CONTRACTORS ON SITE

Arrival on Site

On arrival at site; the PC and their contractors must establish contact with the Council's contract manager who will then arrange for the site induction.

It is the responsibility of the individual arranging a contractor to come to a site to ensure that the contractor has a contact name and details of the area they will be working in. The contact name must be someone who is on site or available when the contractor arrives. (It is also essential that sub-contractors know the name of their main contractor if the sub-contractor is not an approved contractor in their own right). All Contractors will be required to sign into the site using the visitors' book. The individual who greets the contractor will be responsible to ensure that this is done.

Notification of Contractors Working at Council Sites

It is essential that the Council are informed of a contractor's arrival on site each day to ensure that work is not started until the necessary permits, if required, are signed and the person responsible for the area is informed that work is being done in their area.

It is considered a serious safety offence for the PC and their contractors to do work unsafely and without any necessary permits and safe systems of work such that if a contractor is found to be working unsafely and without the necessary permit if required and safe systems of work, they will be asked to leave the site.

Induction

A contractor attending the DBC office for the first time shall receive an induction to the site and procedures on their first day on site by the DBC nominee they have permitted to carry out the induction.

The only exception to this are contractors who do not require access to or will not be working within the building.

This induction must be refreshed annually so records must be inspected by the contract manager so that the date of the last induction is known.

The induction will be based around the DBC Contractor Site Health & Safety Induction Pack which the contract manager will issue a copy to the contractor and they will be provided with information of all known hazards and procedures relevant to the activity.

The contractor will be requested to sign the DBC Contractors Health & Safety Site Induction Pack to confirm that they have received the induction and the document and that they will conform to the guidance issued.

They will be reminded that they are only allowed in the permitted working area and any designated welfare area.

Emergency Procedures

Although the approved contractor will have signed to indicate receipt of the Contractors Site Health & Safety Induction Pack; it is still the responsibility of the person undertaking the induction to ensure that all the contractors' operatives know the Company's Emergency

Procedure and where to evacuate to in event of the fire alarm being activated to enable the contractors operatives to be accounted for in an emergency.

Prior to Work Being Started and Permits

Risk Assessments and Method Statement shall be completed prior to work commencing as discussed above. In addition to this the Council have a duty to advise the contractor of any risks that they may be aware of in the areas they will be working and therefore must make the contractor aware. This may be advising them of other works taking place in the building or on the site that could impact on the work they are doing or may be affected by the work they are doing.

Where work is being done which is of a potentially hazardous nature, a "Permit to Work" must be obtained from the Council's contract manager before the contractor can start work each day.

The requirements for completing a "Permit to Work" are detailed in the Permit to Work procedure The Contractor Monitoring form will require completion with any permit to work.

Permits to work will be organised by the Council client officer. Contractors must inform the Council's contract manager of any high risk works such as hot works, working at height etc. prior to the work being carried out.

2.21 CONTRACTOR'S SITE INDUCTION PACK

Every PC receives a copy of the Contractors Health & Safety Site Induction Pack at induction which they are requested to read and sign to say they have received this copy and agree to working to the safety guidance. They also sign to say it is their responsibility to ensure that their contractors will also work to the code of practice. Any contractor's operatives who fail to comply with this code of practice will be asked to leave site.

Smoking

It is a serious offence for anyone smoking or vaping within a "No Smoking Area" and the individual caught will be expected to be banned from the site.

Completion of Work

On completion of work the contractor will inform the Site Contact/Nominated Deputy or the client officer so that the work area can be checked and that any necessary permit that was issued can be signed off.

Leaving Site

On leaving the site; the contractor's operative will be required to sign the visitor's book to advise that he/she has left the site.

Storage of Completed Work Risk Assessment Sheets

Completed Risk Assessments for work carried out by any contractor shall be stored in the relevant contractor safety files.

2.22 ROLES AND RESPONSIBILITIES

3rd Party Auditors, such as PAS91, SSIP, CHAS, EXCOR, Safe Contractor. Etc. are responsible for vetting and approving appointed Contractors and ensuring that all Health & Safety documentation is monitored and regularly reviewed including insurance certificates.

The DBC Project Team/client officer/DBC contact are responsible for issuing and monitoring permits to work. They are also responsible for approving the use of emergency contractor requests. The Project Team/client officer/DBC contact shares responsibility with the person requesting the contractor to ensure that all contractors are inducted onto the site. They must also assess and approve Task Specific Risk Assessments and Method Statements submitted to the Site Contact or Nominated Deputy for work to be undertaken.

Site Contact or Nominated Deputy is responsible for ensuring that the client officer/main DBC contact are notified in advance of work commencing to ensure that a site induction is undertaken and that the contractor does not undertake any work without having an DBC site induction.

Contractor is responsible for answering all of the questions featured in the Contractors Health & Safety Questionnaire fully and truthfully and provide all requested documentation. They have a responsibility to work safely and follow the guidelines issued by DBC during the induction process.

Employees – any employee requiring the use of a Contractor are responsible for issuing the proposed Contractor with the Contractors Health & Safety Questionnaire and ensuring that this is completed and returned to the 3rd Party Auditor along with any requested documentation.

They also have a responsibility whenever a Contractor is required to work on site and obtain the Risk Assessments and Method Statements relating to the task to be undertaken. They are prohibited from allowing any works to be carried out by any Contractor until the Contractors RAMS has been approved.

2.23 ASSOCIATED DOCUMENTS

- Contractor Health and Safety (Pre-Procurement, Tender Process)
- New Build Housing Management of Construction Risks (Specifically for new builds)
- Health and Safety CDM Site inspection list
- Process Map
- Pre-Procurement Clients Checklist
- Health and Safety questionnaire for contractors
- CDM advisor services Invitation to Quote/Tender.
- Contractor Induction form
- Corporate Health and Safety Policy

2.24 LIST OF RELEVANT LEGISLATION

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999 (Amended)
- Construction Design and Management Regulation 2015
- Operational Estate: Building Compliance Guide
-

2.25 REVISION HISTORY

Revision no.	Issue Date	Nature of Change
01	December 2018	Draft

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2.26 APPENDIX A - CLIENT CHECKLIST

Client's Checklist						
A checklist for						

Client's actions during a project is included below. Some actions may need to be repeated during a project. This list should be checked to ensure that it appropriately addresses the requirements of a project.					
Client Checklist (for projects with more than one contractor)		Detail how this is evidenced (hyperlink or embed documents if needed)			
1	Be aware of client duties under CDM				
2	Check if Principal Designer has capability and necessary skills, knowledge and experience				
3	Formerly appoint Principal Designer				
4	Check Designers have capability and necessary skills, knowledge and experience and appoint				
5	If project is notifiable, instruct Principal Designer to issue F10 notification and receive copy				
6	Issue Project Brief				
7	Establish arrangements for managing health and safety				
8	Prepare schedule of key activities				
9	Check project team resources				
10	Ascertain if health and safety advice is required				
11	Agree scope of work for health and safety advisor and appoint				
12	Issue existing pre-construction information to Principal Designer				
13	Identify additional pre-construction information required by project team				
14	Procure surveys to obtain additional pre-construction information (if required)				
15	Check Principal Designer is complying with his duties				
16	Check management arrangements are being maintained and reviewed				
17	Agree structure and content and number of copies (electronic/ hard) for Health and Safety file (HSF) with the Principal Designer				
18	Prepare shortlist of tenders for Principal Contractor				
19	Check that tenderers have capacity and necessary skills, knowledge, training and experience				

20	Appoint Principal Contractor						
21	Receive copy of updated F10 notification from Principal Designer						
22	Check initial Construction Phase Plan is adequately developed by Principal Contractor						
23	Check suitable welfare facilities will be provided						
24	Check Principal Contractor is complying with his duties						
25	Check arrangements for managing health and safety are adequate for the construction phase						
26	Receive feedback from health and safety advisor and implement changes if required						
27	If the Principal Designer's appointment is to conclude before the end of the project, ensure that the Principal Contractor prepares the Health & Safety File						
28	Receive Health and Safety File from the Principal Designer or the Principal Contractor						
29	Establish appropriate location for storage of Health & Safety File (hard and/ or electronic copy)						

2.27 APPENDIX B - HEALTH AND SAFETY QUESTIONNAIRE FOR CONTRACTORS

Commissioning, Procurement & Compliance
Dacorum Borough Council
The Forum

**Marlowes
Hemel Hempstead
Hertfordshire
HP1 1DN**

SECTION A – CONTACT DETAILS

Information Required	Description of information required;.	
Name of legal entity or sole-trader	Unique name of legal entity or name of individual	
Registered office address	Address line 1	
	Address line 2	
	Address line 3	
	Town	
	County	
	Post code	
Contact details for enquiries	Name	
	Job title	
	e-mail	
	Telephone number	
	Mobile Number	
	Address line 1	
	Address line 2	
	Address line 3	
	Town	
	County	
	Post code	
Registration number if registered with Companies House or equivalent	Registration number with Companies House	
	Registration number with equivalent body	

SECTION B – HEALTH & SAFETY POLICIES, PROCEDURES AND ACCREDITATIONS

1) Are you a member of Safety Scheme in Procurement (SSIP) or accredited by one of its registered members? Yes/No

Please see a list of the members at <http://SSIP.org.uk/members/>.

If the answer is yes to the above question then please move to question 6.

- 2) Please provide a copy of your current Health & Safety Policy and Procedures.
- 3) Please advise who your competent person is within your organisation under Management of Health & Safety regulations 1992 (as amended in 1999).
- 4) Please advise how your Health & Safety policies and procedures are conveyed to your workforce?
- 5) If relevant then please advise of the how you will manage Health & Safety for your sub-contractors.
- 6) Please provide your accident statistics for the last three years (including Major and Minor).
- 7) Please provide details below of any prosecutions or enforcement notices (Improvement or Prohibition) you have been subject to within the last 3 years? If you have then please provide details of action taken to ensure the incident does not occur again.
- 8) Are you a member of Constructionline? Yes/No. If yes then please provide a copy of your registration number.

SECTION C – THE WORKS

- 1) Please provide details of the work that will be carried out for the Council?
- 2) Please advise of the value of the works?
- 3) Is the project notifiable to the HSE? Please note that for the project to be notifiable then it needs to last longer than 30 working days and have more than 20 workers working at the same time at any point on the project or exceed 500 person days.

YES/NO

- 4) Please provide a method statement of how the works will be carried out?
- 5) Please advise if any of the works will be subcontracted? If so then please provide details of the company and advise how much of the works will be subcontracted?

For internal use only

Signed off by Group Manager

2.28 APPENDIX C - APPOINTMENT OF THE PRINCIPAL CONTRACTOR* UNDER THE CDM REGULATIONS 2015

1. In accordance with the requirements of Regulation 5(1) of The Construction, Design and Management Regulations 2015, in my role of Client, on behalf of the Head of Property, I hereby appoint *name of organisation* as Principal Contractor for the *name of project and site location*.
2. Would you please acknowledge receipt of this Letter of Appointment.

Signed
Name of Project Manager / Service Manager

Copy to:
Appropriate Health and Safety Adviser

2.29 APPENDIX D - APPOINTMENT OF THE PRINCIPAL DESIGNER UNDER THE CDM REGULATIONS 2015

1. In accordance with the requirements of Regulation 5(1) of The Construction, Design and Management Regulations 2015, in my role of Client, on behalf of the Head of Property, I hereby appoint *name of organisation* as Principal Designer for the *name of project and site location*.
2. Would you please acknowledge receipt of this Letter of Appointment.

Signed
Name of Project Manager / Service Manager

Copy to:
Appropriate Health and Safety Adviser

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