

From: Andrew Scott Clark, Director of Public Health
To: Scrutiny Committee – 22 January 2021
Subject: 20/00125 – Local Lockdown Direction – Broadstairs Christmas Market
20/00131 – Local Lockdown Direction – Pantiles Market

Classification: Unrestricted

1. Introduction

1.1 On 4 September 2020, the Scrutiny Chairman confirmed with Scrutiny Committee Members that in instances where local lockdown decisions needed to be taken urgently any decisions, once taken, would be reported to the Scrutiny Committee at the next meeting of the Committee. The purpose of this was to allow the Scrutiny Committee to assess whether the use of these powers had been reasonable and proportionate to the situation and whether the decision achieved the outcome intended by it.

2. Urgent Decision

- 2.1 On 11 December 2020, the Cabinet Member for Adult Social Care and Public Health took an urgent decision to prohibit the Broadstairs Christmas Market from 11 December 2020.
- 2.2 On 18 December 2020, the Cabinet Member for Adult Social Care and Public Health took an urgent decision to direct the placing of requirements on the Pantiles Market event organised between 19/12/20 and 20/12/20. The record of decision and other decision papers are attached to this report.

3. Lessons Learned

- 3.1 At the Scrutiny Committee meeting held on 27 November 2020, Members discussed a decision to prohibit a circus performance event at the Hop Farm, Paddock Wood. Members agreed that “lessons learnt” should be actioned and included in future reports concerning similar decisions taken by Cabinet Member.
- 3.2 Following that meeting, officers have met to consider and implement changes to the decision-making processes to address concerns raised by Scrutiny Committee. These include:

Public Health and Event Organiser Involvement

- 1) Public Health officers are now more involved in the consultation process with the business. Public Health review the risk assessments and have direct communication with the business to see if there is any mitigation possible for the event. This provides greater clarity at the “formal” consultation in cases where the Director of Public Health has indicated the event should not go

ahead and the event organiser is asked if they will voluntarily close (requirement before a direction is issued).

- 2) Site visits are now conducted to review the risk assessments to help inform the public health consideration of the safety of the event. Trading Standards officers are available to conduct these visits with partners and provide feedback to Public Health officers. Mobile phones have been used to show the ground layout in real time to the Public Health officers if they are unable to physically attend.
- 3) During the consultation process there is work with the event organiser to reduce the risk around voluntary or directed closures. Some events require the organiser to contact customers who have booked to avoid crowds still attending and possibly increasing the risk of spreading the virus as a result. Working with the event organiser to manage the closure reduces the risk of a gathering and reduces the risk of spreading the virus.
- 4) Whilst Directions have been used to close events, they can be used to support events by providing guidance from the Director of Public Health on how best to deliver the event in a Covid secure way.

Event definition

- 5) The Enforcement cell has worked with partners to improve clarity around the definition of an event to support a more consistent approach from Safety Advisory Groups (SAG) and wider partners. .
- 6) There is now more information coming from the Kent Resilience Forum's enforcement cell to partners to advise on common issues such as Christmas markets in pubs, sleigh tours, football matches etc

Communications

- 7) There is now improved communication with district authorities and partners to provide for earlier notification that enables joint work and visits to feed into the review process by Public Health.
- 8) When the legislation first came in some events would have been approved months in advance because of the SAG requirements, and whilst this generally is no longer an issue, some events do seek approval at short notice, however improved communications between partners enables timely advise or guidance to establish if the event is Covid safe or not, and then take appropriate action.

Resources and knowledge

- 9) Increased support within the Multi Agency Information Cell (MAIC) and Enforcement cell will enable a better response when clusters of issues arise. Events tend to have a common date that can cause a bottle neck with large numbers of events to process in a short period of time. The additional resources coupled with more Trading Standards staff ready to support on the ground will reduce the time to respond to issues raised by event organisers.

10) More Trading Standards officers are now knowledgeable of the process and are available to assist when required.

4. Recommendation

The Scrutiny Committee is asked to note this report.

5. Background Documents

Broadstairs Christmas Market:

[Record of Decision](#)

[Appendix to Record of Decision](#)

[Decision Report](#)

[DPH Assessment](#)

Pantiles Market

[Record of Decision](#)

[Appendix to Record of Decision](#)

[Decision Report](#)

[DPH Assessment](#)

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