

STATES OF JERSEY



POLICING COMMERCIAL AND PROFIT-MAKING EVENTS: NEW 'USER PAYS' CHARGE

**Lodged au Greffe on 21st July 2006
by the Minister for Home Affairs**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to refer to their Act dated 24th June 2003 in which they agreed that no new ‘user pays’ charges should be introduced without the prior approval of the States, and –

to agree that a new ‘user pays’ charge should be introduced and levied by the States of Jersey Police for the policing of commercial or profit-making events.

MINISTER FOR HOME AFFAIRS

REPORT

The purpose of this report is to recommend a robust protocol between the States of Jersey Police (SOJP) and outside agencies in respect of services required for commercial or profit-making events.

The rationale for such a protocol must be set in the context of diminishing police resources and the greater demand placed upon the Police Force by the community it serves and the need to support the “user pays” ethos of the States policy.

It will also set out the responsibilities of Police at such events, but just as importantly emphasize the responsibilities of organisers, their staff and those they sub-contract to, to ensure public safety.

This policy is aimed at standardising the Police approach to all organised events. It will create an environment where, through consultation and partnership, public events will continue to take place. A greater awareness of the individual responsibility of the organisers and those of the other agencies involved should emerge, which will ensure a more focused approach by all concerned resulting in better planned, safer and more resilient events.

Policy

It is essential that all interested parties and Police Force partners are involved at the earliest opportunity. It is accepted that the States of Jersey Police will take primacy, however this does not detract from the need to engage in full consultation with all parties to set clear lines of accountability in the first instance.

Where appropriate all such events will be referred, as a matter of course, to other emergency services, generally via the medium of the Bailiff’s Entertainment Panel.

Assessment of the need for Police attendance and action at public events will be principally based on the need to discharge States of Jersey Police core responsibilities, which are as follows –

- Preservation of law and order.
- Prevention and detection of crime.
- Activation of a contingency plan where there is an immediate threat to life and co-ordination of emergency service activities.
- Regulation of traffic both vehicular and pedestrian.
- Provision of appropriate security commensurate to the threat level to either VIPs or the local community.

The number and level of Police resources committed to the event and the tasks to be undertaken will be proportionate to a documented risk assessment for the event. This will be determined by the Police alone, albeit with the benefit of advice from relevant bodies. Police will not, as a matter of course, be deployed to tasks or responsibilities for which there are no legal responsibilities or legal powers. States of Jersey Police will only be used for duties which specifically require a Police Officer, for instance, public disorder. In all other situations, stewards, parking control officers, etc. will assume control for areas within their responsibility after agreement with States of Jersey Police.

Definition

It is imperative to define what events Police would consider to be out of the normal remit of their responsibility and would therefore attract a financial contribution by the organisers. Due to the number of requests from different organisations and the diverse nature of these events the following is a guide –

1. Commercial/profit-making event – where a commercial organisation seeks to sell/advertise or otherwise promote or hold a particular product/merchandise/event for financial gain and where this event falls within core policing responsibilities, for example a music event which will involve the deployment of crowd control barriers, press pens and special access arrangements for vehicles

and/or pedestrians.

2. Public, non-profit-making event – where an organisation holds a public event but does not benefit financially. While the event still falls within core policing responsibilities, revenue would not be sought from the organisers of such an event.
3. Traditional Events – where an event is part of a long established Island tradition which by custom and practice has been policed free of charge, payment should not be sought, for example the Battle of Flowers.

The final decision as to Police numbers, deployments and specific costings will always rest with the States of Jersey Police. In circumstances where it is judged appropriate to impose a charge for policing (1., above), a recommendation will not generally be made to the Bailiff's Entertainment Panel in connection with the issuing of an entertainment permit until the matter of these costs has been agreed between the States of Jersey Police and the organisers. These costs will be based on core policing costs for officers on the ground at the event and do not include costs for any ancillary staff who may be involved on the periphery.

Charges

Following agreement with all interested parties, the organiser will be required to sign a Special Services Agreement, the rates for which as at 1st March 2006 are as follows –

CHARGES FOR THE SPECIAL SERVICES OF POLICE (Based on 4 year PC)

Rank	Special Duty (£)	Normal Hourly Rate (£)
Superintendent	55.59	37.06
Chief Inspector	55.12	36.75
Inspector	41.95	27.96
Police Sergeant	35.54	23.69
Police Constable	29.79	19.86

The agreement will form a basis for the Police planning of the event.

The charges are based on a straightforward reimbursement of costs incurred. Employment of officers on a Bank Holiday will automatically incur a charge of double the normal hourly rate.

If a situation arises whereby the event is cancelled or all interested parties agree that an event can be downgraded and policing reduced, full payment may still be required if less than 15 days' notice has been given and the States of Jersey Police has incurred costs. If the opposite occurs and changes by the organisers require the level of policing to be upgraded then a new agreement will be drawn up. At least 15 working days' notice should be given. In the event that 15 days' notice is not given then charges for the extra officers required will be double the normal hourly rate. Where it becomes necessary to scale up the level of response required due to recent intelligence or some other spontaneous incident out of the control of the organisers they will be consulted as to the increased resources and thus costs they will incur.

Financial and manpower implications

In accordance with Financial Direction No. 4.1 'Increases in States Fees and Charges', the proposed charge represents a new application of the 'user pays' principle, and as such States approval should be sought in accordance with P.63/2003. The additional income will be set off against extra expenditure incurred as a result of policing specific events. There are no manpower implications.