

Ms A Mutch OBE
HM Senior Coroner
Manchester South Coroner's Office
Coroner's Court
1 Mount Tabor Street
Stockport
SK1 3AG



Engagement & Policy
Division

Local Authority & Safety
Unit
19 Ridgway
9 Quniton Business Park
Birmingham
B32 1AL

Tel: 0203 028 1713

Reference: Your reference: 5199/CH

<http://www.hse.gov.uk/>

Head of Unit : [REDACTED]

Date: 12 November 2018

Dear Ms Mutch

Prevention of future deaths report – Donald Peter Berry
Date of death 23 August 2016
Inquest at Manchester South Coroner's Court on 24 August – 8 September 2018

I am responding to your Regulation 28, Prevention of Future Deaths report addressed to [REDACTED] Acting Chief Executive of the HSE that arises from your inquest into the death of Mr Berry.

Your report was passed to me as head of the team with responsibility for national health and safety policy for the entertainment and leisure sector.

You raised concerns as to high voltage overhead power lines not being identified as a hazard by the event organisers, nor relevant other parties, which resulted in the incident that ultimately led to Mr Berry's death.

Event organisers, in common with other employers, have responsibilities under the Health and Safety at Work etc. Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees. Event planners and organisers must consider the risks to these employees and take reasonably practicable steps to control those risks throughout the whole process, from set-up to take-down. Proper planning and organisation of such events should include consulting and acting upon the guidance and advice provided by HSE and by industry bodies.

HSE has published web-based event safety guidance to help event organisers comply with their legal duties – see <http://www.hse.gov.uk/event-safety/index.htm> The guidance helps organisers identify risks, such as those arising from contact with overhead high voltage power lines

In addition, and referred to in your report, the industry produced guidance 'Purple Book' covers a wide range of legislative requirements that event organisers need to take into

account, including workplace health and safety law The 'Purple Book' has a section on electrical safety which includes reference to the importance of organisers identifying existing overhead power lines to ensure that controls are put in place to ensure the safety of those working beneath those lines.

HSE leads on national occupational health and safety policy for the entertainments and leisure sector, whilst Local Authorities are responsible for enforcing the law at individual events in their geographical area. In this case, Eden Council successfully prosecuted the event organisers for breaches of the Health and Safety at Work etc. Act 1974 in March 2013.

I consider that the current available guidance enables event organisers and other relevant persons and bodies to identify the risks arising from overhead power lines. I will however take the opportunity to raise awareness of this incident with industry stakeholders, underlining the importance of all people involved in event organising and planning to adhere to the standards set out in guidance.

Yours sincerely



HM Principal Inspector of Health and Safety