

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
Council Chamber - Town Hall
17 December 2014 (10.00 am - 12.00 pm)**

Present:

COUNCILLORS

Conservative Group Garry Pain (Chairman) and Viddy Persaud

Residents' Group

**East Havering
Residents' Group
Independent Residents
Group**

UKIP Phil Martin

No apologies for absence were received.

All decisions were taken with no votes against.

The Chairman advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

No interests were declared at the meeting.

**APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17 OF THE
LICENSING ACT 2003**

Present at the hearing were the applicant Mr Reece Miller and his representative Mr Simon Taylor.

Councillor Linda Van den Hende was also present.

Also present were Mr Paul Campbell and Mr Arthur Hunt (Havering Licensing Officers), PC Lee Davies (Metropolitan Police), John Giles (Havering Health and Safety Officer), Keith Bush (Havering Trading Standards Operation Specialist), the Legal Advisor to the Sub-Committee and the Clerk to the Licensing sub-committee.

PREMISES

Damyns Hall Aerodrome
Aveley Road
Upminster
RM14 2TN

DETAILS OF APPLICATION

This application for a new premises licence was made under section 17 of the Licensing Act 2003 ("the Act").

APPLICANT

Lime Green Events
65A Station Road
Upminster
Essex
RM14 2SU

1. Details of requested licensable activities

At the beginning of the hearing the Applicant's representative indicated that following mediation with responsible authorities the applicant had reduced the hours applied for with regards to the provision of late night refreshment from 02:00 to 00:30 hours and was only seeking a licence for a period of 1 year for an event which was planned to take place on Saturday 30 May and Sunday 31 May 2015.

Details of the application

Films, Live Music, Recorded Music, Performance of Dance,		
Day	Start	Finish
Saturday	10:00hrs	00:30hrs
Sunday	10:00hrs	00:30hrs

Late Night Refreshment,		
Day	Start	Finish
Saturday	23:00hrs	00:30hrs
Sunday	23:00hrs	00:30hrs

Supply of Alcohol.		
Day	Start	Finish
Saturday	10:30hrs	00:00hrs
Sunday	10:30hrs	00:00hrs

Seasonal variations / Non-standard timings

There were no seasonal variations or non-standard timings applied for.

2. Promotion of the Licensing Objectives

The applicant acted in accordance with regulations 25 and 26 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 relating to the advertising of the application. The required public notice was installed in the Yellow Advertiser on 29 October 2014.

The applicant had modified the timings of the application following mediation with the Police. In addition to modifying the hours, the following conditions were agreed to be added to the licence (the exact wording provided to members at the hearing has been updated to reflect a licence for a single year rather than a 5 year licence as originally sought.):-

1. The maximum capacity for the event in 2015 shall be 24,999, which was to include: ticket holders, staff and performers.
2. The licence holder will liaise with the licensing authority, the responsible authorities and other relevant agencies throughout the planning process to ensure a joined up approach to multi agency working.
3. A draft Event Management Plan (including the appendices) will be provided by the licence holder to the licensing authority, members of the Safety Advisory Group (SAG) and responsible authorities at least six months prior to the event.
4. Site maps will be gridded with clear RV points to allow speedy access for emergency vehicles or location of casualties if needed.
5. The Event Management Plan will be subject to approval by the SAG at least six weeks prior to the event. Any changes to the Event Management Plan after this approval may only be made with the prior written approval of the licensing authority. The event may only proceed if there is an Event Management Plan in place approved by the SAG.
6. The final Event Management Plan shall be adhered to in full by the licence holder.
7. A debrief meeting will be undertaken after the event to include the licensing authority, responsible authorities and other relevant agencies involved in the event.
8. A Security Plan, Drugs Plan and Crime Reduction Plan will be provided as part of the Event Management Plan.
9. A Noise Management Plan will be prepared by specialist acoustic consultants as part of the Event Management Plan.
10. Outdoor music will finish at 23:00 hours and marquees operating after this time will be positioned to ensure minimum sound bleed and will have acoustic screening around the rear.

11. Programming and placement of sound sources will be undertaken with consideration for residents in the vicinity of the event. Sound systems will be selected for ability to create focused sound with minimum bleed.
12. A full and concise traffic management plan will be in place for the event and onsite parking will be managed by specialist contractors. Such plan shall be agreed by SAG prior to the event.
13. Shuttle buses will be provided to take people to and from the train stations and the on-site transport hub to avoid dwell time in the local area.
14. A direct hotline to the site management team will be in operation from 08:00 –21:00 hours for the duration of the set up and breakdown of the event and from 08:00 -03:00 on each day of the event.
15. The licence holder will convene a meeting with residents to discuss the EMP in February 2015, and again within one month of the SAG debrief following the event.
16. The licence holder will operate an emergency liaison team on site. This will consist of key people within the event including first aid, police, security, event managers, health and safety. This team will meet at regular intervals during the event to review the event and make any agreed changes needed.
17. The licence holder will employ specialist security contractors to work at the event.
18. Within the event there will be static and roaming security as well as perimeter security.
19. At the event there will be a full search at all entry gates to include wandering, bag searches and pat downs.
20. The event will have clear conditions of entry – No glass bottles, no alcohol to be brought onto site, no illegal drugs, no legal highs, no weapons of any kind, antisocial behaviour will not be tolerated, organisers reserve the right to refuse admission.
21. No bands or artists will be booked that will be anticipated to attract anti-social elements to the event.

22. The licence holder will provide a welfare/chill out space on the site and a vulnerable persons policy will be in place for those who may need assistance.
23. The site will be designed to ensure so far as reasonably practicable that it does not present hazards to those attending. These measures will include but not limited to regular waste disposal, fire provision in place, trip hazard avoided, sound levels kept to safe levels, site designed to avoid pinch points, roaming and static security.
24. The licence holder will work closely with technical suppliers to minimise disruption to local residents from the festival and will ensure that the event production schedule specifies deliveries/collections from the site between 8am and 8pm where possible.
25. The event is an over 18 event which will be advertised in advance.
26. The occupancy levels of the marquee/tented structures within the Licensed Site will be continually monitored and will not exceed the capacities specified in the final Event Management Plan agreed through the SAG process.
27. Details of the type of special effects/pyrotechnics, the type and quantity to be used and their storage shall be specified in the Event Management Plan.

3. Details of Representations

Valid representations may only address the four licensing objectives.

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

There were 19 representations against the application (those came from 13 different e-mails/letters) from interested persons who had provided their names and addresses and 1 person who provided their details to the licensing section but had requested to remain anonymous.

There were 22 representations in support of the application from interested persons.

There were 6 representations from responsible authorities. (Police, Trading Standards, Health and Safety, Fire Service, Environmental Health Noise, Licensing Authority)

Also submitted were two letters, one from the train company C2C and the other from Ensign Bus company, although not representations they briefly outlined the working relationship with the applicant.

Responsible Authorities

Chief Officer of Metropolitan Police (“the Police”): One

Licensing Authority: One

Planning Control & Enforcement: One

Public Protection: One

London Fire & Emergency Planning Authority (“LFEPA”): One

Health & Safety Enforcing Authority: One

Public Health: None

Children & Families Service: None

The Magistrates Court: None

The sub-committee was advised at the start of the hearing that following mediation between the applicant and several responsible authorities the following responsible authorities had withdrawn their representations:

Chief Officer of Metropolitan Police (“the Police”)

Licensing Authority

Public Protection

London Fire & Emergency Planning Authority (“LFEPA”)

Mr John Giles representing the Health and Safety Enforcing Authority advised that following mediation with the applicant that his representation had been partly satisfied but there were still concerns 1) that the Management Plan should be included as part of the agreed conditions (2) vehicles entering and exiting the site making noise that would affect neighbouring properties amenity.

Councillor Linda Van den Hende as ward councillor addressed the sub-committee. Councillor Van den Hende commented that there had been seventy nine thefts that had taken place at last years event which had caused a spike in the crime figures that were reported. Councillor Van den Hende expressed her concerns that with a larger number of people attending this figure could escalate. Councillor Van den Hende also commented that she had concerns over the increased number of attendees with regards to public safety and public nuisance and sought

clarification from the applicant that these matters would be dealt with in the appropriate manner.

Mr Brian Sankey, who had submitted a representation addressed the sub-committee. Mr Sankey commented that the organisers were very professional in their set up and organisation of the event but he felt that there would still be loud noise levels that would affect the neighbouring amenity. Mr Sankey also commented that he felt that the increase in numbers attending was too large and that the event should find a larger venue in future.

Mr Simon Taylor, the solicitor representing the applicant, sought to address some of the concerns that had been raised by the interested parties.

Mr Taylor advised that although the applicant was the same as previous applications the management of the event had been taken over by Live Nation a large company experienced in organising similar events throughout the country. Security of the event had been taken over by Showsec again a large company who had previous experience of policing such events throughout the country. A judge had complimented their crime reduction plan in relation to another event. Currently mobile phone theft was epidemic, however, it was argued that it required a better lost property system as it often transpired that phones reported stolen were simply lost. The applicant had also employed the services of a company called Vanguardia who were experienced noise control experts.

With regards to noise control Mr Taylor advised the sub-committee that there would only be one outdoor stage which would finish at 23.00hours on both evenings and that there had been an overall reduction of the number of indoor stages (six to four) at the event during both the daytime and the evening. The main stage was also due to be re-orientated to help with the reduction in noise. The main stage was due to be closed at 23.00 hours but the aim would be to end performances at 22.45hours and there would be staggered closures of all stages to help dispersing patrons.

Vanguardia had carried out predictions of noise levels at agreed sensitive locations off site which would be monitored. The low frequency noise had been identified as the most disruptive and difficult to measure and the best method of resolution was to approach issues in a co-operative manner. The applicant was committed to being good neighbours and not causing a nuisance.

A noise reporting hotline would be made available to members of the public who could contact Vanguardia direct, who could make a subjective decision on the noise levels and make any necessary adjustments to the output levels.

Mr Reece Miller, Director of the applicant company, then addressed the sub-committee, primarily in relation to traffic management issues. Mr Miller advised that there had been a successful SAG meeting de-brief following last year's event and all concerns and feedback had been listened to and acted upon. A public consultation event with local residents had also taken place in July of this year and all feedback acknowledged.

Mr Miller advised that during last year's event although Upminster town centre had been busy it had not been gridlocked. Mr Miller also advised that the road closure in Aveley Road would be removed from 01.45 hours on Monday 1 June to ensure there were no problems with traffic hold ups for vehicles using the road to commute to work on the Monday morning.

Members were also advised that taxis and coaches were to be kept away from the bus service that operated throughout the event to ensure better access and egress arrangements to and from the site.

Mr Miller also advised that the width of the gates to enter/exit the site were to be increased from 6 metres to 12 metres with concrete aprons and an additional gate for egress from the site would be in operation. The car park would also have a larger capacity than in previous years and a full traffic management programme would be in place to ensure smoother access/egress to the event. He expressed a willingness to consider any suggestions for improvement of traffic management.

Members noted that EnsignBus, who were a local company who specialised in laying on rail replacement services, had again been tasked with providing a shuttle service to and from the event throughout the weekend. Twenty buses would be laid on to surrounding areas to aid patrons in returning home. Mr Miller advised that the organisers had looked at the ticket data to ensure buses were provided to areas where attendees came from. The buses would not stop running until all the customers had departed. In 2014 the last customers had left at approximately 1:45am. There was a contingency of 5 extra buses at the Purfleet bus store.

Mr Miller advised that National Express coaches, who had the capacity and experience to deal with large numbers of passengers, were laying on services throughout the country and would be providing shuttle services to London for approximately £7. Local minicab numbers would be provided for users of the shuttle service to enable them to continue their journeys at the other end.

Mr Miller also advised that C2C trains, who again were experienced in dealing with large passenger numbers, were running a full service throughout the weekend that would finish at 02.30 hours on the Sunday and Monday mornings.

Black taxis would be able to pick up fares from the site and West One a private hire company, subsidiary of Addison Lee, would be providing a minicab service where patrons could either visit an on site office or book taxis online. Taxi queues would be marshalled by Taxi-marshall.com who were very experienced in this role nationally.

As opposed to previous years when the event had been held over the bank holiday weekend this was not a holiday weekend and there were no planned engineering works taking place on the Tube network leading to an easier journey home for those attendees wishing to use the Tube network. The last tube would be leaving Upminster at 24:00.

Members noted that there was a larger car park in operation next year that would be able to hold three times as many cars as previous years. Last year there were approximately 1,000 cars. The capacity of the car park this year would be 3,500. A car-sharing scheme had been promoted on the website which had been well supported.

Mr Miller also advised that in the event of adverse weather there would be concrete aprons on the entrance/exits to the car park and “miles and miles” of portable trackway would be laid to ensure vehicles did not have to drive on grassed areas. Consultations had also taken place with Council officers regarding drainage of the site to ensure no problems arose. Additional AA signs notifying attendees of specific entrances would be in place to aid motorists visiting the site.

The applicant would be conducting a traffic survey in April to obtain as much information as possible about how customers were planning to travel to the event in order to assist the final details of traffic management planning.

There would be local advertising about the event including a full page advert in all local newspapers and in the Residents Association newsletter. The applicant would brief the public and residents as early as possible and add an area of the website exclusively for local residents.

In response to any concerns regarding crime and disorder Mr Miller reminded members that the Police had withdrawn their representation but it was still a matter that the event organiser took seriously. Close working with the Police throughout the event and the employment of security spotters would help to reduce crime and keep it contained within the site area. A dedicated response team would be on hand to deal with any trouble that occurred off of the site.

As regards to public safety concerns Mr Miller advised that the site would not be overcrowded due to the additional numbers and with the Event Management Plan in place it was hoped that a trouble free experience would be enjoyed by all those attending. There would be mud sweepers and an extra litter pick additional to the routine collections 1 week after the event.

4. Determination of Application

Decision

Consequent upon the hearing held on 17 December 2014, the Sub-Committee's decision regarding the application for a Premises Licence for We Are Festival.

The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering's Licensing Policy.

In addition, the Sub-Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.

Agreed Facts Facts/Issues

Whether the granting of the premises licence would undermine the licensing objectives.

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The Sub-Committee noted the concerns raised in the representation against the application.

The Sub-Committee noted that the applicant and various responsible authorities had reached agreement and accepted the inclusion of a number of conditions on the premises licence.

- The prevention of public nuisance

The Sub-Committee noted that the objectors present at the hearing stated that they were reassured from the applicant's responses to the concerns raised, and how it intended to address any issues that may arise.

- The prevention of crime and disorder

The Sub-Committee noted that the police representation had been withdrawn and were satisfied that the applicant's Event Management Plan particularly the Crime Reduction Plan would address any issues that may arise.

- Public safety

The Sub-Committee noted that the public safety representation had been partially withdrawn and were satisfied that the applicant's Event Management Plan would address any further issues that may arise.

Having considered the written representations and oral responses, the Sub-Committee was satisfied with the applicant's responses in respect of its application, and determined that it had properly addressed all concerns raised. The Sub-Committee therefore granted the application, subject to the conditions set out above in this notice that had been agreed by the applicant.

Chairman