

Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 8 February 2016

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Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

<p>A1</p>	<p>APPLICATION FOR A NEW PREMISES LICENCE FOR DAMYNS HALL AERODROME, AVELEY ROAD, UPMINSTER, RM14 2 TN (WE ARE FSTVL)</p>	<p align="right">Licensing Act 2003 Notice of Decision</p> <p>PREMISES Damyns Hall Aerodrome Aveley Road Upminster RM14 2TN</p> <p>DETAILS OF APPLICATION</p> <p>This application for a new premises licence was made under section 17 of the Licensing Act 2003 (“the Act”).</p> <p>APPLICANT Lime Green Events 65A Station Road Upminster Essex RM14 2SU</p> <p>1. Details of requested licensable activities</p> <p>The Licensing Officer had advised the Sub-Committee that this application was for a limited period from Friday 27 May 2016 to Wednesday 1 June 2016 only.</p>
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		<p>Details of the application</p> <table border="1"> <thead> <tr> <th align="center" colspan="3">Films, Live Music, Recorded Music, Performance of Dance,</th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td align="center">Saturday</td> <td align="center">10:00hrs</td> <td align="center">00:30hrs</td> </tr> <tr> <td align="center">Sunday</td> <td align="center">10:00hrs</td> <td align="center">00:30hrs</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3">Supply of Alcohol.</th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td align="center">Saturday</td> <td align="center">10:30hrs</td> <td align="center">00:01hrs</td> </tr> <tr> <td align="center">Sunday</td> <td align="center">10:30hrs</td> <td align="center">00:01hrs</td> </tr> </tbody> </table> <p><u>Event Management Plan</u></p> <p>The event management plan for this festival had been supplied to the Licensing Authority and responsible authorities on a computer disc, copies of which had been supplied to the three members of the Sub-Committee.</p> <p>The Licensing Officer had sought clarification regarding Late Night Refreshment and had been told by email:</p> <p><i>“To be clear that following the recent transport and traffic table top and also the concern you had in 2015 re late night refreshment and the authorities licensing policy we took the view that we would not apply for late night refreshment this year.</i></p> <p><i>Our intention is to inform stall holders as part of the conditions of them booking onto site that they will need to cease trade of hot food and drink at 2300 hrs and they will</i></p>	Films, Live Music, Recorded Music, Performance of Dance,			Day	Start	Finish	Saturday	10:00hrs	00:30hrs	Sunday	10:00hrs	00:30hrs	Supply of Alcohol.			Day	Start	Finish	Saturday	10:30hrs	00:01hrs	Sunday	10:30hrs	00:01hrs
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		<p><i>be allowed to serve cold food and drink if they wish to. We will provide stalls at specific points to give away free tea and coffee to enable the welfare of our customers. We have taken this approach on the basis of the previous years concerns and we will review the position for subsequent applications going forward if we are successful in obtaining this and other licences in future years.</i></p> <p><i>Obviously there is an error that needs to be amended within the EMP which I can provide an email clarification to all Responsible Authorities if you so wish”</i></p> <p>The Licensing Officer had forwarded this email to the responsible authorities.</p> <p>2. Promotion of the Licensing Objectives</p> <p>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 Romford Recorder on 1st January 2016.</p> <p>3. Details of Representations</p> <p>Valid representations may only address the four licensing objectives.</p> <ul style="list-style-type: none"> • The prevention of crime and disorder; • Public safety; • The prevention of public nuisance;

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		<ul style="list-style-type: none"> • The protection of children from harm. <p>There were 4 representations against the application.</p> <p>There were 16 different representations relating to 23 people/businesses in support of the application from interested persons.</p> <p>There were no representations from Responsible Authorities.</p> <p>4. Applicant's Response</p> <p>Simon Taylor, on behalf of the applicants presented the case for approving the application.</p> <p>The event had been running since 2013 and in that time had become very successful winning three industry awards. The applicants had invested a huge effort in engaging with the local community to head off any problems and deal with any which occur expeditiously.</p> <p>The applicants were seeking nothing different from last year, a one year licence for an event taking place over 2 days, with the same capacity and same hours as previously applied for. The only difference they no longer wished to applied for late night refreshments.</p> <p>On behalf of his clients Mr Taylor had suggested that any licence should include the same conditions which were attached to the licence last year, with one addition:</p> <p>'The Premises Licence Holder shall hold a table top exercise prior to the Event to enable the Responsible Authorities to test any aspects of the Event Management Plan and its</p>

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		<p>appendices.’</p> <p>The new Event Management Plan was much fuller than last year’s and the applicants had held a table top exercise to stress test the new traffic and transport management plan in December, prior to submitting the application.</p> <p>Mr Taylor had explained that the applicants had learnt lessons from last year’s event. In the post event debrief they had looked at not just the event which had just concluded but at the lessons learnt from the previous year’s event.</p> <p>In 2014 the organisers had received a large number of noise complaints. As a result for 2015 they had stressed to performers the need to use the very latest equipment (sound systems) and also re-aligned the stages. This had resulted in a significant reduction in noise complaints. This reduction had been acknowledged in the Upminster Residents Association newsletter which stated that there had been fewer complaints.</p> <p>For 2016 performers would be pressed to ensure they used only the very latest sound systems.</p> <p>2015 had seen a significant reduction in crime compared to 2014. Since the festival started in 2013 the alleged theft of mobile phones had been a major problem. This had been a specific focus for both security and the police.</p> <p>In 2015 despite crowds of 50,000 over the two days there were only 35 allegations of theft.</p> <p>Everyone entering the site had been stopped and searched with potential weapons and drugs being confiscated. Honesty bins were also provided and these had been well used. Proactive searching had led to just 7 allegations of drug selling. The contractor’s camp site</p>

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		<p>had also been searched.</p> <p>Over 3,000 canisters of Nitrous Oxide had been seized or surrendered along with a quantity of drugs. These had been presented to the Metropolitan Police for disposal.</p> <p>Intelligence sharing with the police had worked well. The organisers had also taken police advice on potential hotspots. These had been the subject of improved lighting, CCTV, increased security and covert security.</p> <p>Given the problems experienced last year on the Saturday night the organisers would be providing extra security in the traffic hub.</p> <p>If the application was successful a meeting would be held with the Metropolitan Police in late February.</p> <p>The third issue mentioned in the representations referred to litter. The representation submitted by Trevor Rockliff, Team Leader StreetCare Enforcement did not accord with the applicants own perceptions. At the debrief it had been recorded that litter had been dealt with well, with the mobile team responding promptly to any issues.</p> <p>Mr Taylor circulated copies of photographs taken both before and after the event. These appeared to support their view.</p> <p>In response to questions from the Sub-Committee the applicants confirmed that if festival goers had dropped litter on the roads to and from the site this had been picked up by the mobile teams. An example of the bus stop outside Tey Café was quoted. The photographs demonstrated that the area was cleaner after the event than before.</p>

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		<p>As to mud on the roads, steps had been taken to address these issues. The applicants had contacted Mr Rockliff by telephone and when challenged he had been unable to provide any evidence to support his allegations. The applicants would continue to talk to Mr Rockliff to ensure any problems were dealt with pro-actively.</p> <p>Reference was made to the Upminster Residents Newsletter which had noted that the problems with litter had been dealt with quickly and efficiently.</p> <p>The biggest problem last year had been transport on the Saturday evening. Mr Taylor admitted that egress from the event on the Saturday night had been problematic. The Event Liaison Team had been involved but matters were not fully resolved until the Sunday night.</p> <p>The problem had been the lack of black cabs. A queue of around 300 people had built up and insufficient cabs were available. People got fed up with waiting and decided to walk back to Upminster. This exacerbated the problem as it meant the shuttle buses had to slow down delaying the service they were providing.</p> <p>Communication with the crowd had been inadequate. There had been insufficient resources available on the night to resolve the problem.</p> <p>The debrief had identified that the measures taken on the Sunday night had resolved the problem. These had included:</p> <ul style="list-style-type: none"> • 6 tower lights • 80 additional stewards • Hard divert • Increased stewards on the gates

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		<ul style="list-style-type: none"> • 10 additional buses • Improved messaging • Additional 100 to 120 taxis available. <p>This year the lessons learnt last year had been taken on board and the new Traffic and Transport Plan would deal with all the issues raised.</p> <ul style="list-style-type: none"> • Addison Lee had been contracted to provide private hire vehicles to supplement the black cabs, • A marquee would be erected in the transport hub with facilities for customers to call for a cab, • An additional gate into and out off the bus hub had been arranged, • The area available for the transport hub had been increased, • There would be increased security and better fencing to prevent customers leaving the site and walking back to Upminster. • An on-site manager had been hired to look after the transport and traffic management. • Capacity on the local trains would also be increased. <p>In response to questions from the Sub-Committee the applicant's confirmed that there was a separate car park on the opposite side of the site for festival goers who wished to bring their own transport. When they left the site vehicles would have to turn right. In the previous 2 years there had been on average 2,000 cars and this had created no problems.</p> <p>The applicant's confirmed that the event was classified as 18+ and they would use challenge 25. If anyone underage tried to gain entry an area had been set aside so organisers could look after them whilst contacting responsible adults to collect the young people safely. They would not just be turned away.</p>

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		<p>5. Determination of Application</p> <p>Decision</p> <p>Consequent upon the hearing held on 8 February 2016, the Sub-Committee’s decision regarding the application for a Premises Licence for We Are Festival was as follows:</p> <p>The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which are:</p> <p>The prevention of crime and disorder</p> <p>Public safety</p> <p>The prevention of public nuisance</p> <p>The protection of children from harm</p> <p>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.</p> <p>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.</p> <p>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 below that had been suggested by the applicant.</p>
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		<ol style="list-style-type: none"> 1. The maximum capacity for the event in 2016 shall be 24,999, which shall 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. Site maps will be gridded with clear RV points to allow speedy access for emergency vehicles or location of casualties if needed. 4. 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. 5. The final Event Management Plan shall be adhered to in full by the licence holder. 6. A debrief meeting will be undertaken after the event to include the licensing authority, responsible authorities and other relevant agencies involved in the event. 7. A Security Plan, Drugs Plan and Crime Reduction Plan will be provided as part of the Event Management Plan. 8. A Noise Management Plan will be prepared by specialist acoustic consultants as part of the Event Management Plan. 9. Outdoor music will finish at 23:00 hours and marquees operating after this time will be

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		<p>positioned to ensure minimum sound bleed and will have acoustic screening around the rear.</p> <p>10. 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.</p> <p>11. 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.</p> <p>12. 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.</p> <p>13. 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.</p> <p>14. The licence holder will convene a meeting with residents to discuss the EMP in February 2016, and again within one month of the SAG debrief following the event.</p> <p>15. 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.</p> <p>16. The licence holder will employ specialist security contractors to work at the event.</p>

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		<p>17. Within the event there will be static and roaming security as well as perimeter security.</p> <p>18. At the event there will be a full search at all entry gates to include wandng, bag searches and pat downs.</p> <p>19. 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.</p> <p>20. No bands or artists will be booked that will be anticipated to attract anti-social elements to the event.</p> <p>21. The licence holder will provide a welfare/chill out space on the site and a vulnerable person’s policy will be in place for those who may need assistance.</p> <p>22. 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.</p> <p>23. 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.</p> <p>24. The event is an over 18 event which will be advertised in advance.</p> <p>25. The occupancy levels of the marquee/tented structures within the Licensed Site will be</p>

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		<p>continually monitored and will not exceed the capacities specified in the final Event Management Plan agreed through the SAG process.</p> <p>26. 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.</p> <p>27. The Premises Licence Holder shall hold a table top exercise prior to the Event to enable the Responsible Authorities to test any aspect of the Event Management Plan and its Appendices.</p> <p>7. Right of Appeal</p> <p>Any party to the decision or anyone who has made a relevant representation [including a responsible authority or interested party] in relation to the application may appeal to the Magistrates' Court <u>within 21 days of notification of the decision</u>. On appeal, the Magistrates' Court may:</p> <ol style="list-style-type: none"> 1. dismiss the appeal; or 2. substitute the decision for another decision which could have been made by the Sub Committee; or 3. remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and 4. make an order for costs as it sees fit. <p>James K Goodwin Clerk to the Licensing Sub-Committee 10th February 2016</p>

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