

Licensing Sub-Committee Hearings Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 01 June 2016 at 10:00**

The Licensing Sub-Committee hears and determines applications made under the Licensing Act 2003. This includes licensing the sale of alcohol and the provision of a variety of licensable activities such as recorded music, stage plays and the showing of films.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. A complete agenda containing details of all the applications is available for inspection at the Customer Contact Centre, Angel Court. Dates of the meetings are available on the Council's website or from Committee Services (see details at the bottom of the page).

Private Sessions

The Council will not record Licensing Sub-Committee Hearings due to their quasi judicial nature and in view of the personal and confidential information that may be disclosed as part of the proceedings which would not be appropriate to be published. The use of phones, tablets, laptops and other such devices is not permitted at Licensing Sub-Committee Hearings.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or Tel: 282222 or textphone (01206) 282266, and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets are located on each floor of the Town Hall. A vending machine selling cold drinks is located on the ground floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester Borough Council, Rowan House, 33 Sheepen Road, Colchester
Tel 282222 or textphone (01206) 282266
e-mail: licensing.committee@colchester.gov.uk
www.colchester.gov.uk

Licensing Sub-Committee Hearing Procedure for Hearings under the Licensing Act 2003

- (1) All questions and statements will be directed through the Chairman.
- (2) The Chairman will at the beginning of the Hearing explain to the parties the procedure to be followed and shall consider any request made by a party for permission for another person to appear at the Hearing.
- (3) The Hearing shall take the form of a discussion led by the Council's representative.
- (4) Cross examination shall not be permitted unless the Sub-Committee considers that cross-examination is required for it to consider the representations, application or notice as the case may be.
- (5) The Chairman of the Sub-Committee may require any person attending the Hearing who in his opinion is behaving in a disruptive manner to leave the Hearing and may:
 - (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the Sub-Committee may specify.

Provided that any such person may before the end of Hearing submit to the Council in writing any information which they would have been entitled to give orally had they not been required to leave.

- (6) A party who wishes to withdraw any representations they have made may do so:
 - (a) by giving notice to the Council no later than 24 hours before the day or first day on which the Hearing is to be held, or
 - (b) orally at the Hearing.
- (7) The Sub-Committee in considering any representations or notice made by a party may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the Hearing, or with the consent of all other parties, at the Hearing.
- (8) The Sub-Committee shall disregard any information given by a party or any person to whom permission to appear at the Hearing had been given which is not relevant to:
 - (a) their application, representations or notice(as applicable) or in the case of another person, the application representations or notice of the party representing their appearance, and
 - (b) the promotion of the licensing objectives or, in relation to a Hearing to consider a notice given by a chief officer of police, the crime prevention objective.
- (9) If a party has informed the Council that he does not intend to attend or be represented at a Hearing, the Sub-Committee may decide to proceed with the Hearing in his absence.
- (10) If a party has not informed the Council that he does not intend or be represented at a Hearing and fails to attend or be represented at a Hearing, the Sub-Committee may:
 - (a) where it considers it to be necessary in the public interest adjourn the Hearing to a specified date (notice being given forthwith to the parties concerned of the date, time and place to which the Hearing has been adjourned), or

(b) hold the Hearing in the party's absence

Where the Sub-Committee agrees to hold the Hearing in the absence of a party, the Sub-Committee shall consider at the Hearing the application, representations or notice made by that party.

The Council's case:-

- (11) The Chairman will invite the Council's representative to summarise the report relating to the application under consideration.

The Applicant's case:-

- (12) The Applicant and/or representative will begin with their opening remarks and present their case.
- (13) The Applicant's witnesses (if any) will give evidence in support of the Applicant's case.
- (14) The Applicant and/or representative may question the Applicant's witness again to clarify any points which may have arisen.

Submissions from other persons or their representatives and from Responsible Authorities:-

- (15) Each party will present their case.
- (16) Each party's witnesses (if any) will give evidence in support of the party's case.
- (17) Each party and their witnesses may be questioned by the Chairman and members of the Sub-Committee.
- (18) Each party may question their witness again to clarify any points which may have arisen.
- (19) If the Applicant or other parties wish to question each other, questions may be directed through the Chairman.
- (20) Closing Statements may be made by the Applicant and/or representative.
- (21) The Chairman will ask the Legal Advisor whether there is anything else to be raised or settled before the proceedings are closed.

Determination of the application by the Sub- Committee

- (22) The Applicant and/or representative, other persons, Responsible Authorities and the members of the public and the press will leave the room to allow the Sub-Committee to determine the application. During this process the Sub-Committee members may ask for legal advice from the Legal Advisor.
- (23) The Applicant and/or representative, other persons, Responsible Authorities and the members of the public and the press will be invited to return to the room when the Sub-Committee's determination will be announced. Written details of the determination and the grounds upon which it is based will be sent to all parties concerned in accordance with the Hearings Regulations.

COLCHESTER BOROUGH COUNCIL
Licensing Sub-Committee Hearings
Wednesday, 01 June 2016 at 10:00

Member:

Nick Cope - Member, Dave Harris - Member, Mike Hogg - Member

Substitutes:

All members of the Council who are not Cabinet members or members of this Panel.

AGENDA - Part A
(open to the public including the press)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

1 Appointment of Chairman

To appoint a Chairman for the meeting.

2 Welcome and Announcements

a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched to silent;
- the audio-recording of meetings;
- location of toilets;
- introduction of members of the meeting.

3 Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

4 **Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

5 **Minutes**

To confirm as a correct record the minutes of the meetings held on 26 February and 1 April 2016.

26 February 2016

9 - 10

1 April 2016

11 - 18

6 **Temporary Event Notice - Wishing Well Farm, Marks Tey**

19 - 92

See report by the Head of Professional Services.

e-mail: licensing.committee@colchester.gov.uk
website: www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

26 February 2016

MINUTES OF PROCEEDINGS

At a meeting of the Licensing Sub-Committee held on 26 February 2016 at 10.00am in the Council Chamber, Colchester Borough Council, Town Hall, High Street, Colchester

Present: - Councillor Gamble
Councillor Lilley
Councillor Martin for Councillor Fairley-Crowe

1. Membership

RESOLVED that Councillor Lilley be appointed Chairman.

2. Declarations of Interest

Councillor Gamble (in light of the fact that he known Mr Baird-Murray from his work in the Magistrates Court) declared his non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure 7(5).

3. Minutes

RESOLVED that the minutes of the meetings held on 22 December 2015 and 15 January 2016 were approved as a correct record.

4. Licensing Application

The Head of Professional Services submitted a report in respect of the following application which had been made in accordance with the provisions of the Licensing Act 2003, for a new premises licence for -

- The Pavilion, 20-21 Middleborough, Colchester

In Attendance

Mr A Afzalnia, applicant
Mr J Cannon, Counsel for the applicant
Mrs L Bland, instructing Solicitor

Mr J Ruder, Licensing, Food Safety Manager
Mrs S White, Licensing & Committee Co-Ordinator
Mrs A Ozono, Legal Services

Mrs E Lowrie, Local resident
Mr J Baird-Murray, Local resident
Mr A Baines, Colchester Civic Society

The Chairman opened the meeting and invited the parties present to address the Sub-Committee on the matter of the meeting's adjournment to consider additional information that had been submitted. The applicant had circulated an additional bundle of information in advance of the hearing and a further two bundles at the meeting. The Chairman was minded to adjourn the meeting to enable all parties to give proper consideration to the additional information. It was also noted that the Licensing Authority's representative was unable to attend the hearing due to ill health and that a substitute was not available to present the Authority's case.

Mr Cannon addressed the Sub-Committee on the matter of the adjournment and suggested that the additional material could be properly considered if the meeting was adjourned for an hour. If the Sub-Committee was minded to take longer, the applicant was prepared to withdraw the additional information. On the matter of the absence of the Licensing Authority's representative, Mr Cannon noted that the Licensing Manager was present and that he could outline the Authority's position in place of Mrs Harrington.

Mr Baird-Murray addressed the Sub-Committee and expressed his concern at the circulation of additional paperwork at the hearing.

The Sub-Committee withdrew to consider the representations that had been made to it.

RESOLVED – that the meeting be adjourned to 11 March, or a date to be determined as suitable for all parties, to enable proper consideration to be given to the additional information circulated.

Reason for the determination

The Sub-Committee did not consider that an hour was sufficient time in which to give proper consideration to the additional information which had been circulated. It noted the offer to withdraw the information but considered that the applicant should be able to make a full presentation on its proposals; having submitted the additional information, it should be considered in the interests of the applicant and the public. The Sub-Committee noted Counsel's view that Mr Ruder, who was present at the meeting, could substitute for Mrs Harrington and present the Licensing Authority's case. Consideration was given to the fact that the Authority was an objector and in accordance with the Section 182 Guidance Mr Ruder was in the hearing in his capacity as an advisor to the Committee; it would be totally inappropriate for him to speak on behalf of the Authority as an objector. The position of the Authority as objector and that as advisor to the Committee must be kept separate.

COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

1 April 2016

MINUTES OF PROCEEDINGS

At a meeting of the Licensing Sub-Committee held on 1 April 2016 at 10.00am in the Grand Jury Room, Colchester Borough Council, Town Hall, High Street, Colchester

Present: - Councillor Hazell
Councillor Lilley
Councillor Martin

1. Membership

RESOLVED that Councillor Lilley be appointed Chairman.

2. Declarations of Interest

There were no declarations of interest.

3. Licensing Application

The Head of Professional Services submitted a report in respect of the following application which had been made in accordance with the provisions of the Licensing Act 2003, for a new premises licence for -

- The Pavilion Restaurant, 20-21 Middleborough, Colchester

In Attendance

Mr A Afzalnia, applicant

Mr J Cannon, Counsel for the applicant

Mr J Ruder, Licensing, Food Safety Manager

Mrs S White, Licensing & Committee Co-Ordinator

Mr Weavers, Legal Services

Mrs S Harrington, Licensing Authority

Mrs S Riley, Environmental Protection

Mrs E Lowrie, Local resident

Mr J Baird-Murray, Local resident

Mr A Baines, Colchester Civic Society

Mr Ruder outlined the application which had been submitted to the Sub-Committee for determination on 26 February 2016. This meeting had been adjourned to enable all parties to give proper consideration to the additional information circulated at that meeting by the applicant.

Mr Cannon, Counsel for the applicant, presented the application and gave some background information on the company, Elysium Leisure Limited. The company had a portfolio of properties in Colchester and London of which the Pavilion Restaurant was a significant part and represented a substantial investment. Architects plans and an interior designer's concept for the premises were submitted together with menus from Mimosa. The concept was for an open plan kitchen and private dining room in addition to the large ground floor, external terrace and children's' play area. It was noted that the internal layout designs were not finalised plans for the premises but mood boards to convey the general feel of the offer to be provided.

Mr Cannon gave further information on the food offer for the Pavilion. It was intended to make a significant investment of £350,000 in the kitchen as they believed that only by doing so could they attract the best chefs which it was believed would ensure the success of the business. It was considered that the location of the premises was favourable with a large car park located next door and good potential for daytime trade. It would promote diversity in the town which was in line with the Council's licensing policy. Mention was made of the company's work with the Council's Community Safety Team on the polycarbonate drinkware initiative at the company's Qube bar and on the success of their restaurant Mimosa at Colchester Business Park which had won restaurant of the year at the Essex Food and Life Awards in 2015.

Mr Cannon referred to the current licence which was in existence for River Lodge and indicated that should this application be granted the current River Lodge licence would be surrendered. The decision on the surrender would however depend on the granting of the licence and the terms on which it was granted. Reference had been made in some of the objections to the noise nuisance that had occurred when Quilters had been in operation. This had been operated by a different company and a memo from Environmental Protection had been circulated which confirmed that there had been no complaints nor noise abatement notices served since October 2012. Mr Afzalnia confirmed that the premises had closed to the public in November 2015.

In relation to the representation made by the Licensing Authority, Mr Cannon referred the Sub-Committee to the Policy and to Part 9 which dealt with the Old Town Policy. It was his contention that the Pavilion was a category B premises, describing the premises as a café bar/wine bar with strong elements of a restaurant. With this in mind he did not believe that exceptional circumstances had to be demonstrated for the Council to depart from its Policy and grant the application as applied for. It was his view that the application should be judged against the measures set out in 9.9 and in this regard the applicant had addressed the measures in the amended operating schedule that had been submitted shortly before the hearing on 26 February 2016. Mr Cannon stated that the application had been prepared in the light of the Policy and as such he considered it to be a text book example of an application. In relation to concerns about crime and disorder, Mr Cannon referred to the lack of a representation from Essex Police which he considered indicated there were no concerns in relation to this licensing objective. It was further stated that the application was from an operator who operated a number of other premises in town without issue.

Mr Cannon then addressed the Sub-Committee on the points raised in the representation made by Environmental Protection. He considered that many of the concerns had been dealt with in the design of the premises and the proposed operating schedule. The request to stop the use of the outside area at 23.00 was rejected; the business model was for people to dine after 23.00 in that area. The issue of the need for the licence was a matter for the business to determine and they considered it was necessary to open until 03.00. It was intended to replicate the dining experience at Mimosa and if people were seated outside at 23.00 it would be very difficult to bring them in. Customers may wish to have a

cocktail after they finish their meal and the longer hours would give flexibility and enable people to linger and enjoy their night out. With regard to the issue of music, it was confirmed that there would be no speakers outside and inside the music would be at a background level designed to complement the dining experience.

Councillor Hazell questioned the applicant on the nature of the application which she considered lacked clarity in terms of the type of venue it was intended to provide and appeared to attempt to cover all possibilities in one application. The parallel to Mimosa was understood but given the very different locations of the two premises it was considered that this was of limited relevance. The polycarbonate drinking vessels trial was welcomed for the wider safety benefits for patrons of Qube but given the proposed operating model of the Pavilion, as outlined by Mr Cannon, there again seemed to be little direct relevance to the application in front of the Sub-Committee. Mr Cannon responded that it was not a restaurant but a premises that fell into category B of the Policy and furthermore that the operation of the polycarbonate trial indicated the type of operator Elysium Leisure Ltd was.

Mr Afzlania addressed the Sub-Committee on the issue of dancing at the premises and confirmed that there was no intention to turn it into a dancing venue. He suggested that if members were concerned, a last entry restriction could be placed on the licence to stop people migrating from the town to his premises. He had no wish to encourage this type of clientele and only hoped to keep exiting diners in the premises longer by offering longer hours. In response to questioning about the nature of the venue should the initial proposals not be successful, Mr Afzlania responded that the premises would not be turned into a nightclub; its location made it unsuitable for such a venture.

Mrs Harrington addressed the Sub-Committee on the representation made by the Licensing Authority. The application submitted was contrary to the Council's Licensing Policy and therefore undermined the licensing objectives. Whilst the applicant had referenced the Old Town Policy, there appeared to have been no regard paid to the matrix on page 17 of the Policy which set out what was broadly acceptable. The description in the application was for a restaurant bar and at a site meeting Mr Afzlania had stated that it was intended to provide a restaurant; with this in mind therefore the Licensing Authority's principle concern was that the terminal hour requested did not reflect its use as a restaurant. Mrs Harrington then addressed the Sub-Committee on the concern of the licensing authority that the operating practises of the company at their other venues cast doubt on the applicant's intentions to operate this premises as a restaurant. Qube's planning consent was for a restaurant and Hudson's licence had been granted predicated on the grounds that it was to be run as a food led establishment and both premises had been run as High Volume Vertical drinking establishments which had required enforcement intervention.

Mr Cannon objected to the introduction of this evidence which had not been declared to the applicant in advance of the hearing. Mrs Harrington responded that Mr Afzlania was well aware of all the actions that had been taken and the information was not new. Mr Cannon requested that the advice of the Council's legal advisor be sought on whether this information should be heard. Mr Weavers advised that the information should be considered and the Sub-Committee should attach appropriate weight to it in reaching its decision.

Mrs Riley addressed the Sub-Committee on the representation made by Environmental Protection and sought clarification on the location of the children's play area which, whilst mentioned in the operating schedule of the application, was not indicated on the plan submitted with the application. Mrs Riley stated that she believed that the noise inside the premises could be controlled and that the main concern was the use of the outside area; noise from this location could only be controlled by restricting access to the area. The

problems of noise nuisance from Quilters, which had necessitated the serving of a noise abatement notice, demonstrated that it was a noise sensitive location. It was noted that it was intended to operate in a similar fashion to Mimosa but the location was quite different and there was potential for patrons to walk to the premises which increased the possibility for noise nuisance. Mrs Riley explained that the later the premises was open the quieter would be the background noise levels. The accepted night hours guidance from the World Health Organisation were 23.00 to 07.00. Environmental Protection considered that the licence should not be granted at a cost to local residents.

Mrs Riley sought clarification on the outside accessible bar, the first floor dining room with balcony and on the conditions such as a noise limiter which appeared inconsistent with the stated intention of opening as a restaurant. She also questioned the comparison with Hudson in relation to lighting the premises. The Pavilion was located in a very different environment to Hudson and lighting similar to that at Hudsons would be unacceptable. The application sought regulated entertainments outside until 3am and the addition of a children's play area would almost certainly increase noise problems at the venue. In summarising the position of Environmental Protection Mrs Riley concluded that the application could result in statutory noise nuisance and requested that the outside area, including the balcony, be closed by 23.00 and the children's play area by 20.00.

Mr Baird-Murray addressed the Sub-Committee and drew its attention to the Pavilion's close proximity to local residents and to the statement in the Policy that required premises to be suitable to the area in which they were located. Mr Baird-Murray did not consider the proposed offering for the Pavilion to be remotely suitable to the area in which it was located. Mrs Lowrie then addressed the Sub-Committee on the points made in her letter of representation referring to the experience of Quilters which lead her to consider that the application was unsuitable for the location, being in an historic and essentially tranquil area. Mr Baines addressed the Sub-Committee on behalf of the Colchester Civic Society. It had objected on the grounds that the application was in contravention of the licensing policy and therefore undermined the licensing objectives. Mr Baines considered that it was a catch all application with hours considerably in excess of those recommended as acceptable in the Policy.

Mr Cannon summed up on behalf of the applicant stating that it was Elysium Leisure Limited's desire to provide something different in the town which was consistent with the aims stated in the Council's Licensing Policy. The application had been made by an operator who managed well run premises in the town centre with which there had been no problems. The application had been designed to take into account the Policy and in the event that there were problems they could be dealt with using the review process. The premises fell squarely within Category B and given this it should be judged against the measures set out in Paragraph 9.9 which the conditions had been designed to match.

The Committee considered Mr Cannon's submission in relation to point three of the Licensing Authority's representation on the operating practices of Elysium Leisure Limited and determined to attach no weight to this element of the evidence in the light of the failure to disclose information in advance of the hearing. The Sub-Committee noted that issues in relation to need, parking and property values which had been raised by objectors were not matters that could be considered under the Licensing Act 2003.

RESOLVED to permit -

- the provision of films, performance of live and recorded music, performances of dance indoors Mondays to Sundays from 07.00 to 00.00
- the provision of late night refreshment on and off the premises Mondays to Sundays from 23.00 to 00.00
- the supply of alcohol on and off the premises Mondays to Sundays from 07.00 to 00.00
- the premises to be open for Mondays to Sundays from 07.00 to 00.00

The licence is granted subject to the following conditions –

Pavilion Operating Schedule

General

1. All staff shall be trained on the relevant obligations and offences under the Licensing Act and the promotion of the Licensing objectives, such training to include (but not limited to)

- Relevant age restrictions
- Recognising signs of drunkenness
- How to refuse service
- Overcrowding
- Premises duty of care
- Drugs awareness
- Company policies and reporting procedures
- Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting the incident to the emergency services
- The conditions in force under the licence

2. Documented records of training completed must be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 month intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Colchester Borough Council.

Prevention of Crime and Disorder

3. All emergency exits will be alarmed when the premises are open to the public so that staff are immediately notified of unauthorised opening and tampering.

4. All private area and cellars/storage rooms must be kept locked and secured whilst the premises is open to the public.

5. The premises must install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras must continually record while the premises is open to the public and recording must be kept available and unedited for a minimum of 31 days with the date and time stamping. A staff member who is conversant with the operation of

the CCTV system must be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.) a secure storage system to store those recording mediums must be provided.

6. The designated queuing area must be enclosed within appropriate barriers to ensure that the footway is kept clear.

7. Any queue to enter the premises that forms outside the premises must be kept orderly and supervised by licensed door supervisors to ensure that there is no public nuisance or obstruction to the public highway.

8. The premises licence holder must ensure that the provision of door supervisors at the premises is appropriate to ensure the safe control of the premises, and must review this on a regular basis and upon request from Essex Police or the Licensing Authority

9. All staff engaged at the premises for the purposes of supervising or controlling queues or customers must wear high-visibility jackets, vests or armbands.

10. A log (which may be electronically recorded) must be kept at the premises and made available on request to the police or an authorised officer of the Licensing Authority; such log to include (but not limited to) the following matters and all pertinent details:

- all crimes reported to the venue, or by the venue to the police
- all ejections of patrons
- any complaints received
- any incidents of disorder
- any accidents
- seizures of drugs, offensive weapons, fraudulent ID or other items
- any faults in the CCTV system, searching equipment or scanning equipment
- any refusal of the sale of alcohol
- any visit by a relevant authority or emergency service
- the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.
- the capacity of the premises
- admission refusal
- drug abuse

All recorded matters must be investigated in a thorough manner and in collaboration with the relevant authorities where necessary.

Public Safety

11. The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.

12. The number of persons permitted in the premises at any one time including staff shall not exceed risk assessed capacity. The premises licence holder shall ensure a suitable

method of counting the number of people present during licensable activities is in place and the results are securely recorded in a logbook for a period of at least 12 months.

Prevention of Public Nuisance

13. The dispersal of customers from the premises must be managed in accordance with the following –

- Notices must be prominently displayed at all exits requesting patrons and staff to respect the needs of local residents and to leave the premises and the area quietly.
- A period where music volume is reduced, lighting increased and alcohol sales cease.

14. Regular dialogue must be maintained with neighbours and a direct telephone number for the manager of the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.

15. No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.

16. No waste or recyclable materials, shall be moved, removed or placed in outside areas between 18.00 and 08.00 the following morning. Waste or recyclable materials must not be collected on a Sunday.

17. The premises licence holder or their nominated representative to attend the local Pubwatch (or meetings of any similar alternative scheme).

18. No drinks will be served on the riverfront terrace after 23.00.

Protection of Children from Harm

19. No person under the age of 18 years will be permitted to enter or remain on the premises unless accompanied by an adult at all times.

20. Only children that are accompanied by an adult may use the children's play area.

21. The Challenge 25 Scheme must be operated to ensure that any person who appears to be under the age of 25 must provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram.

Environmental Protection Conditions

1. The outside area, which includes the balcony situated on the first floor of the premises, must not be used by customers after the hours of 23.00.

2. All external doors & windows opening onto the terrace must be kept closed after 23.00 other than for access and egress.

3. A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The noise limiter should be calibrated annually. The noise limiting device shall be connected to all permanent music

and public address equipment and all available mains power sockets within the area of the stage/music. Once set such a device should be inaccessible to the licensee or staff.

Note – The use of noise limiters does not necessarily solve or prevent noise nuisance. To be wholly effective they must be used in conjunction with other measures and structural attenuation, and need regular calibration/checking by the owner or operator. Maintenance records must be kept for 12 months.

Conditions offered by the Applicant at the hearing

1. No live or amplified music to be played in the outside area, which includes the balcony of the premises.
2. No external speakers to be sited in the outside area.
3. The children's' play area must be closed by 20.00 every day

Conditions imposed by the Committee

1. External lighting at the premises must be designed in such a way as to ensure no nuisance is caused to neighbouring premises. The external lighting must be turned off when the outside area is closed.
2. All outside tables and chairs must be rendered unusable when the outside area is closed.

Reason for the determination

In arriving at the decision the Sub-Committee considered each point very carefully. It noted the representations and the evidence presented by the applicant and objectors under the Licensing Act 2003 and had regard to the Section 182 Guidance and to its own Licensing Policy.

The Sub-Committee found that the premises was located within a mixed commercial/residential area and from the presentation made by the applicant determined the premises to be a restaurant/wine bar.

The Sub-Committee had regard to the submissions of Environmental Protection in relation to public nuisance. It noted that there had been problems in the area but these related to a previous operator. However from the evidence submitted it found the premises to be in a noise sensitive location. It therefore gave particular consideration to the use of the outside area.

The Sub-Committee attached limited weight to the evidence submitted by the applicant in relation to Mimosa as this premises was situated within a commercial area whilst the application under consideration related to a premises located in a mixed commercial/residential area with a proposed external area of a significant size and with river frontage.

The Sub-Committee found the conditions offered by the applicant in the operating schedule were those to be expected of a well-run establishment but did not find that they demonstrated exceptional circumstances for the Sub-Committee to deviate from its Policy.

Licensing Sub-Committee	1 June 2016
Wishing Well Farm, London Road, Marks Tey, Colchester	FOR GENERAL RELEASE

Purpose of the Report	To consider objection notices from Essex Police and Environmental Protection in respect of a Temporary Event Notice
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1. Application

Premises User and Premises	
Premises User	Mr James Bowkett
Premises	Wishing Well Farm
Premises Address	London Road, Marks Tey CO6 1EZ
Premises description	Farm disused and solely for residential use
Date of Event	5, 6 and 7 August 2016 inclusive
Maximum number on the premises at any one time	499

Proposed licensable activities and hours		
Sale of alcohol / Supply of alcohol by or on behalf of a club to a member of the club	On the premises	05/08/16 12.00 to 03.00 06/08/16 12.00 to 03.00 07/08/16 12.00 to 03.00
Provision of Regulated Entertainment - Music		05/08/16 12.00 to 03.00 06/08/16 12.00 to 03.00 07/08/16 12.00 to 03.00
Provision of Late Night Refreshment		05/08/16 23.00 to 03.00 06/08/16 23.00 to 03.00 07/08/16 23.00 to 03.00

2. Representations

Responsible Authority and Licensing objective undermined by TEN	
Environmental Protection	Prevention of Public Nuisance
Essex Police	Public Safety

3. Policy Context

Policy references are given for guidance only, they should not be regarded as a substitute for the Policy which contains the necessary detail for all parties in making and determining applications
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Temporary Event Notices

11.1 Temporary Event Notices, TENs, can be used to authorise premises for licensable activities for temporary periods or specific occasions.

11.2 Unlike applications for premises licences and club premises certificates, the licensing authority does not grant temporary event notices. Instead the premises user notifies the licensing authority of their intention to hold an event. Only the police and environmental protection can intervene to prevent it taking place or agree modifications to the event arrangements. However, in the interests of public safety the fire authority are notified by the Licensing Authority of all temporary events notices.

11.3 It is strongly suggested that TENS are lodged well in advance of the event to enable the licensing authority to work with event organisers, where necessary, to resolve any potential issues that may arise as a result of the TEN. This is particularly relevant for organisers of events anticipating maximum attendance and/or involving the sale of alcohol. Organisers should also have regard to the relevant parts of the guidance in this policy on large scale events.

Large Scale Public Events

12.2 Licensees are expected to have regard to the management standards set out in the Policy as well as address the following elements:

- Overall event safety control
- Production details
- Medical and first aid provision
- Site management and the structural integrity of all temporary structures
- Crowd management, stewarding and security
- Fire safety and control
- Configuration and control of sound systems
- Management of any on-site and off-site car parking
- Management of concessions and franchises
- Provision and maintenance of water supplies
- Welfare and provision of information
- Provision and maintenance of sanitary facilities
- Reception collection and removal of litter and other waste
- Liaison with local residents and businesses

12.3 Relevant details in respect of the above may include:

- The proposed capacity of the event
- The provision of plans to agreed scales detailing exits, entrances, temporary bars, marquees and all facilities to be provided within the premises
- Details of proposals for entertainments, together with information regarding any special effects
- Details of proposals for concessionary activities, including food franchises, bars, restaurants and non-food retail sales
- An alcohol management plan which will include details of:

The designated premises supervisor
Personal Licence-holders
Control of the sale of alcohol
Proof-of-age policy
Promotion of responsible drinking
Appropriate signage

- A Safety Policy and Risk Assessment for the event
- Details of arrangements for co-ordinating and controlling event safety on the site
- A site safety plan, including site safety rules, requirements for construction and breakdown of site, structural safety calculations, drawings of temporary structures and safety barriers, details of electrical installations and lighting arrangements
- Incident contingency and emergency plans (including a Major Incident Plan)
- A crowd management, stewarding and security plan (taking into account the views of Essex Police)
- A medical ambulance and first aid plan
- A fire safety plan
- A traffic management plan
- A sound assessment with details and proposals for monitoring and controlling sound emission
- Details for the provision of cleaning and maintenance of sanitary accommodation, washing facilities and drinking water
- Details for the reception collection, litter and disposal of other waste
- Details of welfare arrangement facilities and provisions for information on site
- Details of the arrangements and facilities for disabled persons.
- Consideration should not solely focus on the activities taking place within the area of the licensed premises. Appropriate measures to address issues outside the licensable area include:
- Putting in place plans that will assist to minimize disruption to the day-to-day lives of local residents, businesses and existing operations for the period of the event
- Providing a robust traffic and transport plan that takes into account the needs of the local community – and minimizes the impact of visitors to the area for the event – while maintaining a safe and convenient point of access and egress for the attendees within the parameters of existing traffic, transport and parking provision

- Putting in place a strategy to manage the consumption of alcohol by visitors accessing and leaving the event in the public realm and highway
- Putting in place a strategy for the control of access to and egress from the licensed premises for the control of disorderly behaviour.
- Providing facilities external to the licensed area that will assist in the management of the access and egress of visitors to the event – and minimize the impact on the existing public realm – including, but not restricted to, additional toilet facilities and a designated park and ride area
- Putting in place a cleansing strategy beyond the immediate perimeter of the licensed premises in association with the Local Authority
- Providing communication channels for the local community that will enable residents and businesses to access sufficient detailed information prior to the event days
- Providing a hotline and information phone number for residents and local businesses for the duration of the event.

12.4 Licensees should contact the Safety Advisory Group which oversees large scale events in the Borough and have reference to The Event Safety Guide – A Guide to Health, Safety and Welfare at Music and Similar Events, commonly referred to as ‘The Purple Guide’.

4. Options available to the Sub-Committee

The Sub-Committee must take such of the following steps as it considers appropriate to ensure the promotion of the licensing objectives –

- Uphold the objections made by Environmental Protection / Essex Police and issue a Counter Notice
- Dismiss the objections made by Environmental Protection / Essex Police and permit the event to take place

Appendices

Appendix 1	Temporary Event Notice
Appendix 2	Premises plans and location plan
Appendix 3	Environmental Protection / Essex Police objections

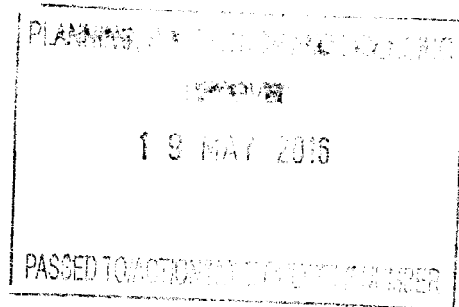
Report Author


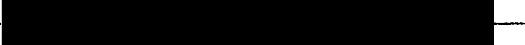
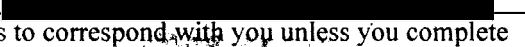
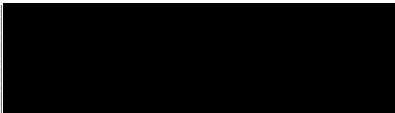




John Ruder, Licensing Manager	email jon.ruder@colchester.gov.uk telephone 01206 282840
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.



1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	BOWKETT
Forenames	JAMES
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	 88
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
	
Post town	London
Postcode	
7. Other contact details	
Telephone numbers	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
	
Post town	
Postcode	
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Wishing Well Farm, London Road, Marks Tey, CO6 1EZ	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
I will be using the green field surrounding the farm house. The field is fenced off with rape fields surrounding. The direction of travelling sound will be enclosed by the rape fields plus we will enclose the travelling sound to the best of our ability by placing hay bales in the traveling sounds path.	
Please describe the nature of the premises below. (Please read note 4)	
The farm is dis-used and solely for residential use.	
Please describe the nature of the event below. (Please read note 5)	
<p>The event is a weekend music festival with alcohol sales and overnight camping. There will be food stall's and souvenir shops. There will also be potential dancing entertainers. The festival is an adult only festival (over 18's) and will not allow anyone who cannot prove they are over the age of 18 onto the site at any time during production or throughout the event.</p> <p>We will have 4 temporary structures each of which will be signed off by the contractors as well as our own site safety officer (Daniel Bowkett).</p> <p>Over the weekend there will be 8 SIA badged security staff on duty throughout each day (1 guard per 50 people). The security company being used is Pure Class Security based in Witham, Essex. Head of security Scott Ford – [REDACTED]</p>	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	05/08/2016 06/08/2016 07/08/2016	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
05/08/2016 - 1200 UNTIL 0300 06/08/2016 - 1200 UNTIL 0300 07/08/2016 - 1200 UNTIL 0300		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	499	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)

Music will be played between the following times on each day – subject to those stated on the www.gov.uk:

05/08/2016 - 1200 UNTIL 0300

06/08/2016 - 1200 UNTIL 0300

07/08/2016 - 1200 UNTIL 0300

We will hold a strict restriction on any music being played preceding the stated times.

Any local residents in the direct path of travelling sound will be given plenty of notice before the event that music will be played until the stated times and on top of this be offered foam earplugs complimentary from us as a consolation for any annoyance it may cause.

During the event we will conduct hourly perimeter sound checks to ensure sound levels aren't too high for the direct neighbours.

After the arena has closed the campsite will be patrolled by over night security keeping festival goers noise to a minimum.


4. Personal licence holders (Please read note 13)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number Date of issue Date of expiry Any further relevant details		

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	1	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	1	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 16)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)	
<p>The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	
Date	18/05/2016
Name of Person signing	Samie Bowdoff

For completion by the licensing authority

10. Acknowledgement (Please read note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”.

Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;

the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
the provision of regulated entertainment; and
the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 15 below sets out the definition of an “associate”.

Note 15

An “associate” of the proposed premises user is:

- (a) the spouse or civil partner of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.









EXPLANATORY NOTE

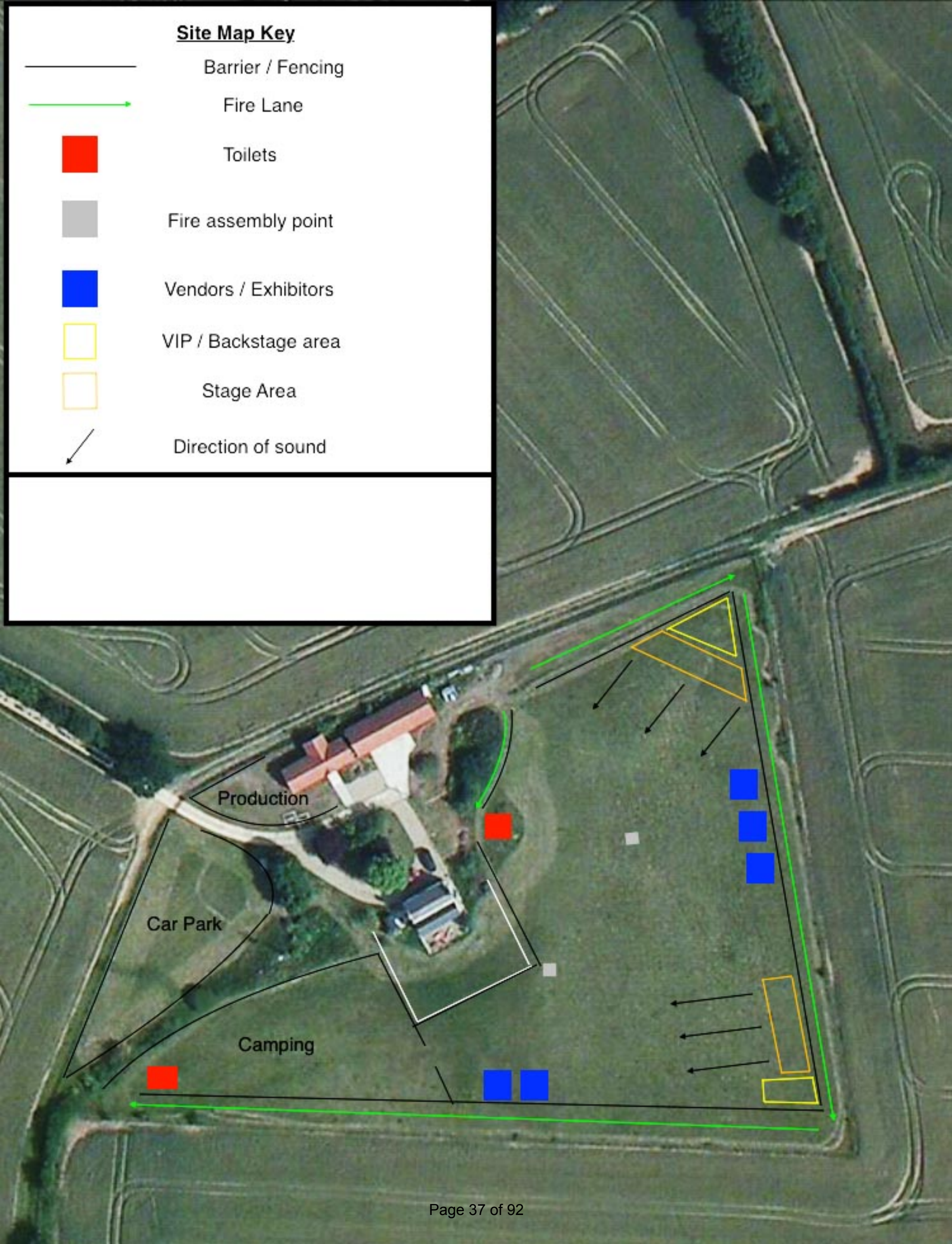
(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005 ("the 2005 Regulations"). Their purpose is to prescribe the form of a temporary event notice to replace the notice prescribed in the 2005 Regulations. The form of temporary event notice now requires the premises user to provide information about the intended use of premises for the provision of relevant entertainment (within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen.

Site Map Key

-  Barrier / Fencing
-  Fire Lane
-  Toilets
-  Fire assembly point
-  Vendors / Exhibitors
-  VIP / Backstage area
-  Stage Area
-  Direction of sound



Varkala Festival

Emergency Plan

PREFACE

The consequences of an emergency at a large-scale event could be catastrophic and it is necessary to plan for such an occurrence. An emergency situation will normally require a multi-discipline approach, and it is therefore important that a clear demarcation of duties, responsibilities, and procedures are agreed and understood at the planning stage.

That is why as those responsible for event planning, in the Middlesbrough area, we must ensure that our arrangements for responding to such emergencies are robust, yet flexible.

For further information and guidance, reference should be made to the following documents:-

- The Cabinet Office, 'Preparing for Emergencies' and 'Responding to Emergencies'
- Civil Contingencies Act 2004
- HSE (1999), 'The Event Safety Guide - A Guide to Health, Safety and Welfare at Music and Similar Events'.
- Event Manual

*[This Plan has been prepared, on behalf of *Varkala Festival* by *Jamie Bowkett* with the co-operation of all persons and organisations that would be involved in an incident at this event]

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1. INTRODUCTION

1.1. Event Information

◆ **Event:** Varkala Festival

◆ **Date:** 5/08/16 – 8/08/16

◆ **Timings:**

Date: 05/08/16

0800 - Safety Checks
0900 - Stewards / Security and medical staff arrive.
1000 - Briefings/ sound check starts
1100 - ELT safety check
1200 - Gates open
1200 - Licensed areas and food outlets open
1200 - Performance starts
2300 - Performance ends
2330 - Arena cleared and closed off to public
0000 - Arena cleaned ready for use

06/08/16

0800 - Safety checks carried out
0900 - Bins emptied
1000 - Water bowzers replenished
1100 - Food vendors open
1200 - Arena opens / Performance starts / Licensable activities commence
2300 - Performance ends / Licensable activities cease
0000 - Arena cleared and closed off to public

07/08/16

0700 - Bins Emptied
0800 - Arena cleaned ready for use
0900 - Safety checks carried out
1000 - Water bowser replenished

- 1200 - Arena opens / Performance starts / Licensable activities commence
- 2300 - Performance ends / Licensable activities cease
- 0000 - Arena cleared and closed off to public

08/08/16

- 0800 - Arena cleared and closed off to public
- 1300 - All public to have left the site/car park
- 1330 - Event debrief with security, medical and management teams

♦ **Event Organisers:**

Event Director – Jamie Bowkett

Event Manager – Alex Golesworthy

♦ **Venue:**

Wishingwell Farm, London Road, CO6 1EZ

- ♦ **Projected Audience:** 450 over the day max. 499 at any one time.

1.2. Event Description

Varkala Festival takes its name and ethos from southern India's long-buried truck art scene: A unique art form with **distinction** and **authenticity**, alive with **vivid colour** and **total freedom** - Varkala Festival is a boutique, greenfield weekend festival, combining laid back soulful sounds with *live vivid art* from 5th – 8th August.

I will be using the green field surrounding the farm house. The field is fenced off with rape fields surrounding. The direction of travelling sound will be enclosed by the rape fields plus we will enclose the travelling sound to the best of our ability by placing hay bales in the traveling sounds path.

The event is a weekend music festival with alcohol sales and overnight camping. There will be food stall's and souvenir shops. There will also be potential dancing entertainers. The festival is an adult only festival (over 18's) and will not allow anyone who cannot prove they are over the age of 18 onto the site at any time during production or throughout the event.

We will have 5 temporary structures each of which will be signed off by the contractors as well as our own site safety officer (Daniel Bowkett).

Over the weekend there will be 8 SIA badged security staff on duty throughout each day (1 guard per 50 people). The security company being used is Pure Class Security based in Witham, Essex. Head of security Scott Ford.

The farm is dis-used and solely for residential use.

Music will be played between the following times on each day – subject to those stated on the www.gov.uk:

05/08/2016 - 1200 UNTIL 0300

06/08/2016 - 1200 UNTIL 0300

07/08/2016 - 1200 UNTIL 0300

We will hold a strict restriction on any music being played preceding the stated times.

Any local residents in the direct path of travelling sound will be given plenty of notice before the event that music will be played until the stated times and on top of this be offered foam earplugs complimentary from us as a consolation for any annoyance it may cause. During the event we will conduct hourly perimeter sound checks to ensure sound levels aren't too high for the direct neighbours. After the arena has closed the campsite will be patrolled by over night security keeping festival goers noise to a minimum.

1.3. Emergency Response Plan

1.3.1. Aim

The aim of this plan is to ensure that the safety of those attending the Varkala Festival is maintained at all times, by providing a set of roles, responsibilities, and procedures to ensure a co-ordinated response to any minor emergencies or major incidents resulting from both on and off-site hazards, whilst keeping disruption to a minimum.

1.3.2. Objectives

The objectives of this plan are as follows:

- ◆ To ensure a swift, effective and co-ordinated response to both minor emergencies and major incidents.
- ◆ To identify the roles and responsibilities of all agencies involved in the event.

1.4. Risk Factors/ Potential Hazards

The main risks within the event area have been assessed as:

- Workers and others risk serious, possibly fatal, injuries if struck by a vehicle in a car park or on the highway.
- Workers and visitors risk serious injury if they slip or trip, even on ground level.
- Workers and others risk serious, possibly fatal injury if fixed structures collapse.
- Workers and others could become seriously ill if no emergency first aid is available at the time of injury.
- Staff and public may suffer serious and possibly fatal electric shock/burns injuries from faulty electrical equipment or installation.
- If trapped, staff and others risk serious, possibly fatal injuries from smoke inhalation or burns.
- Workers and others risk serious, possibly fatal injury and/or minor injury if barriers collapse.
- Staff and the public risk serious injury, if assaulted or if caught up in incidents of disorder.

1.5. Access/Egress Points

There will be one public access point for the main arena. This will be located at the northwest corner of the campsite between the fencing and the hedgerow. This will be the only gate public will be aloud entry to and from.

Gate number 1:

There will be one vehicle access gate in the North-western corner of the field. Gate number 1 will be located at the northwest corner of the main arena between the fencing and the hedgerow. This gate will be guarded by one security guard at all times and opened for any emergency access needed during the course of the event.

All vehicle lanes will be a minimum of 3m wide to ensure necessary emergency vehicles will make it onto the site if need be.

2. KEY POSITIONS

This section provides information on the key positions required by persons designated to respond to a minor emergency during Varkala Festival. They are as follows:

2.1. Event Control

- ◆ 2 green fields approximately 1 mile from the farm house on Epping lane, both found directly opposite where the road forks from Epping lane onto Hobbs Cross Road.
- ◆ *Opening times:*
 - 05/08/16 - 1200
 - 06/08/16 - 1200
 - 07/08/16 - 1200
- ◆ All safety documentation and a copy of this plan will be held at Event Control.
- ◆ Representatives from different organisations will attend Event Control, their role is to monitor the event and log all event communication i.e. medical requirement, stewarding incidents etc. The nominated representatives are as follows:

<u>Agency/Role</u>	<u>Designated Individual</u>
▪ Event Director	Jamie Bowkett
▪ Event Manager	Alex Golesworthy
▪ Production Manager	James F. Kingston
▪ Health & safety advisor	Daniel Bowkett
▪	
▪	

- ◆ During the event all communications should be routed through Event Control.
- ◆ The Event Organiser should, if required make calls to the emergency services in the event of an incident.

2.2. First-Aid Points

- ◆ *1 x First aid post – located at the production area outside the main arena*

3. EMERGENCY RESPONSE PROCEDURES

3.1. Identifying & Communicating Incidents

In the event of an emergency, the following identification and communication procedures will occur:

- ◆ Clearly identifiable stewards, posted at key locations and patrolling the event footprint, will either identify or be informed of emergency situations.
- ◆ The stewards, through their communications system, will report this immediately to Event Control.
- ◆ Notifications made by members of the public will be routed via stewards and/or the emergency services to Event Control.
- ◆ When notifying Event Control of an emergency situation, state the exact location in which the incident has occurred.

- ◆ On receipt of a notification, Event Control will evaluate the information and decide on the most appropriate course of action, to ensure an effective emergency response.

All notifications/significant incidents and subsequent decisions made will be recorded in the event log

3.2. Medical Emergency

In the event of notification of a medical emergency within the event footprint, the following actions will occur:

- ◆ Event Control will be advised of the location and nature of the emergency and will deploy first aiders, with steward support as necessary to secure rapid access to the incident location.
- ◆ On assessment of the situation, the first aiders will immediately contact Event Control with an update concerning the incident.
- ◆ Stewards co-ordinated through Event Control will secure as necessary clear routes for ambulance access and egress to the requirements of the First Aid Provider.
- ◆ Event Control will, under advisement from the First Aid Provider:
 - ❑ Evaluate the information being received;
 - ❑ If necessary, immediately contact the St Johns Ambulance on **999**, to notify them of the situation, and request assistance;
 - ❑ Advise the relevant agencies, and provide regular updates on the situation;
 - ❑ Deploy stewards as required;
 - ❑ Identify and ensure that emergency vehicle approach routes to the incident location are clear.

3.3. Emergency Alerting and Evacuation Procedures

In the event of a major incident occurring, it may be necessary to alert staff of dangers and/or to evacuate the whole of the event footprint. The process of emergency evacuation carries its own risks, and must therefore only be undertaken when absolutely necessary.

The decision to evacuate the event footprint will be made on the basis of an evaluation of the circumstances, undertaken by Event Control.

3.3.1. Emergency Evacuation

The **EMERGENCY EVACUATION** signal comprising of an emergency announcement, will be given over the PA system, and confirmation of the type of evacuation or incident confirmed to all stewards. This should be executed as follows:

- ❑ Stage Managers/event personnel to arrange for PA sounds to be switched off and for a designated emergency microphone and back-up microphone to be available and "live".

STEWARDS to set-up cordon around Emergency Vehicle access and egress point, dependant on which field the incident occurs in the emergency access will be made accessible where necessary.

- ❑ Event Personnel to make following announcement from 'on stage':-

- ◆ SUGGESTED EVACUATION MESSAGE WORDING

"ATTENTION PLEASE, THIS IS AN EMERGENCY MESSAGE. IN THE INTEREST OF PUBLIC SAFETY PLEASE EVACUATE THE AREA AS SAFELY AS POSSIBLE. STEWARDS WILL DIRECT YOU. THANK YOU FOR YOUR CO-OPERATION."

- ◆ Repeat message continually.

- ◆ SUGGESTED SECOND MESSAGE

(Time-scale involved, or to heighten awareness of spectators not responding)

"THIS IS AN URGENT MESSAGE. PLEASE EVACUATE THIS AREA IMMEDIATELY. YOU ARE ADVISED TO LEAVE THE MAIN STAGE AREA IMMEDIATELY. THIS IS AN INSTRUCTION. LEAVE THIS AREA IMMEDIATELY FOR YOUR OWN SAFETY. THE EVENT HAS NOW BEEN CLOSED".

- ◆ Repeat message continually.
- ◆ All staff to assist in clearance of area and/ or specific area, in as orderly a manner as possible.
- ◆ ALL PERSONNEL thereafter to await further instructions.
- ◆ The primary emergency vehicles access/ egress route has been designated as **Gate number 1**.
- ◆ Stewards/event personnel will ensure the designated emergency route is cleared of pedestrian traffic as soon as possible so as not to impede the approach, or departure, of the emergency services.

NB: Special consideration must be given to the evacuation of persons with disabilities.

3.3.2. Evacuation Notes

- ◆ Experience has shown that not all evacuees will respond, for various reasons, to steward's instructions.
- ◆ Some will be hesitant or reluctant for ill-advised commercial reasons or perhaps for other emotional motivations.
- ◆ During initial evacuations, undue amounts of time are not to be spent trying to persuade or advise uncooperative individuals.
- ◆ Stewards should concentrate on keeping the main body or group of evacuees moving in the correct direction.
- ◆ Uncooperative individuals should be told in no uncertain terms that stewards would return to remove him/her as soon as possible.

- ◆ A secondary sweep will be required through safe locations to engage and remove reluctant individuals.
- ◆ All stewards must be observant for signs of evacuees experiencing difficulty through age or infirmity. Young persons separated from adults may show signs of distress. Do not allow people to run - keep contact - avoid panic.
- ◆ Where possible impart information and reassurance to affected persons.

3.3.3. Back-up PA Systems

Any announcements will be made through the main speaker systems. Or in case of emergency and electricity being down, a mega phone will be available to use.

3.4. Bomb Threats

Event Control must be informed immediately of any potential bomb threats whether a verbal message or the detection of a suspicious package or vehicle.

If the warning is a verbal or written message, Event Control must write down the information precisely and then call 999 to pass the information onto Essex Police straight away.

Thereafter, the Senior Police Officer will be responsible for the co-ordination of the response to the bomb threat.

Essex Police will consider the validity of the warning message received, and advise on appropriate action before evacuation is considered. The following courses of action should be considered:

1) Treat as Hoax (Do nothing)

- ◆ Are you absolutely sure?

- ◆ Not in the slightest doubt?
- ◆ If there is any doubt then you must turn to one of the other options.

2) **Search Specified Area**

(Continue event and ancillary activities)

- ◆ Allow persons to remain in area and evacuate them if something is found or some other significant factors come into play.
- ◆ The threat / risk level must be **LOW**.

3) **Search and Partial Recovery**

(Suspend event or ancillary activities in specified area)

- ◆ Explosion not known to be imminent.
- ◆ Retain only essential staff and Search Teams.
- ◆ Determine parts, which should be evacuated and other areas considered less at risk?
- ◆ Re-assess after search.
- ◆ Threat / risk level is **MODERATE**.

***NB Inner cordons should be set with the following *minimum* distances:**

- | | |
|---|---------------------------|
| ◆ Small items up to briefcase size: | 100 metres minimum |
| ◆ Large items up to and including cars: | 200 metres minimum |
| ◆ Vans and heavy goods vehicles: | 400 metres minimum |

➤ **NB**: radios and mobile phones must not be used within 25m of the device.

4) Immediately Evacuate Specified Area
(Suspend event and ancillary activities)

- ◆ Threat/ risk level is **HIGH**.
- ◆ Evacuation required as soon as possible without conducting search.
- ◆ An explosion is imminent or perhaps time deadline indicated comes into play.
- ◆ Specialist Search Teams only to re-enter.

5) Evacuate Entire Arena
(Abandon event and all ancillary activities)

- ◆ Large scale evacuation of public away from the event arena and its facilities.

NB: Careful consideration must be given to car parks before being used as the areas of assembly for evacuees especially if adjacent to evacuated areas. Where possible they should be avoided as evacuation routes when there are fears of **secondary devices**.

3.5. Fire

Event Control must be informed immediately of any fires within the event footprint. Essex Fire Brigade will be immediately informed of the emergency by Event Control calling **999** , stating the exact location of the fire.

The stewards deployed in that area, having notified Event Control, will immediately commence evacuation of the immediate area affected by the fire. All stewards will be co-ordinated by the Senior Steward, under instruction from Event Control.

Event Control, under advisement from the Essex Fire Brigade, will:

- ◆ Evaluate all information being received;
- ◆ Advise all relevant agencies;
- ◆ Identify the extent of the area to be evacuated;
- ◆ Identify routes by which evacuation should take place;
- ◆ Identify approach routes to the incident for all emergency services vehicles.

Instructions will be passed to the relevant stewards, by the Senior Steward, as per the Emergency Evacuation Procedures in Section 3.3.

3.6. Communications

Communications are vital in the response to a major incident, and therefore must be robust, flexible and sufficient to maintain a constant link between all responding agencies.

Each agency/individual in Event Control will have a radio for the duration of the event.

All stewarding call signs must be made available to Event Control prior to the event taking place.

All relevant contact numbers are contained in Appendix A1 Event Contacts List.

4. ROLES/RESPONSIBILITIES/ACTIONS AT A MAJOR INCIDENT

4.1. Event Organiser

Jamie Bowkett is the main organiser of the *Varkala Festival* event. Therefore, *Jamie Bowkett* is responsible for the safety of all staff and public attending this event. The role and responsibilities of the Event Organiser/ Main Controller are as follows:

- ◆ The Event Organiser has overall responsibility for the *Varkala Festival*, and will make all resources at the event available if a major incident occurs, or if there is an incident, which has the potential to escalate into a major incident.
- ◆ The Event Organiser will ensure that they, or a competent deputy, are present at all times in Event Control during the event.
- ◆ The Event Organiser is to ensure that the Event Safety Co-ordinator is notified immediately of a major incident (or potential), ensuring that they return immediately to Event Control.
- ◆ The Event Organiser has the authority to terminate the event at any stage if it is deemed appropriate in the interests of safety.
- ◆ The Event Organiser has overall responsibility for the operational management of stewards and officials concerning crowd management and safety procedures.
- ◆ The Event Organiser is to ensure that a major incident log is commenced and maintained to record messages and actions taken.

- ◆ The Event Organiser is to ensure that all members of Event Control are contactable, both by a radio and mobile phone, at all times.

4.2. Event Safety Co-ordinator

[if relevant for this event – delete as appropriate]

The role and responsibilities of the Event Safety Co-ordinator during a major incident at the **Varkala Festival** are as follows:

- ◆ The primary role of the Event Safety Co-ordinator, in the event of a major incident, is to provide support and advice to Event Control.
- ◆ The Event Safety Co-ordinator has overall responsibility for all safety and technical aspects of the event. Therefore, the Event Safety Co-ordinator has the authority, after consultation with the Event Organiser, to terminate the event at any stage, if she/he deems it appropriate in the interests of public safety.
- ◆ Ensure, through the Senior Steward, that stewards and officials are effectively performing their roles in respect of crowd management and safety procedures.
- ◆ Provision of health & safety advice to Event Control.

4.3. Stewards

In responding to a major incident at the event, the responsibilities of all stewarding personnel may be summarised as follows:

- ◆ To alert Event Control of any major incident or any incident that has the potential to become a major incident.
- ◆ Manage the scene of the incident until the Emergency Services have arrived.
- ◆ Manage safe access from the designated emergency gate to the scene of the incident and back to the gate after collecting casualties.
- ◆ Provide accurate information on the incident to the Emergency Services and Event Control.
- ◆ Provide Stewards to assist where and when directed by Event Control, and consequently, the Emergency Services.

Upon notification of a major incident, at the **Varkala Festival**, the stewards will take the following actions:

- ◆ The Senior Steward will return to Event Control, to liaise with the team on possible evacuation scenarios and crowd management issues.
- ◆ Help evacuate the public from the event footprint in a safe and orderly manner if required.
- ◆ Aid the Emergency Services as required.

4.4. First Aid Providers

In responding to an incident at the **Varkala Festival**, *first aid* responsibilities may be summarised as follows:

- ◆ Provide first aid to attendees of the event, and inform Event Control.
- ◆ Support for St Johns Ambulance and other health organisations as required.
- ◆ Maintain communications at all times between first aiders and Event Control.

4.4.1. Medical Cover and Deployment

- ◆ **Varkala Festival** *first aid provider* will ensure that the following actions are carried out prior to the commencement of the event:-
 - A pre-event briefing for all medical staff is held
 - First aid posts are set up and fully equipped.
 - A radio communication check is carried out within the event area.
 - All medical personnel have been allocated his/her duties
 - Access and egress points from the medical facilities are clear and maintained, Event Control to be informed of any difficulties.
 - All medical personnel are made aware of all roles and responsibilities, the location of first aid posts and casualty clearing areas etc.

4.5. Resourcing

4.5.1. Police Resources

The following table shows the police resources for this event:
[If relevant for this event – delete as appropriate]

No.	Officer	Time Required on Site

4.5.2. Steward Resources

The following table shows the stewarding resources for the event:

No.	Position	Time Required on Site

4.5.3. First Aid Resources

St Johns Ambulance will provide the following first-aid cover for the event:

No	Resource	Time Required on Site

NB. A briefing will take place before the event to ensure that all stewards/first aid providers are aware of their roles and responsibilities.

5. CLOSURE OF THE EVENT

The event is planned to finish at *0300*. The bars are due to close at *0200*. Ten minutes before the event is due to conclude (at approximately *0250*) a message should be passed to all stewards informing them that the event is near completion, this should be followed by a number of actions:

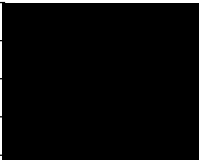

- All gates should be prepared so that they will open
- Event Control will ensure that all lighting is ready to be fully activated

At the end of the event a message will be passed to all stewards and the following actions will be taken:

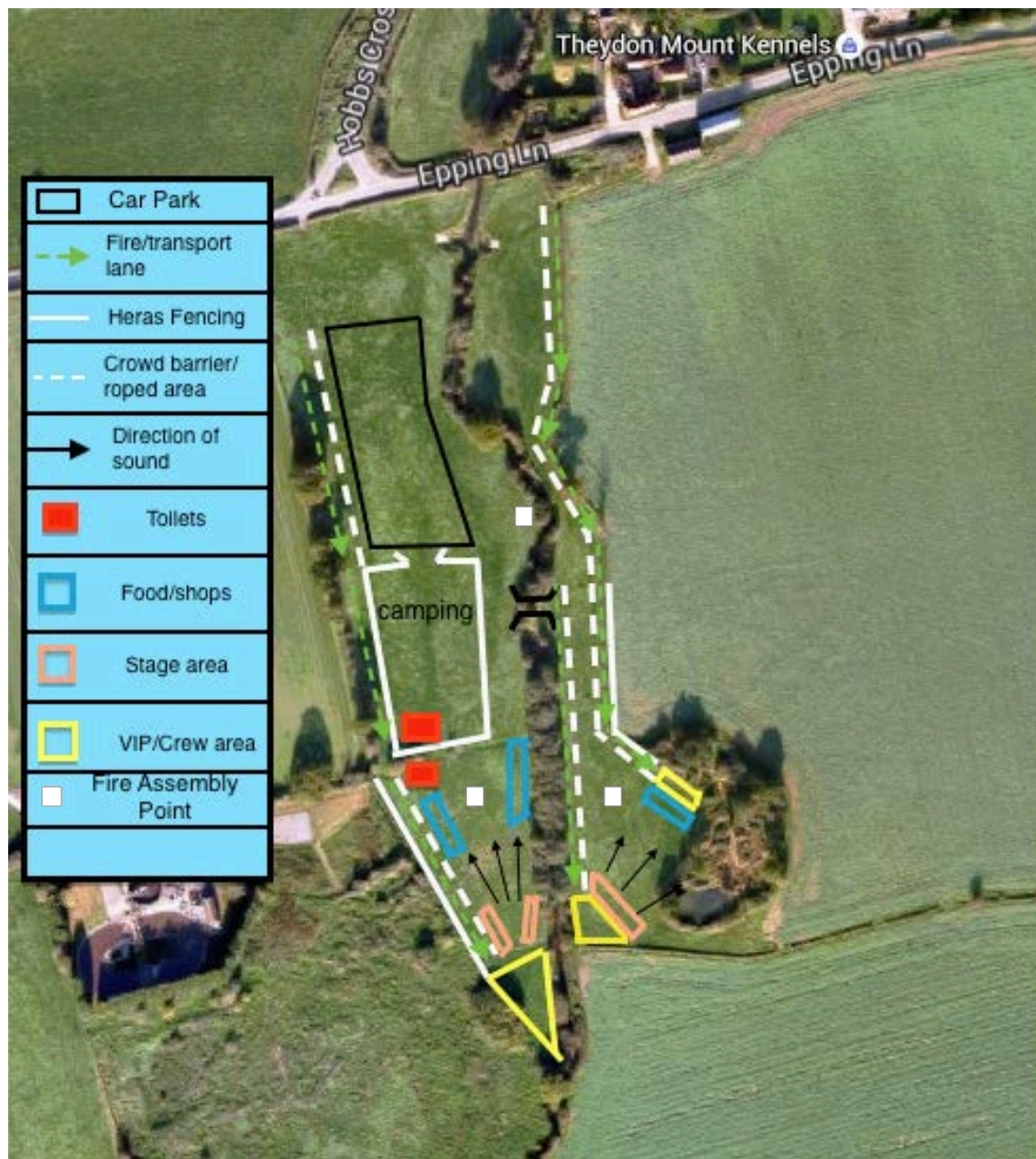
- The PA announcer/DJ will inform the crowd that the event is now over. All gates will be fully opened
- All stewards not assigned to a gate will move to the stage area ready to begin encouraging people to leave the area
- The signal to start encouraging people to leave the area will be passed from Event Control

6. APPENDICES

Appendix A1 Event Contacts List

<u>NAME</u>	<u>ORGANISATION</u>	<u>CONTACT NO.</u>
Jamie Bowkett	<i>Event Organiser/ Main Controller</i>	
Alex Golesworthy	<i>Deputy Event Organiser</i>	
Daniel Bowkett	<i>Event Safety Co-ordinator</i>	
Alex Golesworthy	<i>Promoter</i>	
	<i>First Aid Provider</i>	
Jamie Bowkett	<i>Stewarding Contact</i>	
	<i>Essex Police</i>	
James F. Kingston	<i>Crew Boss – Production Manager</i>	
Police, Fire, Ambulance		999
Contact Centre		

Appendix A2 Event Location Map



Appendix A3 Code Words & Message Scripts

A3.1 Code words

- ◆ SUSPECT PACKAGE: **PHOENIX**

Example:

“Event Control, this is sierra one – be advised. I have found a **Phoenix** at grid location tango five. I repeat - I have found a **Phoenix** at grid location tango five. Please advise.”

A3.2 Message Scripts To Public

The following are suggested messages for use when making specific announcements to the audience:

- ◆ PRIMARY EVACUATION MESSAGE

"ATTENTION PLEASE, THIS IS AN EMERGENCY MESSAGE. IN THE INTEREST OF PUBLIC SAFETY PLEASE EVACUATE THE STAGE AREA AS SAFELY AS POSSIBLE. POLICE OFFICERS AND STEWARDS WILL DIRECT YOU TO THE EXIT POINTS. THANK YOU FOR YOUR CO-OPERATION."

- ◆ SECONDARY EVACUATION MESSAGE

"THIS IS AN URGENT MESSAGE. PLEASE EVACUATE THIS AREA IMMEDIATELY. YOU ARE ADVISED TO LEAVE THE STAGE AREA IMMEDIATELY. THIS IS A POLICE INSTRUCTION. LEAVE THIS AREA IMMEDIATELY FOR YOUR OWN SAFETY. THE EVENT HAS NOW BEEN CLOSED".

- ◆ DELAYED START TO EVENT

“LADIES & GENTLEMEN, WE REGRET TO INFORM YOU THAT, DUE TO UNFORESEEN CIRCUMSTANCES, THE SHOW’S START WILL BE DELAYED BY.....(MINS). PLEASE BE PATIENT, RELAX, ENJOY THE MUSIC AND ATMOSPHERE AND WE’LL BEGIN THE SHOW AS SOON AS POSSIBLE. THANKS FOR BEING SO UNDERSTANDING.”

- ◆ STOPPING THE EVENT

“LADIES & GENTLEMEN, WE REGRET TO INFORM YOU THAT, DUE TO....., THIS EVENT HAS NOW BEEN STOPPED. IN THE INTERESTS OF SAFETY, CAN YOU NOW PLEASE MAKE YOUR WAY

SAFELY TOWARDS THE EXITS. THANKYOU FOR YOUR PATIENCE AND HELP.”

◆ **CURTAILMENT OF THE EVENT**

“LADIES & GENTLEMEN, DUE TO, WE ARE STOPPING THE EVENT FOR THE PRESENT. IT WILL HOPEFULLY BEGIN AGAIN IN(MINS). PLEASE BE PATIENT, AND WE WILL BEGIN THE EVENT AGAIN AS SOON AS POSSIBLE. THANKYOU.”

◆ **CANCELLATION OF THE EVENT**

“LADIES & GENTLEMEN, WE REGRET TO INFORM YOU THAT, DUE TO....., THE EVENT HAS NOW BEEN CANCELLED. IN THE INTERESTS OF SAFETY, CAN YOU NOW PLEASE MAKE YOUR WAY SAFELY TOWARDS THE EXITS. THE MEETING POINT FOR THOSE OF YOU WAITING ON FAMILY OR FRIENDS IS THANKYOU FOR YOUR PATIENCE AND HELP.”

Appendix A4 Distribution List

<u>Recipient</u>	<u>Organisation</u>	<u>Copy No.</u>
Jamie Bowkett	<i>Event Control</i>	1
	<i>Colchester Council</i>	2
Jamie Bowkett	<i>Event Organiser</i>	3
	<i>Colchester Council (Contact Centre)</i>	4
	<i>Stewards</i>	5
		6
	<i>First Aid Providers</i>	7
		8
James F Kingston	<i>Production Manager</i>	9
	<i>Safety Advisory Group</i>	10

Varkala Festival

Event Management Plan

Date of Event:

05/08/2016 – 08/08/2016

VENUE

Wishingwell Farm, London road, CO6 1EZ

EVENT ORGANISER (ORGANISATION / BUSINESS)

Jamie Bowkett

EVENT DIRECTOR

Jamie Bowkett

EVENT MANAGER

Alexander Golesworthy

EVENT SITE SAFETY OFFICER

Daniel Bowkett

EVENT SECURITY MANAGER

Scott Ford / Jamie Bowkett

Contents

1. Glossary
2. Plan Production & Control
3. Event Summary
4. Purpose of this document
5. Event Management
6. Event Management Structure
7. Description of Key Roles
8. Emergency Liaison Team (ELT)
9. Exhibitors
10. Build and Equipment Deliveries
11. Site facilities
12. Event schedule
13. Times of Artists

1. Glossary

Colchester Borough Council

2. Plan Production & Control

Jamie Bowkett has produced this plan

3. Event Summary

- Varkala Festival takes its name and ethos from southern India's long-buried truck art scene: A unique art form with **distinction** and **authenticity**, alive with **vivid colour** and **total freedom** - Varkala Festival is a boutique, greenfield weekend festival, combining laid back soulful sounds with *live vivid art from 5th – 8th August*.
- This document and the plans contained herein are intended to outline how the organisers intend to manage the event in line with the objectives inherent in the Licensing Act 2003 and the highest standards of health, safety and welfare for all workers and attendees.
- The event management plan aims to reflect best practice adopted by the event industry. The plan therefore provides a firm foundation on which the event structures and organisation have been established
- The procedures and management systems in this plan have been developed to ensure that the event is operated in line with the event safety guide (Purple Guide) and the following four objectives as identified in the premises license for the venue.
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- The organisers will be using sanitary facilities, bars, food concessions, and outlets along with event infrastructure temporary buildings and marquees, sufficient to serve the anticipated peak audience attendance and up to 1000 people.

4. Purpose of this document

- This document (the Event Management Plan) is intended to provide general information about the event and the detail of management plans to ensure that we will meet the safety for workers and visitors for the event.

- These management plans include the plans for dealing with risk and major incidents and these have been developed in partnership with the Statutory Emergency Services and other agencies represented on the Safety Advisory Group (**SAG**). This document is subject to constant revision on the advice of the SAG. The plan should be implemented in conjunction with any major incident plans for the area.

- The document contains information that is confidential or privileged and legally protected from disclosure. It is intended solely for the use of the organisations and individuals that form part of the SAG. This document may not be copied, forwarded, disclosed or retained in any form without the consent of the author.

- The event manager will make every effort to ensure that all detail contained in this document remain accurate, and will keep the document updated and distributed regularly. However, certain elements will be subject to change, due to the evolving nature of any event.

5. Event Management

- The event will be managed by a team referenced as the event management team (see event management structure). A number of individuals will be responsible for various aspects of the event reporting to team leaders and an event manager. In the event of an emergency a multi agency team known as the Emergency Liaison Team, (silver command) will assume control of the whole event, whereupon the suitable response can be implemented.

- The roles and functions of key individuals in the event management structure, as well as event control, are explained in more detail in Section 6.

ACCREDITATION

- All site accreditation and event accreditation will take place at the production/back stage area; a wristband pass system with security guard will be in place to manage access to restricted areas. The event manager will ensure that all necessary steps are taken to ensure that requirements are in place.

EVENT PROCEDURES

- The event management plan includes an agreed set of emergency procedures. This details exactly what the emergency procedures to be followed are, under a given set of circumstances. The details plans

which support the event management also include specifications on the build and risk assessments and site layout plans to be adopted.

6. Event Management Structure

SILVER COMMAND:

Statutory Agencies:

Police, Fire, Ambulance

Event Director:

Jamie Bowkett

Senior Responsible Officer (Council Rep):

BRONZE COMMAND:

Event Manager:

Jamie Bowkett

Site Safety Officer:

Daniel Bowkett

Security Manager:

Scott Ford / Jamie Bowkett

Logistics Manager

Alexander Golesworthy

CHAIN OF COMMAND

- The **event manager, site safety officer, security manager and any others listed within the Bronze Command structure** will have specific responsibility for managing issues arising and risks throughout the event. It is the responsibility of all senior event staff to ensure that two way communications is maintained throughout with updates to silver command on a regular basis via the event manager. In the event of a major incident **Silver Command** will assume control of the event for the duration of the event.

EVENT MANAGEMENT RESPONSIBILITIES

- Under normal circumstances the festival areas will be run by the various departments all reporting to staff managers, with reporting lines to the event manager.

7. Description of Key Roles

- **SILVER COMMAND**

In the event of an incident outside the normal working conditions of the event silver command will assume control of the entire event for the duration of the incident.

- **SENIOR RESPONSIBLE OFFICER (SRO): James Bowkett in direct contact with council**

To make strategic decisions in the event of a critical incident on behalf of the council. To ensure that all responsibilities belonging to the council are discharged and that any issues requiring the formal input or authority of the council are dealt with during the event.

- **BRONZE CONTROL**

EVENT MANAGER: Alex Golesworthy

To making operational decisions concerning the management and operation of the event. To ensure that all aspects of the event operations are managed in consultation with the event director and to ensure that all plans are delivered during the event.

SITE SAFETY OFFICER: Daniel Bowkett

To assist with the build and de-rig of all infrastructure(s) and pitch allocations. To review all aspects of the site infrastructure and health & safety. To ensure that event health and safety is implemented and that an on-going assessment of all identified and new hazards takes place on a regular basis. To liaise between the Event Director, Event Manger and Head of security in all aspects related to the safe operation of the event. To ensure the site is 'fit for purpose' and vacated by all contractors when open to the public

EVENT SECURITY MANAGER: Scott Ford/Jamie Bowkett

To ensure that all aspects of the security and crowd safety plan are implemented and that the Event Director is advised of any potential incident that could impact the operating conditions. To direct the various departments in their operations around the site and to liaise with the police concerning crime and crime prevention.

SECURITY TEAM: Pure Class Security

To deal with any incidents which may require the additional skills and training of SIA approved staff. To form and provide a suitable incident response team. To ensure public order and safety is maintained, to ensure no overcrowding occurs in any restricted areas, to ensure clear gangways and exit routes are maintained for emergency access/exit. SIA staff will also be required to maintain a position at each bar location, and point of sale, to meet the requirements of the premises licence.

8. Emergency Liaison Team (ELT)

During the event it is proposed that an Emergency Liaison Team (ELT) will be formed from representatives of those organisations who form the Safety Advisory Group. The following key stakeholders will be present all day; security and medical. All stakeholders will meet at pre-determined times for a brief from the ELT manager.

Fire and Rescue, Council or Police Staff will not be represented in the ELT instead a control number will be made available should the organisers require assistance with any incident. The ELT will deploy the on-site response as appropriate and provide co-ordinated security and medical support if required.

The event director will be the ELT lead and will be in communication with the event manager and security manager. The ELT lead will evaluate the intelligence relayed by the various agencies and assign tasks accordingly; the ELT lead is also responsible for the maintenance of the event log and co-ordinating the activities of the other ELT members. The event log will be maintained in the ELT where all occurrences and actions reported to the team will be noted along with the time.

Representatives from the medical providers will control and co-ordinate the deployment of medical resources around the event, including responding to reports and evacuating casualties from the site if necessary.

The event management team will be contactable via two-way radio to provide intelligence about the operation of the car parks and internal road system. External road conditions will also be monitored.

On site the security manager via the event control will direct resources, relates to the security of the event. Security controllers will liaise with medical providers and other agencies to provide a suitable and response to any reported incidents.

9. Exhibitors

LOCATION

1. Pizza - Tucker
2. Japanese – Homeboys
3. Burgers/Breakfasts -
4. Nothing special - adam
5. morty & bobs – grilled sandwiches / coffee
6. Bo Boutique
7. Erica Massage
8. The raw food company
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.

10. Build and Equipment Deliveries

The site build will be carried out in the week/10 days leading up to the event and will be managed by the event site manager and his team. During this period the area within the outer perimeter will be classed as a working area with all the relevant health and safety procedures in place and restrictions being enforced by a health and safety advisor. Details of Health and safety policies and procedures can be found appended to this document.

• Marquees And Temporary Accommodation

MARQUEES

- Marquees will be erected as marked on the plan to accommodate assistance points, steward's rest area, first aid areas. In addition to these restricted areas the public will also have access to marquees erected. All marquees on site are supplied by the event contractor and conform to all relevant legislation (see contractors contacts). The marquees must contain emergency lighting where required, any marquee used for catering is designed for purpose. Copies of method statements and certification will be available in the site office.

TEMPORARY STAGE

- A mobile stage supplied by James F. Kingston, will be used to house the music and dance performances. This structure is installed by James F. Kingston and structural sign off certificates will be supplied on completion.

Fencing, Sound Towers And Scaffolding

- Fencing comprises a combination of Heras fencing, pedestrian barrier, rope & pin. All fencing construction will be carried out by experienced crews following industry guidelines, including ensuring that all sharp edges are protected and adequate gaps are left for pedestrian access, all gaps or crossing points are to be staffed by event stewards.
- All scaffolding will be constructed by professional erectors only and will conform to the relevant legislation. Some banner supports will also be erected around the arena where required.
- Towers constructed within the public arena are fully protected by pedestrian barriers and any cable runs are marked with red and white hazard tape to warn any high vehicles that may be moving in the vicinity during the build up period.
- Front of stage crowd barriers will be placed on the Main Stage

11. SITE FACILITIES

FOOD AND HYGIENE

- Food concessions are provided in the food court area of the event arena as outlined on the site plan under the management of various catering providers. All certificates and paperwork will be available in the site office for inspection.

LICENSED FACILITIES

- Licensed Facilities will be provided by Supply 2 Location Ltd and Homec Ltd. licensed in accordance with the licensing conditions relating to the venue.
- The premises supervisor will be Mathew Benfield, who holds a personal license.
- The sales of alcohol will take between the times of 12:00pm and 11:00pm.
- All staff working at the point of sale of alcohol will receive training in respect of the Licensing Act 2003. The training will include specifically; Challenge 25, underage, the nature of ID to be accepted and the serving of drunks.

- Written training records will be kept and made available upon request to authorised officers of the Licensing Authority and Essex Police

TOILET PROVISION

- Public toilets will be provided in the areas of the site as marked with "W.C." on the site plan. The total additional temporary provision to be provided is as follows:
 - 15 x UNISEX
 - 2 x URINAL BLOCK
 - 1 x DISABLED
 - 2 x VIP/BACKSTAGE FACILITY

LITTER

- There will be a 20 yard skip delivered to site on 23/07/16
- There will be disused oil drum bins provided around the arena concentrated particularly in the food court, bar areas and campsite. Each of these drums will be lined with 200L heavy duty refuse bags.
 - Each bin will be emptied every morning or when necessary and bag replaced before the festival starts.
 - All litter and bin bags will be put into the skip.
 - Festival staff will use food/drink promotions to encourage festival goers to pickup litter throughout the event.
 - Once the festival has finished all campers will be asked not obligated to fill a bag of litter and bring it to a litter point.
 - In addition, a final site litter sweep will be made when the infrastructure has gone.
 - Skip will be off hired and taken to recycling plant the week after the festival has finished.

12. Event Schedule

Date: 05/08/16

0800	-	Safety Checks
0900	-	Stewards / Security and medical staff arrive.
1000	-	Briefings/ sound check starts
1100	-	ELT safety check
1200	-	Gates open
1200	-	Licensed areas and food outlets open
1200	-	Performance starts
2300	-	Performance ends
2330	-	Arena cleared and closed off to public
0000	-	Arena cleaned ready for use

06/08/16

- 0800 - Safety checks carried out
- 0900 - Bins emptied
- 1000 - Water bowzers replenished
- 1100 - Food vendors open
- 1200 - Arena opens / Performance starts / Licensable activities commence
- 2300 - Performance ends / Licensable activities cease
- 0000 - Arena cleared and closed off to public

07/08/16

- 0700 - Bins Emptied
- 0800 - Arena cleaned ready for use
- 0900 - Safety checks carried out
- 1000 - Water bowser replenished
- 1200 - Arena opens / Performance starts / Licensable activities commence
- 2300 - Performance ends / Licensable activities cease
- 0000 - Arena cleared and closed off to public

08/08/16

- 0800 - Arena cleared and closed off to public
- 1300 - All public to have left the site/car park
- 1330 - Event debrief with security, medical and management teams

Contractors

Role	Tents/temporary structures
Company	Delightfully Lavish
Risk Assessment Status	OK
Insurance Status	OK

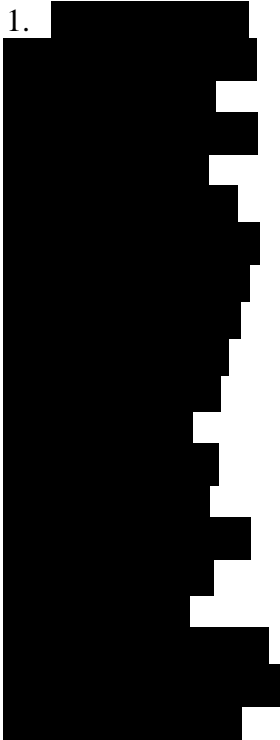
EMERGENCY LIAISON POINT (ELP)

- The emergency liaison team comprising of the police, ELT Manager and statutory agencies will meet at the marked on the site plan.

CASH HANDLING OFFICE

- An area designed for the purpose will be located at the event. Once a coded message is received a Cash collection security team will be deployed to collect, return and bank cash from the various outlets.
- The team will comprised of professional SIA Badge security staff. There will be collection times when the staff will use the fire paths to collect cash from the bar and ticket booth (also any extra cash vendors. A security officer will be located where cash is being collected, and all cash stored in a suitable safe in the production office.

Stewards/Volunteers:

1. 



Risk Assessment

Event Name: Varkala Festival

Date of Assessment 05/08/2016 – 07/08/2016

Review Date

Assessment carried out by Jamie Bowkett

Potential hazards	Potential injury	Actions taken	Further necessary action			
<u>Workplace transport</u>	Workers and others risk serious, possibly fatal, injuries if struck by a vehicle.	Workers trained by competent person to operate work vehicles and forklift trucks. All work vehicles maintained and inspected according to manufacturers' instructions. Workers wear lap belts when using vehicles. High visibility vests available and worn at all times.	Prohibit all vehicle movements other than emergency services and buggies when the public are on the site			
<u>Pedestrian/Vehicle conflict</u>	Workers and others risk serious, possibly fatal, injuries if struck by a vehicle in a car park or on the highway.	Car parking stewarded and car park well lit. Taxi drop off point provided. Hi visibility traffic safety equipment and signage will be used to warn other road users of event. All attendees driving to the event will be given written instruction on the website warning of the sudden turn off of the A12 to access the site. Clear high visibility signage will be displayed from the slip road leading up to the turning. With regards to the narrow lane coming off of the A12, we will have Slow signs in place from the A12 up to the site entrance. With regards to the narrow lanes being used on site these will be closed during festival hours unless there is an emergency in which case security guards will man the entrances and ensure no visitors crossover. The public car park is situated north of the campsite. One security guard / steward will see cars onto the site and then one security	Car park steward(s) to wear hi-vis clothing and follow pre-planned car parking scheme.			

		<p>guard/ steward will see cars into parking spaces.</p> <p>Campers will be allowed to leave the site if needed. They will be seen off site by either security or steward.</p> <p>We will have a FLT (telehandler) on site to tow out any cars that may become stuck over the weekend.</p>				
<u>Slips, Trips and Falls</u>	Workers and visitors risk serious injury if they slip or trip, even on ground level.	<p>Floors in marquees and other structures laid by a competent person.</p> <p>Temporary lighting provided to walkways, toilets and general areas in use by the public after dark. These will be lit all night and powered by a generator.</p> <p>Marquee pegs protected by foam, barrier tape and guide ropes etc highlighted in public areas</p> <p>Staff to have a 'see it and sort it' attitude. Where one will correct any issue, which could lead to a slip, trip or fall.</p> <p>We will keep 50 8" x 4" HD Trackway boards on site, which will be used to cover any well-trodden routes or communal areas if need be.</p>	<p>Ensure staff and the public are made aware of the location of the first aid tent in case of any accidental slips trips or falls.</p> <p>Any cables hidden in barriers or cable ramps.</p>			
<u>Collapse of Structures</u>	Workers and others risk serious, possibly fatal injury if fixed structures collapse.	<p>Stages, marquees and all temporary structures to be erected by a competent person/contractor.</p> <p>Contractor(s) to provide sign off certificates for all structures.</p> <p>Contractors must provide risk assessment and method statements for all on work site.</p> <p>Daily checks made on all structures by a competent person.</p> <p>James Bowkett will be checking the ground connections and anchor points of all structures. – James Bowkett has no certified qualifications, however holds extensive experience in building temporary</p>	<p>Check with provider(s) maximum wind speeds that structure can withstand safely.</p> <p>Make contingency plans to enable closure of structure in adverse weather conditions.</p>			

		marquee's as well scaffolding. Daniel Bowkett – Holds a NEBOSH health & safety qualification will be checking over all the structures regularly with myself.				
<u>Medical Emergency</u>	Workers and others could become seriously ill if no emergency first aid is available at the time of injury.	There will be 2 first aiders on site to deal with any minor issues. For anything more serious the emergency services will be contacted. There will be emergency access to the site via the fire lanes. These will be clearly indicated by industry standard health & safety signage.	Consult on plans for medical emergency cover with Local NHS Ambulance Trust.			
<u>Electrical Danger</u>	Staff and public may suffer serious and possibly fatal electric shock/burns injuries from faulty electrical equipment or installation.	All electrical systems should be constructed and maintained in a condition suitable for use in the open air and will be protected as necessary by an emergency stop or 30mA residual current circuit breaker. All generators, distribution boxes etc to be fenced and away from public. A competent person should certify all electrical installation as to their safety on completion. All electrical equipment to be PAT tested prior to use by a competent person. James Bowkett will be making electrical checks. James Bowkett holds extensive experience in installing generators and electrical distribution. Daniel Bowkett – Holds a NEBOSH health & safety qualification will also be make electrical checks.	All contractors and performers' electrical equipment brought to the event will be PAT tested.			
<u>Fire Safety</u>	If trapped, staff and others risk serious, possibly fatal injuries from smoke inhalation or burns.	Following Fire Risk assessments and Fire Management Plan. Two fire points to be located on each stage, marquee or temporary structure site containing a powder and c02 fire extinguisher and sand bucket.	Fire stewards to check fire exits and keep exits clear during performances			

		<p>Each food vendor to be supplied with a c02 and powder extinguisher and sand bucket. The supplier will have tested all extinguishers on site within the last 6 months.</p> <p>Campers will not be allowed open fires and will be allowed disposable BBQ's</p> <p>Campsite will be a fenced off area next to the car park.</p> <p>Co2 Extinguishers and sand buckets will be placed in designated fire points in the campsite for emergency use.</p>				
<u>Gas Safety</u>	Staff and others risk injury from fire and explosion if gas appliances not properly maintained and used.	<p>Food Vendors using LPG to be required to ensure their gas installation and equipment has been installed and checked within the last twelve months by a "Gas Safety Register" approved contractor.</p> <p>Food vendors to be reminded of the need to ensure staff changing LPG cylinders are trained to do so.</p> <p>Food vendors only allowed to have one day's supply of LPG at their stall.</p> <p>Gas check will be made by Daniel Bowkett - Holds a NEBOSH health & safety qualification. The only gas use on site will be from caterers who will also be asked to provide their own gas safety certificates.</p>	<p>Make arrangements to check every person working on site is complying with gas safety requirements.</p> <p>Make arrangements to check every person working on site is complying with gas safety requirements.</p>			
<u>Barrier Failure</u>	Workers and others risk serious, possibly fatal injury and/or minor injury if barriers collapse.	<p>Barriers suitable for foreseeable loading to be erected by a competent person/contractor.</p> <p>Contractor to provide sign off certificates for all structures.</p> <p>Daily checks made on all structures by a competent person.</p> <p>Daniel Bowkett - Holds a NEBOSH health & safety qualification will be making daily checks.</p>	Ensure staff and the public are made aware of the location of the first aid tent in case of any accidental barrier failure			

<u>Lighting and other special effects</u>	Staff and public may suffer eye damage if used improperly.	Qualified contractors will be employed to install any of these effects and public will be notified that they will be in use. There will be lasers, all to HSE standard. No pyrotechnics. All sound & Lighting installed and monitored by James F. Kingston.	Ensure staff and the public are made aware of the location of the first aid tent in case of any accidental lighting and other special effects failure.			
<u>Food stalls and vendors -Health & hygiene</u>	Workers and the public risk ill health if they eat food prepared in unhygienic conditions.	Only reputable caterers to be used at the event whose business is registered with their Local Authority. Food traders required to bring copies of their employee's food hygiene training certificates and their food safety management system with them to event.	Ensure staff and the public are made aware of the location of the first aid tent in case of any food poisoning brought on from poor health or hygiene.			
<u>Public Disorder</u>	Staff and the public risk serious injury, if assaulted or if caught up in incidents of disorder.	Staff trained to spot potential troublemakers, defuse tension/situations etc throughout. 1 SIA badged security staff for every 50 people attending will be present throughout each day – there will 2 overnight security guards on duty overnight on each night. Security company being used is Pure Class Security and the head of security is Scott Ford. There will be 30 stewarding staff trained in entry, queuing and searching procedures Control of numbers at event particularly in performance areas and marquees. Pit security staff employed to observe crowd behaviours. Alcoholic drinks not served to people obviously under the influence of alcohol. No glass at the event. "BYO" alcohol/glass limited to campsite – Searches conducted on entry to the arena. We will have a 3m x 3m pop up tent which will be used to house any revellers. They will be guarded by one security guard until	Providing advance information of prohibited items (glass and alcohol) the public cannot bring to the event.			

		police arrive if need be.				
<u>Adverse Weather</u>	<p>Injury or harm caused by strong winds. Injury or harm caused by heavy rain. Injury or harm caused by hail/ frost Injury or harm caused by wet floor and muddy walkways</p> <p>Slips, trips and falls. Vehicles Being grounded. Tents and structures sinking</p>	<p>If the weather conditions are too adverse it is the decision of the Event Manager whether the event should be cancelled due to safety. If wet weather occurs on the day floor matting will be on entrances and exits and the appropriate equipment will be used to prevent slips trips and falls as well as to maintain cleanliness. If the weather occur to be dangerous during the event it shall me the Event Managers decision whether the event is to vacate the site due to weather.</p> <p>In the event of vehicles being grounded the land owner has agreed to tow cars on by one to the road using his tractors or other farm machinery such as telehandlers</p>				
<u>Work at height</u>	Workers and others risk serious, possibly fatal, injuries if they fall from height.	<p>Stages and marquees to be erected by a competent person/contractor.</p> <p>Risk assessments/method statements of contractors checked for safe systems of work before the event.</p> <p>All work at height assessed on an individual task basis.</p> <p>Suitable ladders, in good condition and suitable for heavy work, provided and workers are trained know how to use them.</p>	Ensure staff and the public are made aware of the location of the first aid tent in case of any falls from height.			

<u>Manual Handling</u>	Workers may get musculoskeletal problems, e.g. back pain from handling heavy and/or awkward objects.	All work involving manual handling assessed on an individual task basis. Risk assessments/method statements of contractors checked for safe systems of work before the event. Only trained staff involved in manual handling. Aids to manual handling including fork lift truck and a range of heavy-duty sack truck and trollies available for staff.	Ensure new staff is shown how to use the manual handling aids. Ensure staff and the public are made aware of the location of the first aid tent in case of any injury brought on from manual handling.			
<u>Public Wellbeing</u>	Visitors becoming injured or unwell.	Fresh water will be supplied in fresh water bowsers in both field and the campsite and will be distributed through stainless steel sinks. On top of this bottled water will be sold on site.	Ensuring visitors special requests are met and dealt with accordingly			

Received 23 May 2016

On behalf of the Chief Constable I wish to give notice of an objection to this application on the grounds of Public Safety.

My rationale for this in brief is that the proposed premises is only accessible via a single track and is the same way in and out. I would envisage that due to the lack of public transport provision that the majority of attendees will use their own vehicles.

Should there be any vehicles left on the track Emergency Service Vehicles will be hindered in gaining access to the scene, a scenario that could compromise someone's life. Even without the lane being obstructed should a vehicle come the other way (for whatever reason) there is very little room for large Emergency Service vehicle's to pass.

In addition the access to the site (which also included the exit) is straight onto a major road (A12) There is a very small pull in area but that appears to be more suited to its designated purpose (the very occasional use by farm traffic).

Alan BECKETT 75984

Licensing Officer

Received on 20 May 2016

I am writing to advise you that after fully considering the Temporary Event Notice submitted for 5 August 2016 to permit Sale of Alcohol, Reg Entertainment, Late Refreshment, between the hours of 1200-0300 each day at Wishing Well Farm Wishingwell Farm London Road MarksTey Colchester, Environmental Protection has decided to oppose the granting of the above mentioned temporary event notice for the following reasons—

A music event over three days until 3am is likely to affect the nearest noise sensitive premise which is only 370m away. Offering foam ear plugs to the nearest residents as a means to attenuating any nuisance is not acceptable.

A copy of this Objection Notice has been sent to Colchester Borough Council as Licensing Authority for the area in which the premises are situated.

If you have enquiries regarding this matter, please do not hesitate to contact Environmental Protection using the contact details given above.

