

# LICENSING SUB COMMITTEE

Tuesday, 6 February 2018 at 6.30 p.m.

The Council Chamber, Town Hall, Mulberry Place, 5 Clove Crescent,  
London, E14 2BG

## SUPPLEMENTAL AGENDA

This meeting is open to the public to attend.

**Contact for further enquiries:**

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For further information, see the main agenda.

	PAGE NUMBER(S)	WARD(S) AFFECTED
<b>3 .2 Application for a Time Limited Premises Licence for AEG, Victoria Park, London E3</b>	<b>3 - 22</b>	<b>Bow East</b>

Supporting documents submitted on behalf of the Applicant

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# Agenda Item 3.2

<b>ALL POINTS EAST 2018</b>	
1	A maximum of ten (10) event days may be operated under this licence in each calendar year, of which no more than six (6) may be at a capacity not exceeding 39,999 ("Major Event") and the remainder at a capacity not exceeding 14,999 ("Minor Event").
2	Major Event days will take place only on Fridays, Saturday, Sundays or Bank Holiday Mondays, except where otherwise approved by the Multi Agency Planning Group
3	Each year, the Premises Licence holder will undertake a full and detailed consultation with each of the responsible authorities. This consultation will take place through a Multi-Agency Planning Group (Chaired by the Local Authority) in the lead up to, and during the event;
4	Each year, at least 4 months prior to the first event date, the Premises Licence holder will notify the Licensing Authority of the proposed dates for that years events.
5	Each year, at least 3 months prior to the first event date, the Premises Licence holder will produce a draft Event Management & Operating Plan (EMOP) containing detail appropriate to the Event. This will also include a detailed plan of the site.
6	The Final Event Management and Operating Plan (EMOP) must be approved by the Multi-Agency Planning Group, at least one month prior to the first event date.  Thereafter, no changes will be made to the EMOP without the prior written consent of the Licensing Authority.  Any changes during the event can only be made with the consent of the Event Liaison Team (ELT).
7	For each event the final EMOP (including the plan of the site) will be implemented and complied with by the Premises Licence holder.
8	Throughout the event open period the Premises Licence holder will maintain an Event Control Room to manage the event.
9	A debrief meeting will be undertaken annually after the final event date;
10	The Premises Licence holder will implement an event and pre-event communications strategy to provide anti-crime messaging and drugs awareness advice to ticket holders;
11	The Premises Licence holder will use screening on the entry points to the event, to exercise the right to refuse entry to any unauthorised or disorderly person;
12	The Premises Licence holder will implement various operations to disrupt the misuse of drugs amongst those proposing to attend the event, and to support the Event Organisers "zero tolerance to drugs" policy;

13	In conjunction with the Metropolitan Police and other responsible authorities, each year the Premises Licence holder will produce; a) Crowd Management Plan b) Alcohol Management Plan c) Ingress Management Plan d) Egress Management Plan e) Security & Crime Reduction Plan
14	In conjunction with LBTH Health & Safety and other responsible authorities, each year the Premises Licence holder will produce; a) Risk Assessment b) Fire Risk Assessment c) Schedule of Temporary Structures d) Questionnaire and Inspection schedule for Food Traders e) Rules for Site contractors
15	The Premises Licence holder will set up a publicised meeting each year with local residents prior to the first event date. This meeting will be to discuss plans for the Event and receive residents feedback;
16	The Premises Licence holder will set up a publicised meeting each year with local residents after the final event date. This meeting will be to receive residents feedback;
17	Age restrictions will apply to each event day, the age restrictions for each event day will be agreed in advance with the Multi-Agency Group and will be contained within the EMOP;
18	All alcohol outlets will be monitored by security staff and bars management team. All bar staff will receive training and daily briefings;
19	The Premises Licence holder offers the opportunity for agencies to visit the site during the live period to demonstrate the licence holders management controls and experience of the event.
20	The Premises Licence holder will provide the contact numbers of the applicants and their appointed officers
21	For Major Events, the "Music Noise Level" (MNL) measured as a LAeq over any 15-minute from an agreed permanent noise monitoring position shall not exceed 75 dBA 15-minutes.

22	For Minor Events, the “Music Noise Level” (MNL) measured as a LAeq over any 15-minute from an agreed permanent noise monitoring position shall not exceed 65 dBA 15-minutes.
23	The following three permanent noise monitoring positions have been agreed (as detailed below), but should it be found that these are not representative of the site layout or residential noise impact, then they may be relocated with the agreement of the Premises Licence holder and environmental health. The three agreed Permanent Noise Monitoring Locations are: i) Waterside Close, at the residential façade. ii) Empire Wharf (within Victoria Park) in-line with the building arch. iii) Wetherell Road (Iveagh Close) Day Nursery (within Victoria Park).
24	The sound system and site design shall be reviewed to manage containment of sub-bass, so as not to cause a public nuisance.
25	The Premises Licence holder shall appoint a competent Noise Consultant. The consultant will have the ability to monitor music noise levels competently and with the authority to control sound levels to ensure compliance with the music noise conditions.
26	A direct means of communication between the Noise Consultant and the Officers of the Environmental Health Department must be made available. There must also be a separate radio channel dedicated to noise control.
27	In consultation with the Council’s Environmental Health Department, the sound systems and other noise sources shall be positioned so as to minimise noise disturbance.
28	In conjunction with the Councils Environmental Health Department, sound tests shall be carried out before the event. This will determine the maximum music noise levels that can prevail at agreed proxy monitoring positions so as to ensure compliance with the agreed noise limits;
29	A permanent noise monitor shall be placed at all “front of house” sound mixer positions, this must be able to measure 15 minute LAeq periods or less and print or store the results, Officers must be able to view all the results at the mixer position during the event.  A copy of any noise measurements undertaken at permanent sound mixer or the 3 residential monitoring locations must be forwarded within 10 working days to the Environmental Health Department.
30	The Noise Consultant shall be able to demonstrate an up to date calibration certificate for all noise meters used according to BS7580: 1992 and be a minimum type 2 grade instrument according to BS5969: 1981.
31	Erection, dismantling and cleaning operations should only be undertaken during Council Policy working hours Mon. – Fri 8.00 a.m. – 6.00 p.m. and Saturday 8.00 a.m. – 1.00 p.m. unless otherwise agreed by prior consent. If work or operations are agreed outside of the above hours a contact telephone number (not an answer phone) must be provided for the person in charge of these operations.

32	White noise "Broadband" reversing alarms shall be used on any forklift truck or vehicle likely to affect any residential property throughout the occupation of the park by the Premises Licence holder.
33	Any complaints received should be directed via a central complaints handling system and directed to the Council Officers and all concerned immediately by secure phone or messaging service, not via an insecure wireless radio system. The Council's complaints procedure for taking and logging complaints must be followed at all times.
34	The Premises Licence holder shall comply with any reasonable instructions given by the licensing authority that seek to control noise nuisance.
35	The noise-consultant must have a sufficient number of competent staff with the necessary authority, confirmed in writing by the licensee to control the music noise levels. This number should be agreed with Environmental Health department in advance of the event.
36	The Premises Licence holder shall invite a representative of Environmental Protection Department to visit the site during the event live period to take noise measurements and qualitatively assess the impact of event noise on the property, and for all parties to use this information to drive further improvements in the management of the event.
37	No alcohol shall be taken out of the licensed area;
38	Any mobile dispensing servers (MDS) will be accompanied by persons not involved directly in serving alcohol. These other persons ('shepherds') will be responsible, jointly with the sellers and security personnel, for ensuring that mobile units comply with the Challenge 25 policy used on site, including preventing proxy sales; and sales to intoxicated customers;
39	The licensee must ensure that all staff involved in MDS operations are fully aware of and understand the requirements of the Licensing Act 2003 and all related conditions applicable to the event.
40	MDS operators must carry a clear indication that a Challenge 25 protocol is in operation.
41	A Challenge 25 Policy shall be implemented, so that before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark is checked. Identification will include, for example; <ul style="list-style-type: none"> <li>a) A photo driving licence</li> <li>b) A passport</li> <li>c) A proof of age card bearing the PASS hologram.</li> </ul>

**Experience**

1. I confirm that I am a company director of Vanguardia Limited, a company specialising in the field of leisure and entertainment. I have over 35 years experience as a consultant in the field of acoustics. I am a Fellow of the Institute of Acoustics, Chairman of the London Branch of the Institute and was awarded the Institutes Tyndall Medal for my contribution to entertainment acoustics. I have a wide range of experience in all technical aspects related to acoustics, noise and vibration and have project managed numerous innovative projects as well as presenting evidence at legal proceedings, public inquiries and at several House of Commons Select Committees. I have presented over 30 technical papers nationally and internationally on noise and acoustics mainly dealing with noise management from entertainment. Over the last 25 years I have had direct personal and overall management responsibility for advising local authorities, venue owners, event organisers and private individuals on the setting of noise limits; and the monitoring and management of noise impact for pop concerts at more than 1000 such events.
2. I sat on the Noise Council Working Party for the Code of Practice on Environmental Noise Control at Concerts (1995) (The Pop Code) and my research papers were used to develop the noise guidelines presented in this publication.
3. I have more recently been appointed to new working parties which has been formed to refresh the Pop Code and assess noise from other licensed premises.

**Instruction**

4. I have been instructed by AEG Presents Limited to provide independent acoustic advice in respect of the Licence application for the All Points East events planned for Victoria Park in 2018. In particular, I have been asked to review the letter of objection (dated 12 January 2018) from Tower Hamlets and Hackney councillors and to provide comments as appropriate.

**Experience with events at Victoria Park**

5. I have extensive experience of music events at Victoria Park having provided noise management at the majority of the shows since 2002 which was the start of the Lovebox event.

**Review of the Councillors Letter dated 12 January 18**

6. The councillors letter raises 4 items to their objection to the premises licence namely:-
  - (1) Reduction of the licence period from 5 years to 1 year.
  - (2) Reduction of the Music Noise Level (MNL) from 75dB(A) to 70 dB(A)
  - (3) The request for a separate bass limit
  - (4) A reduction in the mid-week minor events terminal hour from 2200 hours to 2130 hours.
7. I will deal with items (2) and (3) which are directly related to my experience in dealing with sound and noise from events. I will also comment on item (4). I understand the promoter, AEG, will also deal with the other two points (1) and (4).

**Reduction in the off-site MNL noise limit from 75dB to 70dB**

8. A reduction in the off-site noise level has two impacts on the successful operation of music shows at Victoria Park.
  - (1) Firstly, to meet a reduced off-site MNL of 70DB(A) would mean that the LAeq noise on-site at the respective stages would have to be controlled to levels of the order of 92dB(A) to 93dB(A) depending on location (ie 5dB(A) lower than current levels). This would render the music event an ineffective form of entertainment for the audience as levels below 95dB(A) are recognised as being too low to provide audience satisfaction. This point is documented in the Noise Council Code of Practice for Pop Concerts <sup>1</sup> (Pop Code) which confirms that *levels below 95 dB(A) will be unlikely to provide satisfactory entertainment for the audience*.
  - (2) The limit of 75dB(A) was based on the limit specified in the Pop Code and is adopted at many other parks and open spaces in the UK such as Hyde Park

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<sup>1</sup> Noise Council :Code of Practice on the environmental noise control at concerts, 1995



and Clapham Common to name several comparable London venues. A full list of venues and their associated noise limits are given in my Appendix 1. The frequent use of 75dB(A) is evident. If events at Victoria Park were forced to have a lower limit of 70dB(A) then this would severely dis-advantage Victoria Parks ability to attract acts and hence provide entertainment when compared to other open spaces in London.

### The Request for a Bass Noise Limit

9. There are several aspects that need to be considered before recommending a bass limit.

(1) Firstly, research into the assessment of disturbance from music noise was completed on behalf of the Government department DEFRA<sup>2</sup>. The research reviewed 17 different noise parameters, some felt to be better than others to assess the low frequency bass beat but in summary it was concluded that the ***'best overall prediction of subjective ratings was the Absolute LAeq'***. I was part of the research team and can confirm that all types of music were assessed from guitar orientated 'rock' music to electronic dance music both which exhibit heavy bass beats. This research confirms that the LAeq index **does** measure and assess low frequency bass and weights its significance based on human response. It is not therefore necessary to derive new indices to assess low frequency bass.

(2) Whilst some venues have a low frequency limit, many still operate satisfactorily without such a limit as shown in Appendix 1. They ALL use the LAeq index as the main driver to manage noise from music. The optimum way to control excessive low frequency noise is from within the venue and a new control system called Metrao is now being adopted to control low frequency sound in real-time. This system has been successfully trialled in Hyde Park in recent years and AEG has confirmed that this system will be implemented at Victoria Park for this years events.

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<sup>2</sup> NANR163: Noise from Pubs and Clubs (Phase II) May 2006

**Reduction in the mid-week Terminal Hour**

10. From the perspective of the management of music noise and prevention of public nuisance, there is no justification for the reduction of the mid-week terminal hour from 2200 hrs to 2130 hrs. I am confident that the music noise levels can be managed between 2130 and 2200 so that no noise nuisance will be caused.

**Summary**

11. The lowering of the LAeq noise limit from 75dB to 70dB would mean that the reduced music levels inside the park would not provide an effective form of entertainment for patrons and therefore music events of any scale would not take place in Victoria Park.
12. There is no need to adopt an additional low frequency bass limit as Government research has shown that the LAeq alone is the best descriptor to assess modern day music.
13. The best way to manage low frequency sound is from control systems within the venue and a new real-time system (Metrao) has been successfully adopted at Hyde Park and will be implemented at Victoria Park this year.
14. In conclusion, therefore, I do not consider it is necessary to change the noise conditions that already exist for Victoria Park especially as they are generally in line with other parks and open-air spaces used for music events in the UK.

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**Jim Griffiths**

**Director**

**Vanguardia**

**Date** \_\_\_\_\_

Appendix 1 – Noise limits at other Parks and open space venues

Venue	Number of Concert Days per Year	Licence Condition	Additional Information
London			
Hyde Park	6 in 2017	75dBLAeq,5min, measured 1m from the façade of any noise sensitive premises	8 Event days permitted
Trafalgar Square	40 events with amplified music	75dBLAeq,5min, measured 1m from the façade of any noise sensitive premises	No low frequency limit
Clapham Common	4 approx	75dB(A), 15 min	Additional Low Frequency Limit
Alexandra Palace Park	Licence grante in 2017 for 75dBLAeq,15min for 3 events, 65dBLAeq,15min for 4 events and 55dBLAeq,15min for 23 events		
Brockwell Park	Unknown	Varies between 58-70dBLAeq,15min depending on monitoring location	Additional Low Frequency Limit
Regents Park	Unknown	Varies between 64-69dBLAeq,15min depending on monitoring location	Low frequency assessed but no limit set
Other UK Venues			
Platt Fields	2 in 2012	Not to cause a nuisance. A limit of 75dBLAeq,15min measured 1m from the façade of any noise sensitive premises has been adopted for the event	No Low frequency limit
Bestival	3	75dBLAeq,15min measured 1m from the façade of any noise sensitive premises until 0000hrs	No Low frequency limit
Isle of Wight Festival	3	75dBLAeq,15min measured 1m from the façade of any noise sensitive premises until 0000hrs	No Low frequency limit
V Festival Telford	3	70dBLAeq,15min measured 1m from the façade of any noise sensitive premises	Limit increased from 65dBLAeq,15min from previous events
Heaton Park, Manchester	2 in 2017	75dBLAeq,15min measured 1m from the façade of any noise sensitive premises	No Low frequency limit

Reading Festival	3	68dBLAeq,15min (70dBLAeq,15min for last 2 acts each day) measured 1m from the façade of any noise sensitive premises	Limit increased from 65dBLAeq,15min from previous events
Milton Keynes National Bowl	3 in 2014	75dBLAeq,15min measured 1m from the façade of any noise sensitive property	Low frequency limit removed from previous events
Godiva Festival, Coventry	3	70dBLAeq,15min (68dBLAeq,15min on Sunday) measured 1m from the façade of any noise sensitive premises	Limit increased from 65/60dBLAeq,15min from previous events
Mercedes Benz World, Weybridge	3	70dBLAeq,15min at the nearest noise sensitive premises	No Low frequency limit
South Park, Oxford	2 in 2017	75dBLAeq,15min measured 1m from the façade of any noise sensitive premises	No low frequency limit
Bellahouston Park, Glasgow	1 in 2017, up to 3 days in previous years	75dBLAeq,15min measured 1m from the façade of any noise sensitive premises	No low frequency limit
Glasgow Green	3 in 2017	75dBLAeq,15min measured 1m from the façade of any noise sensitive premises	No low frequency limit
Warwick Castle	Approx 3	70dBLAeq,1min measured 1m from the façade of any noise sensitive premises	No low frequency limit
Roundhay Park, Leeds		75dBLAeq,15min measured 1m from the façade of any noise sensitive premises	No low frequency limit
Moor Park, Preston		75dBLAeq,15min measured 1m from the façade of any noise sensitive premises	No Low frequency limit

One off Events

The Den, Teignmouth	2	84dBLAeq,15min measured 1m from the façade of any noise sensitive premises	No Low frequency limit
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Licensing Section  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

29<sup>th</sup> January 2018

Dear Councillors,

We would like to thank you for your letter making representations regarding AEG Presents' application for a Premises Licence at Victoria Park.

We were surprised to hear that you had felt it necessary to put in an objection after the consultation process that we have been through over the recent months. From our viewpoint, this is not consistent with the feedback that we have received from the community groups and stakeholders. We are therefore keen to hear your concerns in person so that we can provide further information about the event and to also discuss why we feel your requests are unworkable with the contract that has been awarded.

I was very glad to have had the opportunity to brief Cllr. Peck in person on our plans for the new Major Events contract at our meeting of 28<sup>th</sup> November last year. At that meeting, we presented a programme of World Class events offering unprecedented value to London Borough Tower Hamlets and its residential and business communities.

As well as the direct financial benefits, which I am sure you are familiar with, we have developed a new event format and schedule for Victoria Park which will deliver many benefits. These include:

- Halve the period that event infrastructure will be present in Victoria Park than previous licensed events delivered;
- Condense the event period, to ensure that the event does not fall inside any of the school summer holidays;
- Direct investment into park infrastructure;
- Create opportunities for businesses across LBTH and East London to supply the event;
- Work closely with local schools as well as higher and further education organisations for young persons to gain invaluable education, training and experience opportunities.
- Surpassing the resource levels for the ingress and egress stewarding plans.
- Provide funding for local performing arts groups to participate and perform at the event.
- Deliver the event site and its infrastructure free of charge back to LBTH to operate their own community event.

We will deliver all the above commitments and will demonstrate this based on our upcoming Community Engagement Evening, the Documentation and Plans already submitted in the Licence Application and the Financial Offering and other contractual obligations.

These valuable commitments to the park and community stakeholders are set against the backdrop of a world-class line-up of artists, and the creation of a new free-to-access event format, underwritten by the concert events, which will provide further opportunities for local businesses and residents as well as visitors, traders and performers.

I feel it would be beneficial to re-introduce AEG Presents to you all once again. AEG has proven to consistently create and deliver first class events, that are operated at the highest level and that meet the needs of today's discerning fans, whilst working in collaboration with the local stakeholders. With the success of BST Hyde Park, Coachella, The O2 and The Eventim Apollo in Hammersmith all standing as testament to this approach; you can have total confidence in our ability to deliver quality events that achieve our respective goals.

Our philosophy of delivering quality extends to creating first class relationships with all stakeholders be they operational partners, fans and the community. We know that this tested and proven management philosophy will deliver improved management controls to ensure the events in Victoria Park are successfully delivered with a plan that does not just offer minimal impact on the community but a plan that concentrates on delivering maximum value to the community.

AEG will be an excellent partner for LB Tower Hamlets, communities on all sides of the park, and to the stakeholders who represent and serve them. In creating and developing plans for the event prior to the launch and the submission of the licence application we met with all the communities and stakeholders, to ensure that we gained approval of our plans following this process:

- We carefully studied the Tender issued by the LB Tower Hamlets.
- We then submitted an excellent tender response as part of a competitive tender process that was both compliant and in sync with the tender guidelines and specification published by LBTH.
- Our tender response was judged to be of high quality and relevance to the specification published by LBTH and we received a score of 99 out of 100.
- Our tender forms part of our contract with LBTH and as such forms the central pillars to our event operating plan which was presented in draft form to the stakeholders including Environmental Protection, Licensing, The Metropolitan Police and other Responsible Authorities.
- Following successful presentations of this plan to these stakeholder groups, we presented our vision and event plan to business and residential community groups as part of the ongoing and detailed consultation process.
- After these detailed consultations with key stakeholders and interested parties, our Event Operating Plans were finalised and now form part of the Premises Licence Application.
- After what has been a detailed and thorough consultation process with the Police, Emergency Services, LBTH Officers (from all specialist departments) and a wide range or community representatives, we received no opposition. We in fact received extremely positive feedback.
- By the end of the consultation period, no representations of any kind were submitted except for the representations from this group of councillors.

The full timeline of engagement is detailed below; following the award of the contract and the subsequent completion of the contracting process we began a thorough and extensive period of community and stakeholder consultation, which is shown below.

<b>Date</b>	<b>Activity</b>
17 <sup>th</sup> October	Meeting with Victoria Park Friends Group
17 <sup>th</sup> October	Meeting with Mayor Biggs
23 <sup>rd</sup> October	Festival Public Launch
23 <sup>rd</sup> October	Local Community Launch with 10,000 properties invited to our community engagement evening
27 <sup>th</sup> October	Meeting with Licensing department to discuss the Licence Application process and identify suitable conditions to be applied
27 <sup>th</sup> October	Email to local Councillors introducing the event
7 <sup>th</sup> November	1 <sup>st</sup> Community Consultation Meeting
8 <sup>th</sup> November	1 <sup>st</sup> Sound Management Meeting with Environmental Protection
9 <sup>th</sup> November	1 <sup>st</sup> Security & Crime Reduction Meeting with the Metropolitan Police
16 <sup>th</sup> November	1 <sup>st</sup> Multi-Agency Planning Group Meeting with Responsible Authorities and other Stakeholders
28 <sup>th</sup> November	Meeting with Councillor Peck to introduce event and listen to concerns
6 <sup>th</sup> December	Meeting with Councillor Francis to introduce event and listen to concerns
10 <sup>th</sup> January	2 <sup>nd</sup> Sound Management Meeting with Environmental Protection
17 <sup>th</sup> January	1 <sup>st</sup> Operational Meeting with LBTH Arts, Parks & Events Team (held monthly)

We will continue this process of consultation and planning with the following meetings over the coming weeks:

Date	Activity
31st January	Local Business Fair
1 <sup>st</sup> February	Hackney Operational Planning Meeting
7th February	2nd Community Engagement Meeting
8th February	2nd Security & Crime Reduction Meeting
14th February	3rd Sound Management Meeting
1st March	2nd Multi-Agency Planning Meeting

We acknowledge that all stakeholders are understandably very keen to ensure that any improvements that have been made in the management of Major Events in Victoria Park in recent years should be captured and built on during the new contract period. We can categorically confirm that our operating plan increases management systems and resources. This increase in resources is over and above the requirements asked for by LBTH in your tender specifications and are demonstrated in Ingress / Egress management, Antisocial Behaviour, Community Engagement and Sound Management. Commitments to improvements in all these areas have been detailed in the contract and will be delivered.

As stated previously, during these meetings we were pleased to have had an overwhelmingly positive response to our plans, which we suggest is reflected by the fact that other than your representation, there have been no representations against our licence application from members of the public or the responsible authorities.

We were especially pleased to hear that the community engagement program has made a difference. Speaking about our forthcoming local business fair, it was gratifying to hear the Victoria Park Friends Group state on their twitter account:

*"We have been saying @AEG\_Presents @AllPointsEastUK are a new and different experience this is further proof, well done!"*

This is an important response and endorsement to receive from a community stakeholder group who have previously represented against the licences for Major Events in previous years.

For what we believe to be the first time for event organisers operating in Victoria Park, we are also directly engaged with LB Hackney, to ensure that any concerns and issues around the ingress and egress to the north of the park are captured and dealt with in our plans.

By way of demonstrating our commitment to make improvements, we have engaged Loud Sound, a production agency who have over ten years' experience in managing events in Victoria Park. We have also appointed other first class contractors who are experts in their field.



Some of the key experts we have on our team are:

- Sound Management – Vanguardia
- Technical Production – LarMac Live
- Crowd Management & Security – G4S

We have improved the management controls and resources to ensure that all our contractors are able to deliver a first-class service benefitting the event and surrounding communities.

By working with the best operators, all with extensive experience of Victoria Park, we could identify several areas of improvements many of which went over and above the specification asked for by LBTH. It is important to note that these tender operating commitments meet and in many cases, exceed those requested by LBTH. They form part of our contract with LBTH and are included within our event plan and licence application.

### **Response to Representations**

We would now like to address the points that you raise in your representation.

#### **1. Length of the licence applied for:**

AEG have previous experience of operating events in Victoria Park including:

- Tiesto Concert 2009
- LED Festival 2010
- LED Festival 2011
- Winterville 2015

Our Event Management Contractor Loud Sound have over ten years' experience working in Victoria Park and have a deep understanding of relationships, the community and the sensitivities around delivering major events in the Park. AEG have worked with Loud Sound for 10 years and they lead all aspects of event management and operations at BST Hyde Park which is one of the World's leading examples of good practise. We have worked hand in glove with Loud Sound on this project to ensure that we utilise their experience alongside ours to bring an enhanced level of delivery to the events for this year and in the future. This is demonstrated in the engagement and consultation process that we have set upon since being appointed last summer.

The Tender Specification which was based on the Councils Major Events Policy, which specified a contract period of 4+1 years. We have been able to demonstrate at the tender stage that we are a fit and proper organisation capable with managing this contract for its entirety and we have built the Event Plans submitted as part of the licence application from this.

Having met with the Licensing, Environmental Protection and Metropolitan Police representatives in advance of submitting the licence application, these specialist organisations have been supportive of our current plans and have made no representations. These individuals are experts in their fields. We are continuing our planning and communication with them to ensure the plans are robust, with approval of these plans required on an annual basis from the existing Multi Agency Planning Group

For example, as part of the Licence Application we provided the agreed egress plan to demonstrate the mitigations that will be in place. This plan has been discussed in advance

with LBTH Arts, Parks and Events, Licensing, Environmental Protection and the Metropolitan Police. I should reiterate again that the plans exceed not only the provisions made by previous operators, but also the requirements laid out in the tender issued by LB Tower Hamlets.

We have already agreed with the Licensing Authority that we will include a Voluntary Condition (See Appendix A – Licence Conditions) on the licence that the Event Plans have approval from the Multi-Agency Planning Group on an Annual basis prior to each series of events. In addition to this, under the Licensing Act 2003 a robust statutory system for calling the licence into review already exists. We feel that the requirements for annual approval under a licensee condition coupled with the statutory remedy of review provide appropriate safeguards. It is neither necessary nor appropriate to limit the licence to one year.

Without a commitment of a licence for the period of the agreed contract length, the level of investment that AEG has committed to LBTH in delivering these events will be seriously undermined. A one year licence would not only go against legislative guidelines but given our global and local experience of running major events it is an unnecessary and unreasonable position to take given the contract award for up to 5 years.

There is the precedent at Victoria Park of recognising that the Premises Licence and Hire Agreement should be co-terminus. This makes obvious good sense.

AEG has proved itself to be of sufficient expertise and experience to be afforded a licence that matches the term of the contract. Should it be less we would have no choice but to reserve our rights to pursue all options available to address this inconsistency.

This will be a multi-million-pound investment into the events and to make this kind of financial commitment there must be security in the knowledge that these events will operate for multiple years. All the responsible authorities are happy with our plans and proposals so far and therefore as we can demonstrate that we can promote the licensing objectives for 2018 then it follows that we will be able to do this for future years.

Regarding management of noise, we have met the Environmental Protection team to improve the communications process in place from previous operators, and ensure that our responsiveness to feedback is better resulting in reduced noise impact on the community.

Additionally, we have reviewed the Sound systems to be used at the stages, to ensure that they are using state of the art technology that will further manage off site levels.

Regarding the Audio Media International article that you refer to in your representation, unfortunately you have incorrectly interpreted this. Correct research will show that an immediate improvement was made in 2013 from the previous operator in 2012. Complaints went from over 100 in 2012 under the previous Promoter to 20 in 2015, demonstrating a significant reduction. In 2017, the number of complaints was in single figures, which demonstrates a well-managed event in a built up and residential area like Victoria Park. This reduction was down to various sound system improvements as well as community engagement; all methods that we at AEG are looking to employ for the Victoria Park Events. The aim of the article that you have referred to was to demonstrate how noise complaints reduced year on year over the three-year period between AEG being awarded the Hyde Park contract in 2013 and three years later in 2015 when the article was written. It was not showing that it had taken 3 years to make an improvement as your representation incorrectly implies.

In summary, we feel it unreasonable to limit the licence to less than the full term of the contract. The request does not offer greater protection for the community as the local authority and any other interested party can request a review of the licence regardless of its length.

We feel that it has been proven that a good operator with the consistency of term in both contract and licence will invest more and operate better when stability and a longer-term vision are in place.

To agree to your request would undermine our vision of collaboration and development for the longer term and thus by default deliver shorter term and narrower thinking, both of which will not deliver the world class event that LBTH wanted when they awarded AEG this 5-year contract.

## **2. The Major Events Noise Level**

AEG went through a competitive tender process in May 2017 for the Major Events Contract for Victoria Park. As part of the tender specification the Maximum MNL of 75dBA was explicitly referred to in the tender and is a level consistently used in open spaces in London. We are aware that this is the level that has been agreed for recent events. This level is also the dBA level that has been agreed to be conditioned in the licence we have applied for, by the Environmental Protection Team.

The Tender response requires us to deliver an event that meets the tender specification to provide a viable event. Without this the events success would be questioned and we foresee any additional conditions to be onerous and unreasonable.

If a noise condition of 75dBA, that we have agreed with the Environmental Protection Team, is not appropriate for the event, we would question why it was specified the tender specification. In any event, we are confident, as is the Councils Environmental Protection Officers, that our proposed level of 75dBA is an acceptable level that will not cause a nuisance or unreasonably disturb the community.

It is independently agreed and widely known that a sound level lower than 75dBA is unworkable for a major music event. We would therefore again question why a tender was issued requesting a major music event and then a contract given for such an event where a lower level would render both the tender and contract award gravely damaged.

To further reassure you of our responsible management approach, our plans also include a reduced number of stages than have been present at previous Major Events in Victoria Park. From Field Day in 2017 it is a reduction from 12 stages in 2017 to a maximum of 7 at All Points East. **We have committed that any increase to the number of stages at our events must be signed off by the Multi-Agency Group including the Environmental Protection Teams.**

We have also been responsible in the types of artist and genre that have been booked to ensure that we minimise the impact of music noise.

As part of the Sound Management Plan that we have provided in the Licence application we have demonstrated how we will monitor and manage noise levels off site. We have also met with the Environmental Protection Team to discuss an improved way of monitoring community feedback to ensure that any feedback is dealt with promptly and resolved.

These commitments to responsible noise management, in addition to dialogue and documentation have resulted in no representation from any community groups or the relevant Responsible Authority to our application.

### **3. Noise levels for Bass**

As stated previously, we have followed the tender specification, consulted with community groups and worked with the Agencies and Stakeholders to agree a set of conditions that have been approved by the Responsible Authorities.

Within these there exists a noise condition. We have sought advice from our expert at Vanguardia (See Appendix B) and they have stated:

*“There is no need to adopt an additional low frequency bass limit as Government research has shown that the LAeq alone is the best descriptor to assess modern day music. “*

We have agreed that the LAeq will be set at the 75dBA that has previously been used as a condition on Victoria Park Premises Licences for several years.

We have already stated our improved engagement, working practices and complaints process which will enhance how we managed any feedback during the event. To refer again to our expert sound acoustician from Vanguardia:

*“The best way to manage low frequency sound is from control systems within the venue and a new real-time system (Metrao) has been successfully adopted at Hyde Park and will be implemented at Victoria Park this year. ”*

This is one of several control measures that we will use in the events at Victoria Park to ensure that we have live real-time monitoring that can be transparently shared with the Environmental Protection Officers. We are confident, as is the Councils Environmental Protection Officers, that our proposed conditioned LAeq level of 75dBA is an acceptable level that will not cause a nuisance or unreasonably disturb the community.

### **4. Time for the Mid-week**

The minor events have been designed to be low impact community events. These events will be free to access open events that allow the local community to come into the event site and experience the facilities and activities within the park. We will be operating community theatre, silent cinemas and offering local artists the opportunity to showcase their talents on small low impact stages to a wider public.

The times applied for, are to enable as many of the community as possible to experience the event. We can demonstrate that this is not just words. At Hyde Park for British Summer Time we committed to the residents that we would reduce noise impact, improve ASB, and provide them with free access to the park during mid-week; we delivered on every single commitment.

We have offered to invest in the Midweek programme and fund a community event. We are engaging with educational establishments and local businesses to ensure that the midweek is not just for the community but curated by and about the community. We believe this is a fantastic showpiece for the borough to display its best attributes within a world class facility.

We know from our Hyde Park events that many people wish to come to the park after work. This therefore means that the busiest period will be between 1900-2100hrs. We have applied for a 2200hrs finish to allow for a steady egress out of the event and to ensure that there is minimal impact on the external residents.

The Midweek low impact community events require investment and it will be loss making to operate. Reducing the hours will result in lower operating costs and would in fact be beneficial to AEG. However, after meeting with several resident groups feedback was clear that this curfew would allow the community a longer period for use for this free amenity.

Your request to reduce these hours appears at odds with what the community has requested us to offer. We have no objection to reducing this time to 2130hrs, although it will result in this free amenity being available for a shorter period to the local community. We do not believe that this is what you wish to achieve and so we hope that the above has explained our justification for these hours.

### **Summary**

So, to recap on the above.

- We have entered a deep and meaningful engagement process with the Council Officers, Stakeholders and Business and Residential Community Groups. This will continue.
- We will improve on previous events to create World Class events for Victoria Park
- We will provide the community a free amenity to enjoy, participate in and to inspire.
- We will abide by the conditions that we have voluntarily presented and agreed with the Responsible authorities.
- We will continue to listen to resident groups and ensure that the management controls around the event will improve their management; in particular Sound, ASB and Security.
- We have committed to huge investment in the LB Tower Hamlets and in Victoria Park.
- We will deliver on our promises.

In spirit of mediation we have written to all of the councillors (via LBTH Licensing) concerning the representation to request a mediation meeting in advance of the Licence Hearing on the 6<sup>th</sup> February. We have offered three time periods to ensure that there is ample opportunity for you to meet with us individually or as a group. We believe that if we can discuss with you, the points contained in this letter, then we will be able to reassure you of AEG's responsible management of events and long term commitment to successful Major event in Victoria Park.

Yours Sincerely

James King  
Executive Vice President Live Music



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