

Appendix 1



FOR OFFICE USE			
Receipt No:	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:			

This form should be completed and forwarded to: Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

On-Line payments can be made at:

http://www.towerhamlets.gov.uk/content_pages/pay_it.aspx

Or alternatively from <http://www.towerhamlets.gov.uk/> under 'Online Services'

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We *(Insert name(s) of applicant)* Lovebox Festivals Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Victoria Park	
Post town London	Post code E9 5HT

Telephone number at premises (if any) N/A

Non-domestic rateable value of premises £NIL

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | | |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals* | <input type="checkbox"/> | Please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) | a health service body | <input type="checkbox"/> | please complete section (B) |
| g) | an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| h) | the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

*If you are applying as a person described in (a) or (b) please confirm:

Please tick as appropriate

- | | |
|---|-------------------------------------|
| ▪ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | <input checked="" type="checkbox"/> |
| ▪ I am making the application pursuant to a | <input type="checkbox"/> |
| ▪ statutory function or | |
| ▪ a function discharged by virtue of Her Majesty's prerogative | |

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Lovebox Festivals Limited (for the attention of Julian Butterfield)
Address 59-65 Worship Street, London, EC2A 2DU.
Registered number (where applicable) 06676172
Description of applicant (for example partnership, company, unincorporated association etc) Company
ber, if any [REDACTED]
[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	8	07 2014

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
3	0	09 2017

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

39,999

Please give a general description of the premises (please read guidance note1)

The premises is an area of Victoria Park, which will temporarily house the Lovebox festival.

The event site constructed will consist of;

- a. An outdoor arena within a fenced perimeter.
- b. Multiple performance areas including outdoor stages, marquees and other structures.
- c. Supporting infrastructure, attractions and services including bars, catering outlets, toilets, medical, security and waste management provisions appropriate for the scale of the event.

A site plan is included with this application, with a heavy red line indicating the extent of the area to be licensed.

This application is for a time limited licence for the Lovebox festival. The application is for three consecutive days each year for a period of four years from 2014 to 2017 inclusive.

The 2014 event will be staged on 18–20 July, the dates for subsequent years will be agreed with the London Borough of Tower Hamlets (LBTH); Parks, Arts & Events and Licensing services and the Responsible Authorities and once agreed will be publicised at least six months in advance of the event date.

The organisers propose that the following conditions be adopted as part of the Premises Licence;

1. Licence to be used for a maximum of three event days per calendar year.
2. Event days must be consecutive and include a Saturday.
3. Mondays may only be event days on a Bank holiday.
4. Events days may only take place in period 1st May–30th September each year.
5. Event dates to be agreed by the Licensing Authority and responsible authorities and once agreed publicised at least six months prior to the event.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ✓
- b) films (if ticking yes, fill in box B) ✓
- c) indoor sporting events (if ticking yes, fill in box C) ✓
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ✓
- e) live music (if ticking yes, fill in box E) ✓
- f) recorded music (if ticking yes, fill in box F) ✓
- g) performances of dance (if ticking yes, fill in box G) ✓
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) ✓

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M) ✓

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish			
Mon	12:00	22:30	Please give further details here (please read guidance note 3) The organisers may stage performances of plays as supplementary entertainment in one or more of the venues within the site.		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4) N/A		
Thur					
Fri	12:00	23:00	Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	12:00	23:00			
Sun	12:00	22:30	N/A		

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a film take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish			
Mon	12:00	22:30	Please give further details here (please read guidance note 3) The organisers may stage exhibitions of films as supplementary entertainment in one or more of the venues within the site.		
Tue					
Wed			State any seasonal variations for exhibition of films (please read guidance note 4) N/A		
Thur					
Fri	12:00	23:00	Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	12:00	23:00			
Sun	12:00	22:30	N/A		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p>Please give further details here (please read guidance note 3)</p> <p>The organisers may stage indoor sporting events as supplementary entertainment in one or more of the venues within the site.</p> <p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <p>N/A</p> <p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p>N/A</p>
Day	Start	Finish	
Mon	12:00	22:30	
Tue			
Wed			
Thur			
Fri	12:00	23:00	
Sat	12:00	23:00	
Sun	12:00	22:30	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish	<p>Please give further details here (please read guidance note 3)</p> <p>The organisers may stage boxing or wrestling entertainment as supplementary entertainment in one or more of the venues within the site.</p> <p>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</p> <p>N/A</p> <p>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p>N/A</p>		
Mon	12:00	22:30			
Tue					
Wed					
Thur					
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	22:30			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
				Both	✓	
Mon	12:00	22:30	Please give further details here (please read guidance note 3) Live music will take place throughout the event duration at varying times, in a variety of performance areas by a range of artistes.			
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4) N/A		
Thur						
Fri	12:00	23:00		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Sat	12:00	23:00				
Sun	12:00	22:30				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
				Both	✓	
Mon	12:00	22:30	Please give further details here (please read guidance note 3) Recorded music will take place throughout the event duration at varying times, in a variety of performance areas by a range of artistes. Recorded music will be played as both an interlude between live music, and as a performance in its own right.			
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4) N/A		
Thur						
Fri	12:00	23:00		Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Sat	12:00	23:00				
Sun	12:00	22:30				

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	12:00	22:30	Please give further details here (please read guidance note 2) The organisers may stage performances of dance as supplementary entertainment in one or more of the venues within the site.	Both	✓
Tue					
Wed				State any seasonal variations for the performance of dance (please read guidance note 4) N/A	
Thur					
Fri	12:00	23:00		Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) 5) N/A	
Sat	12:00	23:00			
Sun	12:00	22:30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be Providing	
Day	Start	Finish		
Mon	12:00	22:30	Visual and performance arts. Please give further details here (please read guidance note 3) Visual and performance arts, circus skills, street theatre, comedy and poetry. A variety of ancillary entertainment which falls within the foregoing categories may be provided at various points within the event.	
Tue				
Wed				State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) N/A
Thur				
Fri	12:00	23:00		Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) N/A
Sat	12:00	23:00		
Sun	12:00	22:30		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)	On the premises	✓	
Day	Start	Finish		Off the premises		
Mon	12:00	22:30	Please give further details here (please read guidance note 4) Alcohol will be served onsite, managed by a bar management team under conditions agreed with LBTH and MPS Licensing officers.	Both		
Tue						
Wed				State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A		
Thur						
Fri	12:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) N/A			
Sat	12:00	23:00				
Sun	12:00	22:30				

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

Mr M Bowles

Address

Postcode

Personal Licence number(if known)

Issuing licensing authority (if known)

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) N/A
Day	Start	Finish	Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5)
Mon	12:00	23:00	
Tue			
Wed			
Thur			
Fri	12:00	23:30	
Sat	12:00	23:30	
Sun	12:00	23:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As part of the planning process for Lovebox 2014, the organisers have met regularly with the responsible authorities and other stakeholders to discuss proposals for the event and to respond to requests or concerns from those stakeholders. These meetings have taken place since the debrief meeting in September 2013 and are ongoing.

These meetings lead to the production and revision of an Event Safety Management Plan (ESMP), which reflects the organisers plans, the requirements of the various Responsible Authorities and the measures taken to address concerns raised by the wider stakeholder community.

The organisers also receive feedback directly from other interested parties including Victoria Park Friends Group and individual businesses and residents as well as via the LBTH Arts & Events Team, and work hard to respond to criticisms or concerns and amend the contents of the ESMP (and the operation of the event) to deal with issues arising from the event. The organisers are therefore happy to meet with anyone who may wish to make representations about the event.

The draft ESMP has already been prepared and supplied to the Licensing Authority as background information. The ESMP contains confidential and sensitive information and is not suitable for general public circulation.

In order to ensure that this process continues throughout the lifetime of a four year premises licence, the applicants propose that the following be adopted as conditions of the premises licence;

6. Full and detailed consultation will be undertaken by the Premises Licence holder with each of the responsible authorities. This consultation will take place through Event Planning Group or multi-agency meetings in the lead up to the event and during the event itself.

7. An ESMP containing detail appropriate to each year's Event will be produced and implemented in consultation with and with the agreement of the Responsible Authorities through multi-agency or Event Planning Group meetings.

8. The first draft of the ESMP, including a detailed plan of the site, will be submitted to the Licensing Authority, the Responsible Authorities and other members of the Event Planning Group for consideration at least three months prior to the event.

9. For each event the Premises Licence holder will produce a final ESMP (including the plan of the site) which must be agreed by the Licensing Authority prior to the event taking place.

10. A debrief meeting will be undertaken after each event to include all Responsible Authorities and other relevant agencies involved in the event.

b) The prevention of crime and disorder

In addition to the Event Planning Group meetings described in a) above, the event organisers, MPS and the event security providers meet regularly to discuss the Policing and Stewarding arrangements for the event, to review proposals and collaborate on the production of a Multi-Agency Crime Reduction Plan, these meetings have taken place since late 2013, in relation the 2014 event.

Additional to the MPS and event security management teams, the organisers employ Crime Reduction Managers, who have responsibility for ensuring the implementation by all parties of their elements of the Crime Reduction Plan. In order to continue the work done in 2013 on reducing crime, additional appointments have been made in 2014, namely the posts of Crime & Anti Social Behaviour Reduction Director, and Anti Social Behaviour Reduction Manager.

In practical terms this means;

Deployment of agreed numbers of overt and covert Police officers, security staff and civil enforcement officers both inside and outside the event arena with both general and specific anti crime responsibilities.

Use of event and pre-event communications strategy to provide anti-crime messages.

Exercising the right to refuse entry to any unauthorised/disorderly person, by means of screening on the entry points to the event.

Implementation of various operations to disrupt the misuse of drugs amongst those proposing to attend the event, and to support the Event Organisers continuing “zero tolerance to drugs” policy.

Deployment of agreed numbers of Police officers, security staff and civil enforcement officers along key egress routes to reduce the potential for disorder and anti-social behaviour.

In conjunction with MPS and other relevant stakeholders, each year the licence holder will produce;

Crowd Management, Security & Stewarding Plan
Alcohol Management Plan
Egress Plan
Crime Reduction Plan.

c) Public safety

- i. Employment of an Event Safety Officer to oversee build, event and de-rig.
- ii. Safeguarding of water supplies.
- iii. Assessment of Contractors and their safety documentation prior to arrival on site.
- iv. The undertaking of site and task specific risk assessments.
- v. Sign off policy for temporary installations by contractors.
- vi. Checks relating to integrity of temporary structures by independent Structural Engineers.
- vii. Protection of audience and staff from noise (see ‘Noise’ chapter in ESMP for controls).
- viii. Installation of a front of stage barrier to assist in crowd management.
- ix. Adherence to food hygiene standards and catering safety arrangements.
- x. Safe installation and operation of generators and temporary power supplies by competent persons.
- xi. Implementation of site speed limits, traffic management plan for site deliveries and collections through the park, escort of vehicle through the park to ensure compliance with speed limits.
- xii. Illuminated signage above exit routes.
- xiii. In conjunction with LBTH Health & Safety and other relevant stakeholders, each year the licence holder will produce;

Risk Assessment
Fire Risk Assessment
Schedule of Temporary Structures
Questionnaire and Inspection schedule for Food Traders
Rules for Site contractors

d) The prevention of public nuisance

The reduction of the potential for public nuisance is one of the main priorities of the event organisers, and much of our planning work is focused on these issues.

In addition to the Event Planning Group meetings described in a) and b) above, the Organisers meet regularly with the LBTH Environmental Protection team, the appointed sound system providers and the independent noise control consultants to consider proposals for noise management in relation to the event. In relation to this application, these meetings have been ongoing since late 2013.

These meetings have resulted in the production of a Noise Management Plan (NMP) by the independent noise control consultants which has been approved by the LBTH Arts & Events and Environmental Protection teams for use in ensuring that noise levels at the event remain with the agreed local and national guidelines for this type of event in this type of location.

These meetings have also resulted in the production of a site plan layout which has approved by the LBTH Arts & Events and Environmental Protection teams to ensure that sound systems and generators at the event are located in the most advantageous positions to ensure that noise from the event remains within the agreed limits.

Whilst it should be noted that the 2013 event did not exceed any of the agreed noise levels, the LBTH team raised concerns about an increased number of complaints, and so the work done by all parties in producing the 2014 NMP and site layout plan specifically addresses the reasons for the increase in complaints, and includes measures to reduce the potential for a re-occurrence.

The organisers have worked over many years to minimise the potential for anti-social behaviour particularly during the egress phase, and continue to develop the egress plan in conjunction with the Responsible Authorities and increase the resources (security, Police and Civil Enforcement) available during this phase of the event.

In order to ensure that this licensing objective remains a priority throughout the lifetime of a four year premises licence, the applicants propose that the following be adopted as conditions of the premises licence;

11. The Premises Licence holder will set up a publicised meeting each year with local residents prior to the relevant Event to discuss plans for the Event and receive residents' representations.
12. The Premises Licence holder will set up a publicised meeting each year with local residents after the relevant event to receive residents' representations.
13. The Premises Licence holder will employ a competent noise control consultant to produce a Noise Management Plan prior to each year's Event for the approval of the Licensing Authority and a Noise Control Report following each Event.
14. The Premises Licence holder will produce an Egress Plan prior to each year's Event for the approval of the Licensing Authority.

e) The protection of children from harm

- i. Age restrictions on attendance at event, with no entry for unaccompanied under 18 year olds.
- ii. Arrangements for 'lost and 'found' children operated by the event security and welfare teams under the auspices of the Event Control office, with provision for MPS involvement depending on the circumstances.
- iii. Disclosure & Barring Service checked personnel to be present at information and welfare point (which is also the Lost Children point).
- iv. Proof of age alcohol purchase policy in place. MPS and LBTH Licensing endorsed "Challenge 21" regime in operation.

- v. Monitoring of alcohol outlets by security staff and bars management team, briefing to bar staff.

You have completed part 3 of this form. Below is a checklist for your assistance.

Part 4 – Signatures (please read guidance note 10)

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Signature of applicant or applicant’s solicitor or other duly authorised agent. (See guidance note 11) **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date 27th March 2014



Capacity
Event Safety Manager/Designated Premises Supervisor

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12) **If signing on behalf of the applicant please state in what capacity.**

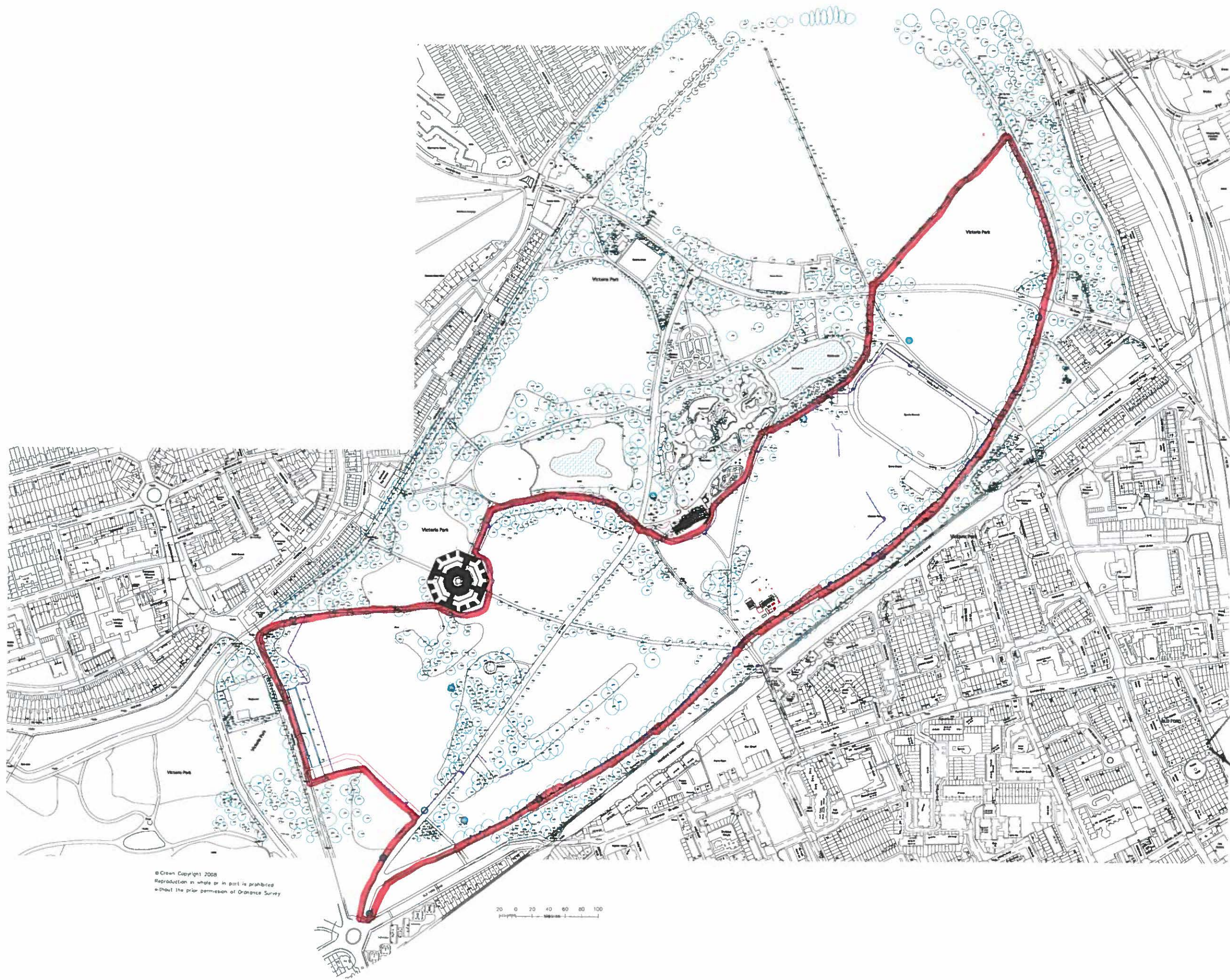
Signature
.....

Date
.....
.....

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Mick Bowles Event Safety Management Ltd 2c Trinity Street	
Post town London	Post code SE1 1DB
Telephone number (if any) 	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 	

Appendix 2



— EXTENT
OF
PREMISES

TRADE STANDARDS
31 MAR 2014
LIC SING

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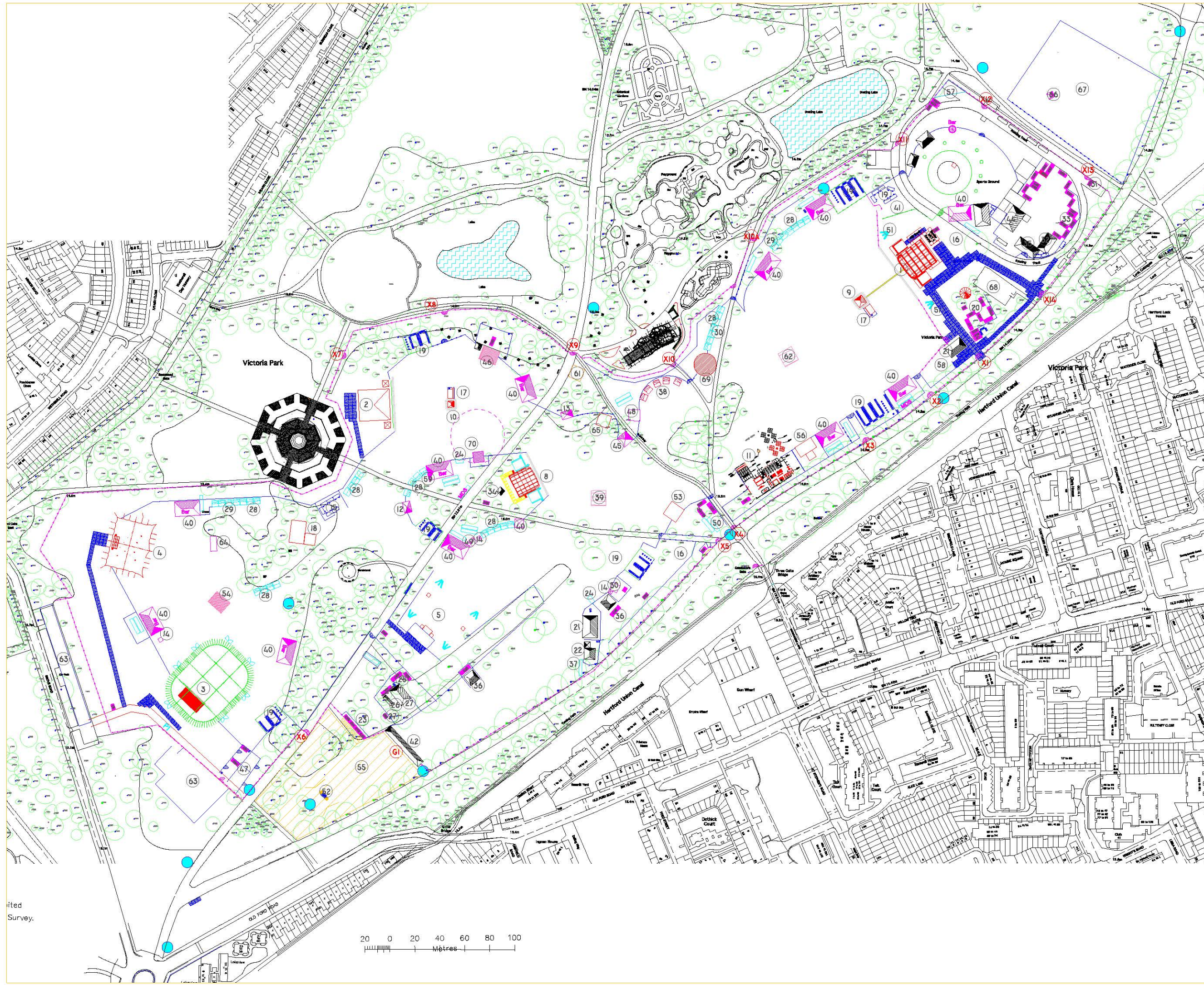
LOVEBOX

CLIENT	LOVEBOX FESTIVALS LTD
EVENT	LOVEBOX FESTIVAL 2014
DATE	18TH - 19TH JULY 2014
VENUE	VICTORIA PARK, E9 7DE
DWG No:	LBI4 - VI-4
DWG DATE	22-1-14
DRAWN BY	J.BADCOCK / S.MCALLY /
SCALE	DO NOT SCALE

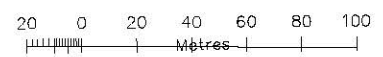
	STEELSHIELD FENCING
	STEELSHIELD ON SIDE
	HOARDING
	HERAS FENCING
	CROWD CONTROL BARRIER
	FIRE LANE
	'DRESSED' FENCING/BARRIER
	TOWER LIGHT
	TRADER / MARKETS
	CABIN AND NUMBER
	OBSERVATION TOWER
	MARQUEE
	EMERGENCY EXIT GATE
	TRACK WAY
	STAGE BARRIER
	TOILET TRAILER

KEY TO NUMBERS

- 1 Main Stage
- 2 Stage 2
- 3 Stage 3 - Big Top (45m x 45m)
- 4 Red Bull Music Academy Stage
- 5 Distrikt
- 6 TBC
- 7 Ticket Web New Bands Stage
- 8 Kittens stage
- 9 FOH Mixer (Main Stage)
- 10 FOH Mixer (Stage 2)
- 11 Aperol
- 12 Cocktail Bar
- 13 Cider Bar
- 14 JTI Retail Unit
- 15 VIPee's - Luxury Toilets
- 16 Bone Yard
- 17 Viewing Platform
- 18 Roller Disco
- 19 Toilets
- 20 Production Village
- 21 Medical Marquee
- 22 Info & Welfare
- 23 Box Office
- 24 ATMs
- 25 Event Control
- 26 Police Control
- 27 Police Search
- 28 Food Stall
- 29 Non-Food Stall
- 30 Merchandise Stall
- 31 Artist Check-in
- 32 Artist Catering
- 33 Dressing Rooms
- 34 Artist Marquees
- 35 Crew Catering
- 36 Press Area
- 37 Cloakroom
- 38 Food Cook Offs
- 39 Swing Chairs (Fair Ground)
- 40 Bar
- 41 VIP Area
- 42 Main Entrance
- 43 (Main Stage Delays)
- 44 Artist Gifting
- 45 Cuervo Margarita Bar
- 46 Yahoo
- 47 Street Stuff and Showsec Staff Area
- 48 Meantime Brewery Bar
- 49 Diageo Can Bar
- 50 Bars Offices & Bone Yard
- 51 Main Stage Fills
- 52 Drugs Amnesty Bin
- 53 Jose Cuervo Bar
- 54 Helter Skelter (Fair Ground)
- 55 Merch Sales Area
- 56 Rita's
- 57 Plumbers Bone Yard
- 58 Power Bone Yard
- 59 MAMA Bars staff Catering / Trader
- 60 Cocktail Bar
- 61 Phone Mast
- 62 Little Big Wheel (Fair Ground)
- 63 Production Car Park
- 64 Air stream Bar
- 65 Bublebags
- 66 Smashbox VIP Activation
- 67 Artist / Showday Car Park
- 68 Serious Stages Boneyard
- 69 Dance Off Arena
- 70 Sure
- 71 TBC



ited Survey.



Appendix 3

Section 182 Advice by the Home Office

Updated October 2012

Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult

for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 4

Andrew Heron

From: Alex Lisowski on behalf of Licensing
Sent: 30 April 2014 14:23
To: Andrew Heron
Subject: FW: OBJECTION: Lovebox Application

From: Joshua Peck
Sent: 30 April 2014 13:59
To: Licensing
Subject: OBJECTION: Lovebox Application

Dear sir

I wish to OBJECT to the currently advertised application for a licence for Lovebox Festivals Ltd to hold events in Victoria Park between 18 July 2014 and 30 September 2017.

I wish to object on the grounds that I believe that the licence, if granted, will not meet the following licensing objectives:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance.

PREVENTION OF CRIME AND DISORDER

The Metropolitan police's published crime figures show that there is a dramatic increase in crime and disorder in the month that Lovebox happens each year.

As the table below shows, in 2012 overall crime in June, when Lovebox took place that year, was 64% higher than either May or July. In 2013, when Lovebox took place in July, overall crime was 44% higher that month than in June and 60% higher than in August. There is no explanation for this one off substantial increases in crime in those months, compared to the immediately preceding and following months, than that the increase is attributable to Lovebox.

	ASB	Burglary	Robbery	Vehicle	Violent	Other Total	Total
Sep 2013	60	8	1	8	24	27	151
Aug 2013	110	14	6	14	28	97	286
Jul 2013	128	9	20	9	37	229	518
Jun 2013	89	6	10	14	24	42	203
May 2013	51	17	4	10	24	153	283
Apr 2013	54	10	10	5	28	46	153
Mar 2013	54	14	9	11	15	54	157

	ASB	Burglary	Robbery	Vehicle	Violent	Other Total	Total
Feb 2013	56	12	9	9	22	36	144
Jan 2013	45	12	10	10	28	48	153
Dec 2012	38	10	13	10	21	49	141
Nov 2012	55	18	18	8	29	78	206
Oct 2012	73	14	11	16	38	62	214
Sep 2012	88	13	10	15	21	57	204
Aug 2012	118	20	15	14	21	89	277
Jul 2012	106	16	8	12	32	86	260
Jun 2012	86	8	29	14	33	549	719
May 2012	99	14	18	12	27	86	256
Apr 2012	86	18	13	14	22	76	229
Mar 2012	80	15	8	16	29	68	216
Feb 2012	78	18	12	6	17	62	193
Jan 2012	54	14	5	8	15	61	157
Dec 2011	46	10	14	8	13	51	142
Nov 2011	86	12	9	15	13	50	185
Oct 2011	92	11	8	11	17	62	201
Sep 2011	79	16	8	12	14	53	182

Figures taken from www.ukcrimestats.com, which receives the data from Police.uk

It might be argued that a large part of this increase is due to effective searching of participants on entry and resulting arrests due to drugs. However, even if you discount crime described as 'other' in those categories - although it's not clear why you would discount such a high level of recorded crime directly attributable to an event - both robbery and violent crime are both markedly up. In June 2012 robbery was up 38% and 72% compared to the preceding and following months and in July 2013 it was up 50% and 70% respectively. Likewise violent crime was up 22% and 3% respectively in 2012 and 35% and 24% in 2013.

Clearly for the past two years, serious crime has increased locally by a very significant percentage when Lovebox has taken place.

The fact that the increase in crime got worse between 2012 and 2013 shows that the promoter has no effective strategy for dealing with this.

On this basis, I OBJECT to the application for Lovebox on the grounds of the prevention of crime and disorder.

PUBLIC SAFETY

I have had a number of complaints from residents of Grove Road who believe that there is a serious public safety risk at the intersection with Grove Road and Roman Road. When large numbers of people leave Victoria Park, a very large number of them head down Grove Road towards Mile End station. They are held at Roman Road whilst traffic passes and residents who live at this intersection say that they have seen situations where serious crushes have started to develop. I have personally seen this and believe that the crowd management of these events is insufficient to cope with 30,000 people leaving Victoria Park in one go.

This is a complaint that I have passed to the Council on a number of occasions over the years but nothing seems to have been done to improve the situation.

Unless the capacity of the event was reduced I therefore OBJECT to the application for Lovebox on the grounds of public safety.

PREVENTION OF PUBLIC NUISANCE

Each year during Lovebox I have a very large number of complaints from residents around Victoria Park who are disturbed by the noise of the event itself, as well as by the behaviour of the very large crowds as they arrive and particularly leave the event. For example:

- A 92 year-old housebound resident on the top of Wilmer House finds the incessant thud of the base extremely disturbing, causing her to wear earplugs for the whole duration of the festival. Despite repeated calls to the noise team, the noise continues at a level which makes it unpleasant for her to be in her home whilst the festival is on. She is unable to leave however and has to endure it every year. The noise continues until late into the night, compounding the problem.
- Residents of Old Ford Road and Grove Road tell me that they leave London every year whilst Lovebox is on because the noise and anti-social behaviour makes the weekend unbearable.
- Residents of Lakeview Estate report having people urinating, drug-dealing, and having sex on their estate – the low rise units on the estate have open stairwells and front door lobbies and these are used every year during Lovebox as toilets and worse. Despite repeated requests for adequate stewarding, the Council only provides one steward on the main entrance, allowing festival-goers to enter the estate on the Grove Road entrance.
- Residents of Old Ford Road have people sat on their front-steps, drinking and talking until late in the night after events. There is no effective sweep by stewards either during or after the event to make sure that people are moved on.
- Residents of Grove Road report having their gardens filled with empty cans and bottles, as well as people urinating over their fences.
- Bunsen House, which fronts onto Grove Road but whose entrance is on Bunsen Street, has its car park and garden used as a toilet, for drug-dealing and ticket touting and for sex. Despite repeated requests to the Council, the entrance to this street and block is rarely adequately stewarded.
- Residents of Arbery Road and Antill Road complained repeatedly to the Council about people using their streets as a toilet as they left the event. In response, last year the Council put a mobile urinal on Antill Road. This was present every day and night during the festival, which meant people were urinating in full public view of houses and flats containing many families and older people. These mobile urinals may be appropriate in a busy town centre on a Saturday night, or within a festival, but they are entirely inappropriate for a residential street.
- Residents of Lichfield Road, Alloway Road and Aberavon Road report having their front gardens used for rubbish dumping and urination, and having people gathered on their front steps drinking and congregating after events have finished. Despite crash barriers across the southern end of Aberavon Road along Mile End Road to prevent people heading backwards as they move towards Mile End, none of these streets are effectively shut off further up and are therefore used as cut-throughs for hundreds of people. Despite having reported this to the Council, stewarding is patchy, with only some streets being stewarded at some times.

Unless the events finish at 10pm – thus reducing the duration of noise nuisance suffered by local people - lower sound levels are instigated and the promoter agrees to pay for two stewards on each road and estate access point between Mile End and Bethnal Green stations and the Park, these problems will persist and I therefore OBJECT on the grounds of public nuisance.

I would also like to reiterate my objection on all three grounds on the basis that this application is not for one year but for four years. This is clearly intended to reduce the ability of residents to object to the application in future years and therefore reduces the ability of residents, local councillors and indeed the Licencing Committee to adequately review annual performance of the promoter and issue a licence with appropriate conditions. This reduction in accountability and the ability to review performance annually significantly reduces the Council's ability to ensure the prevention of crime and disorder, public safety and the prevention of public disorder. I therefore wish to OBJECT to the licence on all three of these grounds based on this licence being for four years.

I would be happy to expand on any of these issues for the Committee.

Yours

Cllr Joshua Peck
Bow West

Appendix 5

Andrew Heron

From: Mick Bowles <[REDACTED]>
Sent: 25 April 2014 16:07
To: Andrew Heron
Subject: Re: Potential Resident Conditions

Follow Up Flag: Follow up
Flag Status: Completed

Dear Andrew,

Just a quick note to confirm that your proposal to add the conditions below to the licence is accepted.

Thanks for your help.

Regards,

Mick

From: Andrew Heron <[REDACTED]>
Date: Friday, 25 April 2014 15:01
To: Mick Bowles <[REDACTED]>
Subject: Potential Resident Conditions

Dear Mick,

We were in consultation with a resident in regards to the Field Day application, whom is considering now putting a representation for Lovebox (though we still have none at this time).

At the Committee Hearing, the resident spoke and the following conditions were agreed to be added to the licence, which was then granted and the resident was appeased greatly by it.

We're wondering if you might consider adding the same/similar conditions (or a selection of them), so that I can advise the resident that this has already been agreed and head him off at the pass.

Conditions agreed with Local Resident

- To ensure that the license conditions relating to the use of white noise reversing alarms are fully complied with throughout the tenancy at Victoria Park.
- To investigate any further improvements to the sound system design that may reduce the impact on the residents property.
- A representative of Environmental Protection to visit the property 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.
- To offer the opportunity to visit the site during the live period to show the licensees management controls and experience of the event.
- Contact numbers to be given of the applicants and officers.

I look forward to hearing from you.

Regards,

Andrew Heron
Licensing Officer

Licensing Section
London Borough of Tower Hamlets
Mulberry Place (TC)
6th Floor Mulberry Place
5 Clove Crescent
London, E14 2BG
Tel: 020 7364 2665
Fax: 020 7364 6935
www.towerhamlets.gov.uk

Appendix 6

Andrew Heron

From: [REDACTED]
Sent: 24 April 2014 10:47
To: Licensing
Cc: [REDACTED]
Subject: Lovebox Festival

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing,

Please see the following conditions agreed with the Lovebox Festival organisers, please can the conditions be attached to the license.

Regards

Pc Mark Perry
Licensing Officer
Tower Hamlets Borough
Limehouse Police Station
27 West India Dock Road
0207 275 4950

From: Mick Bowles [REDACTED]
Sent: 24 April 2014 10:20
To: Perry MARK J - HT
Cc: Julian Butterfield (LoveBox)
Subject: Re: Lovebox Festival

Dear Mark,

Thanks for the update, those conditions are accepted.

Please let me know if you need any more information.

Thanks for your help.

Regards,

Mick

From: [REDACTED]
Date: Thursday, 24 April 2014 09:49
To: Mick Bowles [REDACTED]
Subject: RE: Lovebox Festival

Hi Mick,

Please see the amended conditions we would like attached to the Lovebox license.

Apologies for the confusion, there was a misunderstanding in the conditions required by us.

I have spoken to Katie Nash in our Events Team and the conditions requested are as follows:

- 1 a) That a Operating Schedule and Security Plan have to be sent to Police 3 months prior to the event.
 - 1 b) That the Operating Schedule and Security Plan has to be agreed by Police by 1 month prior to the event. If in the event there is no agreement an ESAG meeting will be called.
- 2) That the event managers and organizers will comply with any reasonable request made by the Police event command team during the course of the event.

If you could have a look at these conditions and let me know and I can inform Tower Hamlets Council Licensing that we have reached agreement and the conditions can be added to the license.

Regards

Pc Mark Perry
Licensing Officer
Tower Hamlets Borough
Limehouse Police Station
27 West India Dock Road
0207 275 4950

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Appendix 7

Andrew Heron

From: Mick Bowles [REDACTED]
Sent: 24 April 2014 15:48
To: Mohshin Ali
Cc: [REDACTED]; Pam McCrea; Andrew Heron
Subject: Re: Lovebox Festivals Limited, Victoria Park, London E9 5HT

Dear Mohshin,

Thanks for your email. We can confirm our agreement to your proposed conditions as detailed below.

Thanks for your help.

Regards,

Mick

From: Mohshin Ali <[REDACTED]>
Date: Thursday, 24 April 2014 12:37
To: Mick Bowles [REDACTED]
Cc: [REDACTED]; Pam McCrea [REDACTED]; Andrew Heron <[REDACTED]>
Subject: Lovebox Festivals Limited, Victoria Park, London E9 5HT

Dear Mick,

Licensing Act 2003
Time limited premises licence application: Lovebox Festivals Limited,
Victoria Park (as per plan), London E9 5HT
Dates: 18/07/2014 to 30/09/2017

I write to you regarding the above application. In order to satisfy the licensing objectives, the Licensing Authority would like you to consider the following conditions:

- 1. No alcohol shall be taken off the licensed area.**
- 2. 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 21 policy used on site, including preventing proxy sales; and for the prevention of sales to intoxicated customers.**
- 3. 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.**
- 4. MDS operators must carry a clear indication that a Challenge 21 protocol is in operation.**
- 5. A Challenge 21 Policy shall be implemented, so that before being served**

alcohol, identification bearing their photograph, date of birth, and a holographic mark is checked. This will include, for example;

a. A photo car driving licence

b. A passport

c. A proof of age card bearing the PASS hologram.

If you agree to the above conditions, the Licensing Authority will not be making a representation.

I look forward to hearing from you.

Regards

Mohshin Ali - Senior Licensing Officer

✉ London Borough of Tower Hamlets. Licensing . Mulberry Place. 5 Clove Crescent. London E14 2BG

Tel☎: 020 7364 5498 | Fax☎: 020 7364 0863 | Email✉: [REDACTED]

Appendix 8

Appendix 8

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” (**See Section 4.10 and 4.11 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 5.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 6 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003.

The pool of conditions, adopted by the council is recommended (13.20).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, police liaison, no glasses are all relevant (s.2.7-2.11).

There is also guidance issued around the heading of “public nuisance as follows

The pool of conditions, adopted by the council is recommended (Annexe D).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures “within the direct control of the licence holder” (2.38).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 9

Appendix 9

Acting as a Magnet Attracting the Young who then engage in Anti-Social Behaviour

General Advice

Members will need to consider whether any of the problems alleged to be associated with young people are the responsibility of the premises. Are they encouraging gangs in any way? If not, there may not be any proportionate conditions that can be applied? Are these patrons of the premises?

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application. However, hours may be an important issue.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate (in relation to the behaviour of patrons who have left the premises) but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” **(See Section 4.10 and 4.11 of the Licensing Policy).**

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. **(See Sections 5.2 of the Licensing Policy)**

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy).** In particular Members may wish to consider (this list is not exhaustive):

- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However the process for this involves wide consultation and cannot come from representations about a particular application. **(See Section 6 of the Licensing Policy).**

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.40).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

Anti-Social Behaviour Act 2003

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 10

Drug Taking

General Advice

Members need to consider the evidence about the exact nature of the alleged problems. Is it being suggested that the premises are encouraging or turning a blind eye in relation to the problem? Are there proportionate measures that can be expected to address the matter, if Members determine there is a problem?

In particular, should CCTV be extended to cover all of the premises open to the public? Should a minimum number of registered door supervisors be maintained whenever the premises is open? How are drugs that are confiscated being disposed of? What checks are being made in less public areas such as toilets?

The applicant should be instituting measures advised by the Police

If Members believe this is a problem they should certainly insist that minors are not admitted to the premises.

If Members believe that there is a substantial problem of drug abuse and it cannot be proportionately address by licensing conditions they should refuse the application.

Members should also bear in mind other Police powers.

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 5.2 of the Licensing Policy**).

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- CCTV
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Signage
- Seating plans

If Members believe that there is a substantial problem of drug-taking and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

Guidance Issued under Section 182 of the Licensing Act 2003

The government recommends the model pool of conditions adopted by the licensing policy in relation to club safety (Annex E), and the multi-agency approach to “safer clubbing.”

Other Legislation

Anti-Social Behaviour Order Act 2003

This gives the Police the power to close premises where there is the supply of class A drugs and serious nuisance or disorder.

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

Appendix 11

Noise while the Premise is in Use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

The policy also recognises that staggered closing can help prevent problems at closure time **(See Section 12.1)**.

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.4)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Sections 8.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).

- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24hrs a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.19)

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances

Appendix 12

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 8.1 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 8.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.10**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 12.10**)

The Council has adopted a set of framework hours (**See 12.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Appendix 2 Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.33).

Licence conditions should not duplicate other legislation (1.19).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 13

Noise Leakage from the Premises

General Advice

Extending hours may bring issues about noise leakage to the fore, as many premises are close to residential properties (or even sometimes commercial).

The obvious areas for Members to consider, if they believe there is a problem and it is proportionate to consider conditions are:

- Can internal works, actions or equipment reduce the noise leakage
- Does the problem justify curtailing the activities that are licensed. If Members are minded to do this they must ensure conditions are clear and readily enforceable. For example “Jazz Music Only” is not capable of legal definition and is unenforceable.
- Does the problem justify limiting the hours or place of particular activities. For example “no music in the beer garden at any time and no music past 22:30hrs” although the premises can stay open until 01:00hrs.

Members also need to bear in mind the statutory exemptions under the Act (see below).

Licensing Policy

The Licensing Authority expects applicants to have sought advice and to be able to explain how they will address problems. **(See Sections 8. 1-2)**, especially where a negative impact is likely on local residents or businesses **(See 12.1 for core licensing hours)**.

The Licensing Policy recognises that staggered hours can make a positive contribution to alcohol related issues but that consideration will be given to imposing stricter conditions in respect of noise control where premises are close to residents. **(See 12.4)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to public nuisance. **(See Appendix 2 Annex G of the Licensing Policy)**. In particular Members may wish to consider the following: (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should be restricted in their use
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).

- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down for up to 24hrs premises causing a nuisance resulting from noise emanating from the premises.

Licensing Act 2003

Schedule 1 Part 2 states that entertainment in churches, morris dancing and accompanying music if live and unamplified and incidental music are not licensable activities-that is no conditions can be set for them.

Section 177, (1) and (2) of the Act provides that where a premises (or club) is licensed for alcohol consumption on the premises and is primarily thus used, and the permitted capacity does not exceed 200 additional conditions relating to the music should only relate to public safety or the prevention of crime (or both). That is they should not relate to any “noise nuisance.”

Section 177 (4) provides that where a premises licence (or club) has a capacity of not more than 200 and the only music is unamplified live music between 08:00hrs and 00:00hrs (midnight), no additional conditions should be set relating to the music.

Section 177 can be disapplied on a licence review if it is proportionate to do so.

Public Nuisance Guidance issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions (13.20).

The prevention of the public nuisance could include low level nuisance, perhaps affecting a few people living locally (2.33). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36), but it is “essential that conditions are focused on measures within the direct control of the licence holder” (2.38).

It may be appropriate to require take-aways to provide litter bins. (2.40).

Other Legislation

Environmental Health Officers have extensive powers under the Environmental Protection Act 1990 to control a noise nuisance, including a power of immediate closure.