

EXTRAORDINARY LICENSING SUB COMMITTEE

Wednesday, 19 March 2014 at 6.00 p.m.

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

This meeting is open to the public to attend.

Contact for further enquiries:

Simmi Yesmin, Democratic Services
Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
Tel: 020 7364 4120
E-mail: simmi.yesmin@towerhamlets.gov.uk
Website: <http://www.towerhamlets.gov.uk/committee>

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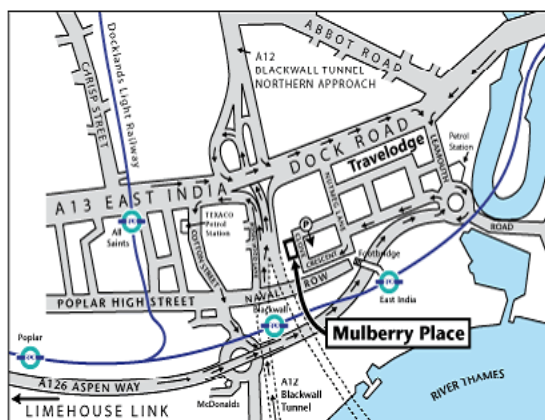
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QR code for smart phone users.

APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 1 - 4)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. RULES OF PROCEDURE (Pages 5 - 20)

To note the rules of procedure which are attached for information.

	PAGE NUMBER	WARD(S) AFFECTED
3. ITEMS FOR CONSIDERATION		
3 .1 Application for a New Premises Licence for 489 Hackney Road, London, E2 9ED	21 - 86	Bethnal Green North
3 .2 Application for a Time Limited Premises Licence for Oktoberfest 2014, Millwall Park (off East Ferry Road, London, E14)	87 - 272	Blackwall & Cubitt Town

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Meic Sullivan-Gould, Monitoring Officer, Telephone Number: 020 7364 4801

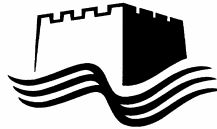
APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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TOWER HAMLETS



LICENSING COMMITTEE

**RULES OF PROCEDURE
GOVERNING APPLICATIONS FOR
PREMISES LICENCES
AND OTHER PERMISSIONS
UNDER THE LICENSING ACT 2003**

1. Interpretation

- 1.1 These Procedures describe the way in which hearings will be conducted under the Licensing Act 2003, as set out in the Licensing Act 2003 (Hearings) Regulations 2005 (as amended). The Procedures take into account the Licensing Act (Premises Licences and Club Premises Certificates) Regulations 2005. The Procedures also include the time limits within which a hearing must commence (see Appendix A) and will be used by the Licensing Committee and Licensing Sub-Committee when conducting hearings.
- 1.2 The Hearings Regulations provide (Regulation 21) that a Licensing Authority shall, subject to the provisions of those Regulations, determine for itself the procedure to be followed at a hearing.
- 1.3 These Procedures, therefore, set out the way in which Licensing Sub-Committee Meetings will be conducted under the Licensing Act 2003, following the requirements of the Hearings Regulations. Wherever appropriate they have included the procedures followed successfully when determining licence applications under previous legislation.
- 1.4 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations (Regulation 31).

2. Composition of Sub-Committee

- 2.1 The Sub-Committee will consist of no less than three members and no business shall be transacted unless at least three members of the Licensing Committee are present and able to form a properly constituted Licensing Sub-Committee. In such cases the Chair shall have a second or casting vote. The Councillor for the ward in which the applicant's premises are situated, or where either the applicant or the objector resides, shall not normally form part of the Sub-Committee for that item on the agenda.

3. Timescales

- 3.1 Most hearings must take place within 20 working days from the last date for representations to be made with the following exceptions:

Within 10 working days from the last date for the police to object to:

- conversion of an existing licence;
 - conversion of an existing club certificate;
 - an application for a personal licence by an existing justices licence holder;
- and

Within 10 working days from the date the Licensing Authority receives the notice for a review of the premises licence following a closure order.

Within 7 working days from the last date for the police to object to:

- a temporary event notice.

Within 5 working days from the last date for the police to object to:

- an interim authority notice (Note: the police must give notice of their objection within 48 hours of being given a copy of the notice).

Note: *Where a hearing is likely to take longer than one day, the Authority must arrange for the hearing to take place on consecutive days.*

3.2 Timescale for notice of hearings to be given

In most cases, the Authority shall give notice of a hearing no later than 10 working days before the first day on which the hearing is to be held. The following are exceptions to that rule:

At least five working days notice must be given to the parties of the date of a hearing for determination of:

- conversion of an existing licence
- conversion of an existing club certificate
- application for a personal licence by the holder of a justices licence
- review of a premises licence following a closure order

At least two days notice must be given to the parties to a hearing for determination of:

- police objection to an interim authority notice
- police objection to a temporary event notice

3.3 Persons who must be notified of a hearing

The persons who must be notified of a hearing are set out below as a summary:

- any applicant for any licence or certificate or a temporary event notice.
- any person who has made relevant representations about an application for a licence or for review of a licence (note for any representations deemed frivolous, vexatious or repetitious under Section 18(7)(c) or similar sections of the Licensing Act 2003 the objector must be notified of the Authority's decision as soon as possible and in any event before any hearing).
 - a person specified as a Designated Premises Supervisor
 - an interim authority
 - transfer of a premises licence
 - a temporary event notice
 - a personal licence

- Any holder of a premises licence or club premises certificate where:
 - application is made for review

Note: *Anyone given notice of a hearing is a party and that is how that expression is used in these Rules of Procedure.*

3.4 Information to be provided in a notice of hearing

The information that must be included in a notice of hearing includes:

- The procedure to be followed at the hearing;
- The right of the party to attend and to be assisted or represented by any person whether legally qualified or not;
- The ability to give further information in support of their application where the Authority has sought clarification;
- The right to question any other party if given permission by the Authority;
- The right to address the Authority;
- Notice of any particular points on which the Authority will want clarification at the hearing;
- The consequences if a party does not attend or is not represented at the hearing;
- For certain hearings particular documents must accompany the notice which is sent to parties informing them of the hearing. Reference must be made to Schedule 3 of the Hearings Regulations for this purpose.

3.5 Failure of Parties to Attend the Hearing

If a party has informed the Authority that they will not be attending or be represented at the hearing, it may proceed in their absence.

If a party does not give notice that they will not be attending but fails to attend and is not represented, the Authority may either:

- a) adjourn the hearing if it considers it to be necessary in the public interest or
- b) hold the hearing in the party's absence

If the Authority holds the hearing in the absence of a party, it will consider at the hearing the application, representation or notice given by the party.

If the Authority adjourns the hearing to a specified date it must forthwith the parties of the date, time and place to which the hearing has been adjourned.

Note: Transition hearings cannot be adjourned to a date beyond the date that which causes an application to deemed as determined by default.

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4. Procedure at the Hearing

- 4.1 The usual order of proceedings will be as set out below. The Sub-Committee will allow the parties an equal maximum time period in which to give further information in support of their application, representation or response. Where the Authority has given notice that it will seek clarification on that point at the hearing or where permission has been given to call any further persons to give supporting evidence, the Sub-Committee may allow the parties to question any other party and to address the Licensing Sub-Committee. The Sub-Committee will seek, in all cases, to avoid repetition of points (whether included in written material or otherwise), irrelevancy, or any abuse of the procedure.

At the beginning of the hearing the procedure to be followed will be explained to the parties. The hearing will, so far as is possible, take the form of a discussion, led by the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers it necessary.

- i) The Chair will begin by explaining how the proceedings will be conducted, and indicate any time limits that may apply to the parties to the application.
- ii) The report will be briefly introduced by an Officer of the Licensing Section summarising the application.
- iii) The Sub-Committee will then consider any requests by a party for any other person to be heard at the hearing in accordance with the Regulations. Permission will not be unreasonably withheld provided proper notice has been given.
- iv) A summary of the nature and extent of the application by the applicant or their representative. This should be brief, avoid repetition of material already available to the Committee in the Officer's report or otherwise, and include any reasons why an exception should be made to the Council's Licensing Policy, where appropriate. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence on behalf of the applicant.
- v) A summary of the reasons for making representations about the application by any interested party. This should be brief and avoid any repetition of information already made available to the Committee either in the Officer's report or otherwise. That will be followed by the evidence of any person who has been given permission by the Panel to give supporting evidence on behalf of the objectors.
- vi) A summary of the reasons for making representations by or on behalf of any Responsible Authority. This should be brief and avoid any repetition of information already made available to the Licensing Sub-Committee either in the Officer's report or otherwise. That will be followed by the

evidence of any person who has been given permission by the Panel to give supporting evidence on behalf of the Responsible Authority.

- vii) Members of the Sub-Committee may ask any questions of any party or other person appearing at the hearing.

4.2 The following requirements of the Hearing Regulations will also be followed by the Licensing Sub-Committee:

- a) The Sub-Committee will be guided by legal principles in determining whether evidence is relevant and fairly admissible. In particular, hearsay evidence may be admitted before the Sub-Committee but consideration will always be given to the degree of weight, if any, to be attached to such evidence in all the relevant circumstances.
- b) The Sub-Committee may impose a time limit on the oral representations to be made by any party. In considering whether to do so, and in considering the length of any such time limit, the Sub-Committee will take into account the importance of ensuring that all parties receive a fair hearing, and the importance of ensuring that all applications are determined expeditiously and without undue delay.
- c) In considering the time limits referred to in (b) above, regard must be had to the requirement to allow each party an equal amount of time.

4.3 When considering any representations or notice made by a party, the Authority may take into account documentary or other information produced by a party in support of their application, representation or notice, either:

- a) before the hearing, or
- b) with the consent of all other parties, by the Sub-Committee at the hearing

The Authority will disregard any information given by a party, or any other person appearing at the hearing, which is not relevant to:

- a) their application, representation or notice; and
- b) the promotion of the licensing objectives or the crime prevention objective where notice has been given by the police.

4.4 All hearings shall take place in public save that:

- a) The Licensing Sub-Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so.
- b) The parties and any person representing them may be excluded in the same way as another member of the public

c) The Licensing Sub-Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may:

- refuse to permit the person to return; or
- allow them to return only on such conditions as the authority may specify.

4.5 Any person so excluded may, before the end of the hearing, submit to the Authority in writing, any information which, they would have been entitled to give orally had they not been required to leave. Where there are a number of items on the agenda, the adjournment of that item for a short period, whilst another item is heard, may allow this process to be carried out effectively.

5. Determination of Application – Time Limits

5.1 The Licensing Sub-Committee must make its determination at the conclusion of the hearing where the application is for:

- a) Conversion or variation of an existing licence during transition
- b) Conversion or variation of an existing club certificate during transition
- c) A review of a premises licence following a closure order
- d) A personal licence by the holder of a justices licence
- e) A counter notice following police objection to a temporary event notice

5.2 In any other case the Authority must make its determination within the period of five working days, beginning with the day, or the last day, on which the hearing was held.

5.3 Where a hearing has been dispensed with because all of the parties have agreed that a hearing is unnecessary (and the Authority has agreed, giving notice to the parties in writing), then the Authority must make its determination within 10 working days beginning with the day the authority gives such notices to the parties. The Team Leader (Licensing) shall be authorised to make the determination on behalf of the Authority.

6. Record of Proceedings

6.1 The Authority must arrange for a record to be taken of the hearing in a permanent and intelligible form and for that record to be kept for six years from the date of determination. Where an appeal is brought against a determination by the Authority, the record must be kept for six years from the date of disposal of the appeal.

7. Irregularities

- 7.1 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations
- 7.2 Clerical mistakes in any document recording a determination of the Authority, or errors arising in such a document as the result of an accidental slip or omission, may be corrected by the Authority.

8. Notices

- 8.1 In accordance with the Regulations, any notices must be given in writing. Such a notice may be sent electronically, providing:
 - a) it can be accessed by the recipient in a legible form;
 - b) it is capable of being reproduced as a document for future reference;
 - c) the recipient has agreed in advance to receive it in such form;
 - d) a copy is sent in documentary form forthwith to the recipient.

9. Appeals

- 9.1 Either those who have made an application or those who have made representations on an application may appeal to the Magistrates Court.

Note: *An appeal must be commenced within twenty one days beginning with the day on which the appellant was notified by the Licensing Authority of their decision.*

APPENDIX A

Application Type	Period of Time within which Hearing to be Held (after reps have closed)	Notice Period of Hearing	Notice Sent To	Attendee Reply Form Back In
Section 18 (3)(a) (determination of application for premises licence)	20 working days	10 working days	Applicant; People who have made representations	5 working days
Section 35(3)(a) (determination of application to vary premises licence).	20 working days	10 working days	Applicant; People who have made representations	5 working days
Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor).	20 working days	10 working days	Applicant (premises holder); Chief Officer of Police who has given notice; The proposed premises supervisor	5 working days
Section 44(5)(a) (determination of application for transfer of premises licence).	20 working days	10 working days	Applicant; Chief Officer of Police who has given Notice; The present holder of the premises licence	5 working days
Section 52(2) (determination of application for review of premises licence).	20 working days	10 working days	The holder of the premises licence of where application applies; People who have made representations; Applicant	5 working days
Section 120(7)(a) (determination of application for grant of personal licence).	20 working days	10 working days	Applicant; Chief Officer of Police who has given Notice	5 working days
Section 121(6)(a) (determination of application for the renewal of personal licence).	20 working days	10 working days	Applicant; Chief Officer of Police who has given Notice	5 working days
Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence).	20 working days	10 working days	The holder of the licence; Chief Officer of Police who has given Notice	5 working days
Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence).	10 working days	5 working days	Applicant; Chief Officer of Police who has given Notice	2 working days

Application Type	Period of Time within which Hearing to be Held (after reps have closed)	Notice Period of Hearing	Notice Sent To	Attendee Reply Form Back In
Section 31(3)(a) (determination of application for a provisional statement).	20 working days	10 working days	Applicant; People who have made representations	5 working days
Section 48(3)(a) (cancellation of interim authority notice following police objection).	5 working days	2 working days	The person who has given Notice; Chief Officer of Police who has given Notice	1 working day
Section 72(3)(a) (determination of application for club premises certificate).	20 working days	10 working days	Applicant (club); People who have made representations	5 working days
Section 85(3) (determination of application to vary club premises certificate).	20 working days	10 working days	Applicant (club); People who have made representations	5 working days
Section 88(2) (determination of application for review of club premises certificate).	20 working days	10 working days	Club that holds club premises certificate; People who have made representations; Applicant	5 working days
Section 105(2)(a) (counter notice following police objection to temporary event notice)	7 working days	2 working days	The premises user; Chief Officer who has given Notice	1 working day
Section 167(5)(a) (review of premises licence following closure order).	10 working days	5 working days	The holder of the premises licence; People who have made representations	2 working days
Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence).	10 working days	5 working days	Applicant; Chief Officer of Police who has given Notice	2 working days
Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate).	10 working days	5 working days	Applicant (club) Chief Officer who has given Notice	2 working days

APPENDIX B

Regulation 8

Action Following receipt of notice of hearing

1. A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating:
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary.
2. In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
3. In the case of a hearing under:
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.
4. In the case of a hearing under:
 - (a) section 167(5)(a) (review of premises licence following closure order),
 - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence),
 - (c) paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate), or
 - (d) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.
5. In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

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Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

All meetings of the Sub-Committee are open to the public and press to attend. On rare occasions, the Sub-Committee may retire to consider private business that will be clearly marked on the agenda as such. The press and public will be excluded for those confidential items only. We try to keep confidential reports to an absolute minimum. We request that you show courtesy to all present and please keep mobile phones on silent. Meetings can reach full capacity and seats are allocated on a first come first come served basis.

(2) Licensing Sub-Committee Role and Membership.

In summary, the Sub-Committee will consider and determine applications to grant, vary or review a license submitted under the Licensing Act 2003 where representations have been made. The full terms of reference can be found on the Committee webpages (see below). The Licensing Sub-Committee will consist of 3 Members of the main Licensing Committee. Meetings are normally held in the Town Hall Council Chamber.

Licensing Sub-Committee Webpages

To view go to the Committee and Member Services web page:
www.towerhamlets.gov.uk/committee - 'agenda, reports, decisions and minutes', then click on 'Licensing Sub-Committee'.

The pages include:

- Terms of Reference for the Licensing Sub-Committee.
- Meeting dates, agendas and minutes.
- Agenda timetable including agenda publication dates. (To view click 'browse meetings and agendas for this committee', then 'show agenda management timetable').

(3) Access to Committee Papers.

The agenda for Sub-Committee meetings is published five clear (working) days before the Sub-Committee meeting on the Committee webpages (except for certain types of applications where special rules apply). All Committee papers (i.e. agendas, reports, minutes and decisions) are published on the website and also available on iPad and Android tablet apps downloadable for free from their respective app stores.

(4) Who can speak at Licensing Sub-Committee meetings?

Only interested parties may address the Sub-Committee (those who have made a valid representation) and the applicant and their representatives. Although the Sub-Committee may allow other persons to present the interested parties evidence or to give supporting evidence. If you are planning to attend the hearing to address the committee, you are advised to contact the Committee officer - see the Committee

pages and agenda front page for contact details. Speakers are advised to arrive at the start of the meeting in case the order of business is changed. Speakers will be called to speak by the Chair at the appropriate time. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

(5) What can be circulated?

Should you wish to submit any material, please contact the Committee/Licensing Officer as soon as possible. The Sub-Committee may accept information at the hearing, however this is only with the agreement of all parties present.

(6) How will the applications be considered?

The Sub-Committee will normally consider the items in agenda order subject to the Chair’s discretion. The hearing procedure is detailed at the end of this guidance.

(7) How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions.

(8) Queries on reports.

For any questions, please contact the Officer named on the front of the report.

Typical Seating Plan for Licensing Sub - Committee Meetings in the Town Hall Council Chamber.

Public Seating		Objectors Benches		Sub-Committee Members
Public Seating				Chair
Public Seating				Legal Officer
Public Seating		Applicants Benches		Committee Officer
Public Seating				Licensing Officer

LICENSING SUB COMMITTEE HEARING PROCEDURE

All interested parties to the hearing must notify Democratic Services within prescribed timescales that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf. The meeting will be in the form of a discussion led by the Sub Committee, cross examination of either party will not be permitted.

The Chair will allocate an equal amount of speaking time to each party. Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.

The hearing will proceed as follows (subject to the discretion of the Chair).

1. Chair will introduce him/herself and ask Members, officers, and all interested parties present at the meeting to introduce themselves.
2. Licensing Officer to present the report.
3. Committee Members to ask questions of officer (if any).
4. The Applicant to present their case in support of their application (including any witnesses they may have).
5. Committee Members to ask questions of applicants and their witnesses or ask for points of clarification.
6. The relevant Responsible Authorities in attendance will present their case and their reasons for representation (including any witnesses they may have).
7. The Objectors/Interested Parties in attendance will present their case and their reasons for objecting (including any witnesses they may have).
8. Committee Members to ask questions of Responsible Authorities, objectors and their witnesses or ask for points of clarification.
9. Applicant (with exception and with permission of the Chair) can ask questions of the other parties to the hearing and their witnesses.
10. Interested Parties to the hearing (with exception and with the permission of the Chair) can ask questions of the applicant/other parties to the hearing and their witnesses.
11. Chair's closing remarks
12. Sub-Committee retire from the meeting with the Committee Officer and Legal Officer and consider their decision.
13. The Sub-Committee will return to the meeting and Chair announces the decision together with the reasons for the decision and any right to appeal.
14. Decision letter will be sent to all interested parties confirming the decision made.

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Agenda Item 3.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	19 March 14	Unclassified	LSC 68/134	

Report of : David Tolley Head of Consumer and Business Relations Originating Officer: Andrew Heron Licensing Officer	Title: Licensing Act 2003 Application for a Premises Licence for 489 Hackney Road, London, E2 9ED Ward affected: Bethnal Green North
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1.0 Summary

Applicant: **James Manero and Amechi Ihenacho**
Name and **As above**
Address of Premises: **489 Hackney Road**
London
E2 9ED

Licence sought: **Licensing Act 2003**
The Sale of Alcohol
The provision of Regulated Entertainment
The provision of Late Night Refreshment

Objectors: **Local Residents**

2.0 Recommendations

2.1 That the Licensing Committee considers the application and objections then adjudicate accordingly.

LOCAL GOVERNMENT 2000 (Section 97) LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File Only

Andrew Heron
020 7364 2665

3.0 **Background**

3.1 This is an application for a premises licence for 489 Hackney Road, London, E2 9ED.

3.2 A copy of the application is enclosed as **Appendix 1**.

3.3 The applicant has described the nature of the application as:

- The Sale of Alcohol
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

3.4 The original application was for hours up to 05:00hrs in the morning. On mediation with the Metropolitan Police, the application has been amended and the hours have been pulled back (see **Appendix 2**). The hours that have now been applied for are as follows:-

Sale of Alcohol (on sales only)

- Monday to Sunday from 12:00hrs to 01:00hrs (the following day)

The Provision of Regulated Entertainment in the form of Films (indoors) and Recorded Music (indoors):

- Monday to Sunday from 12:00hrs (midday) to 01:00hrs (the following day)

The Provision of Regulated Entertainment in the form of Live Music (indoors):

- Monday to Sunday from 12:00hrs (midday) to 23:00hrs

The Provision of Late Night Refreshment:

- Monday to Sunday from 23:00hrs to 01:00hrs (the following day)

Hours premises is open to the public:

Monday to Sunday from 12:00hrs to 01:00hrs (the following day)

3.5 Members may wish to note that in relation to the sale of alcohol this is the same as when the premises closes to the public. It is difficult to see how the licence holder will ensure that the licence conditions are met. The problem, of course, is that if sales continue until the last minute the premises cannot be emptied on time. Members are advised to consider a break between the end of the regulated activities and the time the premises closes to the public.

3.6 A map showing the relevant premises is included as **Appendix 3**.

4.0 Licensing Policy and Government Advice

- 4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1st November 2013.
- 4.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 4.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in June 2013.
- 4.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

5.0 Representations

- 5.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 5.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 5.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 5.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 5.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 5.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 4**.
- 5.7 All the representations in this report have been considered by the relevant officer (Trading Standards and Licensing Manager) and determined to have met the requirements of the Licensing Act 2003.

- 5.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by local residents, see **Appendices 5-8**.
- 5.9 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise (Environmental Health)
 - Trading Standards
 - Child Protection
 - Primary Care Trust
- 5.10 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.11 The objections cover allegations of
- Anti-social behaviour from patrons leaving the premises
 - Noise while the premise is in use
 - Disturbance from patrons leaving the premises on foot
 - Disturbance from patrons leaving the premises by car
 - Close proximity to residential properties
 - Noxious smells or light pollution
 - Noise leakage from the premises
- 5.12 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 5.13 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

6.0 Licensing Officer Comments

6.1 The following is intended to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

6.2 Guidance issued under section 182 of the Licensing Act 2003

- ∇ As stated in the guidance it is “provided for licensing authorities carrying out their functions.” It is a key medium for promoting best practice, ensuring consistent application and promoting fairness equal treatment and proportionality (1.7).
- ∇ Also “so long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so.” When doing so licensing authorities will need to give full reasons for their actions (1.9).
- ∇ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ∇ Conditions may not be imposed for the purpose other than the licensing objectives.
- ∇ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.7).
- ∇ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- ∇ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment. (S. 10.24).
- ∇ The Government has stated “there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.20)

- ∇ Mandatory conditions must be imposed (10.43) and censorship avoided (10.31).
 - ∇ Routine conditions about drink promotions are not permitted but can be imposed in appropriate circumstances (10.38). The Office of Fair Trading's Advice also needs to be considered, namely that minimum prices setting is not permitted.
- 6.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 6.4 In all cases the Members should make their decision on the civil burden of proof, that is "the balance of probability."
- 6.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 6.6 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 6.7 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 6.8 In **Appendices 9-14** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.
- 7.0 Exemptions**
- 7.1 There are a number of statutory exemptions from the operation of the Licensing Act 2003, and Members need to bear these in mind.
- 7.2 Schedule 1 Part 2 of the Act 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.
- 7.3 Acts of religious worship, wherever performed are not licensable.
- 7.4 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.”

- 7.5 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 midnight, no additional conditions should be set relating to the music.
- 7.6 Section 177 can be disapplied on a licence review if it is proportionate to do so.

8.0 **Legal Comments**

- 8.1 The Council’s legal officer will give advice at the hearing.

9.0 **Finance Comments**

- 9.1 There are no financial implications in this report.

10.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Email confirming application amendment
Appendix 3	Maps of the area
Appendix 4	Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations
Appendix 5	Representations of Local residents Caliopi Ellis and Damian Kelleher
Appendix 6	Representations of Local residents Keremi Gawade and Peter Owens
Appendix 7	Representations of Local residents Jana von Mackensen and Blanco Bravo Reyes
Appendix 8	Representations of Local residents Luke Streatfield and Chrysothemis Brown
Appendix 9	Licensing Officer comments on Anti-Social Behaviour from Patrons Leaving the Premises
Appendix 10	Licensing Officer Comments on Noise while the Premise is in Use
Appendix 11	Licensing Officer Comments on Access and Egress
Appendix 12	Licensing Officer Comments on Noxious Smells
Appendix 13	Licensing Officer Comments on Noise Leakage from the Premises
Appendix 14	Licensing Officer Comments on Licensing Policy Relating to Hours of Trading

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

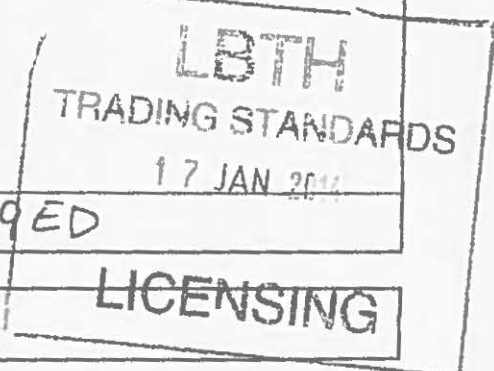
Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep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

I/We (Insert name(s) of applicant) James Manero & Amechi Ihenacho

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	
489 Hackney Road, London E2 9ED	
Post town	Post code
LONDON	E2 9ED



Telephone number at premises (if any)

--

Non-domestic rateable value of premises

£ 14,750

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 checked="" type="checkbox"/> | Please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | <input 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
 - I am making the application pursuant to a
 - 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

HANERO

First names

JAMES

I am 18 years old or over

Please tick yes



Current postal
address if different
from premises
address



Post Town

Daytime contact telephone

E-mail address
(optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname

IHENACHO

First names

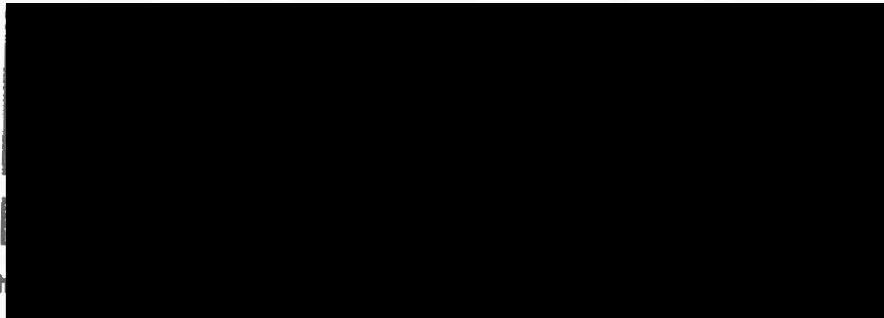
AMECHI

I am 18 years old or over

Please tick yes



Current postal
address if different
from premises
address



Post Town

Daytime contact telephone

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
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number, if any
E-mail (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	5	02 2014

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

Day	Month	Year

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

--

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

THE PREMISES IS A SMALL BASEMENT UNIT APPROX. 40 PEOPLE STANDING CAPACITY WILL BE FITTED OUT WITH EMERGENCY LIGHTING & FIRE EXTINGUISHERS. THE PROPERTY HOUSES 2 TOILETS, ONE OF THEM BEING A DISABLED FACILITY.

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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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					
Sun					

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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	12.00	03.00	Please give further details here (please read guidance note 3)	Both	
Tue	12.00	03.00			
Wed	12.00	03.00	State any seasonal variations for exhibition of films (please read guidance note 4)		
Thur	12.00	05.00			
Fri	12.00	05.00	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	05.00			
Sun	12.00	03.00			

E			Will the performance of live music take place indoors or outdoors or both - please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 6)				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12.00	23.00	Please give further details here (please read guidance note 3)		
Tue	12.00	23.00			
Wed	12.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thu	12.00	23.00			
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)		
Sat	12.00	23.00			
Sun	12.00	23.00			

F			Will the playing of recorded music take place indoors or outdoors or both - please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 6)				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12.00	03.00	Please give further details here (please read guidance note 3) ANY RECORDED MUSIC WILL BE PLAYED THROUGH A NOISE LIMITER & AN ACOUSTIC REPORT WILL BE CONDUCTED BEFORE RECORDED MUSIC IS PLAYED		
Tue	12.00	03.00			
Wed	12.00	03.00	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thu	12.00	05.00			
Fri	12.00	05.00	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)		
Sat	12.00	05.00			
Sun	12.00	03.00			

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			<u>Please give further details here</u> (please read guidance note 3)	Both		
Tue						
Wed				<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur						
Fri				<u>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</u> (please read guidance note 5) 5)		
Sat						
Sun						

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			<u>Please give further details here</u> (please read guidance note 3)
Tue			
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)
Thur			
Fri			<u>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</u> (please read guidance note 5)
Sat			
Sun			

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	12.00	03.00	Please give further details here (please read guidance note 2)	<input checked="" type="checkbox"/>
Tue	12.00	03.00		<input type="checkbox"/>
Wed	12.00	03.00		<input type="checkbox"/>
Thur	12.00	05.00		<input type="checkbox"/>
Fri	12.00	05.00		<input type="checkbox"/>
Sat	12.00	05.00		<input type="checkbox"/>
Sun	12.00	08.00		<input type="checkbox"/>
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
			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)	

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	03.00	Please give further details here (please read guidance note 7)	<input checked="" type="checkbox"/>
Tue	12.00	03.00		<input type="checkbox"/>
Wed	12.00	03.00		<input type="checkbox"/>
Thur	12.00	05.00		<input type="checkbox"/>
Fri	12.00	05.00		<input type="checkbox"/>
Sat	12.00	05.00		<input type="checkbox"/>
Sun	11.00	03.00		<input type="checkbox"/>
			State any seasonal variations for the supply of alcohol (please read guidance note 4)	
			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)	

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

Name

JAMES HANERO

Address



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)

[Empty box for highlighting concerns regarding children]

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	12.00	03.00	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)
Tue	12.00	03.00	
Wed	12.00	03.00	
Thur	12.00	05.00	
Fri	12.00	05.00	
Sat	12.00	05.00	
Sun	12.00	03.00	

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)

- STAFF ARE TO BE REGULARLY TRAINED IN THE LICENSING REGULATIONS
- ALL REFUSALS ARE TO BE ENTERED INTO A REFUSALS BOOK WHICH IS TO BE MADE AVAILABLE TO THE POLICE OR LICENSING AUTHORITY UPON REQUEST

b) The prevention of crime and disorder

- THE PREMISES WILL ALSO IN COOPERATION WITH TOWER HAYLETS POLICE REGULARLY FACILITATE A PREMISES DRUG AUDIT
- TOILETS TO BE CHECKED BY STAFF RANDOMLY & ENTRY TO BE MADE IN A REGISTER
- LICENSE HOLDER SHALL MAINTAIN AN INCIDENT BOOK AT THE PREMISES TO REPORT ALL CRIMES, EJECTIOUS, COMPLAINTS, INCIDENTS, SEIZURES
- INCIDENT BOOK ENTRIES TO BE COUNTERSIGNED BY DPS

c) Public safety

- CCTV TO OPERATE INSIDE & OUTSIDE OF PREMISES, RECORDINGS TO BE KEPT FOR 31 DAYS
- DURING BUSY PERIODS LICENSED SIA SECURITY WILL CONTROL ENTRY & EXIT TO PREMISES, MAX. CAPACITY 56 PEOPLE
- NON INTOXICATING BEVERAGES INCL. DRINKING WATER SHALL BE AVAILABLE DURING PERMITTED HOURS

d) The prevention of public nuisance

SEE SEPERATE PAGE

e) The protection of children from harm

STAFF WILL REQUEST PROOF OF AGE
SUCH AS PASSPORT OR DRIVERS LICENSE
TO PREVENT THE SALE OF ALCOHOL TO
A MINOR

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

CHECKLIST:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
Insert On-Line Payment reference here if applicable :
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

D) PREVENTION OF PUBLIC NUISANCE

- SIGNS DISCOURAGING NOISE TO BE DISPLAYED AT ENTRANCE, EXIT & QUEUE OF PREMISES
- NO ALCOHOL ALLOWED OUTSIDE BUILDING
- SMOKING AREA TO BE LIMITED TO 10 PEOPLE AT A TIME
- MEASURES TO BE IMPLEMENTED TO MAKE SURE PATRONS CANNOT TAKE GLASS OR OPEN CONTAINERS OUTSIDE PREMISES
- DETAILED ACOUSTIC REPORT TO BE CARRIED OUT BY COMPETENT PERSON TO BE SUBMITTED TO POLLUTION TEAM FOR THEIR APPROVAL. ALL RECOMMENDATIONS WITHIN THE REPORT WHICH HAVE BEEN APPROVED BY THE POLLUTION TEAM SHOULD BE COMPLETED PRIOR TO ANY REGULATED ENTERTAINMENT TAKING PLACE
- INSTALLATION OF SOUND LIMITING DEVICES APPROVED BY POLLUTION TEAM. LIMITING DEVICES SHOULD BE SET TO ENSURE INADVERTABILITY WITHIN NOISE SENSITIVE PREMISES CERTIFICATE OF COMPLIANCE SUBMITTED TO POLLUTION TEAM
- WASTE OR RECYCLING BINS SHOULD NOT BE CHARGED BETWEEN 11 PM & 2 AM

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 168 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

[Redacted Signature]

Date

15/01/2014

Capacity

MANAGING DIRECTOR

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

[Redacted Signature]

Date

15/01/2014

Capacity

Partner

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)



Post town

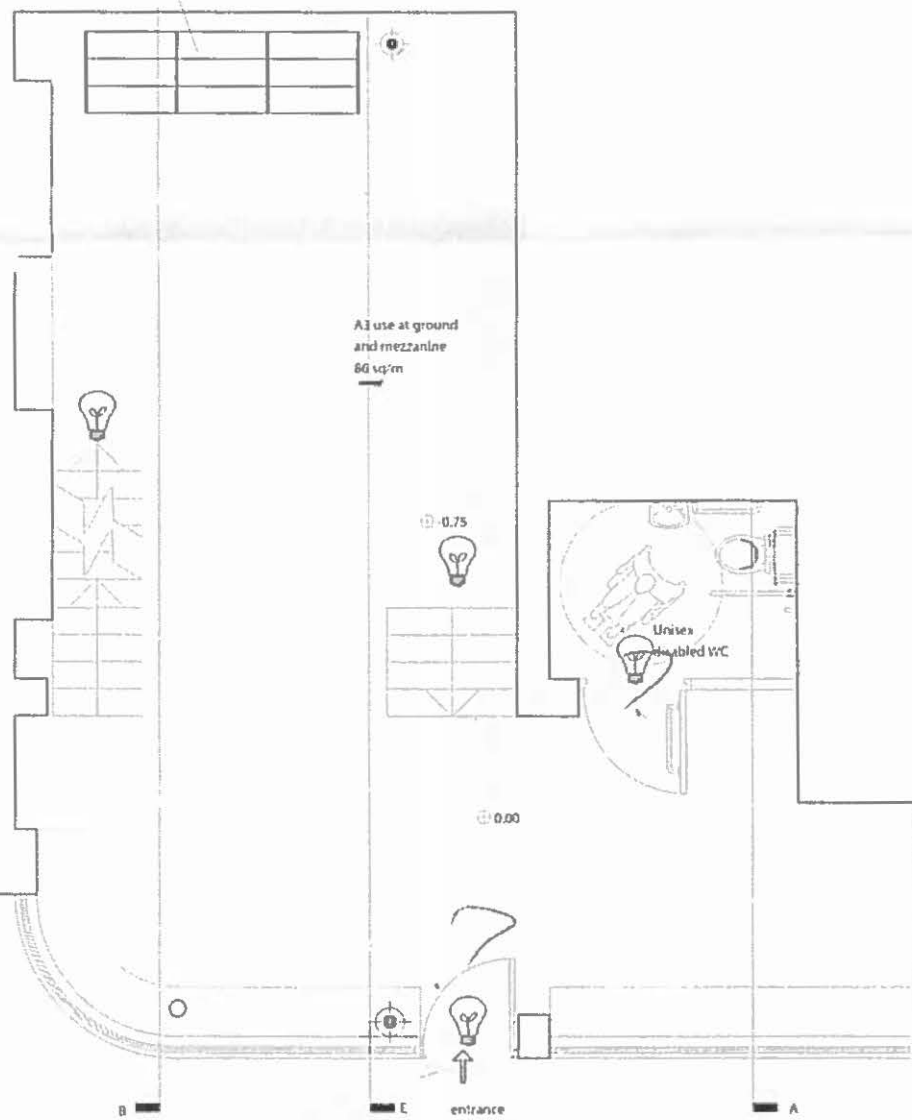
Post code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Approximate Bar Area

-  Fire Extinguisher (Water/CO2)
-  Emergency Light



LBTH
TRADING STANDARDS
17 JAN 2014
LICENSING

FOUR:TEN ARCHITECTS

489-491 HACKNEY ROAD
PROPOSED GROUND FLOOR
1:50 @ A3 NOV 11 D911/HR/P/1/1A



REV A: Flat 1 re-organised to sit behind 491 only
Extension to rear of existing building omitted
Amendments to A3
Amendments to residential entrance lobby





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Plot Ref: Hackney Road

LICENSING

LICENSING
LBTH
TRADING STANDARDS
17 JAN

LICENSING
LBTH
TRADING STANDARDS
17 JAN 2014

Appendix 2

Andrew Heron

From: B [REDACTED]
Sent: 06 February 2014 12:50
To: [REDACTED]
Cc: Licensing; [REDACTED]
Subject: RE: New Premises Licence - 489, HACKNEY ROAD E2

Follow Up Flag: Follow up
Flag Status: Completed

Dear all,

Police can confirm that we have accepted the reduced hours from 0500 hrs to **0100 hrs** for the sale of alcohol and late night refreshment...

Regards,

Brendan O'Rourke|PC 291 HT

Licensing Team|London Borough of Tower Hamlets

Limehouse Police Station, 27, West India Dock Road, London, E14 8EZ

Office 020 7275 4950/4911 |Licensing Mobile 07825 850 906

HT-LicensingOffice@met.pnn.police.uk

[REDACTED]
Sent: 06 February 2014 12:34

[REDACTED]
Subject: Re: New Premises Licence - 489, HACKNEY ROAD E2

Hi Brendan,

Hope you are well.

Further to our conversation I would like to confirm that we are happy to accept a 1am license on the premises 489 Hackney Road.

Please let me know if you require any further information.

Regards

James Manero

On Tuesday, 21 January 2014, James Manero <manerojames@gmail.com> wrote:

Hi Brendan,

thanks for getting in touch. The premises does consist of a mezzanine and ground floor, with basement as storage. The plans that we have submitted only cover the ground floor as the mezzanine area of the premises is not where we will be operating. So we would not be looking to license the mezzanine area at this stage, and only the ground floor.

Please let us know when you would like to come and see the property.

Regards

James

On 21 January 2014 18:16, [REDACTED]

Dear Mr. Manero & Mr Ihenacho,

The Police have received a copy of your application for a premises licence for 489 Hackney Road and I would like to arrange to meet you and conduct a site visit at the premises location.

The description in the operating schedule states "the premises is a small basement unit, approx 40 people standing". Could I confirm how many floors the business will operate on, as I understand the premises to consist of a ground and mezzanine floor, with the basement being for storage only (unless this has changed)?

It would appear too, that from the plans submitted that with the application, that there is a ground floor only?

Regards,

Brendan O'Rourke|PC 291 HT

Licensing Team|London Borough of Tower Hamlets

Limehouse Police Station, 27, West India Dock Road, London, E14 8EZ

Office 020 7275 4950/4911 |Licensing Mobile 07825 850 906

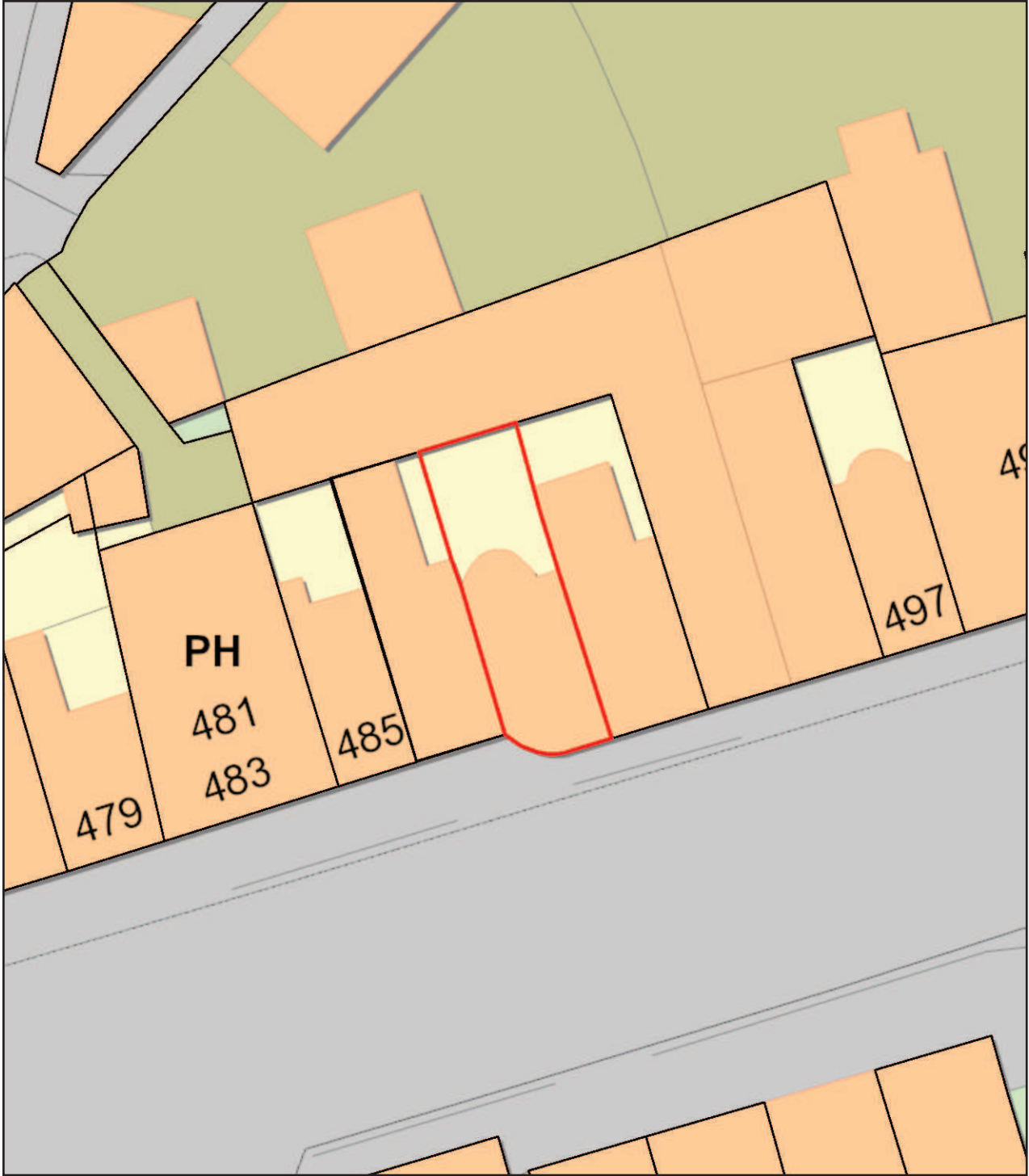
HT-LicensingOffice@met.pnn.police.uk

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

Consider our environment - please do not print this email unless absolutely necessary.

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Appendix 3

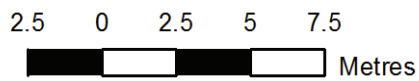


489 Hackney Road

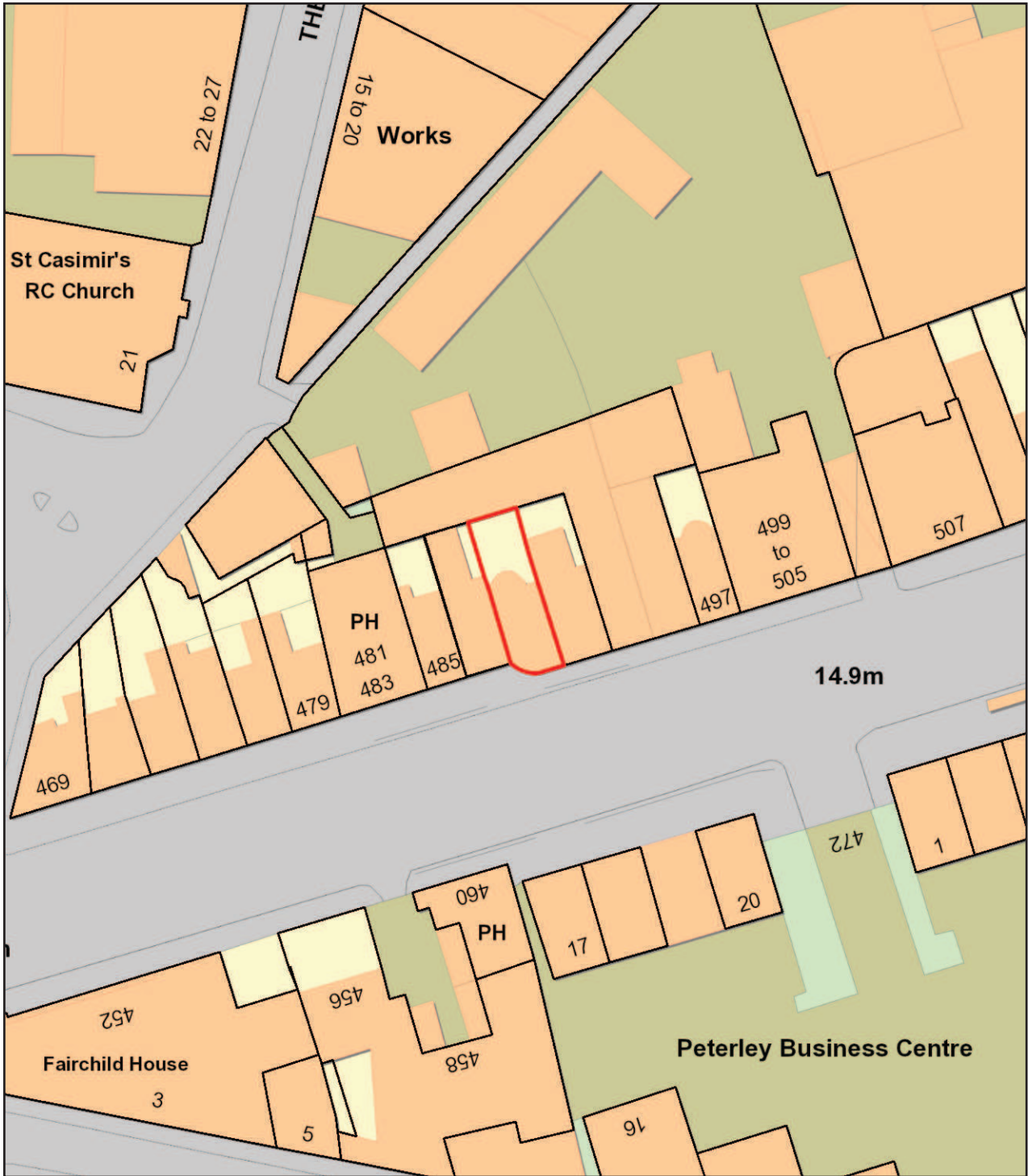
Map 1



Scale 1:312



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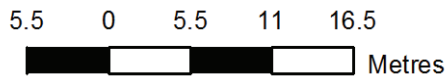


489 Hackney Road

Map 2



Scale 1:624



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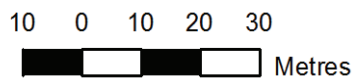


489 Hackney Road

Map 3



Scale 1:1561



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Appendix 4

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 5

Caliopi Ellis and Damian Kelleher
[REDACTED]

5 February 2014

Dear Sir or Madam

Re: Notice of Application for a Premises Licence
re: 489 Hackney Road, London E2 9ED

We would like to make an official objection to the proposed application for the provision of regulated entertainment, live music, sale of alcohol, Sunday to Saturday midday until 5am at the above address.

We own the flat directly above 489 Hackney Road and when we bought it almost exactly a year ago, we asked the vendors what type of shop was planned directly below us. We were assured it was to be a café/restaurant, and as a result, went ahead with our purchase of the property.

Now we hear a late-night drinking club is proposed for the site, and we are heartily dismayed that the freeholder has reneged on our agreement.

There are two flats directly above this site, and others in the immediate vicinity, and we do believe that an establishment playing live music until 5am every night is not conducive to the well-being of neighbouring residents in this area.

We believe this application is in direct contravention of the planning permission granted at the time of the building's conversion (dated 27.9.12) and available to view online ref PA/12/00595, Alt Ref: PP-01842490). It clearly states:

'The proposed cafe use is compatible with the residential units above and would provide additional A3 facility in the area.'

However, this change of usage is clearly not compatible with residential units. It would provide both noise and disturbance to neighbouring residents.



The planning permission also clearly states:

The restaurant/cafe use allowed by this permission shall not take place other than between the hours of: -

08:00 to 23:00, Mondays - Saturdays

09:00 to 2200, Sundays and Bank Holidays

Reason: As requested by the applicant and to safeguard the amenity of local residents and

the area generally in accordance with policy SP10(4) and policy DEV2 of the Tower

Hamlets Unitary Development Plan (1998).

This new application extends far beyond the limits of this approved application.

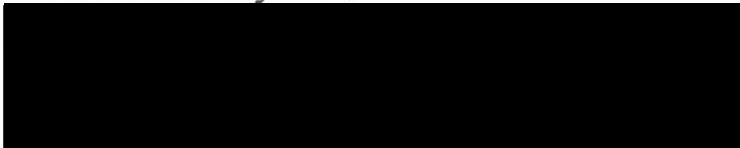
As an A3 usage, the shop is clearly not suited to be an all-night drinking club/live music venue that is being proposed. It is a small confined space, and there is only one entrance/exit. There are obvious health and safety issues at stake here.

Furthermore, there is no smoking provision to the rear of the building, so anyone drinking in the bar wishing to smoke would be forced to assemble outside the building on a narrow strip of pavement on a busy road. This would result in both noise and air pollution for residents living above, and there are obvious safety issues on this busy arterial road, too.

The current owner of the shop operates a computer repair business that he says he intends to run in tandem with his new members club. From the outset, this sounds like an ill-conceived hybrid project that will only generate noise and disturbance around the clock for neighbours.

We would respectfully request that this notice for application is rejected.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Caliopi Ellis and Damian Kelleher

Andrew Heron

From: Damian Kelleher [REDACTED]
Sent: 17 February 2014 16:45
To: Andrew Heron
Subject: TSS/LIC/74147

Dear Mr Heron

Re: Licensing Act 2003 Re: 489 Hackney Road, London E2 9ED

Thank you for your letter dated 7 January 2014 (think you meant 7 February) regarding my representation with regard to application for premises licence at the above address.

I believe several of the points you highlighted were covered in the letter I sent you on 5 February 2014.

- Crime and disorder

There are two flats directly above this site, and others in the immediate vicinity, and we do believe that an establishment playing live music until 5am every night is not conducive to the well-being of neighbouring residents in this area.

I do not believe that a club serving alcohol and playing music until 5am in the morning is going to enhance the area, and late night drinking until the early hours of the morning will, I believe, increase the potential risk of altercations and potential crime in the immediate area dramatically.

- Public nuisance

I pointed out in my last letter:

there is no smoking provision to the rear of the building, so anyone drinking in the bar wishing to smoke would be forced to assemble outside the building on a narrow strip of pavement on a busy road. This would result in both noise and air pollution for residents living above, and there are obvious safety issues on this busy arterial road, too.

We all know, outside pubs and clubs, drinkers assembling to smoke cause noise and pollution. Standing, drinking and smoking directly beneath residential flats will inevitably cause public nuisance and disturbance to the residents who live nearby.

- Public safety

As an A3 usage, the shop is clearly not suited to be an all-night drinking club/live music venue that is being proposed. It is a small confined space, and there is only one entrance/exit. There are obvious health and safety issues at stake here.

I do not believe that the space is safe for this purpose and on those grounds alone, the licence should be denied.

- The protection of children from harm

There is a small child in our building and inevitably it will be like living above an all-night pub for this child.

Again, we would respectfully ask you to reconsider this application.

Yours sincerely

Caliopi Ellis and Damian Kelleher

Appendix 6

[REDACTED]
[REDACTED]
[REDACTED]

20th January 2014

Dear Tower Hamlets,

RE: Notice of Application For Premises License- 489 Hackney Road, e2 9ed

We have recently become aware of an application for licensing at the above address. Provision of Regulated Entertainment, Live Music and Sale of Alcohol. It states Sunday – Saturday, Midday - 5am. We take this to mean 7 days a week.

I must state categorically that this application should not go through and that the granting of a late alcohol licence past 11pm would be a terrible decision. We live above the property at 491. This is a double fronted property and so the retail unit sits directly below our property. This is a residential area and the playing of live music no matter how minimalist the music, would cause severe noise and nuisance.

We are young family living in our first property. The litter, noise and anti-social behaviour caused by a downstairs late night drinking establishment would make for very unpleasant living conditions. Currently litter piles up outside our door when their bin reaches capacity. Imagine what this would be like with a packed bar of people? When we purchased the property we were told that the retail unit would function as a small café. We do not want another Dolphin on our doorstep, bringing with it loud, drunken and anti-social behavior between the hours of midnight and 5am. This would be a complete nuisance.

There is a newly refurbished property within the building which is currently empty. So please take this as a letter of very strong protest against the granting of any license.

Yours sincerely,

Keremi Gawade & Peter Owens
[REDACTED]



Appendix 7

London, 2014/02/05

**Communities, Localities & Culture
Consumer & Business Regulations**
Licensing Section
Mulberry Place (AH)
6th Floor
5 Clove Crescent
London E14 2BG



**Subject: Objection to Application For Premises License
- 489 Hackney Road, E2 9ED**

Dear Mr. McCrohan,

**RE: Notice of Application For Premises License
- 489 Hackney Road, E2 9ED**

We are writing to object the premises license application for the above address. Provision of Regulated Entertainment, Live Music and Sale of Alcohol, which states Sunday – Saturday, Midday - 5am.

We occupy the flat directly above the applicant and we strongly object to this application to sell alcohol and play live music because:

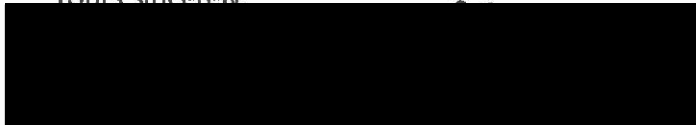
- The location of the premises is not meant to deal with the new proposed usage. The sidewalk on Hackney Road at this point narrows to barely more than 1 meter wide, so there is literally no spill out space for this premise without disrupting the flow of pedestrians. Further, there is no designated drop off areas for this premise. And we doubt that the premises have planned to provide exterior space for smokers to avoid the smokers simply going out onto the sidewalk with the inevitable mess and noise that this involves. Overall this would result in air and noise pollution for all the neighbouring dwellings.
- The internal layout of the premises does not provide a dedicated enclosed space for the performance of live music nor an acoustic lobby in between the premises and the street. The lack of any physical acoustic breakout will lead to noise disturbance to local residents.

- The materials and construction of the premises do not control the problem of noise derived from the proposed new usage. The space lacks adequate sound insulation for the performance of live music. This will have a direct negative impact on all adjacent properties by creating noise annoyance.
- The operation of the premises will lead to further disturbance and annoyance to all the residents in the area. Examples could include: customers entering and leaving the premises, deliveries of goods and stock in an area where there is no designated parking space and refuse collection and bottle emptying on the pavement. Car parking may cause problems with engine noise, slamming of car doors, misfiring vehicle alarms. Furthermore, the licence to sell alcohol all night inevitably results in anti-social behaviour by intoxicated customers, with all the negative impact on security and noise levels that it implies.

As the above illustrates, there is many reasons for us to object this application. The premises currently has an approved A3 usage, for cafeteria or restaurant. The approval of this application will change the usage of the space that, as illustrated above, is not adequately equipped to deal with the proposed new usage.

Therefore, we must categorically object to the application. Not only in our interest but to avoid the deterioration of the area, we hope that the Council will reject this application.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Jana von Mackensen and Blanca Bravo Reyes

Appendix 8

Luke Streatfeild &
Chrysothemis Brown



10th February 2014

Tower Hamlets
Planning and Building Control
Mulberry Place
5 Clove Crescent
London
E14 2BG

OBJECTION TO NEW PREMISES LICENCE APPLICATION FOR 489 HACKNEY ROAD

Dear Sir or Madam,

We would like to object to the new premises licence application for no.489 Hackney Road.

Whilst we respect the wishes of the applicant to develop its business at 489 Hackney Road, and do not object to the use of this site as a bar within reasonable hours, we feel that as it stands their current application is not acceptable. We would like to object on the following grounds.

Public Nuisance

We live in 495 Hackney Road, adjacent to 489 Hackney Road. The proprietors of 489 Hackney Road have applied for a licence to serve alcohol and play music until 3am on Sunday and weeknights and until 5am from Thursday to Saturday.

This will inevitably involve the following public nuisance:

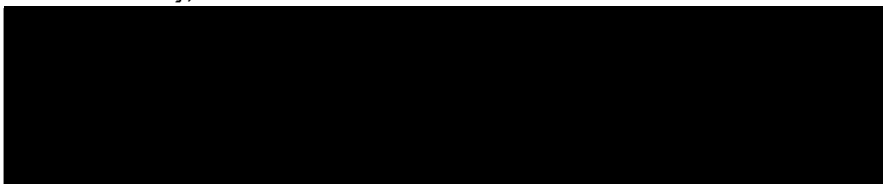
- Noise from those occupying the smoking area from 11pm until 3am or 5am.
- Noise from those entering and exiting the premises between 11pm and 3am / 5am.
- Noise from live music and recorded music between 11pm and 3am / 5am.
- Disorderly behaviour from patrons exiting the premises drunk between 11pm and 3am / 5am -- this could pose a threat to public safety on the street.

This is currently a daytime commercial and residential area. We live in the flat directly adjacent and our bedroom is directly above where the entrance and exit to the premises would be if the licence is granted, and above where any outside smoking area would be. We are asleep between 11am and 3am / 5pm. Any additional noise will be a considerable nuisance, and a change from the current quiet environment, particularly to the rear of the property.

We do not object to the grant of a licence to serve alcohol, show films, and play live and recorded music up to and including 11pm. However a licence for these activities outside those times would be a change to the amenity of the area, and would be a significant disturbance to local residents, ourselves included.

On our property there is a second flat that is currently uninhabitable and unoccupied (493A Hackney Road), which will shortly be renovated. Once there are tenants in this flat there will also be tenants in this property who will also be inconvenienced if this licence application is granted.

Yours faithfully,



Luke Streatfeild & Chrysothemis Brown

Appendix 9

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 10

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 11

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 12

Noxious smells or Light Pollution

General Advice

Members need to be satisfied that any problems cannot be adequately addressed by existing legislation. Conditions must relate proportionately to the licensable activity. Thus for example, a café that is emitting noxious smells does so whether or not it is permitted to open past 23:00hrs.

Any nuisance from bright lights needs to be balanced against potential crime and disorder benefits from bright lights.

Other Legislation

The Environmental Protection Act 1990

Part 111 of the Act gives Environmental Health Officers the power to deal with statutory nuisances including smells

Planning legislation may restrict external lighting.

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.

Appendix 14

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

Monday to Thursday	06:00hrs to 23:30hrs
Friday and Saturday	06:00hrs to 00:00hrs (midnight)
Sunday	06:00hrs to 22:30hrs

(see 12.8 Of the licensing policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

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Agenda Item 3.2

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub Committee	19 th March 2014	Unclassified	LSC 69/134	

Report of : David Tolley Head of Consumer and Business Relations Originating Officer: Andrew Heron Licensing Officer	Title: Licensing Act 2003 Application for a Time Limited Premises Licence for Oktoberfest 2014, Millwall Park (off East Ferry Road, London, E14) Ward affected: Blackwall and Cubitt Town
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1.0 Summary

Applicant: **London Oktoberfest**

Name and Address of Premises: **Millwall Park
off East Ferry Road
London, E14**

Licence sought: **Licensing Act 2003:
The sale of alcohol
Regulated entertainment**

Objectors: **Local Residents
Local Councillor**

2.0 Recommendations

2.1 That the Licensing Committee considers the application and objections then adjudicate accordingly.

LOCAL GOVERNMENT 2000 (Section 97)
LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File Only

Andrew Heron
020 7364 2665

3.0 Background

3.1 This is an application for a time limited licence for Oktoberfest 2014, Millwall Park (off East Ferry Road, London, E14) from 2nd October 2014 to 12th October 2014.

3.2 A copy of the application is enclosed as **Appendix 1**. Following from the application are the following documents:

- Event Management Plan
- Millwall Park Egress Plan
- Alcohol Management Assessment
- Anti-Social Behaviour Policy
- Fire Risk Assessment
- First Aid Risk Assessment
- Noise Risk Assessment
- Risk Register and Action Plans
- Security and Stewarding Plans

3.3 The applicant has described the nature of the as:

- The sale of alcohol
- Regulated entertainment

3.4 The hours that have been applied for are as follows:-

Sale of Alcohol (on sales only)

- Thursday and Friday from 17:00hrs to 22:30hrs
- Saturday from 14:00hrs to 22:30hrs
- Sunday from 12:00hrs to 18:30hrs

The Provision of Regulated Entertainment:

Live Music (indoors)

- Thursday and Friday from 17:00hrs to 22:00hrs
- Saturday from 14:00hrs to 22:00hrs
- Sunday from 12:00hrs to 18:30hrs

Recorded Music (indoors)

- Thursday and Friday from 17:00hrs to 22:45hrs
- Saturday from 14:00hrs to 22:45hrs
- Sunday from 12:00hrs to 19:00hrs

Hours premises is open to the public:

- Thursday and Friday from 17:00hrs to 23:00hrs
- Saturday from 14:00hrs to 23:00hrs
- Sunday from 12:00hrs to 19:00hrs

3.5 A map showing the site and the area of the park is included as **Appendix 2**.

4.0 Licensing Policy and Government Advice

- 4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on 1st November 2013.
- 4.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 4.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in June 2013.
- 4.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

5.0 Representations

- 5.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 5.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 5.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 5.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 5.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 5.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 3**.
- 5.7 All the representations in this report have been considered by the relevant officer (Trading Standards and Licensing Manager) and determined to have met the requirements of the Licensing Act 2003.

- 5.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following:
- Local Councillor, see **Appendix 4**
 - Local Residents, see **Appendices 5-20**
- 5.9 Members may note that many of the representations from local residents are 'cut-and-paste' repeats. Full representations have been included for Members' information. This Authority was made aware that the wording for these repeat representations came from an online petition, though this Authority has never been sent a petition in relation to the Oktoberfest 2014 application.
- 5.10 The representation from Mr Hart on behalf Millwall Albion (**Appendix 6**), contains very little information in relation to the licensing objectives. Members may wish to discount this representation altogether. Mr Hart was written to in order to ask for further information, but no response has been forthcoming.
- 5.11 The application received two representations against the application that were deemed to be invalid as they made no reference to the relevant licensing objectives. Both parties were written to in order to provide them with an opportunity to make their objection relevant, but no response was received and therefore they have not been included in this report.
- 5.12 The application has received two representations in favour of the application. Whilst these do not make reference to the licensing objectives, they have been included for reference (see **Appendices 19 - 20**).
- 5.13 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise (Environmental Health)
 - Trading Standards
 - Child Protection
 - Primary Care Trust
- 5.14 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety

- the prevention of public nuisance
- the protection of children from harm

5.15 The objections cover allegations of

- Anti-social behaviour on the premises
- Anti-social behaviour from patrons leaving the premises
- Noise while the premise is in use
- Disturbance from patrons leaving the premises on foot
- Close proximity to residential properties
- Noise leakage from the premises
- Safety problems
- The state of the site once the event was over

5.16 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

5.17 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

5.18 In addition to the documentation contained in the report, the application contains additional documentation providing the detail of the Event Management Plan/Noise Management Plan/Acoustic Report/Security Plan/Risk Assessment /Crown Safety Plan. Members are asked to consider all the associated documentation which accompanies the application and incorporate any conditions which are relevant, proportionate and enforceable from those documents that are necessary to address the licensing objectives.

6.0 Licensing Officer Comments

6.1 The following is intended to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.

6.2 Guidance issued under section 182 of the Licensing Act 2003

- v As stated in the guidance it is "provided for licensing authorities carrying out their functions." It is a key medium for promoting best practice, ensuring consistent application and promoting fairness

equal treatment and proportionality (1.7).

- ∇ Also “so long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so.” When doing so licensing authorities will need to give full reasons for their actions (1.9).
 - ∇ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
 - ∇ Conditions may not be imposed for the purpose other than the licensing objectives.
 - ∇ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.7).
 - ∇ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
 - ∇ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment. (S. 10.24).
 - ∇ The Government has stated “there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.20)
 - ∇ Mandatory conditions must be imposed (10.43) and censorship avoided (10.31).
 - ∇ Routine conditions about drink promotions are not permitted but can be imposed in appropriate circumstances (10.38). The Office of Fair Trading’s Advice also needs to be considered, namely that minimum prices setting is not permitted.
- 6.3 The Licensing Act 2003 permits children of any age to be on the premises which primarily sell alcohol providing they are accompanied by an adult. It is not necessary to make this a condition.
- 6.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”

- 6.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 6.6 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 6.7 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 6.8 In **Appendices 21-26** Members are given general advice, and also have explanations of the Council's Licensing Policy, Government advice and other legislation relating to the matters previously identified.

7.0 Exemptions

- 7.1 There are a number of statutory exemptions from the operation of the Licensing Act 2003, and Members need to bear these in mind.
- 7.2 Schedule 1 Part 2 of the Act 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.
- 7.3 Acts of religious worship, wherever performed are not licensable.
- 7.4 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."
- 7.5 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 midnight, no additional conditions should be set relating to the music.
- 7.6 Section 177 can be disapplied on a licence review if it is proportionate to do so.

8.0 Legal Comments

8.1 The Council's legal officer will give advice at the hearing.

9.0 Finance Comments

9.1 There are no financial implications in this report.

10.0 Appendices

- | | |
|--------------------|---|
| Appendix 1 | A copy of the application |
| Appendix 2 | Map of the area |
| Appendix 3 | Section 182 Advice by the DCMS- Relevant, vexatious and frivolous representations |
| Appendix 4 | Representation of Councillor Gloria R Thienel |
| Appendix 5 | Representation of Local Resident Ms Karen Anderson |
| Appendix 6 | Representation of Local Resident Mr Albert Blackall |
| Appendix 7 | Representation of Local Resident Ms Rachel Buswell and Mr Jonathan Barratt |
| Appendix 8 | Representation of Local Resident Mr Thomas Carpenter |
| Appendix 9 | Representation of Local Resident Mr Gareth Hargreaves |
| Appendix 10 | Representation of Local Resident Mr Andrew Hesselden |
| Appendix 11 | Representation of Local Resident Mr James Honour |
| Appendix 12 | Representation of Local Resident Mr George Huett |
| Appendix 13 | Representation of Local Resident Mr Glen McCarthy |
| Appendix 14 | Representation Mr Mark Hart on behalf of Millwall Albion |
| Appendix 15 | Representation of Local Resident Robin Poynder |
| Appendix 16 | Representation of Local Resident Ms Vicky Sholund |
| Appendix 17 | Representation of Local Resident B U Smith |
| Appendix 18 | Representation of Local Resident Mr Frank R Thienel |
| Appendix 19 | Representation of Local Resident Mr Martin Griffiths (in |

- favour)
- Appendix 20** Representation of Local Resident Tamlyn Thompson (in favour)
- Appendix 21** Licensing Officer comments on Anti-Social Behaviour on the Premises
- Appendix 22** Licensing Officer comments on Anti-Social Behaviour from Patrons Leaving the Premises
- Appendix 23** Licensing Officer comments on Noise while the Premise is in Use
- Appendix 24** Licensing Officer comments on Access and Egress Problems
- Appendix 25** Licensing Officer comments on Noise Leakage from the Premises
- Appendix 26** Licensing Officer comments on Safety problems

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Appendix 1



* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	Carsten
* Family name	Raun
* E-mail	
Main telephone number	
Other telephone number	

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number	07400868	
* Business name	London Oktoberfest	
* VAT number	GB	103113291
* Legal status	Private Limited Company	

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Address Description

Millwall Park
Isle of Dogs, Tower Hamlets
E14 3BA

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Millwall Park is a public park located on the Isle of Dogs. It sits between Mudchute Farms and the Island Gardens Station of the DLR.

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Traditional Bavarian folk music will be played. Typical instruments include accordions, acoustic guitars, drums, and a tuba.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

Recorded music will be provided by a DJ playing German and English pop music in between musical sets of the live band.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

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

Name

First name

Family name

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

No one under the age of 18 is allowed entry, except for Sundays. On Sundays only, people under the age of 18 are allowed entry when accompanied by an adult 18 or over. We will also follow Check 25 protocol and ask for picture identification from anyone who looks to be under the age of 25.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 18 of 19

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e) **Page 108**

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

London Oktoberfest aims to fulfill all of the rules of the licensing act of 2003 by staying in close contact with the Tower Hamlets Council and surrounding residents. Our goal is to minimize the event's impact on the everyday activities of Millwall Park.

b) The prevention of crime and disorder

Between 23 and 43 security personnel will be employed during event days. Door searches will be conducted and those who are suspected of engaging in anti-social behavior will be denied entrance. We will also stay in close contact with the local police.

c) Public safety

An early closing times means that public transportation is still available for guests. Safety stewards will also be used to aid guests in making a quick departure from the event site to the Island Gardens DLR station and near by road.

d) The prevention of public nuisance

The tent will be closed once capacity is reached. Anti social behavior will not be tolerated and anyone engaging in such behavior will be removed from the premises. Also, a noise consultant will be on staff to monitor noise levels and ensure that event music stays within an acceptable range.

e) The protection of children from harm

People under the age of 18 are only allowed entry on the two Sundays and only when accompanied by an adult over the age of 18. Furthermore, we will follow Check 25 protocol and request picture identification from anyone who appears to be under the age of 25.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only

Continued from previous page...

where the entertainment is provided by and at the school or college and for the purposes of the school or college.
If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

FILIBERTO CAPONE

* Capacity

EVENT MANAGER

Date (dd/mm/yyyy)

21/01/2014

Add another signatory

One you're finished you need to do the following:

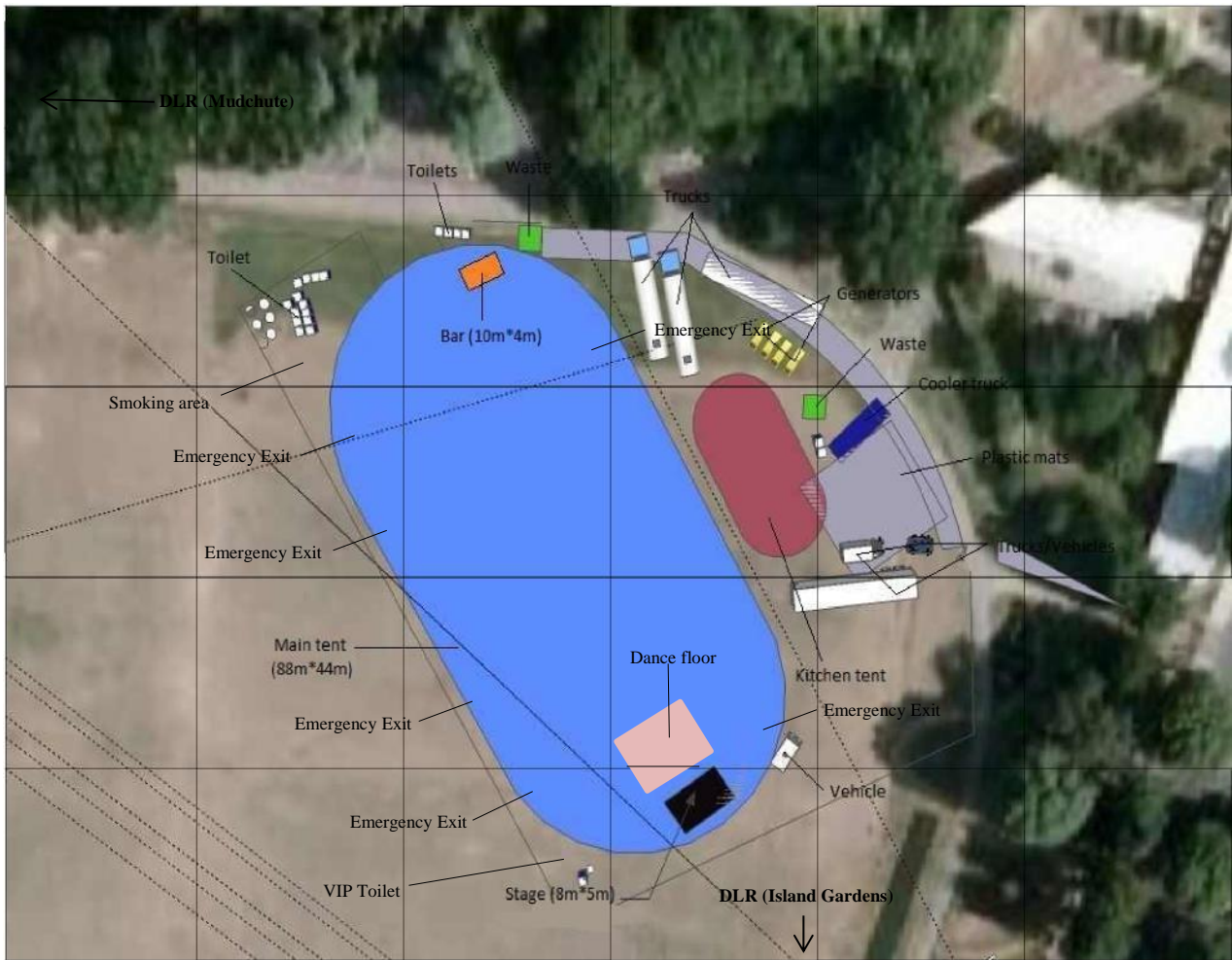
1. Save this form to your computer by clicking to file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

Millwall Park Site Plan

Grid size: 30m*30m



Event Management Plan

Event Name	London Oktoberfest
Event Location	Millwall Park
Dates of Occupation	28th September – 15th October 2014
Event Dates	Oct. 2rd – Oct. 5th & Oct. 9th – Oct.12th
Organisation	London Borough Tower Hamlets
Document last updated	December 13th, 2013

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Document distribution	
<ul style="list-style-type: none"> • SAG (group) 	<ul style="list-style-type: none"> • Site manager
<ul style="list-style-type: none"> • Production Company 	<ul style="list-style-type: none"> • First Aid (Red Cross)
<ul style="list-style-type: none"> • Parks Manager 	<ul style="list-style-type: none"> • Security Company – TBD
<ul style="list-style-type: none"> • Staff Manager 	<ul style="list-style-type: none"> • Team leaders
<ul style="list-style-type: none"> • Kitchen Manager 	<ul style="list-style-type: none"> • Service Manager

** Please note that the SAG (Tower Hamlets Events Safety Advisory Group) is made up of all key internal and external stakeholders, i.e. police, fire, ambulance, licensing, trading standards, building control, emergency planning, and environmental health.

1. Introduction

The London Oktoberfest is a commercial event being held in Millwall Park from the 2nd to the 5th and again from the 9th to the 12th of October (with a small fee Saturday). With a 3,300 person capacity, this mid-sized festival is one that we hope to make a recurring event which brings a friendly Bavarian party to Tower Hamlets and the rest of London each year.

The director, Carsten Raun, have over 5 years of experience in producing such events, with his first Oktoberfest taking place in 2009 in the city of Copenhagen. The festival has grown to now including several cities across Scandinavia and the United Kingdom.

London Oktoberfest's goal is to bring Bavarian culture and fun to London. As financial restraints become ever more present, our event allows patrons the opportunity to experience a new culture from the comfort of their home town. Starting with the construction of a 3,800 m² tent, a Bavarian beer hall will be recreated in Millwall Park of the Tower Hamlets Borough. To successfully capture the spirit of Munich, the tent is decorated in the signature blue and white of the Bavarian flag. Visitors will be served imported German beer and food (including sausages and sauerkraut) by wait staff dressed in dirndls and lederhosen. The band (coming from Germany as well) will complete the effect with traditional and contemporary German music, mixed with some British pop music.

Popular with the general public, Millwall Park is the perfect site for our event. Located squarely between the Island Gardens and Mudchute DLR stations, the area is easily accessible by public transit. Additionally, Mudchute Farms borders the park on one side, providing a safe place to direct amplified sound and alleviate concerns regarding noise pollution. Furthermore, Millwall Park's potential as event space is still largely untapped. Council members have stated that the last large-scale event to take place in the area was almost two decades ago and London Oktoberfest can do much to bring attention to this underutilized space.

The sale of alcohol will operate under a Premises Licence, which will be held by London Oktoberfest, Ltd. The event will open at 17:00 on Thursday and Friday, 14:00 on Saturday, 12:00 on Sunday. The event will close no later than 23:00 on Thursday, Friday and Saturday, while on Sunday the event will close no later than 19:00. To facilitate a graduated departure of patrons, sales of alcohol will end at 22:30 on Thursday, Friday and Saturday, and 18:30 on Sunday.

The event will be managed by London Oktoberfest Ltd. with Carsten Raun and Filiberto Capone acting as the key contact people.

2. Event management

2.1. Structure

Carsten Raun is leading the management and production of London Oktoberfest, with the assistance of key support staff and several production companies. Having held four previous events in London, in addition to numerous other events in several other countries, Mr Raun is well versed in the details regarding a smooth and efficient production. An Oktoberfest event last year in Millwall Park saw more than 9,000 people in attendance with no major health, safety, or legal concerns.

Different specialist production companies will be employed to deliver goods and services throughout the event. This includes technical support, music equipment and service personnel. Much of the site infrastructure is provided by the UK tent constructor, Mobile Structures. Specialist contractors in London will supply toilets, generators and fences. The Red Cross will serve as first aid providers.

An event day management hierarchy is shown below:



2.2. Key event management contacts

Role	Name	Responsibility	Mobile
Key Management			
Director	Carsten Raun	Highest Authority in overall event operations	0049-1732945229
Event Manager	Filiberto Capone	Overall event management	007776823812
Site Manager	TBA	Infrastructure / Technical Manager	
Staff Manager	Daniel Mackowiak	Point of contact for kitchen, service, and support staff	
Service Manager	TBA	Service	t.b.a.
Security supervisor	TBA	TBA	
Area Managers			
Stage Manager	TBA		
Kitchen Manager	Holger Matthaues	Overall Management for Kitchen	0049-1722859848
Information Point	TBD	Information / General Queries	07999 426199
Site Décor Manager	Jerek Wisnewski	Site Décor and preparing	t.b.a.

2.3. Event Overview

The key aspects of the event are:

- A 3,800 m² tent will be constructed in the north east portion of Millwall Park with the entrance facing towards Mudchute Farm. The paved path way coming from the Island Garden's DLR station. To prevent interference with rugby matches that may be scheduled during event days, stewards and signage will be used to direct patrons away from the pitch and directly to the event site. Tower lights will be placed near the public entrance and by the production area nearest the playground, but angled away from residential houses to ensure that the ingress and egress paths are adequately illuminated in the evening. Please note, the exact placement of the tower lights may be adjusted.
- A band and DJ will present a variety of Oktoberfest music from 17:00 (14:00 Saturday and 12:00 Sunday) to 23:00. Between 22:00 and 22:45, the music will be gradually reduced to a low "background" level. The music will end 15 min before the event's close on Thursday, Friday and Saturday, at 22:45. Two reception/ information points will be located near the main entrance. Next to that there will be a hotdog stand, a wardrobe and a souvenir shop. A large bar will be located to the left of the main entrance. A dance floor will be located directly in front of the stage.
- A kitchen area (28m x 28m) will be placed on the south side of the tent and a minimum of 6 meters from the big tent. This area will be comprised of 1 Kitchen tent (18m x 12m), 1 refrigerated container (food storage), 1 large storage container, 1 tanker truck filled with Oktoberfest beer (tank) and finally, an industrial sized waste container placed in the furthest corner, away from the food prep area. We can open the sides of the tent to allow for ventilation while still protecting the area from possible contaminants. This area is totally closed from the public.
- The kitchen area will also have a back-of-house area that will be fenced and secured from the general public and will provide changing and toilet facilities for artists, service and security.
- Service: There will be table service provided by wait staff so guests do not have to leave their seats. Outside food or drinks are prohibited.
- Bar: Only alcoholic and non-alcoholic beverages are available for purchase at the bar. Food must be purchased at a table, from one of the service workers. The bar has both a service side and a side for customers, thereby allowing customers to buy drinks themselves if they so choose. We support Check 25.

- Toilet area: On the north side of the tent we will construct a combined toilet and smoking area. The area will only be accessible if patrons pass through the tent, after entering via the main public entrance. There will be 20 toilets, 17 urinals and 1 handicap accessible toilet, with a total capacity of 10,000 litres. There will always be a minimum of 2 security guards in this area to prevent crime.
- Smoking area: There will be a small tent located a minimum of 6 meters away from the main tent with approximately 15 “standing tables” for smokers.
- An information point will be centrally located in the reception directly inside the tent. Security guards will be advised to send people with questions to this area.
- Production and event control will be located back stage, in front of the kitchen area
- A first aid point will be located behind the wardrobe with three to four staff working throughout the day and close to the entrance in case an ambulance is needed.
- 3 diesel generators will supply on site power(refer to site plan locations)
- Water: The supply mainly for the dishwashers and the kitchen will be supplied by certified contracted company.
- Security: There will always be at least 18 SIA security guards and 6 stewards on site as a core group. In the evening and especially on Saturday, were maximum capacity, this will increase to 33 SIA and 10 stewards. There will be 2 guard’s patrolling outside the tent area to prevent guests from urinating outside. Also in the night the tent area will be guarded by 2 dog guards. Please see the attached security plan.
- Waste: There will be a daily cleaning inside and outside the event area as well as the pedestrian paths. In the area itself we collect all waste in the corner of the kitchen area to be transported away. We place bins outside the entrance, inside the tent and in the smoking/toilet area.

2.4. Tent construction

Specification for the tent

Duratex 619007 low flammability PVC sheeting to steel-related facilities.

Approved: ETA Denmark, Mk6 10/0447.

State Construction Engineering Institute No: 2501-0671.

STIAC / S Approval No: 2059/82.

Approved for 3,300 people on 19, January 2009 by the Danish Fire Brigade, this represents the maximum number of people allowed entrance into the tent, at any one time. There will be a total of 12 total outputs, of which 9 are clean exits. Moreover, rules regarding table spacing will be observed.

A kitchen tent is located 6m from the tent. When taken together, both tents are approx. 4,000m² combined, therefore there will be adequate separation distances, see Emergency Management Agency guidelines. Burning appliances, grills, deep fryers, hot water boilers, and electric ovens will be used in the kitchen tent. All equipment is electric, not gas, and will be under the constant supervision of a licensed and qualified electrician. The generators will be run with diesel fuel.

Emergency lighting is located either over or very close to emergency exits and performed in accordance with occupational safety regulations concerning signage. Near major transit points within the tent, a fire and evacuation instructions plan will be displayed. An operating daily journal will be kept by the site manager. Firefighting equipment will consist of several CO2 extinguishers. At the stage, there will be a CO2 fire extinguisher for electrical fire prevention. In the kitchen, there are two CO2 fire extinguisher and fire carpets. There will also be a special F-type fire extinguisher located in the kitchen which is specifically designed to for high temperature grease fires.

In order to facilitate access to the company's vehicles a parking suspension will be operative during the building days 28th – 29th of September, and the dereg days 13th – 14th of October.

2.5 Staffing

Service staffing for the event is provided by TBD contractors. An additional 30 key personnel will come from Germany and Denmark to aid in the event's authenticity.

2.6. Fence

The area around the tent will be completely fenced to demarcate the area and prevent access to restricted areas. This fence will, under no circumstances, obstruct or impede free access to exits. The security staff has orders to open the fence immediately in case of an emergency.

2.7 Production Schedule – prior to event day

Date	Task	Start	Finish	Resources / who	Contact	Notes for Suppliers
28.09.14	Park Handover	9:00	9:30	Carsten Raun		
29.09.14	Only light build work will occur, no heavy movement. Tent arrives on site, tent equipment put in place	10:00	18:00	Carsten Raun		
30.09.14	Tent Build	8:00	18:00	Site Manager		
30.09.14	Kitchen equipment arrives	16:00	18:00	Jerek Wisnewski		
1.10.14	Tables and benches set up	8:00	18:00	Site Manager		
1.10.14	Toilets and arrives	8:00	18:00	Site Manager		
1.10.14	Music and light equipment is installed	8:00	18:00	Site Manager		
1.10.14	Decorations are placed	9:00	18:00	Jerek Wisnewski		
1.10.14	Tables are prepared, emergency exit are controlled, fire safety are controlled	14:00	16:00	Filiberto Capone		
2.10.13	Staff, Band and security arrives for instruction and prep	14:00		Filiberto Capone		
2.10.13	Music and sound check	15:00		Michael Jerabek		

2.10.13	Oktoberfest opens	17:00	Carsten Raun		
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2.8 Production Schedule – Event day

Task	Start	Finish	Resources / who	Contact	Notes
Opening of London Oktoberfest	17:00	23:00	Carsten Raun		
Music plays 6 rounds of approx. 45 min. live. The DJ will entertain between band breaks.	17:00	22:45	TBD		
Service goes on, people coming more and more, 10pm the tent is closed.	17:00	23:00	Filiberto Capone		Tent will be closed if 3,300 people are inside
Security will control that nobody stands on tables, no alcohol to persons under the age of 18. No alcohol to intoxicated people.	17:00	23:00 pm Bar closes 22:30 last call 22:15	Security, Service		Check 25 is supported, in doubt we do ask for legitimating

2.9 Stage Run Sheet (the same every day)

Curtain Up	Curtain Down	Duration	Act	Technical
17:00:00	17:45:00	01:00:00	Background Music	DJ
17:45:00	18:30:00	00:45:00	Band plays	Live Band
18:30:00	19:30:00	01:00:00	Change over	DJ
19:30:00	21:00:00	01:30:00	Tent get filled, music and mood rises	Live Band
21:00:00	21:15:00*	0:15:00	Change over	DJ
21:15:00	22:00:00	00:45:00		Live Band
22:00:00	22:45:00	00:45:00	Music gradually reduced to a very low level which will encourage a soft evacuation of patrons	Expected max. 2000 left last half hour.

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3 Communications

The importance of communications when planning and delivering an event is paramount. Our event communication plan is set out below.

3.1 Event communications – Surrounding residents

The event will be widely communicated to the surrounding residents and the wider Tower Hamlets Community via a number of methods:

- Newspaper ads

- Banner ads on park railings
- Tower Hamlets direct distribution of event flyers
- Letter drop to local residents

3.2 *Event days communications – Audience*

Event day communications with the audience will occur via the following methods and facilities:

- Stage PA and dedicated MC for main stage
- Information at the entrance
- Dedicated information point located inside the tent
- Hand outs

In case of emergency:

- Megaphone

3.3 *Event day communications – Internal*

Overview

Every event day communication will be facilitated via 2-way radio, mobile phone and face-to-face communication. The site is relatively compact (refer to site plan included) and therefore face-to-face communication will be the preferred means of communication wherever possible.

All staff, contractors and security will be fully briefed on the event management structure and organisational matrix, site layout, event elements, emergency procedures, lost person procedure and evacuation plan. It is envisaged that most incident communication will be via 2-way radio, a list of radio and channel allocation and is provided below:

**2-Way radio allocation - Channel 1 Ops – Production / Channel 2 Security –
Emergency / Channel 3 spare – private communication**

Person / role	No. radios	Channel
Carsten Raun – overall event and radio control	1	1 & 2
Filiberto Capone	1	1&2
Site Manager	1	1
Daniel Mackowiak – Staff Manager	1	1
Red Cross – Contact TBD	1	1
Security 1 Supervisor + 8 – TBC (up to)	9	1
Information Point	1	1
Total	15	

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Lanyards

All staff, contractors and security will be provided with a lanyard that will contain the following information:

- Key event management contact details and organisation matrix
- Overview of Emergency Response Plan and command structure
- Radio list and frequencies
- Site plan
- Back stage / Event control access (designated personnel only)

4 Licensing

4.1 *Premises Licence*

Millwall Park has no overarching Premises Licence. This means the licensable activities will be covered by a premises licence held by London Oktoberfest Ltd and the event will operate within the conditions of the licence. A copy of the licence will be available at the event control / production office on the event day. The bar will be covered by a Personal Licence for the sale of alcohol.

During all stages of the event planning process, consideration has been given to the four key licensing objectives:

- The prevention of crime and disorder
- Ensuring public safety
- The prevention of public nuisance
- The protection of children/young persons from harm

4.2 *PRS and PPL Licence*

The London Oktoberfest Ltd. will be covering all royalty payments for the playing of live and recorded music.

5 Insurance

The overall event will be covered by the London Oktoberfest Ltd Public Liability insurance policy covering an amount up to £10,000,000. All contractors and suppliers are required to submit copies of their own employee, product and public liability insurance prior to the event.

All copies will be held and available for viewing in the event control / production office on the event days.

6 Provision of food

A small variety of Bavarian food will be available for sale at the London Oktoberfest. The products are precooked and the kitchen only heats up and completes the last part of the preparation. Food will include sausages, grilled chicken, schnitzel, pretzels and fries. The kitchen manager will ensure all health and safety and food handling requirements are in place.

Separate toilets with hot running water, soap, and antibacterial spray are being provided for the sole use of the kitchen staff for the event as per HSE recommendations.

Workers of the hotdog stand will have little contact with the food sold there. Bread rolls come pre-packed in individual paper wrappers which also act as holders once the hotdog is inserted into the hollowed-out roll. Furthermore, staff will transfer fully cooked hotdogs to the bread rolls using metal tongs. As an added safety precaution, workers will use rubber gloves which they will change after serving the hotdogs to customers and receiving payment for the items. As workers of the hotdog stand are involved in the provision of food, they will be allowed to use the toilets reserved for kitchen staff, with hot running water, soap, and antibacterial spray.

7 Site considerations

7.1 **Site plan** *(see attached documents)*

7.2 Toilets

Toilet requirements are based on the below table from the HSE Purple Guide for events. We have ordered more than recommended for the number of people expected to attend. The reason for this is because London Oktoberfest attracts a large number of people who will drink a lot of liquids. Therefore we need to plan for greater potential pressure on our facilities, over and above our expected audience.

For events with a gate opening time of 6 hours or more	
Female	Male
1 toilet per 100 females	1 toilet per 500 males + 1 urinal per 150 males

Our provision of toilets is:

Additional toilets to be bought onto site

- 20 single units = 2000
- 17 x urinal units (based on 4 at one time) = 1700
- 1 x disabled
- 1 x kitchen unit with hot and cold water (sole use)
- 2 x service unit with hot and cold water (sole use)

Based on above provision of toilets the total numbers being catered for are:

1. 2000 males and any one time,
2. 1300 females at any one time
3. **Total = 3300**

7.3 *Vehicles on site*

Vehicle movements are a primary consideration in our event planning and risk assessment process. Our production schedule, briefing notes to contractors, deliveries, service and security all relay our policy on vehicle movements.

Sunday, September 28th will be a light build day. As such, a light weight, waist high fence will be used to demarcate the fence line of the event site. Staff in high visibility clothing will follow health and safety protocol to protect pedestrians and park users from harm while vehicles move on site. Much of the heavy build will take place on Monday, September 29th. This is when some of the harris fence, which is taller and heavier than the fence used the previous day, will be used to close off the site to pedestrians. As the event site is closed off gradually, it will reduce the need for dedicated staff to steward pedestrians as access will be restricted.

- A dedicated steward dressed in a high visibility vest will be located at the park gate nearest the changing rooms on Stebondal Street. Their primary responsibility will be to open and close the gate for each vehicle associated with London Oktoberfest during our load-in and load-out days. During event days, the site manager will coordinate deliveries and security personnel will then secure the gate to ensure that only authorized vehicles enter the park.
- The steward will work with the site manager to direct authorized vehicles into proper position within the event site.
- The steward will work to protect pedestrians from harm by directing them out of the path of authorized vehicles during the load-in and load-out days.
- Signage will be placed to alert authorized drivers of the 5mph speed limit all drivers must adhere to when driving through the park. Signage will also inform the general public of the use of heavy vehicles during the load-in and load-out days.

Emergency ingress and egress access and routes are established and will be communicated to emergency services via the circulation of this plan.

7.4 *Traffic, transport and parking*

- Because of the nature and scale of the event it is not anticipated to cause any traffic issues. Visitors are advised to come by public transportation.
- Applications for parking suspensions for several parking bays nearest the vehicle entrance will be submitted. Suspensions will be in effect for the build days (September 28th- October 1st) and derig days (October 13th – October 15th)

- It is envisaged that the majority of people will walk or use public transport to access the event

7.5 Water

- Our water management plans are still in development and will be updated in the future.
- Grey water (waste water) will be contained in several storage tanks, each with the capacity to hold up to 1 cubic meter of water.

8 Environmental considerations

8.1 Recycling and waste arrangements

- Caterers will be encouraged to use bio-degradable packaging and utensils
- We will arrange our own staff to collect trash during the event
- We work on the following: Co-mingled bins are onsite and will be moved on the day to appropriate positions around the park. 5 large general waste bins for the site will be placed prior to the event opening.
- Our waste cleaning team will clean the site every evening after the event. This includes pedestrian paths.
- The service will leave a clean tent area every morning.
- Waste containers in the kitchen area will be emptied at the end of every event day.

8.2 Noise

- To ensure that the music of our event does not become a nuisance to the residents living near the event site, noise levels will not exceed the threshold established by the Tower Hamlets council which equals a maximum of 15dB over the levels recorded in 3 locations. An acoustic consultant will be on site to ensure that we stay within this limit.
- The music system in the tent will be made like a surround sound system which stays inside the tent.
- Surrounding residents will be notified that the event is taking place via local press, either East End Life or East London papers as well as banner ads placed around the park and a letter drop to inform neighbours of the upcoming event. This will include a

contact number during the build and event days. There will also be signage placed around Millwall Park with the event manager's mobile number.

- The Site Managers contact number will be forwarded to the Tower Hamlets Events Team 7 days prior to the event

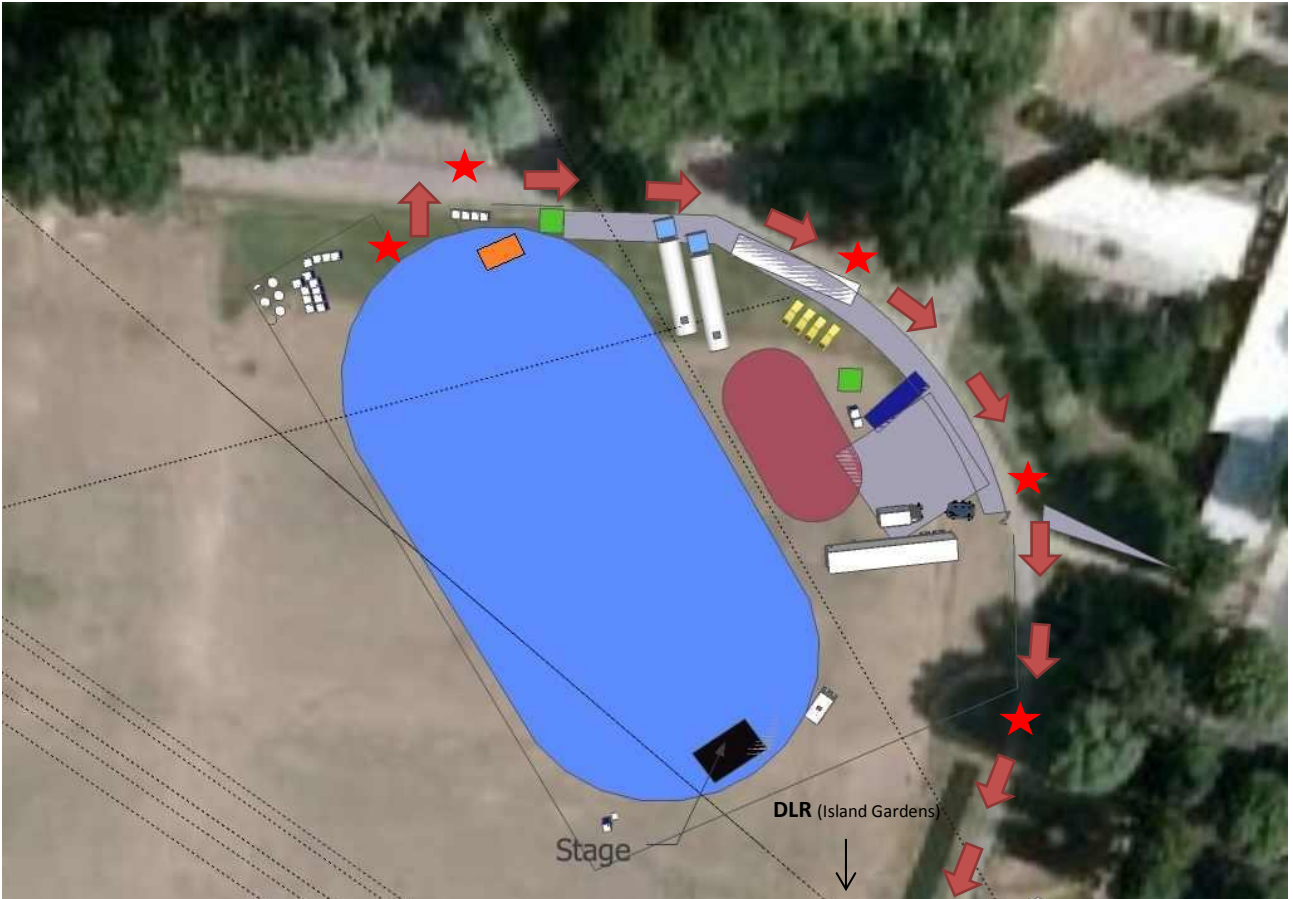
8.3 *Surface protection and trees*

- An adequate amount of trakmat will be used to protect the area from harm during the movement of heavy vehicles. Heavy vehicles will also be parked on trakway to further protect the area from possible damage.
- Through the use of signage and stewards, patrons will be directed to use the paved pedestrian path as the primary egress and ingress route, thus avoiding the field and cricket and football pitches.
- No structure fixing pins shall be used beneath any tree canopy. No structure shall touch or interfere with any tree canopy.
- No tree or shrub shall be pruned under any circumstance.
- No cooking or fires shall be permitted on grass areas unless suitable protection is laid on the grass first, and permission has been sought from the OIC prior to the Event.
- No fuel, chemicals or other substances that may harm the grass, shall be positioned on grass areas.

Millwall Park Egress Plan

Red arrows = people egress direction

Red stars = stewards



London Oktoberfest

Oct. 2, 2014 – Oct. 5, 2014 and Oct. 9, 2014 – Oct. 12, 2014

ALCOHOL MANAGEMENT ASSESSMENT FOR LONDON OKTOBERFEST IN MILLWALL PARK TOWER HAMLETS

WRITTEN BY CARSTEN RAUN, DIRECTOR

**THIS DOCUMENT SHOULD BE READ IN CONJUNCTION WITH THE EVENT MANAGEMENT PLAN, OPERATIONAL
MANUAL AND EMERGENCY RESPONSE PLAN**

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Introduction

The following risk assessment contains a risk register and an associated action plan for each identified risk. Within the action plan, each identified risk is given a severity rating based on the matrix shown below. Controls are then presented, detailing how the risk will be reduced to a level that is deemed acceptable. It also identifies the parties responsible for implanting the controls detailed for each risk listed. Each risk is given a revised rating based on the controls to be put in place and finally provides an overview of what stage the mitigation is at.

Methodology matrix

Severity rating matrix		Potential severity of harm		
		Slightly harmful 1	Harmful 2	Extremely harmful 3
Likelihood of harm occurring	Highly unlikely 1	Trivial 1	Tolerate 2	Moderate 3
	Unlikely 2	Tolerable 2	Moderate 4	Substantial 6
	Likely 3	Moderate 3	Substantial 6	Intolerable 9

Event Communications Strategy

All event documentation will be submitted to the Events Advisory Team one week prior to the event date of October 2nd, 2014 in case of any changes. SAG membership is made up of police, fire service, ambulance, licensing, environmental health, trading standards, parks, noise team, etc.

Distribution list

Events Advisory Team	x	Key LO event staff	x	
Production company	x	Safety Manager	x	
Restaurant Manager	x	Site Manager	x	
Red Cross	x	Service Manager	x	
Event Manager	x	Security Manager	x	
Kitchen Manager	x			

Revision process

This plan will be reviewed on a regular basis in the lead-up to the event on October 2nd, 2014.

Review finally by	Review date
Filiberto Capone – Event Manager LO	September 2 nd , 2014

Risk register – London Oktoberfest – Millwall Park

Identified Risk	Category	Action Plan No.
Alcohol on sale	Health & safety	LO-SF01
Intoxication	Health & safety	LO-SF02
Park / smoking area	Health & safety	LO-SF03
Children	Health & safety	LO-SF04
Staff	Health & safety	LO-SF05
Security	Health & safety	LO-SF06

Alcohol Management Action Plan –London Oktoberfest – Millwall Park

Continually updated in case of new risk or changes

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy Status
LO-SF01	Alcohol for sale	2 x 3 = 6 Substantial	<ul style="list-style-type: none"> Entrance Thu-Sat min. 18 years. Sunday Lunch <18 only with parents/family/adults London Oktoberfest supports "Challenge 25" No sale to visibly inebriated people. Very high price, £8.5 for 1.5 pint beer, reduces overall consumption Primarily sale of beer, wine, cider, and soft drinks, no whisky or vodka sold. Free tap water is available. 	Event Manager Site Manager Bar Staff Security Manager Service Manager	2 x 2 = 4 Moderate	Service staff instructed to be mindful while serving drinks and follow "Challenge 25" policies. High prices reduce overall consumption. Limited high volume alcohol for sale (only digestives available).

<p>LO-SF02</p>	<p>Intoxication</p>	<p>3 x 2 = 6 Substantial</p>	<ul style="list-style-type: none"> • Security is in place to gently remove overly intoxicated people (i.e., those with slurred speech or trouble walking) • Bar closes at 22:30 and event ends at 23:00 when patrons are still in a light-hearted mood Previous events (since 2009) show very few problems with drunkenness • Service and bar staff are not permitted to serve alcoholic beverages to visible intoxicated patrons • Total ban on illicit substances, patrons are searched at the entrance • Responsible drinking • Challenge 25 • Visibly intoxicated customers are denied entrance into the event 	<p>Event Manager Site Manager Security Manager Bar Staff Service Manager</p>	<p>2 x 2 = 4 Moderate</p>	<p>As this has shown through experience that closing at 22:30/23:00 is successful in preventing drunkenness together with strict service rules. There is a risk people come to the event already intoxicated. Searches at entrance and strict rules in the tent will reduce intoxication risk to a minimum</p>
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Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
LO-SF03	Park / Smoking area	3 x 2 = 6 Substantial	<ul style="list-style-type: none"> Patrons are prohibited from smoking inside the tent Special smoking tent is located at least 6m away from the main tent. Smoking tent has an open design of primarily a roof with few side walls Smoking tent tarpaulin is non-flammable 10-15 round standing tables with water filled ashtray are located in the smoking area. Drinks are permitted in this area H2O fire fighting batteries are located at the site Security will be trained in kindly telling people to only smoke in the smoking tent Smoking area prevents the need for patrons to smoke in other areas of the park Daily cleaning of smoking waste 	Event Manager Site Manager Security Manager Bar Staff Service Manager	2 x 2 = 4 Moderate	Important to train security to prevent smoking in the main tent. There is adequate space for smokers in the smoking area.

Oktoberfest – Alcohol Management and Action Plans

Author: Carsten Raun – Director - 9 -

LO-SF04	Children	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • No children Thu-Sat, strict rule • Children who are accompanied by adults are allowed entrance on Sunday, giving the entire family a chance to experience Bavarian culture • No sale of alcohol to anyone under 18, and requesting ID from anyone who looks to be 25 years old or younger, in accordance with “Challenge 25” • Lost Children procedure in place. Red Cross may be involved if the child is injured 	<p>Event Manager Site Manager Security Manager Bar Staff Service Manager</p>	<p style="text-align: center;">1 x 2 = 2 Tolerate</p>	<p>A goal of London Oktoberfest is to protect children from harm. The family friendly Sunday will occur in such a way that children will experience Bavarian culture, in a protected environment</p>
LO-SF05	Staff	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • Staff to be trained in a 2 hour course before the event • Told to fulfil British law at all times • Only experienced staff at the bar • Service manager to supervise service staff constantly • No staff is allowed to drink alcohol during working hours 	<p>Event Manager Site Manager Security Manager Bar Staff Service Manager</p>	<p style="text-align: center;">1 x 2 = 2 Tolerate</p>	<p>Event employees will be trained and informed about the plans and rules for serving alcohol at the event</p>

<p>LO-SF06</p>	<p>Security</p>	<p>2 x 3 = 6 Substantial</p>	<ul style="list-style-type: none"> • To be trained 2 hours before the event in preventing drunkenness and disorderly conduct • Special training in egress, taxi at site, show people the way out of the park. • In case of trouble, a dog guard is at site. Dog is to prevent aggressive behaviour • General gentle attitude towards guests. Talk, not act, is the target. 	<p>Event Manager Site Manager Security Manager Bar Staff Service Manager</p>	<p>2 x 2 = 4 Moderate</p>	<p>Security to play an important role in the prevention of drunkenness and intoxication. Parameters in place based on experience from other Oktoberfest events.</p>
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London Oktoberfest 2014 -Anti-Social Behaviour policy-

Our current Anti-social Behaviour Strategy is based around the key principles first published in the British Anti-Social Behaviour Act 2003.

By implementing this policy, we intend to:

- Promote the responsibility of all community members to respect themselves, their immediate neighbours and the community in general
- Support communities, including the general majority of people who want to live harmoniously with others in a safe and secure environment while confronting the small minority of people whose behaviour undermines this
- Prevent anti-social behaviour arising and escalating through early detection and proactive management
- To prevent anti-social behaviour through education, community initiatives, and deterrence measures
- Provide a rapid response to reported incidents; take action to resolve problems when they arise, and to take effective action to dissuade and divert

All our staff are aware of this policy and our intentions from the offset. To ensure we execute such procedures across all our locations, we will construct a 2 hour thorough briefing with the entire Oktoberfest team at the start of each festival. This includes bar staff, kitchen staff, the hospitality team and the security & stewards. The briefing will outline our protocol and procedures for anti-social behaviour, and reiterate the command structure.

Challenge 25

All bars will operate a Challenge 25 scheme. There will be clear and visible promotional literature used across all bars so that audiences are made aware of this activity. All bar staff will be fully trained and briefed on this activity as well as all aspects of the bars and wider festival safety procedures. If a member of the audience looks to be less than 25 years old, some proof of age will need to be shown before being served. All bar operations will be overseen by the Bar Manager and Bar Assistants. The Security team will also be briefed on this activity and will be on hand to deal with any unruly behaviour that stems from this activity.

Command Structure:

Any issues arising are to be reported to the nearest SIA security official or steward as soon as possible. The nearest 2 SIA officers will approach the scene to ensure a rapid response, and if necessary radio through to the Head of Security who will deal with the situation in hand.

The festival's expected audience is not associated with drunk or anti-social behaviour. However the site is sometimes free to enter and we hope this to be a popular attraction. With this in mind, we will implement measures to ensure any drunk or anti-social behaviour is dealt with in a timely and professional manner.

All members of staff will be responsible for monitoring any excessive drinking by single persons and those in a group. If they feel that an individual or a group might be drinking too much they will discretely alert the team by following the command structure.

In addition to this, we will have dog teams monitoring the tent at all times. These will act as a deterrent to customers, as well as a support to the security team.

To ensure a smooth egress for those who do demonstrate anti-social behaviour, we have a team of stewards lining the path(s) that exit the park. We will also have stewards on each exit gate enabling us to direct delegates out of the area and into taxis as swiftly as possible. SIA and Stewards will be linked in via radio, allowing constant and consistent communication.

London Oktoberfest

Oct. 2, 2014 – Oct. 5, 2014 and Oct. 9, 2014 – Oct.12, 2014

FIRE RISK ASSESSMENT FOR LONDON OKTOBERFEST IN MILLWALL PARK, TOWER HAMLETS

WRITTEN BY CARSTEN RAUN, DIRECTOR

THIS DOCUMENT SHOULD BE READ IN CONJUNCTION WITH THE EVENT MANAGEMENT PLAN, OPERATIONAL MANUAL AND EMERGENCY RESPONSE PLAN

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Introduction

The following risk assessment contains a risk register and an associated action plan for each identified risk. Within the action plan, each identified risk is given a severity rating based on the below matrix. Controls are then highlighted as to how the risk will be controlled to a level that is deemed acceptable. It also identifies who holds the responsibility to action the identified controls, gives each risk a revised rating based on the controls to be put in place and finally provides an overview of what stage the mitigation is at.

It should also be noted that all categories of risk are to be covered in the following assessment; this means that not only health and safety issues will be covered but also other risks associated with the event such as financial, public perception, communications and environmental.

Methodology matrix

Severity rating matrix	Potential severity of harm		
	Slightly harmful 1	Harmful 2	Extremely harmful 3

Likelihood of harm occurring	Highly unlikely 1	Trivial 1	Tolerate 2	Moderate 3
	Unlikely 2	Tolerable 2	Moderate 4	Substantial 6
	Likely 3	Moderate 3	Substantial 6	Intolerable 9

Event Communications Strategy

A strategy is in place to make sure that the following risk assessment document is circulated to all relevant authorities and key event personnel. All event documentation will be submitted to the SAG one week prior to the event date on the 18th September. HEAT membership is made up of police, fire service, ambulance, LBH licensing, LBH Environmental Health, Trading Standards, Noise Team, etc.

Distribution list

LESAG Group	x	Key LO event staff	x	Parks Manager	x
Production company	x	Health and Safety Manager	x	Key event supplier	x
Event Manager	x	Tent supplier	x	Site Electrician	x
Red Cross	x	Fire Department	x	Stage Manager	x
Kitchen Manager	x	Security Manager	x	Service Manager	x

Decor Manager	x	Site Manager	x	
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Revision process

This plan will be reviewed on a regular basis in the lead-up to the event on the 2nd October 2013.

Review finally by	Review date
Filiberto Capone – Event Manager LO	2 nd September, 2014

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Risk register – London Oktoberfest – Millwall Park

Identified Risk	Category	Action Plan No.
Tent construction	Health & safety	LO-SF01
Décor material	Health & safety	LO-SF02
Kitchen area	Health & safety	LO-SF03

Smoking / smoking area	Health & safety	LO-SF04
Fire equipment	Health & safety	LO-SF05
Emergency exits	Health & safety	LO-SF06
Stage electric	Health & safety	LO-SF07
Power supply	Health & safety	LO-SF08
Fire and audience	Health & safety	LO-SF09
Fire and fire department	Health & safety	LO-SF10

Fire Risk Action Plan – London Oktoberfest – Milwall Park

Continually updated in case of new risk or changes

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy Status
<ul style="list-style-type: none"> LO-SF01 	<ul style="list-style-type: none"> Tent construction - tarpaulin 	<ul style="list-style-type: none"> 2 x 3 = 6 Substantial 	<ul style="list-style-type: none"> The tent constructor will deliver the tarpaulin as inflammable tarpaulin It's not allowed to smoke inside the tent. The smoking and kitchen tent to be placed min. 6m from the large tent The tent constructor will insure his tent 	<ul style="list-style-type: none"> Event Manager Site Manager Tent production 	<ul style="list-style-type: none"> 2 x 2 = 4 Moderate 	<ul style="list-style-type: none"> The security is strictly ordered to enforce the smoking ban inside the tent.

<ul style="list-style-type: none"> LO-SF02 	<ul style="list-style-type: none"> Decor material 	<ul style="list-style-type: none"> $3 \times 2 = 6$ Substantial 	<ul style="list-style-type: none"> Tent is decorated with Bavarian blue and white colours material PVC and nylon. Will be non-flammable material Tables cloth in PVC non-flammable Blue / white sky in the tent, sprayed with Flamol fire blocker 	<ul style="list-style-type: none"> Event Manager Site Manager 	<ul style="list-style-type: none"> $2 \times 2 = 4$ Moderate 	<ul style="list-style-type: none"> No flammable material will be used inside the tent
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Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
<ul style="list-style-type: none"> LO-SF03 	<ul style="list-style-type: none"> Kitchen Area 	<ul style="list-style-type: none"> $2 \times 3 = 6$ Substantial 	<ul style="list-style-type: none"> Kitchen equipment will only be run with electricity, no gas No open fire will be used Fryers will be used, the staff has top lids and fire blankets, under no circumstances to use water (will be trained) Kitchen tent will be at least secure 6m from the 	<ul style="list-style-type: none"> Event Manager Kitchen Manager Restaurant Manager 	<ul style="list-style-type: none"> $2 \times 2 = 4$ Moderate 	<ul style="list-style-type: none"> Important to train kitchen staff in fire fighting. No open fire used will reduce risk.

			<p>big tent</p> <ul style="list-style-type: none"> F-type and CO2 extinguisher and fire blankets are at site, staff will be trained 			
<ul style="list-style-type: none"> LO-SF04 	<ul style="list-style-type: none"> Smoke / Smoking area 	<ul style="list-style-type: none"> 3 x 2 = 6 Substantial 	<ul style="list-style-type: none"> Smoking inside the tent is prohibited Special smoking tent at least 6m away from the big tent Smoking tent tarpaulin is non-flammable In the smoking area, 15 round standing tables and ashtray with water. Allowed to bring drinks H2O/F-type fire extinguisher at site Security will be trained in kindly telling people only to smoke in the smoking tent 	<ul style="list-style-type: none"> Event Manager Dekor Manager Security Site Manager 	<ul style="list-style-type: none"> 2 x 2 = 4 Moderate 	<ul style="list-style-type: none"> Important to train security to enforce smoking ban in the big tent. Enough space for smokers in the smoking area.

<ul style="list-style-type: none"> • LO-SF05 	<ul style="list-style-type: none"> • Fire equipment 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • 5 carbon dioxide extinguishers and 2 F-type extinguisher and a fire blanket • In the tent extinguishers are located to such an extent from an arbitrary point in the assembly tent there is not more than 25 meters from an extinguisher • Fire Equipment is placed at exits in the tent, at the bar. At the stage is a CO2 extinguisher to guard against fire in electrical panels, mixers and electrical installations plus one fire blanket • In the kitchen area 2 CO2 extinguisher, 1 F-type and a fire blanket 	<ul style="list-style-type: none"> • Event Manager • Service Manager • Security Advice • Site Manager • Kitchen Manager 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • It is the manager's duty to ensure the instruction of staff in the fire equipment this is applicable to his / her responsibility. Also to show the locations of the equipment by signs around the tent to see for all audience.
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<ul style="list-style-type: none"> • LO-SF06 	<ul style="list-style-type: none"> • Emergency exits 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • The tent has 9 exits all around it • In case of fire the evacuation should be easy • Part or full evacuation follows the plan in the EMP • All emergency exits will be easy to open – no locks • Security advised to open fence • Signs outside on the fence – Fire exit 	<ul style="list-style-type: none"> • Event Manager • Staff Manager • Service Manager • Security Adviser • Site Manager 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Event employees will be trained and informed about the plans for exit, part or full evacuation. In theory all tent sides can be opened
<ul style="list-style-type: none"> • LO-SF07 	<ul style="list-style-type: none"> • Stage electronic 	<ul style="list-style-type: none"> • 2 x 3 = 6 • Substantial 	<ul style="list-style-type: none"> • Music and sound equipment together with lightening is placed at and around the stage which means concentrated risk • Always one technician to watch the equipment not getting too hot • Fire fight equipment in place to direct use • All stage staff gets special training in observation and fire fight 	<ul style="list-style-type: none"> • Event Manager • Stage Manager • Stage Staff 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • Stage staff will be trained in prevention of and fight again possible electric equipment fire. Fire fights equipment at the stage.

<ul style="list-style-type: none"> • LO-SF08 	<ul style="list-style-type: none"> • Power supply 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • Main supply by power points on site and one generator • Generators will run by diesel, no other fuels at site • Certificated electrical will install and control all electric connection • One electrician at site to supervise the installation and power supply in the opening hours • Fire-fight equipment close to the power points and the generator 	<ul style="list-style-type: none"> • Event Manager • Site Manager • Electrician 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • It's important to have a certificated electrician to install and supervise. Always an electrician at site in the opening hours.
<ul style="list-style-type: none"> • LO-SF09 	<ul style="list-style-type: none"> • Fire and Audience 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • All areas where audience will be we hang up signs with information of fire equipment and evacuation route • Above every exit there are emergency exit lights with batteries for 20 min. in case of electricity breakdown • Partly or evacuation plan is in place (See EMP) 	<ul style="list-style-type: none"> • Event Manager • All Staff 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Information and emergency light are in place to prevent fire and problems in case of evacuation.

<ul style="list-style-type: none"> • LO-SF10 	<ul style="list-style-type: none"> • Fire and Fire department 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • LO will be working close together with the fire department to prevent and secure the event area and keep the risk of fire as low as possible • LO uses the experience from the last two Oktoberfest in London to optimise the fire prevention and fight possibilities 	<ul style="list-style-type: none"> • Director • Event Manager • Fire Department 	<ul style="list-style-type: none"> • 1 x 3 = 3 • Moderate 	<ul style="list-style-type: none"> • Prevention and teamwork are key source to success and no fire.
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London Oktoberfest

Oct. 2, 2014 – Oct. 5, 2014 & Oct. 9, 2014 – Oct. 12, 2014

FIRST AID RISK ASSESSMENT FOR LONDON OKTOBERFEST IN MILLWALL

PARK TOWER HAMLETS

WRITTEN BY CARSTEN RAUN, DIRECTOR

**THIS DOCUMENT SHOULD BE READ IN CONJUNCTION WITH THE EVENT MANAGEMENT PLAN, OPERATIONAL
MANUAL AND EMERGENCY RESPONSE PLAN**

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Introduction

The following risk assessment contains a risk register and an associated action plan for each identified risk. Within the action plan, each identified risk is given a severity rating based on the matrix shown below. Controls are then presented, detailing how the risk will be reduced to a level that is deemed acceptable. It also identifies the parties responsible for implanting the controls detailed for each risk listed. Each risk is given a revised rating based on the controls to be put in place and finally provides an overview of what stage the mitigation is at.

Methodology matrix

Severity rating matrix		Potential severity of harm		
		Slightly harmful 1	Harmful 2	Extremely harmful 3
Likelihood of harm occurring	Highly unlikely 1	Trivial 1	Tolerate 2	Moderate 3
	Unlikely 2	Tolerable 2	Moderate 4	Substantial 6
	Likely 3	Moderate 3	Substantial 6	Intolerable 9

Event Communications Strategy

A strategy is in place to make sure that the following risk assessment document is circulated to all relevant authorities and key event personnel. All event documentation will be submitted to the Tower Hamlets Advisory Team (LESAG) one week prior to the event date October 3, 2013. LESAG Group is made up of police, fire service, ambulance, LBL licensing, LBL Environmental Health, Trading Standards, Noise Team, etc

Distribution list

LESAG Group		Service Manager		Parks Manager	
Production company		LBL Safety Manager		Key event supplier	
Event Manager		Tent supplier		Site Electrician	
Site Manager		Fire Department			
Kitchen Manager		Security Manager			
Red Cross		Stage Manager			

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Revision process

This plan will be reviewed on a regular basis in the lead-up to the event on the 2nd October 2013.

Review finally by	Review date
Filiberto Capone – Event Manager LO	2 nd September, 2014

First Aid Risk register – London Oktoberfest – Millwall Park

Identified Risk	Category	Action Plan No.
Planning	Health & safety	LO-SF01
Communications	Health & safety	LO-SF02
Documentation	Health & safety	LO-SF03
On site facilities	Health & safety	LO-SF04
Kind of incidents most likely	Health & safety	LO-SF05
Audience	Health & safety	LO-SF06
Staff	Health & safety	LO-SF07
Intoxication	Health & safety	LO-SF08
First Aid and ambulance service	Health & safety	LO-SF09

First Aid Risk Action Plan – London Oktoberfest – Millwall Park

Continuously update. After the HSE check, there is no need for an ambulance at the site.

London Oktoberfest – First Aid Risk Register and Action Plans

Author: Carsten Raun – Director - 6 -

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy Status
LO-SF01	Planning	2 x 3 = 6 Substantial	<ul style="list-style-type: none"> It is very important to be prepared since an incident requiring first aid should be attended to immediately. We will have 4 professional Red Cross first aid personal onsite. A first aid point will be located near the entrance, with clearly marked signs. This location provides emergency personnel easy access to sick or injured patrons. 	Event Manager Red Cross	1 x 2 = 2 Tolerable	The planning and management will be well prepared in case of an incident.

London Oktoberfest – First Aid Risk Register and Action Plans

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Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
LO-SF02	Communications	2 x 2 = 4 Moderate	<ul style="list-style-type: none"> The communication will follow the current communication plan in the EMP. The staff will be informed of the location of the first aid point and proper handling of an incidence . Audience will be informed of the location of the first aid point via prominently displayed signs. 	Event Manager Red Cross Site Manager Service Manager Stage Manager Production Manager Security Adviser Kitchen Manager	1 x 2 = 2 tolerate	Communication plan is in place, information given to staff and audience
LO-SF03	Documentation	2 x 2 = 4 Moderate	<ul style="list-style-type: none"> Red Cross will continually provide detailed documentation of any incident. Daily summaries will be used to improve any part of the process and add-on or increase any first aid needs. Based on the documentation, we can optimise the first aid supply. 	Event Manager Red Cross Service Manager	2 x 2 = 2 Moderate	Important to have first aid procedure reflect any changes which may occur. First Aid is very important to us.

London Oktoberfest – First Aid Risk Register and Action Plans

Author: Carsten Raun – Director - 8 -

LO-SF04	On site facility / medical provision	<p style="text-align: center;">3 x 2 = 6 Substantial</p>	<ul style="list-style-type: none"> • A fenced first aid station will be located behind the wardrobe. • The site will measure 2x2,5 meters and will include a place for sick or injured customers to lay down. • 3-4 Red Cross first aid staff will be in the tent for all opening hours. This allows several people to be attended to, simultaneously. • We also have 2 extra first aid boxes, located in the kitchen and gift shop, which include all necessary equipment to handle smaller incidents. 	<p>Event Manager Red Cross All staff</p>	<p style="text-align: center;">1 x 2 = 2 Moderate</p>	<p>Important to train staff to know where first aid equipment is placed and what provisions are available.</p>
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London Oktoberfest – First Aid Risk Register and Action Plans

Author: Carsten Raun – Director - 9 -

<p>LO-SF05</p>	<p>Kind of incidents most likely</p>	<p>2 x 2 = 4 Moderate</p>	<p>The experience from previous events shows the following are most likely to occur:</p> <ul style="list-style-type: none"> • Since drinks are served in plastic glasses, small to larger cuts are likely to occur if a glass breaks. • Intoxication is an obvious possibility. Bar staff is forbidden from serving alcohol to visibly intoxicated patrons. Additionally, dangerous situations can arise when patrons who have purchased small bottles (shots) of liquor combine it with large amounts of beer. • Widespread panic is also a possibility due to the amount of people present in an enclosed space. • One patron had a heart attack in 2009. • People falling off of the benches. Grass cushions the fall and reduces the likelihood of injury. Also there are 1.8 m between the tables. 	<p>Event Manager Red Cross Service Manager Security Adviser Restaurant Manager Kitchen Manager</p>	<p>1 x 2 = 2 Tolerate</p>	<p>It is important to be prepared for possible incidents. As we have over 5 years' experience, from Copenhagen and London, we are prepared.</p>
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London Oktoberfest – First Aid Risk Register and Action Plans

Author: Carsten Raun – Director - 10 -

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LO-SF06	Audience	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • Minor skirmishes can develop into large fights, so the security will stop any trouble before it starts and separate the participants. • In case of illness we have the first aid point accessible during all opening hours. • Intoxication is a risk, but we try to prevent excessive intoxication by following “Check 25” policy and not selling to visibly intoxicated people. • All dancing and standing on the benches are at one’s own risk. • Security advised to help where they can. 	<p>Event Manager Red Cross Service Manager Security Adviser Restaurant Manager</p>	<p style="text-align: center;">1 x 2 = 2 Tolerate</p>	<p>The experience from Copenhagen shows very few problems as the audience is very mixed between 20-70 years of age. The music and décor make for a friendly, nonaggressive atmosphere</p>
LO-SF07	Staff	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • Food prep always includes the risk of cuts or burns. Our staff is very experienced. • We do not work with open fire. • The service staff are required to pick up any broken glass immediately to prevent cuts. • Table service is available throughout the tent which can lead to exhaustion or foot and back pains. 	<p>Event Manager Red Cross Service Manager Security Adviser Kitchen Manager</p>	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<p>We try to take as many measures as possible to protect staff and allow them regularly scheduled breaks</p>

London Oktoberfest – First Aid Risk Register and Action Plans

Author: Carsten Raun – Director - 11 -

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LO-SF08	Intoxication	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • The risk is always present that people will over estimate their drinking capacity. Staff are instructed to not serve alcohol to visibly intoxicated patrons. Security will remove drunk and disorderly people from the tent. • Check 25 will be support by London Oktoberfest. • Children are only allowed on Sunday, with an accompanying adult. • Visibly intoxicated people will be denied access to the tent. • We mainly offer beer and wine. Underberg is the only strong alcohol for sale, as a digestive. Its bitter tastes prevents most from drinking it in large quantities. 	<p>Event Manager Red Cross Service Manager Security Adviser</p>	<p style="text-align: center;">1 x 2 = 2 Tolerate</p>	<p>It's important that all staff will be instructed and trained in preventing intoxication. No sale of alcohol to underage or visibly intoxicated people</p>
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London Oktoberfest – First Aid Risk Register and Action Plans

Author: Carsten Raun – Director - 12 -

LO-SF9	First Aid and ambulance service	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • LO will be working close together with the ambulance service to secure a quick arrival in case of emergency. • The first aid point is placed close to the entrance. In the event that the main entrance is inaccessible to emergency personnel, an emergency exit close to the first aid point will be used to transport any person out. • Red Cross will call for additional assistance in case of an emergency. 	<p>Event Manager Red Cross Service Manager Security Adviser Restaurant Manager</p>	<p style="text-align: center;">1 x 3 = 3 Moderate</p>	<p style="text-align: center;">We will work closely together with ambulance service to assure quick arrival in emergency cases. Red Cross is in charge of requesting emergency personnel</p>
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London Oktoberfest

Oct. 2 - Oct. 5, 2014 & Oct. 9 - Oct. 12, 2014

NOISE RISK MANAGEMENT FOR LONDON OKTOBERFEST IN MILLWALL PARK

TOWER HAMLETS

WRITTEN BY CARSTEN RAUN, DIRECTOR

THIS DOCUMENT SHOULD BE READ IN CONJUNCTION WITH THE EVENT MANAGEMENT PLAN,

OPERATIONAL MANUAL AND EMERGENCY RESPONSE PLAN

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Introduction

The following risk assessment contains a risk register and an associated action plan for each identified risk. Within the action plan, each identified risk is given a severity rating based on the matrix shown below. Controls are then presented, detailing how the risk will be reduced to a level that is deemed acceptable. It also identifies the parties responsible for implanting the controls detailed for each risk listed. Each risk is given a revised rating based on the controls to be put in place and finally provides an overview of what stage the mitigation is at.

Methodology matrix

Severity rating matrix		Potential severity of harm		
		Slightly harmful 1	Harmful 2	Extremely harmful 3
Likelihood of harm occurring	Highly unlikely 1	Trivial 1	Tolerate 2	Moderate 3
	Unlikely 2	Tolerable 2	Moderate 4	Substantial 6
	Likely 3	Moderate 3	Substantial 6	Intolerable 9

Event Communications Strategy

A strategy is in place to make sure that the following risk assessment document is circulated to all relevant authorities and key event personnel. All event documentation will be submitted to the Events Advisory Team (SAG) one week prior to the event date on the 2nd of October. SAG membership is made up of police, fire service, ambulance, LBTH licensing, LBTH Environmental Health, Trading Standards, Noise Team, etc

Distribution list

SAG Committee		Service Manager		Parks Manager	
Production company		LBTH Safety Manager		Key event supplier	
Event Manager		Tent supplier		Site Electrician	
Site Manager		Music supplier		Stage Manager	
Kitchen Manager		Security Manager		Band	
Decor Manager		DJ		Red Cross	

Revision process

This plan will be reviewed on a regular basis in the lead-up to the event on 2nd October, 2014.

Review finally by	Review date
Filiberto Capone – Event Manager	2 nd September, 2014

Noise Risk register – London Oktoberfest – Millwall Park

Identified Risk	Category	Action Plan No.
Planning	Health & safety	LO-SF01
What is the source of the noise	Health & safety	LO-SF02
What specific areas are affected	Health & safety	LO-SF03
On site facilities	Health & safety	LO-SF04
Employees affected	Health & safety	LO-SF05
Audience	Health & safety	LO-SF06
Residents	Health & safety	LO-SF07

Noise Risk Action Plan – London Oktoberfest – Millwall Park

Continuously update. After the HSE check there is risk of peak reach but measure control in place.

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy Status
LO-SF01	Planning	2 x 3 = 6 Substantial	<ul style="list-style-type: none"> The genre of music played (Tyrolean) results in a lower overall volume as compared to a rock concert. The sound system is amplified to a minimal level to reduce likelihood of spillage outside the tent. Daily opening hours for a total of 8 days. The Band plays several times, for at least 45 min. a day. DJ plays recorded music between band breaks. Monitoring devices will be in place to provide accurate sound readings. 	Event Manager Music equipment supplier Stage Manager Band DJ	1 x 2 = 2 Tolerable	The planning and management will be targeted at keeping the music at a reasonable and pre-established maximum level.

London Oktoberfest – Noise Risk Register and Action Plans

Author: Carsten Raun – Director - 7 -

<p>LO-SF02</p>	<p>What is the source of the noise</p>	<p>2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • Speakers: 9 top boxes and 8 bottom boxes. Delay boxes. Topboxes will be 4m high and bottom boxes 2 m high. • The band will use electric guitar, bass, drums and an accordion. • The stage is placed in the north-east section of Millwall Park, directing the sound towards Mudchute Farms and Mudchute DLR station. • DJ supplies music during band breaks, primary playing popular and bavarian folk music. 	<p>Event Manager Music equipment supplier Stage Manager Band DJ</p>	<p>1 x 2 = 2 Tolerate</p>	<p>The noise is mostly contained to the tent area. The primary music style is popular music. Sound system will be placed high so sound travels top-down and absorbed by the ground</p>
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London Oktoberfest – Noise Risk Register and Action Plans

Author: Carsten Raun – Director - 8 -

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
LO-SF03	What specific areas are affected	<p style="text-align: center;">2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> • The stage area is the most affected. Control measures to be done here regularly. • The pit area is affected, but the speakers are 4 m in height. Measure to be done regularly. • Back stage – area is minimally affected as no speakers are pointing in this direction. • The middle of the tent is the most effected as all speakers point here, but the size of this area is 1500 m². • The two side areas are minimally affected as no speakers are pointing in these directions. 	<p>Acoustic consultant Event Manager Music equipment supplier Stage Manager Band DJ</p>	<p style="text-align: center;">2 x 2 = 2 Moderate</p>	<p>The areas most affected are the stage area and the middle of the tent. Control measures to take place regularly.</p>

London Oktoberfest – Noise Risk Register and Action Plans

Author: Carsten Raun – Director - 9 -

<p>LO-SF04</p>	<p>On site facilities</p>	<p>3 x 2 = 6 Substantial</p>	<ul style="list-style-type: none"> • A level-meter is onsite for control measures. • Limiting devices will be built in to the sound system. • The choice of venue and the placing of the tent is a noise measure in itself. • The sound system is constructed with the aim of containing music to the tent and immediate area in the park. • Sound system and speaker placement is optimised to keep the music level low outside of the tent • Band and DJ are trained in reducing noise when possible. Daily soundcheck. 	<p>Event Manager Stage Manager Service Manager Security Adviser All staff</p>	<p>1 x 2 = 2 Moderate</p>	<p>Music is a big part of an Oktoberfest event. We plan to reduce noise as much as possible. Numerous control measures are in place. Volumes will be turned down whenever possible</p>
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<p>LO-SF05</p>	<p>Employees affected</p>	<p>2 x 2 = 4 Moderate</p>	<p>The experience from previous events has shown the following are most likely to occur:</p> <ul style="list-style-type: none"> • Band and DJ, stage sound fills the tent through speakers. Band and DJ will take long breaks. • Service has to bring food and drinks out in the tent and passes the stage every time. No waitstaff is to walk directly in front of speakers. Kitchen placement, relative to the stage, results in low sound exposure. • No security is placed directly in front of speakers, security will patrol and be exposed to varying sound levels. Work breaks will occur in the kitchen area. • Bar personnel: Bar is placed to the side of the stage and behind the speakers; noise level will be tolerable, breaks in the kitchen area. • Management will be walking around throughout the tent. When possible, they will take breaks outside of the tent. 	<p>Event Manager Red Cross Service Manager Security Adviser Kitchen Manager All Staff</p>	<p>1 x 2 = 2 Tolerate</p>	<p>No staff is based constantly in front of or close to speakers. All staff will be trained in taking breaks from the noisy areas and rest in the kitchen area. Training also in where the speakers are and to avoid spending extended amounts of time in front of them.</p>
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London Oktoberfest – Noise Risk Register and Action Plans

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<p>LO-SF06</p>	<p>Audience</p>	<p>2 x 2 = 4 Moderate</p>	<ul style="list-style-type: none"> As the opening hours are 17:00, 14:00, and 12:00, the likelihood of customers being in the tent the whole day is low. Most guests are expected to attend 4-5 hours. Guests who pre-order seats are asked if they prefer tables near the front of the stage or in a more quiet area at the sides. Half of the seats in the tent are free to choose. As the band only plays live 6 x 45 min. a day the impact is reduced. The toilet/smoking areas offer an opportunity for guests to take a break from noise. 	<p>Event Manager Red Cross Service Manager Security Adviser</p>	<p>1 x 2 = 2 Tolerate</p>	<p>Audience are offered the opportunity to choose among seats. Also the toilet/smoking area allows customers to take a break from noise.</p>
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<p>LO-SF07</p>	<p>Residents</p>	<p>2 x 2 = Moderate</p>	<ol style="list-style-type: none"> 1) Live music stops at 22:00. The music level is gradually reduced between 22 and 22:45 until a full stop is reached at 22:45. 2) Employ an acoustic consultant who will be onsite and responds to complaints immediately. 3) Play slower music to relax the crowd during the last hour. 4) Bar closes at 22:30. 5) The placing of the tent and the music stage/equipment will point at open areas of Millwall Park and Mudchute DLR Station, thereby focusing the sound to nonresidential areas. 	<p>Acoustic consultant Event Manager Music equipment supplier Stage Manager Band DJ</p>	<p>2 x 2 = Moderate</p>	<p>We are aware of the noise risk to the residence if we close at 23:00. We have already implemented numerous practices acquired through previous Oktoberfest events to address this problem. These, and new ones, will be implemented to reduce the impact to Millwall Park</p>
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London Oktoberfest

Oct.2nd - Oct.5th & Oct.9th - Oct.12th, 2014

RISK REGISTER AND ACTION PLANS FOR LONDON OKTOBERFEST IN MILLWALL PARK, TOWER HAMLETS

WRITTEN BY CARSTEN RAUN, DIRECTOR

**THIS DOCUMENT SHOULD BE READ IN CONJUNCTION WITH THE EVENT MANAGEMENT PLAN,
OPERATIONAL MANUAL AND EMERGENCY RESPONSE PLAN**

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Introduction 3
Methodology Matrix 3
Event Communications Strategy 4
Distribution List 4
Revision Process 4
Risk Register 5
Risk Action Plan 7

Introduction

The following risk assessment contains a risk register and an associated action plan for each identified risk. Within the action plan, each identified risk is given a severity rating based on the below matrix. Controls are then highlighted as to how the risk will be controlled to a level that is deemed acceptable. It is also identifies who holds the responsibility to action the identified controls, gives each risk a revised rating based on the controls to be put in place and finally provides an overview of what stage the mitigation is at.

It should also be noted that all categories of risk are to be covered in the following assessment; this means that not only health and safety issues will be covered but also other risks associated with the event such as financial, public perception, communications and environmental.

Methodology matrix

Severity rating matrix		Potential severity of harm		
		Slightly harmful 1	Harmful 2	Extremely harmful 3
Likelihood of harm occurring	Highly unlikely 1	Trivial 1	Tolerate 2	Moderate 3
	Unlikely 2	Tolerable 2	Moderate 4	Substantial 6
	Likely 3	Moderate 3	Substantial 6	Intolerable 9

Event Communications Strategy

A strategy is in place to make sure that the following risk assessment document is circulated to all relevant authorities and key event personnel. All event documentation will be submitted to the Events Advisory Team (SAG) one week prior to the event date on the 2nd October in case of any changes. SAG membership is made up of police, fire service, ambulance, licensing, environmental health, trading standards, parks, noise team, etc.

A parking suspension note will signal the impossibility to park around the Stebondale Gate area (28th- 29th September; 13th - 14th October) one week prior to the event.

Distribution list

SAG Group		Key LO event staff		Parks Manager	
Production company		Safety Manager		Key event supplier	
Event Manager		Tent supplier		Site Electrician	
Red Cross		Tower Hamlets		Service Manager	
Kitchen Manager		Security Manager		Decor Manager	
Site Manager		Staff Manager			

Revision process

This plan will be reviewed on a regular basis in the lead-up to the event on the 2nd October 2014.

Review finally by	Review date
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Risk register – London Oktoberfest – Millwall Park

Identified Risk	Category	Action Plan No.
Poor event attendance	Event reputation	LO-SF01
Poor stage and kitchen programme	Event reputation	LO-SF02
Lack of activities to attract and keep audience	Event reputation	LO-SF03
Event does not deliver on core event values	Event reputation	LO-SF04
Event is not recognised as a Public event	Event reputation	LO-SF05
Intoxication - People drinking too much – Check 25	Health & safety	LO-SF06
Entrance control / Door searching	Health & safety	LO-SF07
Trips and falls at event, public and staff – site and within temporary structures	Health & safety	LO-SF08
Trips and falls on and adjacent to stage	Health & safety	LO-SF09
Working at heights - falls	Health & safety	LO-SF10
Electrocution, public and event participants	Health & safety	LO-SF11
Collision between moving vehicles and public	Health & safety	LO-SF12

Preventing Crime	Health & safety	LO-SF13
Fire – Faulty equipment	Health & safety	LO-SF14
Fire – Kitchen Area	Health & safety	LO-SF15
Fire – Fire service unable to access site	Health & safety	LO-SF16
Fire – on site	Health & safety	LO-SF17
Larger than anticipated crowds	Health & safety	LO-SF18
Heat stroke and dehydration, public and event participants	Health & safety	LO-SF19
Poor weather on one or more days; rain, wind	All	LO-SF20
Noise complaints from surrounding residents	Environmental / Event reputation	LO-SF21
Urinating around and outside the event area	Environmental / Event reputation	LO- SF22
Waste outside the event area	Event reputation	LO-SF23
Waste from the event area and recycling	Health and Safety / Event Reputation	LO-SF24
Public Disorder – fighting inside / outside the tent	Health and Safety / Event Reputation	LO-SF25
Tent construction	Health & safety	LO-SF26

London Oktoberfest event receives negative publicity	Event reputation	LO-SF27
First Aid Cover	Health & safety	LO-SF27
Please note: Red text indicates further actions required		

Risk Action Plan – London Oktoberfest – Millwall Park

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy Status
<ul style="list-style-type: none"> LO-SF01 	<ul style="list-style-type: none"> Poor event attendance 	<ul style="list-style-type: none"> $2 \times 2 = 4$ Moderate 	<ul style="list-style-type: none"> A marketing and communication strategy has been developed and is being implemented A park has been selected that has medium crowds during the warmer months and where other large events have been held, thus ensuring a guaranteed crowd Close to public transportation 	<ul style="list-style-type: none"> Carsten Raun 	<ul style="list-style-type: none"> $1 \times 2 = 2$ Tolerate 	<ul style="list-style-type: none"> Comms plan currently being implemented must continue to monitor.

<ul style="list-style-type: none"> LO-SF02 	<ul style="list-style-type: none"> Poor stage and kitchen programme 	<ul style="list-style-type: none"> $3 \times 2 = 6$ Substantial 	<ul style="list-style-type: none"> Division of duties between officers Contacting variety of the DJ's program – British popular music Working with Kitchen team to optimise food offer 	<ul style="list-style-type: none"> Carsten Raun Daniel Mackowiak, Staff Manager Simon Klein, Holger Matthäus, Kitchen Manager 	<ul style="list-style-type: none"> $2 \times 2 = 4$ Moderate 	<ul style="list-style-type: none"> Programmes to fit to UK taste.
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Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
<ul style="list-style-type: none"> LO-SF03 	<ul style="list-style-type: none"> Lack of activities to attract and keep audience 	<ul style="list-style-type: none"> $2 \times 2 = 4$ Moderate 	<ul style="list-style-type: none"> Event design process being followed to ensure audience expectation is considered and planned for A very comprehensive marketing programme has been developed that will run until the second event weekend 	<ul style="list-style-type: none"> Carsten Raun 	<ul style="list-style-type: none"> $1 \times 2 = 2$ Tolerate 	<ul style="list-style-type: none"> Event has well-known programme from the Munich Oktoberfest.

<ul style="list-style-type: none"> • LO-SF04 	<ul style="list-style-type: none"> • Event does not deliver on core event values 	<ul style="list-style-type: none"> • 3 x 2 = 6 • Substantial 	<ul style="list-style-type: none"> • Constant monitoring of event design outcomes and core values identified • Previous engagement in Denmark used to design this event • Strong focus of health and wellbeing – particularly relating to food 	<ul style="list-style-type: none"> • Events Team • Event partners 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • Working with established partners from previous events.
<ul style="list-style-type: none"> • LO-SF05 	<ul style="list-style-type: none"> • Event is not recognised as a Public event 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • Marketing and media messages being stepped up close to the event • Campaign branding follows Oktoberfest style 	<ul style="list-style-type: none"> • Carsten Raun 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Branding through the famous Munich Oktoberfest
<ul style="list-style-type: none"> • LO-SF06 	<ul style="list-style-type: none"> • Intoxication - People drinking too much – Check 25 	<ul style="list-style-type: none"> • 3 x 2 = 6 • Substantial 	<ul style="list-style-type: none"> • No alcohol served to people below 18. We will follow Challenge 25 policies and require ID from anyone who looks 25 or younger • People who are visibly intoxicated will have to leave the tent • We close at 11 pm at the latest, when people are in good mood • Stewards from 10:30pm to end to help people 	<ul style="list-style-type: none"> • Carsten Raun • Filiberto Capone • Daniel Mackowiak • Security company • Site Manager 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Event employees will be trained and informed about the rules and need for intensive care. Security to help prevent problems.

			<p>crossing road</p> <ul style="list-style-type: none"> • Light towards the tube, one way out 			
<ul style="list-style-type: none"> • LO-SF07 	<ul style="list-style-type: none"> • Entrance control / door searching 	<ul style="list-style-type: none"> • 2 x 3 = 6 • Substantial 	<ul style="list-style-type: none"> • People are not allowed to bring outside food or drinks. We search all larger backs at the door. No weapons are allowed • Visibly intoxicated people will be denied entrance • No gangs or other marked people are allow entrance 	<ul style="list-style-type: none"> • Security • Site Manager 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • These rules will be stated on the homepage. Security personal will be advised in strict acceptance and fulfilment.
<ul style="list-style-type: none"> • LO-SF08 	<ul style="list-style-type: none"> • Trips and falls at event, public and event participants 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • Selection of competent contractors for supplying of all services • A safety inspection will be carried out prior to every event opening day • On-going safety inspections throughout the day to identify any trip hazards • Staff will also be briefed and trained to be aware of potential hazards and trained in system of 	<ul style="list-style-type: none"> • Event manager • Staff • All contractors 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Site visit has taken place with Production Company. Safety inspection is in production day's schedule. System in place for work sign-offs and collection of method statements, risk

			<p>reporting</p> <ul style="list-style-type: none"> All cabling will be channelled into the grass or run along tent or fence lines 			
<ul style="list-style-type: none"> LO-SF09 	<ul style="list-style-type: none"> Trips and falls on and adjacent to stage 	<ul style="list-style-type: none"> $2 \times 2 = 4$ Moderate 	<ul style="list-style-type: none"> All areas on and around stage will be checked prior to the opening of the event Stage has steps and is closed to the public. Has only size of 8 x 5 m build from 20 1x2m parts Safety manager to carry out pre-event inspections 	<ul style="list-style-type: none"> Event manager Site manager LBL Safety Officer 	<ul style="list-style-type: none"> $1 \times 2 = 2$ Tolerate 	<ul style="list-style-type: none"> Pre-event site safety inspection to take place
<ul style="list-style-type: none"> LO-SF10 	<ul style="list-style-type: none"> Working at heights - falls 	<ul style="list-style-type: none"> $2 \times 3 = 6$ Substantial 	<ul style="list-style-type: none"> Any working at height activity will adhere to the Work at Height Regulation 2005 Attaching décor to heights will use zargees ladder 	<ul style="list-style-type: none"> LBL Safety Officer Director Tent contractor Site Manager 	<ul style="list-style-type: none"> $1 \times 3 = 3$ Moderate 	<ul style="list-style-type: none"> Contractor has confirmed use of zargees ladder complies with Working at Heights regulation

<ul style="list-style-type: none"> • LO-SF11 	<ul style="list-style-type: none"> • Electrocution, public and event participants 	<ul style="list-style-type: none"> • 2 x 3 = 6 • Substantial 	<ul style="list-style-type: none"> • Production company reputable and experienced • An electrician will be at the site every event day from 6-10 pm • Employ a site electrician to inspect and sign-off all electrical installations • Ensure all electrical equipment is current PAT tested 	<ul style="list-style-type: none"> • Production Manager • Event Manager • Site Manager • Site Electrician 	<ul style="list-style-type: none"> • 1 x 3 = 3 • Moderate 	<ul style="list-style-type: none"> • Experienced electrician company to be in charge
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Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
LO-SF12	<ul style="list-style-type: none"> Collision between moving vehicles and public 	<ul style="list-style-type: none"> $2 \times 3 = 6$ Substantial 	<ul style="list-style-type: none"> No vehicles during opening hours. Delivery has to be in the morning Driving in the evening 	<ul style="list-style-type: none"> Carsten Raun Event Manager Kitchen Manager Site Manager 	<ul style="list-style-type: none"> $1 \times 3 = 3$ Moderate 	<ul style="list-style-type: none"> Vehicle policy is clear. Briefing notes will be sent out to all contractors and suppliers. No vehicle to move in shortly after opening hours.
LO-SF13	<ul style="list-style-type: none"> Preventing Crime 	<ul style="list-style-type: none"> $2 \times 3 = 6$ Substantial 	<ul style="list-style-type: none"> Millwall Park is a crime risk area After dark people has to leave the park, also for there one safety Pickpocket risk inside the tent Toilet area seems to be a high risk area 	<ul style="list-style-type: none"> Director Event Manager Security Site Manager 	<ul style="list-style-type: none"> $1 \times 3 = 3$ Moderate 	<ul style="list-style-type: none"> More security to patrol and be on/at the toilet area. Extra stewards to help people leaving find their way out the park and make the egress even faster Security to be extra aware of pickpockets.

<ul style="list-style-type: none"> • LO-SF14 	<ul style="list-style-type: none"> • Fire – faulty equipment 	<ul style="list-style-type: none"> • 2 x 3 = 6 • Substantial 	<ul style="list-style-type: none"> • Site plan clearly identifies fire extinguisher points • Generators will all have fire extinguishers placed next to them • Only diesel used as fuel • A fire safety inspection will be carried out prior to the event opening • All electrical work will be carried out by competent contractors and installation sign-offs provided 	<ul style="list-style-type: none"> • Director • Event Manager • Production Manager • Caterers • Site Electrician 	<ul style="list-style-type: none"> • 1 x 3 = 3 • Moderate 	<ul style="list-style-type: none"> • Fire points placed on plan. All other aspects in place
<ul style="list-style-type: none"> • LO-SF15 	<ul style="list-style-type: none"> • Fire – Kitchen area 	<ul style="list-style-type: none"> • 2 x 3 = 6 • Substantial 	<ul style="list-style-type: none"> • Kitchen supplier by reputable supplier with all relevant health and safety documentation • Adequate exits will be maintained with appropriate signage • F-type and CO2 extinguishers and fire blankets will be in adjacent to the kitchen and clearly signed • Staff will be trained in fire fighting • No gas used in the kitchen area • Kitchen tent min. 6 meters from the large 	<ul style="list-style-type: none"> • Director • Event Manager • Staff • Kitchen supplier • Site Electrician 	<ul style="list-style-type: none"> • 1 x 3 = 3 • Moderate 	<ul style="list-style-type: none"> • Staff and public advised through site plan with fire points placed in the tent at 10 locations.

			tent			
<ul style="list-style-type: none"> LO-SF16 	<ul style="list-style-type: none"> Fire – Fire service unable to access site 	<ul style="list-style-type: none"> 1 x 3 = 3 Moderate 	<ul style="list-style-type: none"> Site has two main entry points suitable for emergency services for this event Emergency RVP will be communicated to fire service via Event Management Plan Master keys for all gates held by both restaurant manager and event manager 	<ul style="list-style-type: none"> Event Manager Site Manager 	<ul style="list-style-type: none"> 1 x 3 = 3 Moderate 	<ul style="list-style-type: none"> See also separate fire risk assessment. Staff trained in fire fighting

<ul style="list-style-type: none"> • LO - 17 	<ul style="list-style-type: none"> • Fire – on site 	<ul style="list-style-type: none"> • 2 x 3 = 6 • Substantial 	<ul style="list-style-type: none"> • Nominated staff to received basic training in the use of fire extinguishers, water sprayers and fire carpets • Fire equipment placement and numbers identified and documented • Staff and contractors will be aware of fire points • No more than 25m to next fire point from the hole tent area 	<ul style="list-style-type: none"> • Event manager • ELT 	<ul style="list-style-type: none"> • 1 x 3 = 3 • Moderate 	<ul style="list-style-type: none"> • Need to ensure basic training on use of an extinguisher during on the day briefings. Fire extinguisher points and numbers have been established. Site plan clearly identifies where fire points need to be placed
<ul style="list-style-type: none"> • LO-SF18 	<ul style="list-style-type: none"> • Larger than anticipated crowd 	<ul style="list-style-type: none"> • 3 x 2 = 6 • Substantial 	<ul style="list-style-type: none"> • Toilet numbers based on 1 per 100 anticipated visitors and increased by expected liquid sales numbers • Parks has capacity to cope with much larger crowd • Tent will be closed if 3,300 guests are inside • Professional security firm employed to cover security for the event • Police will be called in case of unrest 	<ul style="list-style-type: none"> • Production Manager • Security Company • Site Manager 	<ul style="list-style-type: none"> • 3 x 1 = 3 • Substantial 	<ul style="list-style-type: none"> • Toilet numbers based on 3,300 people at any one time. Security firm confirmed and roles defined.

<ul style="list-style-type: none"> • LO-L19 	<ul style="list-style-type: none"> • Heat stroke and dehydration, public, event participants and staff 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Free bottled water for staff, artists and security • First Aid attendance throughout the event. Min. of 4 red cross staff • Number of bars selling drinks – 1 giant 	<ul style="list-style-type: none"> • Event Manager • Site Manager • Kitchen Manager • Staff Manager • Red Cross 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Water on sale for only 1£. Red Cross cover has now been confirmed.
<ul style="list-style-type: none"> • LO-SF20 	<ul style="list-style-type: none"> • Poor weather on one or more of the days; rain, wind 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • All Temporary structures being supplied and erected by competent supplier • Site is not subject to flooding • Wind conditions are not forecast to be strong, continued monitoring of wind conditions will occur throughout the event as it is still late summer • Extra tent pegs are being used as safety measure • Special pumps are in place to empty the entrance area in case 	<ul style="list-style-type: none"> • Event Manager • Production company • Site Manager 	<ul style="list-style-type: none"> • 2x 1 = 2 • Tolerable 	<ul style="list-style-type: none"> • Additional pumps have been placed on standby order. • Wood crumble to be ordered from parks

<ul style="list-style-type: none"> • LO-SF21 	<ul style="list-style-type: none"> • Noise complaints from surrounding residents 	<ul style="list-style-type: none"> • 2 x 2 = 4 Moderate 	<ul style="list-style-type: none"> • Sound technician to establish suitable DB levels with Pollution Team requirements • Pre-event communication with surrounding residents • Music programme is a large part of the event, Tyrolean style. Risk that some residents don't like the music style • Limited residential properties in immediate area • Event has been scheduled for two long weekends and will close at 11 pm at the latest 	<ul style="list-style-type: none"> • Director • Event Manager • Stage Manager 	<ul style="list-style-type: none"> • 1 x 2 = 2 Moderate 	<ul style="list-style-type: none"> • Noise team guidelines will be forwarded to sound technician. Communication with surrounding residents will take place. Good mood music. Stage will direct at least populated area. Speakers directed at traffic. Live music stops at 22:00. DJ take music down continuously till zero at 22:45
<ul style="list-style-type: none"> • LO-SF22 	<ul style="list-style-type: none"> • Urinating around and outside the event area 	<ul style="list-style-type: none"> • 2 x 3 = 6 Substantial 	<ul style="list-style-type: none"> • The risk is not totally avoidable, but can be minimized with toilets placement • Placing 4-6 toilets at the exit, gives guests the opportunity to relieve themselves in private • Very big toilet area within the tent reduces the need to go outside • We will place signs at the exit to tell people this is not allowed • Info on our homepage 	<ul style="list-style-type: none"> • Event Manager • Site Manager 	<ul style="list-style-type: none"> • 1 x 3 = 3 Moderate 	<ul style="list-style-type: none"> • Before, when and after the event min. 4-8 stewards will patrol around the park area/ exit road and the street to prevent this problem. Offering toilets at exit.

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
<ul style="list-style-type: none"> LO-SF23 	<ul style="list-style-type: none"> Waste around and outside the event area 	<ul style="list-style-type: none"> 2 x 3 = 6 Substantial 	<ul style="list-style-type: none"> Food and drinks from inside are not allowed to take outside the event area People are not allowed to bring outside food and drink into the tent A cleaning team will every morning clean the way to the event We will place extra garbage boxes on the way to the event 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 1 x 3 = 3 Moderate 	<ul style="list-style-type: none"> As no "waste" will leave the tent only what people bring will have to be cleaned. Action plan for this is in place.
<ul style="list-style-type: none"> LO-SF24 	<ul style="list-style-type: none"> Waste inside the event area and recycling 	<ul style="list-style-type: none"> 2 x 2 = 4 Moderate 	<ul style="list-style-type: none"> Drinking products sold in massive glasses which means no waste and little broken glass Food served on one-way recyclable paper plates Main waste from packaging 20 feed waste container in place to collect all waste at one place Daily cleaning in the tent / kitchen area 	<ul style="list-style-type: none"> Event Manager Kitchen Manager 	<ul style="list-style-type: none"> 1 x 2 = 2 Tolerate 	<ul style="list-style-type: none"> Waste plan in place, daily cleaning and collecting at one place. So much recycling as possible.

<ul style="list-style-type: none"> • LO-SF25 	<ul style="list-style-type: none"> • Public Disorder 	<ul style="list-style-type: none"> • 2 x 2 = 4 • Moderate 	<ul style="list-style-type: none"> • 18-33 SIA security staff employed (depending on daytime) +6-10 stewards • Visibly intoxicated people have to leave the tent • Event closes at the latest 11 pm • Only max. 3,300 guest • Full emergency response plan in place • Targeted guests are companies and mature persons because of the music style 	<ul style="list-style-type: none"> • Director • Event Manager • Police • Security company 	<ul style="list-style-type: none"> • 1 x 2 = 2 • Tolerate 	<ul style="list-style-type: none"> • Security and Emergency Response plans in place. We will follow the previous year's plan and only contact police in instances of extreme duress or illegal/ violent crime.
<ul style="list-style-type: none"> • LO-SF26 	<ul style="list-style-type: none"> • Tent construction 	<ul style="list-style-type: none"> • 2 x 3 = 6 • Substantial 	<ul style="list-style-type: none"> • Tent Construction Company very experienced. Building tents the last 15 years • Same tent construction already used twice in London and controlled and proofed by authorities • Tent secured by a large numbers of 1 m metal rods hammered into the ground • Tent build on 3 large tent poles, make is few areas where people can be hurt by falling etc 	<ul style="list-style-type: none"> • Event Manager • Site Manager • Authorities 	<ul style="list-style-type: none"> • 1 x 3 = 3 • Moderate 	<ul style="list-style-type: none"> • Tent construction very safe and proofed. Construction staff very experienced. All sides of the tent can be opened, escape routes!

Action plan no.	Identified risk	Severity rating	Mitigation strategy	Responsibility	Revised severity rating	Mitigation strategy status
<ul style="list-style-type: none"> LO-SF27 	<ul style="list-style-type: none"> London Oktoberfest event receives negative publicity 	<ul style="list-style-type: none"> 2 x 2 = 4 Moderate 	<ul style="list-style-type: none"> Media plan in place also in emergency case see EMP Carsten Raun in charge of all press and publicity 	<ul style="list-style-type: none"> Director 	<ul style="list-style-type: none"> 1 x 2 = 2 Tolerate 	<ul style="list-style-type: none"> Media plan included in Event Management Plan
<ul style="list-style-type: none"> LO-SF28 	<ul style="list-style-type: none"> First Aid coverage 	<ul style="list-style-type: none"> 2 x 2 = 4 Moderate 	<ul style="list-style-type: none"> Professional first aid coverage provided by Red Cross. First Aid point Always 4-5 people from Red Cross at site Two extra help points in the tent with emergency boxes Most likely problems: Intoxication and small cuts Contact to ambulance in place 	<ul style="list-style-type: none"> Health and Safety team 	<ul style="list-style-type: none"> 1 x 2 = 2 Tolerate 	<ul style="list-style-type: none"> The experience from the last years shows very little problems as the closing is already 11 pm. First Aid plan in place.



London Oktoberfest Security & Stewarding Plan

October 2nd - October 5th & October 9th – October 12th 2014

Staffing levels and deployment

The team will be made up of Head of Security, SIA security personnel and Stewards. The original levels were determined by 2012's entry levels and listed below our minimum core team. For 2013, we procured a larger tent with a 3,300 capacity in anticipation of an increase in guests. For 2014, we will follow the example of the previous year and again have a tent that can legally hold 3,300 people (including staff). As the full capacity is only expected to be reached on Saturday, we will work with a staggered increase over day and times but always with a core team onsite which consists of 24 personnel - 18 SIA and 6 Stewards. In peak periods this will increase to 33 SIA and 10 Stewards to be reached when the tent is at maximum capacity

Our core team will consist of the following (numbers in parentheses shows numbers at maximum capacity):

- 1 Head of Security Roaming
- 1 Head of Security in Event Control
- 6 (8) SIA at the tent entrance and exit
- 2 (4) SIA (1 male and 1 female) to perform ad-hoc searches at tent entrance
- 2 (6) SIA roaming
- 1 (2) SIA in VIP area
- 2 (3) SIA in toilet area
- 2 (4) SIA on dance floor
- 1 (2) SIA by cash desk/kitchen entrance
- 1 Steward on the main entrance tracking Ingress and Egress and reporting to Event Control.
- 1 Steward on park gate
- 2 (6) Stewards lining park pathway and directing delegates (always 6 stewards at egress)
- 2 Steward roaming, noting crowd density and reporting into Event Control.
- 1 (2) SIA dog guards

A full team briefing will take place every day, 30 minutes prior to the opening times. Here, we will touch upon the occurrences of the previous day, reiterate procedures and protocols, and discuss any amendments as we see fit and appropriate.

Overnight

Overnight security will be in place to patrol the site from 11pm-11am each night. A dog team will also be in place to fully protect the site - 24/7

Site capacity

The maximum capacity we are allowing for this event at any one time is 3,300 persons. Stewards will be placed at the main entrance with counters to track the number of attendees coming in and out of the site. All stewards will report to Event Control every 15 minutes with the current numbers so we know exactly how many are within the site.

The following statuses will be adhered to, to consistently monitor the number of persons on site at any one time:

PP Status 1: Free flow of crowds both inside and outside of event. Updates of numbers from stewards into Event Control every 15 minutes until we reach 50% capacity where updates will be given every 10 minutes.

PP Status 2: Heavy pressure on entrance, limited internal free flow, areas of crowd density or capacity is over 75%. Updates from entrance staff at this stage will be given every 5 minutes and closer monitoring on ingress and egress will be necessary.

PP Status 3: Site is at 90% capacity. The closing of entry gates will be considered and the preparation for restriction of persons entering the site would be put in place. If necessary a 1 in 1 out policy will be introduced, numbers entering and leaving will be reported to Event Control every 5 minutes.

Crowd Control, Ingress and Egress

In addition to a full security team, we will be employing stewards to manage crowd control in and around the site and aid in the ingress and egress of patrons. A strong emphasis will be placed along the paved pathway within Millwall Park, in addition to the allocated entry/exit gate and near the Island Gardens station of the DLR.

At all times, stewards will be deployed in these areas to encourage a quick exit from Millwall Park. This will alleviate potential customers walking through areas of the park which are in use by other entities, and also help to maintain the safety of our delegates departing the festival site.

Crowd Management: In accordance with British Standard 8406:2009, Pitman's People intends to closely monitor the crowds throughout London Oktoberfest. A crowd flow analysis was conducted and concluded the majority of the tent allows free flow, aside from one key area around the sound system. This crunch point is only an issue in peak periods as it is located in front of the dance area and in-between the V.I.P zone and the end of the reserved seating. To eliminate this high density area, we will strategically deploy SIA Security to direct crowds around the sound system and offer alternative routes to reach their destination.

Ingress: Throughout ingress, Stewards will always be located along the paved pedestrian path nearest the tent, leading from the Island Gardens Station near Millwall Park, directing people along the path to the entrance of the tent where they will meet SIA Security. Extensive signage will also be used to visually guide patrons from the DLR station to the event site.

Egress: As the day begins to wind down, internal stewards will take new positions lining the pathway outside the tent in Millwall Park leading delegates to the exit gate nearest the Island Gardens Station. During peak egress, 10 stewards will be allocated to assist in this process. 6 of these stewards will line the path, and a further 4 stewards will be placed on the permanent pedestrian

walkway near the Island Gardens station. These stewards will provide safe and swift assistance to the crowds crossing the park. A steward will be located near the Millwall Rugby Football Club, directing people away from the park. A further 2 stewards will be encouraging everyone to enter the station as swiftly as possible. They will be deployed on either side of the station, helping to assist the crowd into the DLR (Island Gardens) station.

Please see the attached Millwall Park Site Plan and Millwall Park Egress Plan.

Search Policy

All SIA security staff will be responsible for the entrance of the tent and a search policy will be implemented. Due to the nature of the event and the predicted audience, compulsory bag searches will be in operation.

SIA security will be looking for the following unauthorised items:

1. Weapons: Knives/ fireworks/ aerosol
2. Illegal Substances
3. Glass/bottles/cans
4. Food
5. Alcohol
6. Laser pens.

Anyone found in possession of prohibited items will:

- have those items confiscated (and placed in bins located at main entrance) and be handed over to a supervisor and/or the Police as soon as possible (items 1&2)
- be refused entry or ejected from the venue

Radio etiquette and code words

When informing Event Control of incidents, the following code words will be used to not alarm members of the public:

Incident Event	Code Word
Fire	Mr Sands
Evacuation	Mr London
Suspicious Package	Mr Case
Public Disorder	Mr Fields
First Aid	Starlight
Lost Child	Moses
Personal Break	Code 1
Cash Run	Charlie Romeo

Event Control

1 Head of Security will be permanently based in Event Control for command and control purposes. A base station will be in use to allow clear communication to Event Control from all staff radios.

All staff mobile numbers will be held in Event Control should they be needed if radios fail.

All staff are to check in and out of Event Control every day and on every break so the Site Manager and Head of Security know who is onsite at all times.

Suspect packages

Night staff will perform pre-opening checks which will include scouring the entire event grounds for suspicious packages.

During the event ALL event staff are to remain vigilant throughout their areas for ANY suspicious packages. If a suspicious package is found, it will be reported immediately using the code words MR CASE to a member of security or a member of the police.

Staff will be advised not to use their radios or mobile phones in the vicinity of a suspicious package and only report the incident, in person, to the appropriate members of staff.

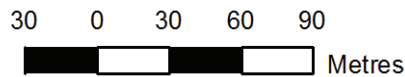
Appendix 2



Millwall Park



Scale 1:3843



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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

*Kathy Driver
Principal Licensing Officer
CLC – LICENSING
Licensing Section
Mulberry Place
5 Clove Crescent
London E14 2BE*

Friday, 31 January 2014

Dear Kathy

RE: Millwall Park Manchester Rd TIME LIMITED PREMISE 2-5th Oct 2014 – 9-12th Oct 2014

Please log this letter as an objection to the granting of a license to the Oktoberfest in Millwall Park Thursday 2nd October – 5th October 2014. 9th – 12th October 2014

I would like to make a representation against the above license application on the following grounds;

Millwall Park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behaviour in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

I therefore object to the license application on the following grounds;

** Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.*

** Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.*

** Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking. There are many schools in the area, which will be affected by this event, and the control of underage drinking is an issue in this ward.*

In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given. Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Would you please confirm receipt of the letter and ensure that it goes before the licensing committee.

Yours sincerely

A solid black rectangular redaction box covering the signature of the councillor.

Councillor Gloria R Thienel

Appendix 5

Andrew Heron

From: Karen Anderson [REDACTED]
Sent: 31 January 2014 12:25
To: Licensing
Subject: Representation AGAINST license application for Oktoberfest on Millwall Park

Follow Up Flag: Follow up
Flag Status: Completed

Dear sirs,

I would like to make a representation against the above license application on the following grounds;

Millwall park was the site of Oktoberfest for a long weekend in October 2013. Despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park, making it difficult for the local community sports teams to play on the park for MONTHS afterwards. What about the council's supposed dedication to local community sports?!

Underground drainage has been damaged, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has NOT been corrected by the organisers (which was their promise at the licensing hearing).

The organisers did NOT provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event. On top of this is the local community opportunity cost of losing a valuable and RARE sporting ground for months afterwards.

I therefore object to the license application on the following grounds;

* Loss of local sporting grounds; the organisers have demonstrated that they cannot commit to repairing damaged sport grounds, leading to a loss of community facilities.

* Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.

* Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.

I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year regardless of their present application.

Yours faithfully,

Karen Anderson
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 6

Andrew Heron

From: [REDACTED]
Sent: 11 February 2014 16:33
To: Licensing
Subject: Representation against the application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I would like to make a representation against the above license application on the following grounds; Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behaviour in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

I therefore object to the license application on the following grounds;

- * Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.
- * Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.
- * Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking. There are many schools in the area which will be affected by this event and the control of underage drinking is an issue in this ward.

In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given. Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Yours Faithfully,
Albert Blackall

Appendix 7

Andrew Heron

From: Rachel Buswell [REDACTED]
Sent: 12 February 2014 13:52
To: Licensing
Subject: Representation against the application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

To Whom it May Concern,

We are local residents of Island Gardens, London, E14. We live on Manchester Road a short distance to the west of Island Gardens DLR station and the southern entrance to Millwall Park.

We were excited to learn last year about Oktoberfest coming to our area but unfortunately the reality of what happened in the aftermath of the event resulted in us not wanting it held in our locality again this year.

Visitors were leaving the event as we arrived home from work on the Thursday and Friday evenings and we were confronted with a large number of very drunk (some disorderly with it) people at Island Gardens DLR station. The raucousness and fancy dress was more amusing than a nuisance, but the number of people urinating around the area of the station - up against station and surround building walls was very unpleasant. In particular the odor the following morning!

We had hoped to visit the venue for a quick drink over the weekend, but after looking at the event website you had to purchase a ticket for a session or get there early as once full they closed the tent doors. This resulted in the vast majority of visitors not being local residents and therefore not respecting our area as they were leaving.

We can't see that local businesses (there are only a few pubs, corner shops and a takeaway) benefited as when people left they went straight to the DLR stations or were wandering around in the road drunkenly looking for a taxi - which we hardly get any of.

We often use the park and although the weather has been extreme this year, the grass condition, mud and flooding of the central and side areas has been worse since this event - it never seemed to recover.

Given the behavior and lack of respect of the visitors at last years event as they were leaving, the absence of casual access for local residents to the event and the condition the park was left in we would object to it being allowed to take place again this year.

We are a quiet, residential area and not the sort of place that a large scale, drinking event should be taking place. Surely lots of other venues such as the O2, Excel or the many large bars and pubs across East and Central London would be more suitable?

We would be very supportive of family based and local events in our park. A friendly beer festive which local residents and other people from further afield could enjoy would be great, but not something like this again.

Kind regards,

Rachel Buswell & Jonathan Barratt
[REDACTED]

Appendix 8

Andrew Heron

From: Thomas Carpenter [REDACTED]
Sent: 21 February 2014 15:36
To: Licensing
Subject: RE: Oktoberfest - Millwall Park

Follow Up Flag: Follow up
Flag Status: Completed

Hi Andrew, thanks. try again.

Dear sirs

I would like to make a representation against the above license application on the following grounds;

Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behavior in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

I therefore object to the license application on the following grounds;

- * Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.
- * Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.
- * Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking. There are many schools in the area which will be affected by this event and the control of underage drinking is an issue in this ward.

From what I've seen the pitch can't withstand a major event followed by weekly football matches that last through till May. The repairs need 2-3 months to set in given that the area is so damp (i.e. marshland) and possibly even longer. I guess this is the question that Tower Hamlets will have to address: additional Income vs. long term damage to the park. It is dangerous to use this area for sports activities because they will slip and fall because it's so muddy, which is a huge public safety concern even if the event is fenced off. People used the space around the event as well.

In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given. Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Yours faithfully
Thomas Carpenter

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

,

Appendix 9

Andrew Heron

From: Gareth Hargreaves [REDACTED]
Sent: 30 January 2014 22:46
To: Licensing
Subject: Objection to Oktoberfest license application

Dear sirs

I would like to make a representation against the above license application on the following grounds;

Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behavior in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

I therefore object to the license application on the following grounds;

* Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.

* Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.

* Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking. There are many schools in the area which will be affected by this event and the control of underage drinking is an issue in this ward.

In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given. Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Yours faithfully

Gareth Hargreaves
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 10

Andrew Heron

From: [REDACTED]
Sent: 06 February 2014 12:24
To: Licensing
Subject: Representation against the application for grant of premises license by Oktoberfest

Follow Up Flag: Follow up
Flag Status: Completed

Dear sirs

I would like to make a representation against the above license application on the following grounds;

Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behaviour in the local area was increased.

The erection of the tent involved driving metal spikes deep into the ground, which I have been told has **damaged underground drainage**, leading to a great deal of flooding in recent rains and has resulted in **large areas of the park turning to mud**. This damage has not been corrected by the organisers (which was their promise at the licensing hearing), and is now **impacting local residents and sports teams** even 4 months later.

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and antisocial behaviours were noted including public drunkenness, public urination and damage to property. Costs were incurred by the council and police (and therefore the local tax payer) to secure the event.

I object to the license application on the following grounds;

- * **Crime and disorder**; the organisers appear to struggle to control public order at this scale, and so should not be allowed to hold a further similar event.
- * **Prevention of public nuisance**; visitors to the event caused anti-social behaviour locally, and the planned event this year will be twice the duration, and so public nuisance is likely to be greater.
- * **Protection of children from harm**; security last year was insufficient to maintain controls over the sale of drinks to minors and under-age drinking was rumoured. There are schools in the area which will be affected by this event and the control of under-age drinking is an issue in this ward.

Apart from the licensing concerns, I understand that allowing this event goes against current council policy not to allow commercial events on Millwall Park or in Sir John McDougall Gardens

The council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also request the organisers correct the damage of last year.

The impact on local residents is too great and too long lasting.

Yours faithfully

Andrew Hesselden
[REDACTED]

Appendix 11

Andrew Heron

From: James Honour [REDACTED]
Sent: 31 January 2014 06:57
To: Licensing
Subject: Representation against the application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

Dear sirs I would like to make a representation against the above license application on the following grounds; Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behavior in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud.

This damage has not been corrected by the organisers (which was their promise at the licensing hearing). Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property.

The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event. I therefore object to the license application on the following grounds; * Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event. * Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater. * Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking.

There are many schools in the area which will be affected by this event and the control of underage drinking is an issue in this ward. In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given.

Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Yours faithfully

Mr. James E.B.Honour
[REDACTED]

Appendix 12

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

Date as postmark

Re; Representation against the application for grant of premise license by Oktoberfest Ltd.

Dear sirs

I would like to make a representation against the above license application on the following grounds;

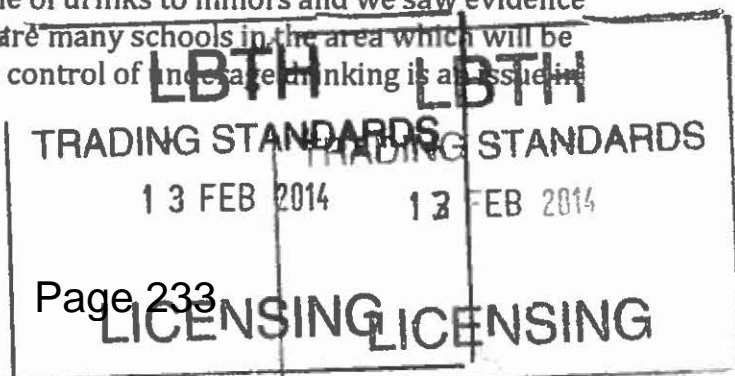
Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behavior in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

I therefore object to the license application on the following grounds;

- Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.
- Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.
- Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking. There are many schools in the area which will be affected by this event and the control of underage drinking is an issue in this ward.



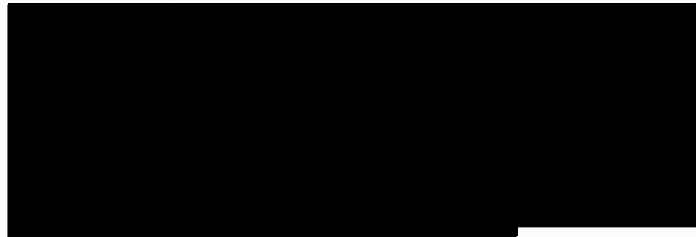
In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given. Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Yours faithfully



PLEASE ENTER YOUR FULL NAME AND ADDRESS

GEORGE HUETT



Appendix 13

Andrew Heron

From: Glen McCarty [REDACTED]
Sent: 30 January 2014 13:27
To: Licensing
Subject: Representation against the application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

Dear sirs

I would like to make a representation against the above license application on the following grounds;

Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behavior in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

I therefore object to the license application on the following grounds;

* Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.

* Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.

* Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking. There are many schools in the area which will be affected by this event and the control of underage drinking is an issue in this ward.

In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given. Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Yours faithfully

Glen McCarty
[REDACTED]
[REDACTED]

Appendix 14

Andrew Heron

From: Andrew Heron
Sent: 26 February 2014 10:06
To: [REDACTED]
Subject: FW: Oktoberfest
Attachments: beer festival.docx

Dear Mr Hart,

Thank you for your email, the contents of which are noted.

At this time, I am concerned that your representation does not contain enough information to make it valid. If I submit this as part of the final report, it would likely be rejected by Members as it does not make sufficient reference to the Licensing Act or the potential impact to one or more of the following licensing objectives:

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

At present, the only part of your representation that may be considered as relevant is that as matches were cancelled, and may be seen as a public nuisance; but this would be rather tenuous. Please write back making direct reference to the above - including examples of how you were affected previously and how the granting of the license will exacerbate that.

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

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 15

Andrew Heron

From: R POYNDER [REDACTED]
Sent: 04 February 2014 08:50
To: Andrew Heron
Subject: Re: Representation against the application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Heron

Many thanks for your reply.

Apologies for the incorrect format of my email originally, this is the first time I have objected to something in this way so I am learning the ropes as it were.

My address is
[REDACTED]

My objections are based on my observations of what took place last year when the Oktoberfest was staged.

Whilst I do not wish to be critical of the police or their approach, it appeared that the aim was to contain things and ensure no major issues. I do not know if there were not enough officers on patrol or if their orders were to focus only on major crime...

However I observed personally (avoiding the hearsay of many further instances that my friends relate) the attendees urinating in the bushes near the Island Gardens DLR station.

I also observed shouting and running around after each other (which while in itself is non-violent, can easily frighten more vulnerable citizens - spoiling their expectations of quiet enjoyment of the environment in which we live). I am not the largest person and find that does make me nervous.

On a related note the state of the ground following the event was ridiculous. The turf was ruined for weeks so any hope of sport on the pitches was severely impacted, whether football, rugby or just informal runaround training in that area...

I hope that this makes sense and is usable by yourself as a valid representation.
I appreciate your time on this and welcome any comments that will make this more impactful/usable.

best regards

Robin Poynder

From: Andrew Heron <Andrew.Heron@towerhamlets.gov.uk>
To: "rpoynder@btinternet.com" <rpoynder@btinternet.com>
Sent: Friday, 31 January 2014, 12:17
Subject: RE: Representation against the application for grant of premise license by Oktoberfest Ltd

Dear Mr Poynder,

Thank you for your email, the contents of which are noted.

Unfortunately I cannot accept this as a valid representation as it does not contain enough information.

Firstly, we require your home address to validate your objection.

Secondly, In order for us to consider your representation, you must make it clear how granting this application will have an impact and "relevant" to one or more of the following licensing objectives:

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

You should also include personal examples of how you are currently affected and how the granting of the license will exacerbate that.

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

From: R POYNDR [mailto:rpoynder@btinternet.com]
Sent: 31 January 2014 11:21
To: Licensing
Subject: Representation against the application for grant of premise license by Oktoberfest Ltd

Dear sirs

As a local resident , no more than half a mile from the park, I wish to protest against the approval of the Oktoberfest event for 2014 in the strongest possible terms.

The last event in 2013 was a travesty in terms of promises made and broken by the organisers.

The impact on the park grounds was severe, ruining the terrain for a considerable amount of time.

The event itself was insufficiently managed in terms of attendees and there was significant local damage to property and public displays that in normal circumstances would have resulted in the perpetrators being arrested (urinating, swearing, threatening behaviour...)

Please do not approve the event for a second year!

regards

Robin Poynder

Working Together for a Better Tower Hamlets

Web site : <http://www.towerhamlets.gov.uk>

London Borough of Tower Hamlets E-Mail Disclaimer.

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If your request relates to a Freedom of Information enquiry, please resend this to foi@towerhamlets.gov.uk

Please consider your environmental responsibility: Before printing this e-mail or any other document , ask yourself whether you need a hard copy.

Appendix 16

Andrew Heron

From: Vicky Sholund [REDACTED]
Sent: 11 February 2014 13:12
To: Licensing
Subject: Representation against the application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

To the licencing department:

I would like to make a representation against the above license application on the following grounds;

Millwall park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behavior in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

My main objection to the license application is concern about the damage to the park, both the damage caused last year which has not been corrected, and no assurance to do so has been given and damage which will occur if this festival is allowed to take place again. Too many of our parks and green spaces are being used as revenue generators to their great detriment. These places are of huge value to local people as natural, green spaces. They should not be made inaccessible for large parts of the year through being used to generate money for cash-strapped boroughs.

Yours faithfully,

Vicky Sholund
[REDACTED]
[REDACTED]

Appendix 17

B. J. Smith

24.01.2014.

Re - LONDON Oktoberfest LTD 2014.

Dear Sir,

Once again I have to raise my objections to the said beer festival. Last year scores of people on leaving the festival (although I must admit plenty of security about) crowding onto the local transport. For passengers already on board, must have been intimidating and most uncomfortable. On the Saturday passing through the park man with vehicle emptying the toilets, although some distance away it quite took my breath away. Plus the pollution of his vehicle pumping exhaust out of the top. The punching scores of five foot steel rods into the ground right through the expensive drainage that has been laid these for the guy ropes for the marquee. Is it possible to get a reading on what the money gained from the events usage is spent on. Is it possible for someone to visit Millwall Park and see the condition it is in. The whole park needs a purse for regeneration and repair. To finish I must add this. You have to laugh or you would cry. On my estate (SCHOONER) expensive studio flats are being built. On one of their adverts it states, Tranquil. Does trade description come into this. Are people in the Marketing Suite warning prospective buyers of the events that are held in the park. Once again please reject.

Yours Sincerely

LBTH
TRADING STANDARDS
27 JAN 2014

LICENSING



Saturday morning Millwall Park

LBTH
TRADING STANDARDS
27 JAN 2014
LICENSING

Appendix 18

Kathy Driver
Principal Licensing Officer
Licensing Section
Town Hall
Mulberry Place
5 Clove Crescent
London E14 2BE

Thursday, January 30, 2014

Dear Ms Driver

RE: Millwall Park Manchester Rd TIME LIMITED PREMISE 29th September – 8th October 2013

Please log this letter as an objection to the granting of a license to the Oktoberfest in Millwall Park Thursday 2nd October – 5th October 2014. 9th – 12th October 2014

I would like to make a representation against the above license application on the following grounds;

Millwall Park was the site of Oktoberfest for a long weekend in October 2013. During this time, despite the assurances of the organisers, visitors and the tent's structure seriously damaged the park and the antisocial behaviour in the local area was significantly increased.

The erection of the tent involved driving metal spikes deep into the ground, which has damaged underground drainage, leading to a great deal of flooding and has resulted in large areas of the park turning to mud. This damage has not been corrected by the organisers (which was their promise at the licensing hearing).

Visitors to the event, again despite the assurances of the organisers, were allowed to drink heavily and we saw a large number of antisocial behaviours, including public drunkenness, public urination and damage to property. The organisers did not provide sufficient security and so Tower Hamlets provided additional help from the THEO team and local policing, costing the council (and therefore the local tax payer) to secure the event.

I therefore object to the license application on the following grounds;

* Crime and disorder; the organisers have demonstrated they are incapable of controlling public order at this scale, and so should not be allowed to hold a further similar event.

* Prevention of public nuisance; visitors to the event caused serious increases in anti-social behaviour locally, and the planned event this year will be twice the period, and so public nuisance is likely to be greater.

* Protection of children from harm; security last year was insufficient to maintain controls over the sale of drinks to minors and we saw evidence of underage drinking. There are many schools in the area, which will be affected by this event, and the control of underage drinking is an issue in this ward.

In addition to the above areas of concern to the licensing committee I am concerned that the damage to the park caused last year has not been corrected, and no assurance to do so has been given. Despite this lapse the council has received an application for this year's event, and I would like to request that you not only reject this year's licensing application, but to also require the organisers to correct the damage of last year.

Would you please confirm receipt of the letter and ensure that it goes before the licensing committee.

Yours sincerely

[REDACTED]

Frank R Thienel

Appendix 19

Andrew Heron

From: Martin Griffiths [REDACTED]
Sent: 06 February 2014 13:28
To: Licensing
Subject: Application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

I want to let you know that I really enjoyed the Oktoberfest and saw no issues with the staging of the event in Millwall Park.

I hear there is opposition to a return of the event.

The muddy ground is everywhere now after so much rain, I am more concerned at the lake by the children's playground and tellytubby ball (by the Bowls club) that has not dissipated in many weeks now.

I support the application to stage another Oktoberfest in 2014.

Martin Griffiths
St David's Square
E14 3WQ



www.costain.com

Costain House,
Vanwall Business Park,
Maidenhead,
Berkshire,
SL6 4UB.
01628 842444

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Appendix 20

Andrew Heron

From: Tamlyn Thompson [REDACTED]
Sent: 07 February 2014 13:15
To: Licensing
Subject: Representation for the application for grant of premise license by Oktoberfest Ltd

Follow Up Flag: Follow up
Flag Status: Completed

I have to say my company had a terrific time last year at the festival and we enjoyed a bit of German culture.

We look forward to returning this year and support the application

--

T Thompson
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 21

Anti-Social Behaviour on the Premises

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):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

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.

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 safety.

Guidance Issued under Section 182 of the Licensing Act 2003.

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

The key role of the police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of

customers in the immediate vicinity of the premises as they seek entry or leave (1.6).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3-2.7).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

Other Legislation

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 22

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 23

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 24

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 25

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.

Appendix 26

Safety Problems

General Advice

Members need to bear in mind the substantial amount of primary legislation in this area, and to only impose conditions where they are both proportionate to identified problems and not adequately covered by primary legislation.

The larger and more complex a premises before Members, the more likely it is that specific conditions will be proportionate and necessary.

Licensing Policy

Premises should be constructed so as to minimise public safety risks. (See 7.1).

The Licensing Authority expects applicants to seek advice from both the relevant Health and Safety body and also the Fire and Emergency Planning Authority. (See 7.2). The applicant should identify where existing legislation is not adequate. (See 7.3).

The Licensing Authority will consider attaching conditions to ensure public safety and these may include Conditions drawn from the Model Pool of Conditions relating to public safety. (See Appendix 2 Annex E, F and J of the Licensing Policy). In particular Members may wish to consider the following headings: (this list is not exhaustive):

Annex E

- Adequate arrangements for people with disabilities, inc. their awareness of them.
- Escape routes
- Safety checks
- Curtains, hangings, decorations, upholstery etc.
- Accommodation limits
- Fire action notices
- Emergency procedures
- Water
- Emergency vehicle access
- First aid
- Lighting
- Temporary electrical installations
- Alterations to the premises
- Special effects

Annex F

This concerns Theatres and Cinemas

Annex J

The safe clubbing checklist

Guidance Issued under Section 182 of the Licensing Act 2003

The guidance commends the Model Pool of Conditions adopted by our licensing policy in relation to public safety (2.19).

The public safety objective is the physical safety of the people using the relevant premises,” not public health (2.19).

It is permissible to require certificates or checks provided this does not duplicate other legislation. Responsible authorities should make their expectations clear to applicant’s (2.26).

“Safe capacities “should only be imposed where necessary for the promotion of public safety or the prevention of disorder.” (2.27). So conditions of a fire certificate must not be reproduced.

Other Legislation

The Health and Safety at Work Act 1974, and various Regs.
The Regulatory Reform Order (Fire Safety) 2005.

Other Guidance

Model National and Standard Conditions for Places of Public Entertainment and Assoc. Guidance

The Event Safety Guide

Managing Crowds Safely

5 Steps to Risk Assessment

Safer Clubbing

Safety Guidance for Street Art etc.

Various BS and ISO standards