

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) WINTERVILLE EVENTS LTD

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Victoria Park Grove Road Bow (Please see accompanying site plan)	
Post town London	Post code E3 5TB

Telephone number at premises (if any)	None
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Non-domestic rateable value of premises	£ N.a
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Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick as appropriate
 Please complete section (A)
- a) an individual or individuals* Please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body 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 please complete section (B)
- h) the chief officer of police of a police force in England and Wales 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

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

B) OTHER APPLICANTS

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

Name	WINTERVILLE EVENTS LTD
Address	FLAT B 12 QUEENSTON ROAD SOUTH LAMBETH LONDON, SW8 3RX
Registered number (where applicable)	9162630
Description of applicant (for example partnership, company, unincorporated association etc)	LIMITED COMPANY
Telephone number, if any:	[REDACTED]
E-mail (optional) C/O	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

0	2	1	2	2	0	1	4
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If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

0	1	0	1	2	0	1	5
---	---	---	---	---	---	---	---

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

N/A

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

- The premises is located within Victoria Park in an area locally known as the Lido Field. Please see attached site plan.
- The area is predominantly greenfield with some hard standing paths and some trees / shrubs within the boundary
- Within the premises will be a number of temporary structures where licensable activities will take place within and around.
- Please see attached site plan for location and boundary
- The boundary of the premises will be secured with a secure steel-shield fence
- Access to the premises will be via Gates 1 (production, crew, performers only) and Gate 2 for public during operational hours. Gates 3, 4 and 5 will serve as emergency exit gates only.
- All gates will be manned by security personnel whenever in use / unlocked.

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	10.00	22.30	Please give further details here (please red guidance note 3) THE ORGANISERS WILL OFFER PERFORMANCES OF PLAYS IN ONE OR MORE VENUES WITHIN THE SITE.	Both	X
Tue	10.00	22.30			
Wed	10.00	22.30			
Thur	10.00	22.30			
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	22.30			
			State any seasonal variations for performing plays (please read guidance note 4)		
			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)		
			ON 25 TH & 26 TH DECEMBER THE EVENT WILL BE CLOSED. NO LICENSABLE ACTIVITES WILL TAKE PLACE.		

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	
Day	Start	Finish		Outdoors	
Mon	10.00	22.30	Please give further details here (please red guidance note 3) THE ORGANISERS WILL GIVE EXHIBITIONS OF FILMS IN ONE OR MORE VENUES WITHIN THE SITE.	Both	X
Tue	10.00	22.30			
Wed	10.00	22.30			
Thur	10.00	22.30			
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	22.30			
			State any seasonal variations for exhibition of films (please read guidance note 4)		
			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)		
			ON 25 TH & 26 TH DECEMBER THE EVENT WILL BE CLOSED. NO LICENSABLE ACTIVITES WILL TAKE PLACE.		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p>Please give further details here (please read guidance note 3) THE ORGANISERS WILL PROVIDE SPORTING EVENTS IN ONE OR MORE VENUES WITHIN THE SITE.</p> <p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p>ON 25TH & 26TH DECEMBER THE EVENT WILL BE CLOSED. NO LICENSABLE ACTIVITIES WILL TAKE PLACE.</p>
Day	Start	Finish	
Mon	10.00	22.30	
	-----	-----	
Tue	10.00	22.30	
	-----	-----	
Wed	10.00	22.30	
	-----	-----	
Thur	10.00	22.30	
	-----	-----	
Fri	10.00	23.00	
	-----	-----	
Sat	10.00	23.00	
	-----	-----	
Sun	10.00	22.30	
	-----	-----	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			<p>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)</p>	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		<p>Please give further details here (please read guidance note 3)</p> <p>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
	-----	-----			
Tue					
	-----	-----			
Wed					
	-----	-----			
Thur					
	-----	-----			
Fri					
	-----	-----			
Sat					
	-----	-----			
Sun					
	-----	-----			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon	10.00	22.30	Please give further details here (please read guidance note 3) THE ORGANISERS WILL PROVIDE PERFORMANCES OF LIVE AMPLIFIED MUSIC IN ONE OR MORE VENUES WITHIN THE SITE.		
Tue	10.00	22.30			
Wed	10.00	22.30	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	10.00	22.30			
Fri	10.00	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	10.00	23.00			
Sun	10.00	22.30	ON 25 TH & 26 TH DECEMBER THE EVENT WILL BE CLOSED. NO LICENSABLE ACTIVITIES WILL TAKE PLACE.		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon	10.00	22.30	Please give further details here (please read guidance note 3) THE ORGANISERS WILL PROVIDE PERFORMANCES OF RECORDED MUSIC IN ONE OR MORE VENUES WITHIN THE SITE.		
Tue	10.00	22.30			
Wed	10.00	22.30	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	10.00	22.30			
Fri	10.00	23.00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10.00	23.00			
Sun	10.00	22.30	ON 25 TH & 26 TH DECEMBER THE EVENT WILL BE CLOSED. NO LICENSABLE ACTIVITIES WILL TAKE PLACE.		

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	
				Outdoors	
Day	Start	Finish			
Mon	10.00	22.30	Please give further details here (please read guidance note 3) THE ORGANISERS WILL PROVIDE PERFORMANCES OF DANCE IN ONE OR MORE VENUES WITHIN THE SITE.		
Tue	10.00	22.30			
Wed	10.00	22.30	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10.00	22.30			
Fri	10.00	23.00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) 5)		
Sat	10.00	23.00			
Sun	10.00	22.30	ON 25 TH & 26 TH DECEMBER THE EVENT WILL BE CLOSED. NO LICENSABLE ACTIVITIES WILL TAKE PLACE.		

H

Anything of a similar description to that falling within (e), (f) or (g)			Please give a description of the type of entertainment you will be Providing THE ORGANISERS WILL OFFER ENTERTAINMENT INCLUDING: CHILDRENS ENTERTAINMENT, STORY TELLING, MAGIC SHOWS, DISPLAYS OF ART OR CREATIVE EXPRESSION, BOOK READING, TALKS & DEBATES AND TRADITIONAL GAMES
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	
Mon	10.00	22.30	Please give further details here (please read guidance note 3)
Tue	10.00	22.30	
Wed	10.00	22.30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Thur	10.00	22.30	
Fri	10.00	23.00	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	10.00	23.00	
Sun	10.00	22.30	ON 25 TH & 26 TH DECEMBER THE EVENT WILL BE CLOSED. NO LICENSABLE ACTIVITIES WILL TAKE PLACE.

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 2)	Both
Tue				
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Thur				
Fri				
Sat				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)
Sun				

J

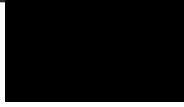
Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)	On the premises
Day	Start	Finish		Off the premises
Mon	10.00	22.30	Please give further details here (please read guidance note 7) SUPPLY OF ALCOHOL WILL BE PROVIDED AT A NUMBER OF LOCATIONS WITHIN THE SITE. EACH BAR AREA WILL BE APPROPRIATELY STAFFED AND MANAGED BY A COMPETENT PERSON WHO WILL ENSURE CURRENT LEGISLATION AND BEST PRACTICE IS UPHELD.	<input checked="" type="checkbox"/>
Tue	10.00	22.30		
Wed	10.00	22.30		State any seasonal variations for the supply of alcohol (please read guidance note 4)
Thur	10.00	22.30		
Fri	10.00	23.00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	10.00	23.00		
Sun	10.00	22.30		

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

Name

Darren Guerin

Address



Personal Licence number(if known)

TBC

Issuing licensing authority (if known)



K

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

N/a - no proposed adult entertainment that would foreseeably give rise to concern in respect of 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	10.00	22.30	
	-----	-----	
Tue	10.00	22.30	
	-----	-----	
Wed	10.00	22.30	
	-----	-----	
Thur	10.00	22.30	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 ON 25 TH & 26 TH DECEMBER THE EVENT WILL BE CLOSED TO THE PUBLIC.
	-----	-----	
Fri	10.00	23.00	
	-----	-----	
Sat	10.00	23.00	
	-----	-----	
Sun	10.00	22.30	
	-----	-----	

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)

The organisers have engaged with the responsible authorities throughout the planning phase of this event and ensured that the over-arching operational plans conform with best practise for live events as stipulated in the Even Safety Guide ('purple guide') and beyond.

The organisers are intending that the audience will enjoy a safe and secure environment in which to enjoy the event content. Consideration has been given to the impact of the event on the immediate locale and community, policies have been actioned to minimise disturbance or harm.

The Event Management Plan (EMP) has been developed by an experienced and professional team and prior consultation with all relevant authorities has been undertaken prior to submission of this application. The credentials of the organisers include delivering safe and secure events in Victoria Park and throughout the borough of Tower Hamlets.

b) The prevention of crime and disorder

The organisers have, and will continue to, attend where necessary the borough's Safety Advisory Group (SAG) meetings and will incorporate any of the group's recommendations into the Event Management Plan (EMP).

The appointed security and stewarding contractor will develop and action a Crowd Management Plan (CMP) which, as well as detailing numbers of SIA qualified staff and stewards and their relevant roles, will include emergency plans and procedures. This plan will fully integrate with the EMP.

Levels of security deployment will be pre-agreed and all activities within the licensed area will be appropriately stewarded.

All relevant staff will be trained to recognise drunkenness and refuse service or entry to customers who have consumed excessive amounts of alcohol. They will be trained to diffuse difficult situations.

All SIA personnel and stewards will be vigilant and identify suspicious behaviour and take appropriate action to assist in the prevention of theft and robbery and the prevention of crime and disorder within or in the immediate locale of the premises.

Consultation with the Metropolitan Police (MET) has taken place prior to the submission of this application and the organisers intend to continue and promote a positive working relationship.

c) Public safety

Compliance with all relevant statutory guidance and industry best practise has been followed as a framework for all of the event plans, including the 'health and safety at work' Act 1974, RIDDOR 1995, COSHH regs 2002, Managing Crowds safely 1996, HSG 195 'The Event Safety Guide' and Technical Standards for places of entertainment.

The control of all event activity within the premise is informed by the above, with specific reference to the capacity of the venue and the cultural content of the event.

All phases of event planning have been applied to ensure the safety of the general public, contractors and artists and to minimise hazards and to prevent accidents.

In addition to a thorough consultation process with the responsible authorities, proof of competency will be demonstrated via event risk assessments and in insurance policies.

The management of access and egress to the venue will be tailored to a maximum capacity of 4,999 at any one time. There will be thorough communication of emergency procedures and issues relating to health, safety and welfare of people within the venue.

Contingency plans have been drawn up for emergency evacuation of the premises, specific

details of which can be found in the Crowd Management Plan (CMP), and are also reflected in the Event Management Plan.

A full medical provision will be implemented through consultation with responsible authorities and referenced by the Purple Guide scoring guidance. This will form an integral element of the Event Management Plan (EMP).

All relevant health and safety documentation including specific risk assessments, method statements and insurance policies will be provided by all event contractors and will be responsible for ensuring safe systems of work.

All temporary structures and those that are governed by building control legislation will have full structural calculations.

The sanitation provision will be above and beyond the recommended levels suggested in the Purple Guide. No glass will be permitted on site. Anyone appearing to be under the age of 25 must provide proof of age to acquire or consume alcohol on the premises.

Further details of the above arrangements are included in the EMP and appendices supporting this application.

d) The prevention of public nuisance

Full engagement with the relevant authorities and the local community will minimise any forms of public nuisance.

LBTH Environmental Protection have been consulted on the design of the site and the range of noise sources. A Noise Management Plan (NMP) is being developed, and includes monitoring at agreed locations and systems to take action if required.

There will be pre-agreed noise curfews for all operations in and around the venue. Full details on times and dates will be included in the NMP.

There will be a comprehensive waste management plan that will maintain the standard of cleanliness and fabric of the locale, and a restitution bond will be provided to LBTH to further ensure compliance.

There will be a response deployment of event security & stewards to manage the ingress and egress of attendees on the approach to the premises, as well as at the entrance and exit of the premises itself. Additional signage and lighting will be utilised. Attendees of the event will not be permitted to take alcohol beyond the perimeter of the site.

e) The protection of children from harm

The organisers accept and take full responsibility for their legal and moral duties with regards to the protection of children from harm, and are fully committed to creating a safe and legal event.

The organisers are committed to the responsible and legal sale of alcohol, and do not tolerate the provision of alcohol to minors.

Challenge 25 will be resolutely enforced by the bar operator in relation to all sales of alcohol, primarily via photographic proof of age where necessary. The utmost vigilance will be in evidence for instances where alcohol is purchased by adults for supply to children, this criminal activity will be considered as grounds for ejection at the very least. Any planned and unplanned licensing inspections will be supported and facilitated by the event organisers. Further details can be found in the bar management plan (BMP) to be developed in course.

Security staff will be briefed on the age restrictions for accessing the event and those managing the public entrance will actively enforce the policy.

In the event that any unescorted group or individual are unable to prove that they are over 12 years of age they will not be permitted to enter the site. At this point, an assessment of their welfare requirements will be made by a senior supervisor or manager.

Security staff inside the event will be tasked with monitoring for children who may have been separated from their parents.

A child welfare centred plan for searches and / or ejection of minors has been developed and can be found in the EMP.

A full lost child procedure can be found in the EMP and CMP.

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

Part 4 – Signatures (please read guidance note 10)

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

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

Signature

[Redacted Signature]

Date

3/09/14

Capacity

Event 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

Date

Capacity

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

Darren Guerin

[Redacted Address]

Post town London

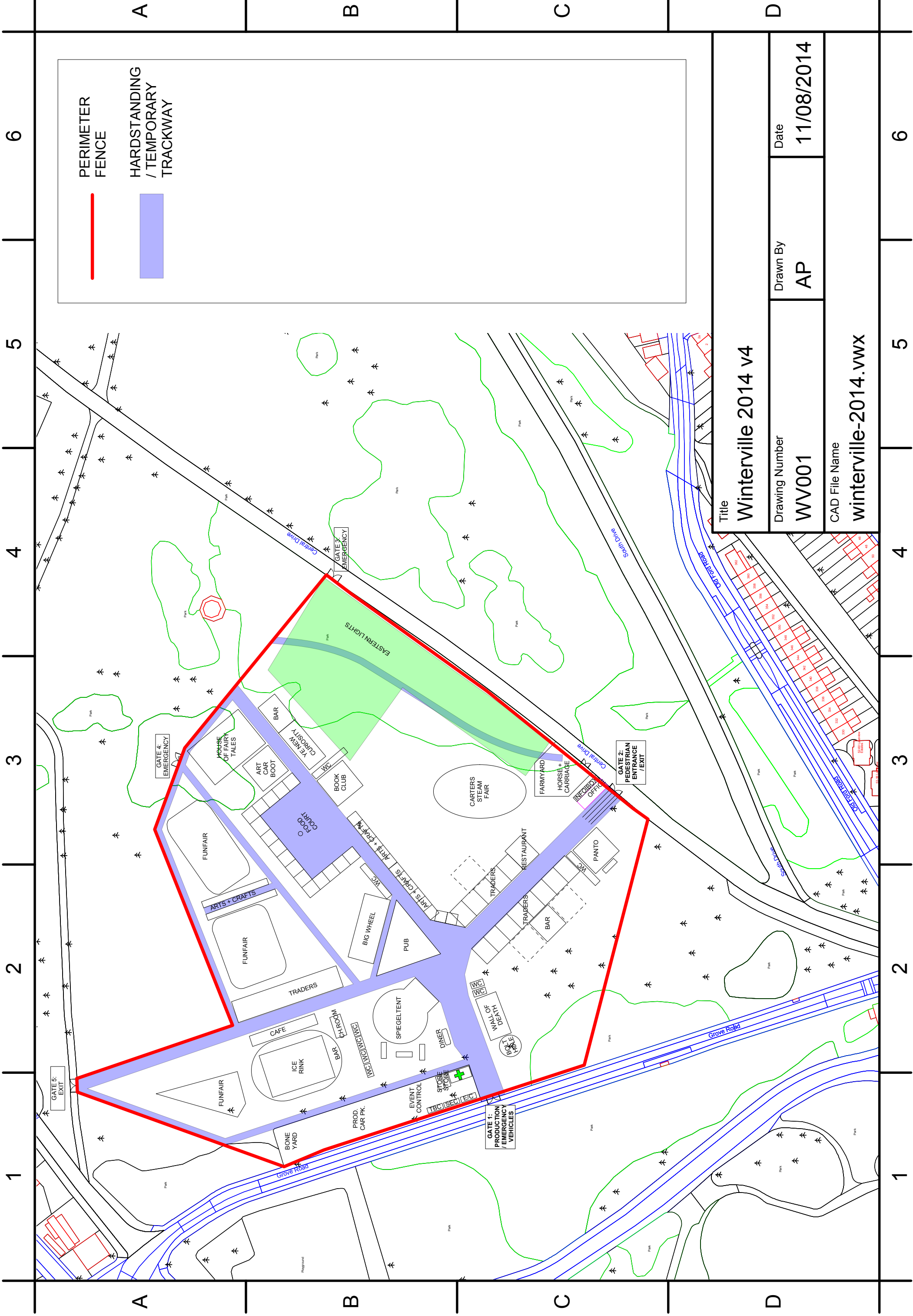
Post code [Redacted]

Telephone number (if any) [Redacted]

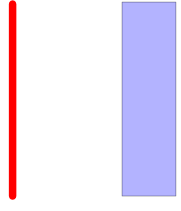
If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[Redacted Email Address]

Appendix 2



PERIMETER FENCE
 HARDSTANDING / TEMPORARY TRACKWAY



Title

Winterville 2014 v4

Drawing Number

WV001

Drawn By

AP

Date

11/08/2014

CAD File Name

winterville-2014.vwx

6

5

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1

A

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Appendix 3

Section 182 Advice by the Home Office

Updated June 2013

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

From: Rachel Blake
Sent: 01 October 2014 08:54
To: Licensing
Subject: Objection: Winterville Events Ltd - 2 Dec 2014 - 1 Jan 2015 - Victoria Park

To Whom it may concern

I am writing to formally object to the licensing application from Winterville Events Ltd for Victoria Park from 2 Dec 2014 – 1 Jan 2015 as I do not believe that it meets the licensing objectives for Tower Hamlets. For clarity, this is NOT an in principle objection to the event itself.

1. **Prevention of Crime and Disorder:** The application is for provision of Alcohol from 10am until 22:30 Sunday – Thursday and 10am – 23:00 Friday and Saturday. This gives the opportunity and implies 12 hour drinking leading to anti-social behaviour. The application includes New Year's Eve. This is an unacceptable risk, visitors may have spent the whole day at the event and choose to stay in the park overnight to celebrate, creating a dangerous environment for visitors. Evidence which the council already holds from Lovebox shows that events ending at this time with long periods of alcohol sales lead to public urination and littering.
2. **Public Safety:** The event is anticipating 5000 visitors, if the alcohol sales and closing time co-incides, egress from the park becomes crowded and dangerous for this number of visitors. This number of visitors also crowds access to the park for park visitors creating a public safety hazard for those to who want to enjoy the park.
3. **Nuisance:** Access to the event is currently being promoted from Bethnal Green and Mile End Stations which means that visitors will access from Old Ford Road and Grove Road creating noise for residents, particularly late at night, if the night alcohol sales and regulated entertainment go ahead. The website also promotes club nights in the Spiegel Tent on Fridays and Saturdays. I assume these would create a loud music in order to be successful club nights. This noise will carry from a tent to local residents creating nuisance and disturbance at night time. The website is also advertising a 'hire' option implying that space will be rented out to 3rd parties, creating less control for the promoters and leading to nuisance.

Observations: I understand that the organisers have contacted local residents' groups to discuss the plans and are keen to engage in partnerships with local schools. This is all positive and welcome. However, I believe that the application for sale of alcohol 10.00 – 23.00 is inconsistent with the presentation of the event as a 'family friendly' event. The website for the event also includes music and club nights most of the weekends, again inconsistent with the presentation as a family friendly event and part of the local community. This inconsistency is a concern and does not build confidence in the approach of the promoters.

If the committee is minded to grant the license, I recommend that they consider the following conditions:

No third party hires.

The license must end on 30 December 2014

On site alcohol sales restricted to 5-9pm.

Provision of regulated entertainment ends at 9pm

Access is promoted from a wider range of public transport notes – eg 277 bus, Hackney Central, Hackney Wick, Homerton Station

Councillor Rachel Blake
Labour Councillor for Bow East Ward

Appendix 5

02 October 2014

Dear Licensing Sub Committee

As Councillors for Bethnal Green ward, we are writing to formally object to the licensing application from Winterville Events Ltd for Victoria Park from 2 Dec 2014-1 Jan 2015.

Whilst in principle we do not object to this kind of free event operating in the park, we are very concerned that the application as it stands will not meet the licensing objectives of preventing public nuisance, promoting public safety and preventing crime and disorder.

We have been contacted by a number of residents living in the areas surrounding the park in E2 who are deeply concerned about the impact of this proposed event on the local community, in particular the length of time and late hours the event is seeking to operate for, given its size and nature of the planned events (which are already being advertised).

Hours of operation, sale of alcohol and regulated entertainment

We note the application is for provision of alcohol from 10:00 until 22:30 Sunday-Thursday and 10:00-23:00 Friday and Saturday. We support residents' concerns that operating until this late hour every night of the week for a month is excessive. We are concerned that the length of time applied for could lead to both public nuisance and crime and disorder. Enabling up to 12 hours of drinking is likely to lead to antisocial behaviour. The festival operating until 11pm every night is unreasonable and will lead to late night disturbance – from loud music, noisy crowds and possible rowdy behaviour that often stems from drinking.

Evidence which the council already holds from similar, short-term events such as Lovebox shows that events ending at this time with long periods of alcohol sales lead to public urination and littering, as well as significant noise disturbance as crowds leave the events down the many residential streets in E2 and E3. Victoria Park is in a dense residential area and Lovebox is frustrating enough for residents over just one weekend – it is unacceptable to permit these late hours of operation and sale of alcohol every night as it would cause significant public nuisance and potentially antisocial or criminal behaviour. Residents have also urged us to raise concerns that allowing the event to operate every day for a whole month is excessive, especially if the late hours applied for are granted every night.

We understand that the organisers have contacted local residents' groups to discuss the plans and are keen to engage in partnerships with local schools. This is all positive and welcome. However, we believe that the application for sale of alcohol until 23:30 and 23:00 is inconsistent with the presentation of the event as a 'family friendly' event. The website for the event also includes music and club nights most of the weekends, again inconsistent with the presentation as a family friendly event and part of the local community. This inconsistency is a concern and we believe it would undermine the licensing objectives to allow club nights to operate in the park every weekend for a whole month. We have repeatedly argued for a more balanced approach to commercial events with the needs of the local community, in particular not holding events on simultaneous weekends – indeed, Full Council has amended the Open Spaces Strategy to this effect. We therefore call for a more balanced approach to the Winterville event, reducing how many days the event can operate for as well as the late hours permitted for sale of alcohol and regulated entertainment.

Access and egress

We understand the event is anticipating 5000 visitors, so egress from the park is likely to become crowded and dangerous for this number of visitors, especially if sale of alcohol and operating hours coincide, which would undermine the public safety licensing objective. It would also cause public nuisance, as access to the event is currently being promoted from Bethnal Green and Mile End Stations which means that visitors will access from Old Ford Road, Roman Road and Grove Road creating noise for residents in the surrounding streets, particularly late at night. From experience of Lovebox and other commercial events in recent years, residents living in our ward, particularly on Old Ford Road, Cyprus Street and Sewardstone Road, suffer significant noise disturbance and antisocial behaviour such as public urination and damage to cars, as crowds leave events and spill into these residential streets to get back to public transport routes.

If the committee is minded to grant the license, we would urge the following conditions to be considered:

- Reducing the length of time the event is able to run, as one month of daily events is too long
- Reducing the time alcohol can be served until – for example to 9pm on weeknights and 10pm on weekends
- Reducing the time for provision of regulated entertainment – also to 9pm on weeknights and 10pm on weekends
- Access is promoted from a wider range of public transport notes – eg 277 bus, Hackney Central, Hackney Wick, Homerton Station

Thank you for taking our objection into consideration.

Cllr Amy Whitelock Gibbs & Cllr Sirajul Islam

Bethnal Green ward

Appendix 6

Kathy Driver

From: Joshua Peck
Sent: 02 October 2014 17:31
To: Licensing
Subject: Winterville Events Ltd - 2 Dec 2014 - 1 Jan 2015 - Victoria Park

I am writing to OBJECT to the licensing application from Winterville Events Ltd for Victoria Park from 2 Dec 2014 – 1 Jan 2015 as I do not believe that it meet the following licensing objective:

Prevention of Public Nuisance: the length of the licensing period combined with the length of hours requested and the activities proposed (which include club nights) mean that there is a high probability of public nuisance to those living around the park and on access routes to the park.

If the committee is minded to grant the license, I recommend that they consider the following conditions:

No third party hires.

On site alcohol sales restricted to 5-9pm.

Provision of regulated entertainment ends at 9pm

Access is promoted from a wider range of public transport notes – eg 277 bus, Hackney Central, Hackney Wick, Homerton Station

Cllr Joshua Peck

Appendix 7

Resident Representations

Firstname	Surname	Appendix
Simon	Andrews	8
Soraya	Aslam	9
Lizzie	Atkins	10
Giovanni	Brighi	11
Lewis	Church	12
Lindsey	Gray	13
Janice	Hardy	14
Deborah	Khan	15
Jenifer	Konko	16
Martha	Meyerwitz	17
Peter	Milewski	18
Jane	O'Sullivan	19
Jocelyn	Peacock	20
Ian	Peters	21
Dr Chris	Sage	22
Ian	Sharp	23
Tabitha	Stapely	24
R	Wisdom	25

Appendix 8

Kathy Driver

From: [REDACTED]
Sent: 30 September 2014 17:56
To: Licensing
Subject: Winterville

Follow Up Flag: Follow up
Flag Status: Completed

Hi

Hello

We wish to object most vehemently to the above on the following grounds:

1. No consultation with residents with live locally who will be directly affected by noise etc.
2. The event is far too long
2. This free event will attract crowds of people who do not go home after events have closed, are often drunk and intimidating
3. The fair will ruin the grass and obstruct use of the park for one month
4. Events in the park have very high levels of noise and light pollution. This will affect a large areas and imoact a peaceful community
5. There is too close to dense residential area for one month. Olympic Park is far more appropriate
6. the impact on parking, policing, refuse collection and transport already over capacity will be intolerable. there is very high levels of local cars, this affects children and is incredibly dangerous. Simply monitor the park on a pleasant weekend to see the high volume of visitors and how dangerous the situation is for pedestrians.
7. Local trade will be affected

We are contacting our local MP as a matter of urgency. Tower Hamlets have a disproportionate amount of events in the park which cause extreme disruption and chaos to local life and to the park. Local policing is stretched and the immediate impact is very damaging. To do something for a month will be awful.

I would like to know the criteria for agreement - who is monitoring who runs these events etc

Please can you acknowledge receipt of this email and let me know the correct email for the Licence committee

Thank you

[REDACTED]

Appendix 9

Kathy Driver

From: [REDACTED]
Sent: 30 September 2014 13:19
To: Licensing
Subject: opposition to Winterville

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

I strongly oppose the month long Winterville planned for Victoria Park.

1. The prevention of crime and disorder - this event will attract a large number of visitors which will swamp the park. There is a risk that some of these people will get drunk and start committing crimes on local residents/businesses. The crime rate always goes up here after a major festival, such as Love Box/Field Day.
2. Public safety - Large crowds make it difficult for park users to use the park safely.
3. The prevention of nuisance - A month long event is way too long. Why not a weekend? I use the park on a daily basis. I don't want to see my park destroyed and local residents including elders and children unable to walk on the grass and use the park as it was meant to be used and not just as a cash cow for Tower Hamlets council.
4. The protection of children from harm - How are children going to be safe with such large crowds? What measures have you put in place to cope with the increased amount of traffic, people and potential incidents.
5. Traffic and parking - Parking and congestion is already a nightmare around here. I don't want swathes of motorists parking in front of my house whilst they attend this event.
6. Local businesses - why put local businesses (who make this area attractive) at risk from unnecessary competitors.

Regards,

Soraya Aslam
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 10

--Forwarded Message Attachment--

From: [REDACTED]

To: Licensing@towerhamlets.gov.uk

Subject: Winterville - OBJECTIONS

Date: Tue, 30 Sep 2014 17:21:24 +0000

I would like to raise my objections to the proposed month-long Winterville festival in Victoria Park.

I believe the festival, at one month long, will cause serious disruption to the area - noise, light pollution, crowds (and related drunkenness at night) during the event (Lovebox is a horrendous event for those of us living by the park and that is just for 2 days), not to mention the erection and dismantling of the site. Such events make it hard to get around at night, it is unpleasant and sometimes dangerous (drunkenness, drugs, increased crime in an already challenging area)

The size of the event puts a large part of the park out of action for residents and its impact on the fabric of the park will no doubt be significant - churning up and killing grass etc. Just remember what happens to the park over Lovebox or Field Day if the summer is a bit wet - imagine that multiplied over four weeks in the winter....

I understand that such events bring money into the borough but I believe an event on this scale and for this length of time will have a seriously negative effect on both the park and the local residents/area. Surely somewhere less residential such as the Olympic Park would be a more appropriate location?

Kind regards

Lizzie Atkins

[REDACTED]

Appendix 11

Kathy Driver

From: Giovanni Brighi [REDACTED]
Sent: 02 October 2014 12:58
To: Licensing
Cc: Jimi Lee
Subject: Winterville Event Licencing application (Your Ref: TSS/LIC/078233)

Follow Up Flag: Follow up
Flag Status: Completed

Dear Madam/Sir,

In relation to the licensing application for Winterville Event taking place in December 2014, we would like to object to the late supply of alcohol (22.30 everyday, except for Friday and Saturday at 23.00), and request a reduction of the licensing supply of alcohol to 22.00 everyday of the week.

Our objection to the late supply of alcohol is based on the Prevention of Public Nuisance and the Prevention of Crime and Disorder.

We live in [REDACTED] Grove Road, and, as Crown Gate is the main exit at which stewards direct the public leaving festivals, most of the people leaving the festivals usually walk by our front door.

In the past few years we have experienced a lot of noise and disturbances at the end of summer festivals, when people are directed by stewards from Crown Gate to Mile End/Roman Road. We also noticed that noise disturbances and general misbehaviour increase considerably whenever the festival has late supply of alcohol granted.

In the case a few summer festival, usually lasting one or two days at the weekend, we were happy to put up with the noise disturbances and misbehaviour as they lasted only a few nights and allowed Victoria Park to be enjoyed by the public at large.

What really concern us is that Winterville will last a whole month (this is the first time a public festival on such a scale will take place for such a long time in Victoria Park).

This potentially will be very disruptive for our life. Beside having to put up with noise and misbehaviour generally, our main concern is that we have two small children that go to primary school and generally they find it very difficult to go to bed whenever there is a crowd leaving a festival at Victoria Park.

Whereas it is acceptable for us to have kids not sleeping properly for a couple of days on summer week-end, the prospect of having noise and potential drunken behaviour for a whole month until late (10.30/11.00) for a whole winter month is certainly not acceptable.

Limiting the provision of alcohol to 22.00 everyday of the week, will greatly help in reducing the potential for public nuisance and disorderly behaviour for all the residents living close to the park, and in particular those with small children.

Furthermore, as the festival is supposed to be a "winter style family event", limiting the provision of alcohol hours will not affect the target audience of the festival, that is to say families with children, as most of them will not care about the closing time of alcohol provision.

One last consideration is that, as the number of festival taking place in Victoria Park are increasing every year, we are also worried about not setting an unwanted precedent where in the future also the summer festivals can become longer with maximum alcohol license hours.

Best Regards,
Ji Mi Lee and Giovanni Brighi

Appendix 12

Kathy Driver

From: Lewis Church [REDACTED]
Sent: 30 September 2014 14:06
To: Licensing
Subject: Winterville

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

I would like to raise my concerns regarding the licensing application for the Winterville event in Victoria Park. As a long term resident of the Lakeview building (on the park by the Grove road roundabout), I believe that Victoria Park is wholly unsuitable for an event of this magnitude, which is proposed to last for more than a month.

Although the summer festivals (Lovebox, Field Day, etc) are often inconvenient, they are limited to a weekend and there are measures in place to quickly tidy up and limit the disruption to residents. Unlike these short events, Winterville's month-long stay would completely disrupt the normal lives of residents and be a serious nuisance to those of us who live by the park. I, like many of my neighbours, work from home, and believe that my ability to do so would be compromised by amplified music, crowds and noise from fairground rides and attractions. The light pollution from similar events in the past has also been considerable. The proposed curfew of 11pm is also extremely late when considering that the event would take place within the working week as well as at weekends. Many of my neighbours have small children who would no doubt be affected by this as well.

Victoria Park is an extremely valued resource by the local community and it is used very regularly, even in the winter. The imposition of a long term Christmas village would severely disrupt the ability of local people to enjoy the quiet and natural beauty of the park (which contributed to the park's Green Flag status). I am also concerned that the park would be permanently damaged by the construction of Winterville.

As a Christmas event I'm sure that there would be drinking on site, which suggests that public drunkenness would be an issue, along with an associated rise in crime and disorder. This is still an issue with Lovebox and the summer festivals, despite the massively improved policing and security efforts in the last few years. Such measures would be almost impossible (and massively expensive) to maintain across more than a month, I am sure.

I urge you to consider these points in your evaluation of the licensing application.

Best,

Lewis Church
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 13

Kathy Driver

From: Lindsey Gibbs [REDACTED]
Sent: 30 September 2014 22:25
To: Licensing
Subject: Winterville@Victoria Park

To whom it may concern,

I would like to state my objections to the proposal for 'Winterville' in Victoria Park. I live very close to the park and enjoy its benefits. I also see the effect of these large events. An event that lasts for a whole month and runs through into late hours is going to cause massive disruption to local residents. The noise, extra traffic and people will be a nuisance, especially people leaving the event late at night. It will also severely restrict our use of the park. With so many extra people and possibly alcohol it will surely pose a risk to our children and restrict their use of the park. Young people walking home from school will also be at risk.

This is not just a few days of disruption, but a whole month, which is not be reasonable. There is a winter wonderland in Hyde park which is very easily accessed from large parts of London. Why is there a need for more? Not to mention the damage that will be done to the park, which will take much more than a month to repair and recover.

Kind Regards

Lindsey Gray

Appendix 14

Kathy Driver

From: Janice Hardy [REDACTED]
Sent: 29 September 2014 15:13
To: Licensing
Subject: proposed winter event in Victoria park

Good afternoon

I am writing to express my concerns at the proposed event.
My concerns are as follows:

The event is too long and will have too much of an impact on the park and residents who use it.
I am worried about the crowds and disturbance to the area. Plus the environmental impact of such event on the park be it litter, toilets, noise and light pollution to the residents.

I think the event would be better suited to a purpose built environment such as Queen Elizabeth.

Please let me know the outcome of the proposal.

Janice Hardy
[REDACTED]
[REDACTED]

Appendix 15

Kathy Driver

From: deborah khar [REDACTED]
Sent: 30 September 2014 17:53
To: Licensing
Subject: Fwd: Objections to Winterville Fair

Follow Up Flag: Follow up
Flag Status: Completed

Hello

We wish to object most vehemently to the above on the following grounds:

1. No consultation with residents with live locally who will be directly affected by noise etc. The event is far too long
2. This free event will attract crowds of people who do not go home after events have closed, are often drunk and intimidating
3. The fair will ruin the grass and obstruct use of the park for one month
4. Events in the park have very high levels of noise and light pollution. This will affect a large areas and imoact a peaceful community
5. There is too close to dense residential area for one month. Olympic Park is far more appropriate
6. the impact on parking, policing, refuse collection and transport already over capacity will be intolerable. there is very high levels of local cars, this affects children and is incredibly dangerous. Simply monitor the park on a pleasant weekend to see the high volume of visitors and how dangerous the situation is for pedestrians.
7. Local trade will be affected

We are contacting out local MP as a matter of urgency. Tower Hamlets have a disproportionate amount of events in the park which cause extreme disruption and chaos to local life and to the park. Local policing is stretched and the immediate impact is very damaging. To do something for a month will be awful.

I would like to know the criteria for agreement - who is monitoring who runs these events etc

Please can you acknowledge receipt of this email and let me know the correct email for the Licence committee

Thank you

Deborah Khan

--

Deb Khan

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Appendix 16

Kathy Driver

From: jeniferkonko [REDACTED]
Sent: 01 October 2014 12:21
To: Licensing
Subject: winterville events ltd
Attachments: Sublime logo.eps

Hello

We wish to object most

vehemently to the
application for a licence for Winterville in Victoria Park
on the following grounds:

1. No consultation with residents
whatsoever
with live locally who will be directly affected by noise etc. The event is far too long
with very long hours
2. This free event will attract crowds of people who do not go home after events have closed, are
often drunk and
very
intimidating
3. The fair will ruin the grass and obstruct use of the park for one month
4. Events in the park have very high levels of noise and light pollution. This will affect a large
areas and impact a peaceful community
5. There is too close to dense residential area for one month. Olympic Park is far more
appropriate
6. the impact on parking, policing, refuse collection and transport already over capacity will be
intolerable. there is very high levels of local cars, this affects children and is incredibly dangerous.
Simply monitor the park on a pleasant weekend to see the high volume of visitors and how
dangerous the situation is for pedestrians.
7. Local trade will be affected

We are contacting out local MP as a matter of urgency. Tower Hamlets have a disproportionate
amount of events in the park which cause extreme disruption and chaos to local life and to the
park. Local policing is stretched and the immediate impact is very damaging. To do something for
a month will be awful.

I would like to know the criteria for

agreement - who is monitoring who runs these events etc

Please can you acknowledge receipt of this email and let me know the correct email for the Licence committee

Thank you

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Appendix 17

Kathy Driver

From: Martha Meyerowitz [REDACTED]
Sent: 01 October 2014 21:24
To: Licensing
Cc: Chris Sage
Subject: Objections re: Winterville Licensing

Follow Up Flag: Follow up
Flag Status: Completed

To Whom It May Concern

We have today learned of the Winterville event planned for the entire month of December. As residents of Victoria Park, ([REDACTED]) we are extremely concerned at the potential impact on our home and wish to lodge these concerns with you as you consider licensing applications.

The prevention of crime and disorder

We are concerned that a month long event which includes random but not methodical searches of those attending, the provision of alcohol and late closing times turns the park into a large pub/club with all the attendant possibility of crime and disorder, including thefts, violence and drug dealing/use. As well as the stress this would carry for us and other local residents, there is also a significant cost to the public in respect of policing.

The prevention of nuisance

Noise from the park during large events, in particular Lovebox and Field Day, have caused us extreme discomfort in our home. The noise and light pollution are exhausting. We don't have another home to go to during these times and we have had to recuperate from these events in the week that followed. While we appreciate that some events may take place in a city park, a month long event places too great a strain on local residents. Cities are vibrant places - they are also places in which people live and work and this requires rest and the ability to peacefully enjoy our homes.

We rely on evenings and weekends as times to rest and recharge from our working week. While it is possible to adapt our usual routine for one or two weekends each summer, the imposition of a busy, noisy event for an entire month is to our mind unreasonable.

The noise generated by large crowds until late at night is a stressful prospect but we are also concerned by the music events that feature as part of Winterville. The noise and light pollution from other festivals during the summer are, as previously mentioned, exhausting and bearable only because they take place for a limited amount of time each year.

We are also concerned at the impact the noise and light pollution will have on our family life. We have a newborn infant who will be just three months old at the time of the festival. His sleep and wellbeing are likely to be impacted on by 3pm-11pm opening hours. Again, if this event was due to run for a weekend it would be an inconvenience we could perhaps tolerate. The prospect of the entire month of December being given over to this event is distressing.

Finally, we would like to add that we would like to enjoy December as a festive month in our own way, as a peaceful family, at home. It is extremely upsetting to learn that our quality of life should be impacted upon in this sustained way for an entire month, late into the night, with only two days reprieve.

We would be extremely grateful if you could take our concerns into account when considering granting this licensing application. We appreciate that the council is under pressure to raise revenue from the park but we would ask that you take into account the reasonable concerns and basic needs of local residents.

With thanks

Mrs Martha Meyerowitz & Dr Chris Sage

Appendix 18

Kathy Driver

From: [REDACTED]
Sent: 30 September 2014 19:32
To: Licensing
Subject: Objection to Winterville Events Ltd Premises Licence Application

Dear Sir/Madam,

I want to express my strong objection to the Winterville Events Ltd Premises Licence Application. I am a resident at [REDACTED] [REDACTED] [REDACTED] and experienced on several occasions disorder, crime, noise and risks generated by events organised in Victoria Park.

My specific objections relate to:

1) The prevention of crime and disorder

The organisers are a recently formed company (August 2014) with no prior track record of organising large scale events. The steps described in the application to prevent crime and disorder are extremely vague and give serious reasons to doubt the organisers treat the safety and security seriously. The event is to take place in the hours of darkness, in possibly cold weather, in the park that has poor access for emergency vehicles and with the canal nearby. As the organiser wants to serve alcohol this creates several crime related dangers - patrons fighting in the dark corners of the park, patrons fighting or/and vandalising local infrastructure around the park, patrons getting access to the canal and possibly drowning.

The poor stewarding and lack of toilet provisions during Field Day and Lovebox events this year resulted in several cases of patrons urinating on the streets and, at the same time, exposing themselves in front of local residents including children. This was not managed well during the daylight hours and it is quite clear it would be even a bigger challenge in the hours of darkness.

2) Public safety

The park is not currently open for members of the public in the hours of darkness. This is a safety measure that has been in place for a very long time as the area of the park is very large and it is very difficult if not impossible to fully control it at night. The organisers made no attempt to address this issue in their application.

The two recent events this year in Victoria Park led to hundreds of pieces of broken glass lying around Grove Road for several days creating risks of cuts to local residents. There were also thousands of nitrous oxide canister both in the park area and around it. This issue does not seem to be addressed by the organisers.

3) The prevention of public nuisance

The proposed event is extremely ill thought out as it targets local residents with continuous noise pollution for such a long time. If the organiser engaged more actively with local residents they would know that a two or maximum three day event would be more suitable. Christmas is a family time and it should not be linked to nuisance, noise, patrons urinating on the streets, damage of local infrastructure.

I urge you to dismiss this licence application and protect local residents, local businesses and Victoria Park.

Regards,

Peter Milewski

Appendix 19

Kathy Driver

From: Jane O'Sullivan [REDACTED]
Sent: 01 October 2014 08:33
To: Licensing
Cc: Sirajul Islam
Subject: Winterville Victoria Park Objection

Dear Sir/Madam

I am writing as a resident of E2 and a regular user of Victoria Park.

I wish to object to the plans for a Winterville Festival on the grounds of crowd numbers causing a nuisance in the surrounding area, drunkenness in the park and around as there are plans for licensed 'pubs' etc. and the possible safety issues concerning crowds attending.

These kinds of events are problematic in the best of times, but in Winter with dark evenings and poor light I would have grave concerns on safety issues. To counter this I am assuming the organisers would have lights and other loudspeakers to herd visitors. These too will cause a nuisance and light pollution in the area.

If the council agree to license an event such as this, I really feel that a whole month is far too long.

I wish to object strongly to the LENGTH OF TIME of the Winterville event in Victoria Park on the grounds of safety, noise and light pollution and all kinds of crime and nuisance which may result in people worse for drink wandering around the park and area may cause. .

Yours faithfully
Jane O'Sullivan
[REDACTED]

Appendix 20

Kathy Driver

From: Jocelyn Peacock [REDACTED]
Sent: 29 September 2014 16:57
To: Licensing
Subject: Re: Proposed Winterville event

Hi,

Thank you for the fast response.

[REDACTED]

[REDACTED]

[REDACTED]

I object on three of the four grounds:

Prevention of Public Nuisance, Prevention of Crime and Disorder, and Public Safety: Having an event that is four weeks long, and open every day until 11pm would without doubt cause a public nuisance in breaching the peace. Having people constantly coming and going from the park, especially late at night, results in noise disturbances, litter - often including broken glass, if past events are anything to go by, since people bring their drinks into the park and have lots of fun smashing them either within the park grounds or in the surrounding residential areas causing public safety issues.

With late night events brings large numbers of people and with that comes anti-social behaviour including urinating in public places and being drunk and disorderly, and at that time of night every day would cause distress to residents in the area. Unless the organisers are planning on having heavy security patrols in the streets within a certain radius of the park every night, I do not see how this could be effectively mitigated so that residents and the area are minimally affected. Noise laws dictate that we have a right to peace and quiet between 11pm and 7am Monday - Saturday and 10pm/8am on Sundays. If there is an event running until 11pm every night for several weeks, where is our peace and quiet? Where are our rights in all of this? Why haven't any of the residents in the surrounding area been contacted about this?

I have noticed that the planning notifications for this event have all been strategically placed where no one is likely to notice them unless they are looking out for them, instead of in front of the foot paths, too. I run in the park every other day and did not know of this event until I read about it today. Please don't let them do this to us.

Sincerely,

Jocelyn Peacock

Public Safety: Safety includes protection

On 29 September 2014 15:35, Licensing <Licensing@towerhamlets.gov.uk> wrote:

Thank you for your email.

Kathy Driver

From: Jocelyn Peacock [REDACTED]
Sent: 29 September 2014 12:12
To: Licensing
Subject: Proposed Winterville event

Hi,

I am writing as I have just read - through an article on the Roman Road London website <http://romanroadlondon.com/> - that notice has been served regarding an almost month-long event that is planned to be held throughout December in Victoria Park.

As a resident living in close proximity of the park, I want to air my objections about this event. Every summer we are plagued by the weekend day-festivals which always promise to keep the noise to acceptable levels yet always seem to fail miserably. Then there are the crowds, the rubbish, and the fact that a large chunk of the park is cordoned off and rendered unusable for us. Why Victoria Park? Why not the olympic park which is purpose built for large scale events? Why keep taking away the small patch of greenery we have in E3 and letting large numbers of people ruin it?

I am worried about the impact on residents; an event of such length over the winter months is bound to cause noise disturbances and it's not like we don't get enough of those through the summer. I am also concerned about the park itself; the flora and fauna will undoubtedly suffer.

How will the surrounding residential areas be managed when there are people coming and going to and from the park up until 11pm every day? The impact will be devastating on mine and others' mental wellbeing.

Please, do not let this go ahead in the way it is currently proposed. 4 weeks is too long, 11pm is too late, and I have no faith that the organisers will take residents in the surrounding area in to full consideration, given the ludicrous proposal.

Sincerely,

Jocelyn Peacock

Appendix 21

Kathy Driver

From: Ian Peters [REDACTED]
Sent: 17 September 2014 23:14
To: Licensing
Cc: Joshua Peck
Subject: Winterville - Victoria Park
Attachments: Winter Wonderland application.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Kathy

I write in response to your letter of 4th September. I wish to state on record my formal objection to the application.

There are a number of events held in Victoria Park over the course of the year, mainly in the summer months, which usually take place over the course of a weekend. The noise (i.e. loud music) from these events is just about tolerable as its usually for a short period of time. Even though sound level restrictions are in force, the events create a lot of noise which (unfortunately) travels particularly well into my property.

This Winterville event is proposed for the whole of December which will bring significant problems for the local residents; prolonged periods of loud noise, increase usage of local public transport, increased people in the neighbourhood (and therefore more noise/disturbance/increase in anti-social behaviour etc), destruction of the park land, litter and lack of availability of park facilities, the list could go on.

Due to the nature of my work, I am up very early in the mornings and hence early to bed in the evenings, therefore the increased number of people, noise from the event etc for a whole month will not be tolerated by myself or other residents in similar positions. During December, I will be in the midst of studying for some very important examinations which I expect to be able to study for in the peace of my own home. There are significant financial ramifications should I not pass.

In short, this event will dominate and impact on my time whilst in my property for a whole month. The hours of the event have to be seriously reconsidered and definitely reduced so that those effected are not pained with a month of inconvenience.

I assume that those putting on the event will not be residing in the area for the month of December!?

Whilst noise and additional people on the ground are of significant concern, I will also be unable to use large parts of the park during December. I'm a marathon runner and cyclist and use the park regularly for training as well as for walks. I will be unable to participate in my hobbies within the park during the proposed times/dates of the event. I'm not alone - at any time there must be hundreds of people undertaking similar activities in the park who would also be unable to use the green space my tax goes towards paying for.

I have copied in my local councillor who I'm sure has already his objection to this proposal.

Some of the points raised may have been addressed within the application on your website but I was unable to locate it. Please can you provide a full web link to this?

I look forward to hearing the outcome of this consultation.

Yours sincerely



Appendix 22

Kathy Driver

From: ian sharp [REDACTED]
Sent: 30 September 2014 08:02
To: Licensing
Subject: Winterville in Victoria Park

Follow Up Flag: Follow up
Flag Status: Completed

Dear Tower Hamlets Council,

As a resident of [REDACTED] I wish to raise an objection to the plans for a month long event called Winterville to be held in Victoria Park.

My main concerns are:

- 1) A month is too long a period for such an event, given the build and dismantle time, this is likely to impact us as residents for about 2 months;
- 2) Potential damage to the park - we love our park, it is used by locals, old and young alike, we do not want the fabric destroyed by a commercial event. It has only just been re-vamped, please dont let it be damaged.
- 3) The number of visitors to the area also gives me cause for concern, when Lovebox is held there is a constatan stream of people going up and down our street and noise late into the night, I am deeply concerned that this event will lead to a month of such disturbances.

Finally, I ask you to reconsider your choice of venue for such a commercial event, why not use the Olympic Park which was designed for a large scale event lasting a month and would have negligible impact on Tower Hamlets residents.

regards
Ian Sharp
[REDACTED]

Appendix 23

Tabitha Stapely

Licensing Department
London Borough of Tower Hamlets

29 September 2014

Re Winterville

I am writing to object about the planned Winterville event.

I think it will damage the park

The length of time and crowds expected raise concerns about the impact on the fabric of the park, not just for this year but for future years too when it may grow in size.

Structures such as the ice rink and the roller disco would kill off the grass. Crowds could churn the park into muddy rivers. Dog walkers, children and park users could have a severely reduced area of the park to use. Travel to and from shops and services across the park could involve time consuming detours.

It's too ambitious for Vicky Park and should be sited in an area that has the necessary infrastructure such as QEOP.

Winterville will attract large crowds on a daily basis over an extended period of time and could grow to the size of Lovebox, which first started with 5,000 and now attracts 120,000 over the weekend.

How would we cope with the crowds? Will we have stewards and barriers lining our streets for the entire month of December? Will we be overwhelmed with festival-goers from all corners of London treating our residential streets like extensions of the party in the park? How will police cope with the increase in litter and anti-social behaviour associated with free-entry evening events in the festive 'party' season leading up to Christmas? Will we have numerous portable toilets fouling the park? Will there be extra vehicles on the park paths?

I also think the hours being proposed are unreasonable.

Running until 11pm with an alcohol licence every night of December will create noise pollution and anti-social behaviour on a nightly basis.

There is no integration with local shops and businesses.

With local markets and events flourishing in our corner of East London, from Victoria Park's Christmas Market to *Roman Road Winter Festival* and Wick Market's festive events that plan to include an ice rink, how much will this company profit from our pockets to the detriment of the local economy? With crowd control measures in place funnelling visitors from tube stations directly to the park and back, how many visitors will venture into local businesses? Will an

event of this size detract from the Christmas boost enjoyed by our village shops and local events?

This is not a suitable place for a large event such as Winterville.

Maybe it is not that there shouldn't be a big winter festival in East London. Maybe it's just not suitable for it to be hosted in Victoria Park, a relatively small oasis of much needed green space in a deeply residential space. Maybe an event of this length and magnitude is better suited to a site that is purpose-built for large events such as Queen Elizabeth Olympic Park.

Yours faithfully

Tabitha Stapely

Appendix 24

Kathy Driver

From: [REDACTED]
Sent: 01 October 2014 12:33
To: Kathy Driver
Subject: Re: Winterville

Dear Miss Driver,

I am afraid it appears to me that no matter what I write or how I write it, it is not going to change the fact that the event is going ahead anyway, since It's now being advertised in full force.

It's beyond me how someone can oppose to an event like this when:

a) As citizens living around Victoria Park we weren't even advised or warned that there were such plans. Distributing leaflets to all residents in the area to let them know as a common courtesy would have been nice.

And as it stands now, having known about this event through third parties, we don't really have time to make a case.

b) You don't accept any of the reasons for opposing the event. You ask me to make examples of how it will affect me when the event has not happened yet and I can only go by how previous events effected me and the people who live here.

I am aware that this is not going to be Lovebox, or Field Day or any of the other small event that keep being organised for short weekends. However, I attended Field Day this year as you cunningly sent free tickets to residents, and I left after a couple of hours disgusted by the state of the park covered in rubbish and people drunk from lunch time.

This is what the Londonist writes about Winterville:

"Features include a covered ice rink, a ferris wheel and a roller disco, as well as the chance to ride horse-drawn carriages around the park and see vintage motorcycles perform gravity-defying stunts on the Wall Of Death. Further entertainment will come in the form of a pop-up pantomime, a mini-nightclub and a tent hosting live music, comedy and cabaret."

So you mean to tell me that the motorcycles and the nightclub and live music will not be noisy? Also, you have not said how you are planning to make sure that the event does not exceed 5000 people...considering it is a free event.

Anyhow, as previously stated, I am not opposed to the event , provided it respects the park itself and the residents who want to use it whilst the event is taking place and again, even if I run the risk of repeating myself, during every singles event at Victoria Park it is impossible to enjoy the park in peace and quiet and in the very little space left as it is mostly boarded off.

I am opposed to the unreasonable opening hours due to the fact that that type of noise coming from the live music and other activities during the week is a nuisance which stops us enjoying our peace and quiet in our own homes (ie music and noise which makes floors and windows vibrate).

One thing is putting up with an event for a long weekend, another is to expect people to live next to all that it entails for a whole month until 11pm.

As it is clear that any complaint from now on will be utterly useless, I shall wait until the event is in full swing to get in touch with Environmental Health should noise become unbearable.

Regards,

R.Wisdom

Kathy Driver

From: [REDACTED]
Sent: 29 September 2014 12:34
To: Licensing
Subject: licensing for winterville

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

I have only just recently learnt about the proposition of organising Winterville in Victoria Park.

Firstly I would like to start by saying I find your approach despicable as you have not even considered consulting citizens and people who live around Victoria Park whether they belong to Tower Hamlet or Hackney.

I for one, have been living opposite the park in Victoria Park Road for years and already find it really difficult to deal with the music late at night from yearly events like Lovebox etc.

Not only you are organising a 1 month long event, you are proposing unreasonable hours: 11 pm during a working week, and 11pm on a weekend is bad enough.

You have no idea what is like trying to sleep or even listening to the tv during events of this capacity. The bass makes the windows and floors tremble, this is despite the fact the people from the council are "supposedly" monitoring the level of sound with their gadgets.

As far as I am concerned there is no need to make the event run that late. It's not even family friendly. It will turn into an alcohol filled huge party for people and make it extra dangerous for whoever wants to have a peaceful time in the area.

Furthermore, public transport will be messed up as buses will not be able to go through this area after the end of the event, every single night.

You are being extremely inconsiderate towards us, especially after you decided to cancel the Bonfire Fireworks here in the park.

I don't know what your reasons are for cancelling an event that has gone on for years and has always been peaceful and great fun for every family, and now you have no issues in organising something which is double in capacity or more.

Even the time left to oppose to this lets me think that you had no intention of consulting us. I found out by chance through a friend.

Absolutely disgusting and let me tell you that if this goes ahead I won't think twice in calling every night to complain about the noise.

As far as I am concerned this is the worst idea I have heard in years.

Yours faithfully,

R. Wisdom

Kathy Driver

From: Andrew Heron on behalf of Licensing
Sent: 30 September 2014 09:24
To: Kathy Driver
Subject: FW: licensing for winterville

From: [REDACTED]
Sent: 29 September 2014 16:55
To: Licensing
Subject: Re: licensing for winterville

Dear Miss Driver,

Thank you for your reply.

I'm afraid I don't see how the noise that results from music, fairgrounds and people attending a public event in the park, whether big or small, and that allows consumption of alcohol can't be classed as public nuisance.

As far as I am concerned is our right to be able to spend our time in our houses in peace and quiet and as I said in my previous email, you have no idea what it is like having to put up with that kind of noise, especially during the week.

Also, every time something similar is organised in Victoria Park, more than half the park gets boarded off, leaving hardly any areas for the public to enjoy. The few times I dared having a walk during any of the events I left straight after as the noise is unbearable.

If Tower Hamlets intention is copying Winter Wonderland may I remind you that Winter Wonderland in Hyde Park is open until 10pm.

Why on earth does an event during the week need to be open until 11pm in an area that's not in close proximity to tourists attractions?

What kind of public are you targeting? Certainly not family with kids, as people normally work during the week and kids go to school.

It's not even the event in itself that annoys me, despite the fact it is clearly not well planned and you made it rather clear that you do not care what citizens think about it.

If it had decent opening times it would not be such a big problem, the worst part is the way you went about organising something without asking whoever lives in close proximity to the park what they thought about it.

Rest assured I will use that link you provided to take my complaint further.

Regards,

R. Wisdom

[REDACTED]

Appendix 25



TOWER HAMLETS

Memorandum

To Winterville Events Ltd
C/O - Darren Guerin

c.c Kathy Driver – Principal Licensing Officer

From Paul Smith – Principal Scientific Officer

Extension 6939

Date 26th September 2014

Flare Ref 078233

Regarding Applications for a Premises Licence at Victoria Park for Winterville 2014, 2nd December to 1st January 2015 (excluding 25th December 2014).

Communities, Localities and Culture

Environmental Health, Environmental Protection
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY

Tel **020 7364 5008**
Fax **020 7364 6831**

Re: Application for a Premises Licence at Victoria Park for Winterville 2014, 1st January 2014 – 1st January 2015 (excluding 25th December 2015), Live & Recorded Music, Plays, Performances, Films, Sporting Events, Supply of Alcohol and anything other similar, 10:00 hrs – 22:30 hrs Sunday – Thursday and 10:00 hrs – 23:00 hrs Friday and Saturday.

A. Contextual Information

Description of premises Largest Open Park space in the Borough, which serves the whole community of Tower Hamlets & Hackney.

Description of location. Located within a residential area and bounded by the Old Ford Road, Cadogen Terrace, Victoria Park Road and Grove Road with minor roads off them mainly leading to the Park.

Proximity of noise sensitive premises as described above residential premises surround the Park on the Hackney and Tower Hamlets side. Generally background noise levels are less on the Hackney Wetherell Road and Victoria Park Road side although Cadogen Terrace experiences significant noise from the A102M road.

Description of background noise Road traffic noise from Grove Road which splits the park in two and the Old Ford Road.

Existing noise sources in use at the premises None.

B. Complaint History, Investigation and Enforcement

Victoria Park has had many successful events across the years with few complaints and as such our department does not object to this event taking place. This is subject to following conditions being applied which have been agreed with the applicant for the Prevention of Public Nuisance.

C. Recommendation

The following Noise Limits and conditions listed below for the Prevention of Public Nuisance have been agreed and should be adhered to; this includes all noise from the event including any noise from rides or other attractions.

For the Prevention of Public Nuisance

- 1. The “Event Noise Level” (ENL) measured as a free field LAeq over any 15-minute period at any position on the boundary of the park or an agreed proxy location shall not exceed 65 dBA, or no more than 15 dB above the existing background noise level to a maximum of 70 dBA*, whichever is the higher.**

Noise monitoring locations have been agreed as:-

- i) Wetherell Road (adjacent to the day Nursery within the park)**
- ii) Waterside Close (within the park)**
- iii) Empire Wharf (within the park)**

Any other agreed position within the park, due to it being found that residents are being adversely affected by the event noise level.

- 2. Low frequency noise shall be controlled so as not to cause a nuisance.**
- 3. A competent person shall be appointed by the licensee of the event. This means a person with the ability to monitor noise and with the authority to control sound levels to ensure compliance with these noise conditions.**
- 4. The sound systems and other noise sources shall be positioned so as to minimise noise disturbance, in consultation with the Council’s Environmental Health Department.**
- 5. Sound tests shall be carried out in conjunction with the Councils Environmental Health Department before the event. This will determine the maximum noise levels that can prevail at agreed proxy monitoring positions so as to ensure compliance with the noise limits defined in condition 1.**
- 6. The Noise Consultant shall be able to demonstrate an up to date calibration certificate for all noise meters used according to the current British and International standards and shall be a minimum type 2 grade instruments.**
- 7. Erection, dismantling and cleaning operations should only be undertaken during Council Policy working hours Mon. – Fri 8.00 a.m. – 6.00 p.m. and Saturday 8.00 a.m. – 1.00 p.m. unless otherwise agreed by prior consent. If work or operations are agreed outside of the above hours contact telephone number (not an answer phone) must be provided for the person in charge of these operations. (The local authority has agreed to extended working hours until 8 p.m. at night-time with the applicant for safety reasons across the week, works though should not take place before 9 a.m. on a Sunday.**
- 8. White noise "Broadband" reversing alarms shall be used on any forklift truck or vehicle likely to affect any residential property.**



9. Complaints shall be directed to our Officers immediately by telephone or via the Council's emergency gatehouse telephone number, not radio. The Council's complaints procedure for taking and logging complaints must be followed at all times.

10. The licensee shall comply with any reasonable instructions given by the licensing authority that seek to control noise nuisance.

* At particular location the background noise level measured as an LA(90),1-hour may be above 50 dB, where this is the case the LAeq is allowed to exceed LAeq 65 dB,15-minutes, up to a maximum of LAeq 70 dB,15-minutes. The LAeq noise limit is then the LA(90) + 15 dB. The background noise level must be agreed in advance of any noise limit above LAeq 65 dB being used and must be based on the arithmetic average of the last four hours of the event where the background noise level is likely to be at its lowest point.

Appendix 26

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 Section 6 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 3 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 (1.16).

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 (10.22-10.23).

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 27

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 4.15 and 4.16 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 6.2 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 3 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 7 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 (13.14)

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 (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

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 but it is essential that conditions are focused on measures “within the direct control of the licence holder” (2.22/2.24).

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 28

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 10 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

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 15.5**).

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 10.2 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 Public Nuisance. (**See 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
- 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 (2.19).

Licence conditions should not duplicate other legislation (1.16)

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 29

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 10 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 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

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 15.5**)

The Council has adopted a set of framework hours (**See 15.8 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 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. (2.19).

Licence conditions should not duplicate other legislation (1.16).

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 30

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. (2.23)

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 31

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 10.1-2)**, especially where a negative impact is likely on local residents or businesses **(See 15.1 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 15.5)**.

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 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. The prevention of the public nuisance could include low level nuisance, perhaps affecting a few people living locally (2.19). 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 (2.22), but it is essential that conditions are focused on measures within the direct control of the licence holder.

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 32

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 15.8 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 15.8 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