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## Neighbourhood Licensing Team

3<sup>rd</sup> March 2016  
Mr Chris Boyle  
Horsham District Council  
Park Side  
Chart Way  
Horsham  
West Sussex  
RH12 1RL

### REPRESENTATION BY SUSSEX POLICE

#### APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 FOR THE BIG KAHUNA FESTIVAL HOLMBUSH FARM CRAWLEY ROAD FAYGATE RH12 4SE

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application, made by Fire & Ice Productions Ltd; on the grounds of Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

Sussex Police have concerns that granting this premises licence in its current form would undermine each of the four licensing objectives of:

- i) Prevention of crime and disorder;
- ii) Prevention of public nuisance;
- iii) Public safety; and
- iv) The protection of children from harm.

Section 17(3) of the Licensing Act 2003 provides that an application for a premises licence must be accompanied by an operating schedule. Section 17(4)(g) of the Act requires an operating schedule to include a statement of the steps which are proposed to promote the licensing objectives. While the operating schedule has been completed the content is such that Sussex Police are not satisfied as to the adequacy of the proposed steps to promote the licensing objectives and have grave concerns that the granting of the licence would place members of the public at risk.

The proposed maximum capacity for the event is for 9,999 persons, to include overnight camping guests and day guests. There is no lower age restriction. A camping site is located within the footprint of the premises licence.

**Sussex Police**  
Neighbourhood Licensing Team Hurst Road Horsham  
West Sussex RH12 6DJ

Telephone: 101 | 01273 404242 Horsham  
01273 404030 Worthing

While it is understood this is intended to be an annual, 3 day event, this is not specified on the application and as such has no restriction on it becoming a weekly event. The application seeks to carry on the provision of plays, films, live music, recorded music, late night refreshment and the supply of alcohol.

The application seeks

Opening Hours: 06:00 ~ 03:00 Friday

09:00 ~ 04:00 Saturday

09:00 ~ 04:00 Sunday

This indicates that the premises is closed to members of the public after 03:00/04:00 hours. However the applicant intends to simultaneously provide overnight camping to members of the public on the site after the site is closed.

There are also discrepancies within the application which also seeks

Recorded Music: 10:00 ~ 03:00 Friday

10:00 ~ 04:00 Saturday

10:00 ~ 04:00 Sunday

**07:00 ~ 13:00 Monday (not covered by opening hours)**

Late Night Refreshment (required for between 23:00 hours 05:00 hours)

**07:00 ~ 03:00 Friday (not required from 07:00)**

08:00 ~ 04:00 Saturday

07:00 ~ 04:00 Sunday

**07:00 ~ 12:00 Monday (not required for LNR)**

*The errors within this application raise concerns in relation to the event management; particularly as members of the Safety Advisory Group (SAG) met with the applicants on more than one occasion, prior to the submission of this application.*

The application is for a premises licence which includes overnight camping and purports to be a family event. However in section K, the application seeks adult entertainment. The organisers state within the application that they are "unable to pre-empt" adult content. Sussex Police cannot therefore be satisfied that children attending the event shall be protected from harm.

Further with live music and the supply of alcohol sought from 11:00 hours until 04:00 hours on two nights and until 03:00 on one night. It is unclear how this is compatible with a family event. Sussex Police do not consider that children can be protected from harm in what is potentially a 'nightclub' environment.

The application seeks sales of alcohol from bars located both within the event arena and the camping site from 11:00 hours for the duration of the event. This does not allow for any 'drinking up time' for 'day guests' who may purchase alcohol until the time the premises closes (03:00 or 04:00 hours). It is currently unclear how day guests will be managed exiting the event, or how their dispersal will be managed from this semi-rural location.

The intended Designated Premises Supervisor (DPS) for this event has not currently obtained a personal licence. While it is understood this is pending, there are some concerns that an event of this scale, being run for the first time on an untested site would benefit from an experienced DPS. Experience has demonstrated to Sussex Police that issues arising from the management of the bar(s), queuing and the service times can have a profound impact on the entire event.

There is further concern that the website for the event is advertising "bulk buy discount" on alcohol sales. It is a Mandatory condition of the Licensing Act 2003 that states:

- (1) *The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises*

Sussex Police consider that advertising bulk purchasing of alcohol to be an irresponsible promotion of alcohol. This is in addition to concerns over the length of time alcohol is to be made available at this event, combined with the ability of attendees to bring their own alcohol onto the site. There is no clear indication how the event organisers shall promote the licensing objectives of the Prevention of Crime and Disorder, The Prevention of Public Nuisance or the Protection of Children from Harm.

The website also indicates that children under 5 years of age do not require a ticket. As the capacity of a premises licence refers to all persons on the site (including all staff, entertainers, inspection officers etc.) it would be necessary to provide tickets to all persons attending the venue in order to control numbers. There is contradictory information pertaining to the age of children admitted to the event without adult supervision. If it is, as the website states, a threshold set at 16 years, it is unclear what I.D. is to be used to verify age.

The documents currently provided to Sussex Police are in part contradictory and lack specific detail of how the licensing objectives shall be promoted. Phrases within the operating schedule such as "CCTV options to be investigated" are meaningless as is the assurance that "suitable level of staffing" shall be provided.

A rigorous & robust Event Management Plan including an Evacuation Plan and a Traffic Management Plan, that includes full details of how patrons & staff shall be safely dispersed from the area, is considered necessary. Detailed plans must clearly demonstrate how the risk of serious harm to members of the public is to be avoided. There is a clear risk that pedestrians leaving the event will attempt to walk along or cross the A264.

It is due to the high level of risk associated with an event of this size & nature that Sussex Police suggest that the Licensing Committee give serious consideration to refusing the grant of this licence.

Should, however, the Licensing Committee consider it appropriate to grant the licence, Sussex Police request that the following conditions be attached:-

1. The Premises Licence Holder shall produce an Event Management Plan (EMP) for the licensable activity proposed at the Licensed Premises. No licensable activities otherwise

authorised by this Licence shall take place unless the Event Management Plan (EMP), is submitted to and approved by the Licensing Authority and the Safety Advisory Group (SAG) or the equivalent. The EMP shall be submitted to the Licensing Authority and the SAG not less than four (4) months prior to the proposed Event. The EMP will provide dates specifying the date by which obligations in the EMP must be complied with such as the provision of final plans, provision of information to responsible authorities for approval and completion of the infrastructure for the Event.

The EMP will include:

- 1.1 Names, addresses and telephone numbers of persons/organisations responsible for:
  - Overall event safety control
  - Production
  - Medical and first aid provision
  - Site management and the structural integrity of all temporary structures
  - Crowd management, steward and security
  - Fire safety and control
  - Configuration and control of sound systems
  - Management of any on-site car parking
  - Management of concessions and franchises
  - Provision and maintenance of water supplies
  - Welfare and provision of information
  - Provision and maintenance of sanitary facilities
  - Reception collection and removal of litter and other waste
- 1.2 The proposed audience capacity including guests.
- 1.3 Plans to agreed scales detailing exits, entrances, temporary bars, marquees and all facilities to be provided.
- 1.4 Details of proposals for entertainments, together with information regarding any special effects.
- 1.5 Details of proposals for concessionary activities including food franchises, bars, restaurants and non-food retail sales.
- 1.6 An Alcohol Management Plan which will include details of, but not be restricted to:
  - The Designated Premises Supervisor (DPS)
  - Personal licence holders
  - Control of the sale of alcohol
  - Proof of age policy (including Challenge 25)
  - Promotion of responsible drinking
  - Appropriate signage
- 1.7. A Safety Policy and Risk Assessment for the event.
- 1.8. Details of arrangements for co-ordinating and controlling event safety on site.
- 1.9 A Crowd Management Plan, including plans for access, egress, dispersal and evacuation.
- 1.10 A Stewarding and Security Plan.

- 1.11 A Transport Plan including a Traffic Management Plan.
- 1.12 The EMP and Multi Agency meetings will not solely focus on the activities taking place within the fenced area of the licensed venue.
2. Each year notification of the Event shall be made in writing to the Licensing Authority, the Responsible Authorities and members of the Safety Advisory Group (or the equivalent) (SAG) at least six (6) months in advance of the commencement of the Event.
3. The events shall be managed in accordance with the EMP approved by the Licensing Authority and the SAG.
4. The Premises Licence Holder will make adequate provision for monitoring and controlling the number of persons entering the licensed site and any temporary structures within it by way of fencing, gate systems, security or other provision to prevent unauthorised access to the licensed site or any part thereof.
5. Conditions of entry and all age restrictions will be printed on tickets and clearly displayed at all entrances and bars.

#### **The Prevention of Crime and Disorder**

6. The Licence Holder will appoint a Security and Stewarding provider and their Operational Plans will be contained in the EMP. All Security and Stewards will be easily identifiable and have appropriate training for their duties. A register will be maintained of all stewards and security staff employed before, during and after each event containing their full names, dates of birth, employers, event specific identification and where appropriate, their Security Industry Authority (SIA) registration details.
  - a) The Register of Stewards and Security will be made available to Sussex Police and the Licensing Authority no later than 14 days prior to the Event, subject to minor and unavoidable amendment.
  - c) All Security and Stewarding staff will sign in and out of the Event and this log will be made available to the Police and Licensing Authority upon request.
  - d) The security plan shall include a search policy with specific reference to prohibiting controlled substances and any 'legal highs'. The numbers of SIA Licensed Security Staff and trained Stewards will be set out in the Security and Stewarding Plan.
7. No Alcohol will be brought onto the premises other than within the camping area.
8. Anyone deemed to be drunk and/or disorderly or under the influence of controlled substances will be refused entry to the event.
9. The Alcohol Management Plan will clearly set out procedures to minimise any contribution to crime and disorder from the consumption of alcohol; including a challenge 25 age verification policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID as proof of their age. The only ID that will be accepted are valid passports and UK driving licences with a photograph or proof of age cards bearing the 'PASS' mark

hologram, an incident and log book/record will be completed for any incident that takes place within the licensed premises. The book/record will be made available upon request to officers from the Licensing Authority, Trading Standards and Sussex Police.

10. The sale or supply of alcohol will only be permitted by the Designated Premises Supervisor (DPS) or by his/her written authority. The DPS will remain on-site during the hours of alcohol service.
11. Each bar will have a Personal Licence Holder in attendance, whose duties will include monitoring customers and ensuring the refusal of service to anyone deemed to be intoxicated or underage
13. The Premises Licence Holder shall take all reasonable steps to prevent drunkenness or other disorderly conduct and shall not permit entertainments which are obscene offensive to public decency or calculated to incite a breach of the peace.
14. One drinking tap shall be provided for each 3,000 persons and a drinking water supply shall be available at the first aid point
15. The licence holder shall prepare a drugs policy for events which will be based on 3 core messages: -
  - \* Prevention
  - \* Drug Dealers and users
  - \* Welfare and treatment
16. A strategy will be put into place to steward areas outside the licensed area.

#### **Capacity and Entry Control**

17. Appropriate arrangements by way of barriers, gate systems, security or other provision will be made, in agreement with the responsible authorities, to prevent unauthorised access to the Licensed Premises and manage entry to the Licensed Premises.
18. Admission to the Licensed Premises will be by ticket only unless otherwise approved by the Licensing Authority. Ticket printing manifests and sales figures will be available upon request to the Licensing Authority.
19. Stewards shall be available to ensure that all access and exit routes are kept clear until the site is completely cleared.
20. The Transport Plan including a Traffic Management Plan will be provided within the Event Management Plan.

#### **The Protection of Children from Harm**

21. The Premises Licence Holder will carry out a risk assessment for each event to consider the implications of attendance of children at the event.

22. Children under the age of 18 years will be not be allowed to attend the event unless accompanied by a responsible adult aged over 18 years.
23. Wrist bands shall be exchanged for tickets clearly denoting adult/child or adult accompanying a child
24. At the point of sale of tickets for the event, recommendations will be given upon the suitability of the entertainment and the attendance of children whether accompanied or not.
25. Any adult entertainment must be located away from the main arena where it is not possible to hear or see any of the entertainment from windows openings or doors.
26. Entry to the adult entertainment area will only be available to persons aged over 18.
27. Persons wishing to enter the adult area must be informed of the exact nature of the entertainment before entering the venue to avoid accidental exposure to the adult entertainment.
28. Staff will be informed of the exact nature of the events entertainment before setting shift patterns to avoid accidental unwanted exposure to the evening's entertainment.
29. Additional door staff will be on duty at the area when adult entertainment is taking place within the venue.
30. There will be no posters around or outside the venue, nor flyers advertising the entertainment.
31. Soft drinks and free drinking water shall be available on the Licensed Premises as an alternative to alcohol.
32. Staff at the event will be briefed with the protocol for appropriately escorting and caring for children and/or vulnerable person, until they are reunited with parents/guardians or in the care of a responsible person in accordance with the care/ welfare plan.
33. This Premises Licence shall only be used for one Event per year, comprising a maximum number of three (3) consecutive event days in each calendar year.
34. The hours licensable activities shall be permitted shall be as follows:-

## Opening Hours

06.00hrs to 01.30hrs Friday

09.00hrs to 01.30hrs Saturday

09.00hrs to 01.30hrs Sunday

## Sale of Alcohol

11.00hrs to 00.00hrs (midnight) Friday

11.00hrs to 00.00hrs (midnight) Saturday

11.00hrs to 00.00hrs (midnight) Sunday

**Sale of Late Night Refreshments**

23.00hrs to 01.00hrs Friday into Saturday

23.00hrs to 01.00hrs Saturday into Sunday

23.00hrs to 01.00hrs Sunday into Monday

**Provision of Regulated Entertainment**

**(In the form of films, live music and recorded music)**

11.00hrs to 01.00hrs Friday into Saturday

11.00hrs to 01.00hrs Saturday into Sunday

11.00hrs to 01.00hrs Sunday into Monday

Yours sincerely,

A/Chief Inspector Rolls

Horsham District Commander