

LICENSING ACT 2003 SUB COMMITTEE

Monday, 30th May, 2022
2.00 pm





LICENSING ACT 2003 SUB COMMITTEE

COMMITTEE ROOMS 2 & 3, TOWN HALL

Monday, 30th May, 2022 at 2.00 pm

(Pre-meet for Members at Officers at 1:30pm)

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

AGENDA

1) *Appointment of Chair*

To consider the appointment of Chair for the meeting.

2) *Apologies for Absence*

To receive any apologies for absence.

3) *Minutes of the last Meeting*

5 - 8

To approve as a correct record the Minutes of the last Licensing Act 2003 Sub-committee meeting held on 19th May 2022.

4) *Additional Items of Business*

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

5) *Declaration of Interest*

In accordance with the Regulations, Members are required to declare any personal or personal and prejudicial interests they may have and the nature of those interests in respect of items on this agenda and/or indicate if S106 of the Local Government Finance Act 1992 applies to them.

6) Exclusion of the Public

To determine during which items, if any, the public are to be excluded from the meeting.

7) Hearing of an Application for a Temporary Event Notice following receipt of notices of objection

9 - 74

To consider notices of objection received by the Licensing Authority in response to a Temporary Event Notice in relation to Queens Park.

MEMBERSHIP OF COMMITTEE

Councillor Anne Kelly
Councillor Lorraine Mehanna

Councillor Don Whitaker

PUBLISHED

Date Not Specified

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BURNLEY BOROUGH COUNCIL LICENSING ACT 2003 SUB COMMITTEE

BURNLEY TOWN HALL

Thursday, 19th May, 2022

PRESENT

MEMBERS

Councillors K Ingham, A Kelly and J Sumner

OFFICERS

Karen Davies	– Environmental Health and Licensing Manager
Sajada Khan	– Solicitor
Lisa Tempest	– Licensing Office
Jill Wolfendale	– Principal Environmental Health Officer
Carol Eddleston	– Democracy Officer

ALSO IN ATTENDANCE

Sgt Gary Hennighan – Lancashire Constabulary

1 Appointment of Chair

Councillor Jeff Sumner was appointed Chair of the meeting.

2 Apologies for Absence

There were no apologies for absence.

3 Minutes of the last Meeting - 9th November 2021

The minutes of the last meeting held on 9th November 2021 were approved as a correct record.

4 Additional Items of Business

There were no additional items of business.

5 Declaration of Interest

There were no declarations of interest.

6 Exclusion of the Public

It was determined that the hearing would be held in public.

7 Hearing of an application for a Temporary Event Notice following receipt of notices of objection

It was reported that Burnley Borough Council, the landowner of Queens Park, Burnley, had refused permission for 'The Manchester Indie Festival' music event to go ahead on 3rd and 4th June 2022. The applicant had been notified of the Council's decision and the reasons for refusal by email on 16th May.

In the absence of any acknowledgement from the applicant, and lack of withdrawal of the Temporary Event Notice, the Sub-committee noted that it was required to proceed with the hearing. Due to the timescales involved the Sub-committee agreed to proceed with the hearing in the absence of the applicant.

The Sub-committee considered a report to determine a Temporary Event Notice (TEN) application for approval for the sale of alcohol within a temporary structure to be erected as a beer tent in Queens Park for an event to be held from Friday 3rd June 2022 to Saturday 4th June 2022.

Written objections had been received from Lancashire Constabulary and Environmental Health at Burnley Council. Sgt Gary Hennigan (Lancashire Constabulary) and Jill Wolfendale (Environmental Health) attended the hearing and responded to questions on their cases from members of the Sub-committee.

Members RESOLVED to go into private session to consider the Temporary Event Notice application and to receive legal advice.

RESOLVED – DECISION AND REASONS FOR DECISION

The Temporary Event Notice seeks approval for the sale of alcohol within a temporary structure to be erected as a beer tent and situated within the premises licensed area. It effectively seeks to place one separate TEN event (for the sale of alcohol and within a maximum occupancy of 499) within a larger festival event that has no occupancy limit imposed by the premises licence. Admission by ticket to the festival will include access to the beer tent. It is to be noted that the event is described as a live music event on the notice received and could be construed as artificial creation of one premise within another larger premises to be a misuse of the temporary activity provisions of the Act. Any larger event would normally be subject to the additional scrutiny required in relation to new premises and variation applications. It is noted that no contact has been made by the event organiser with the Council's Event Safety Group.

The Temporary Event Notice has been determined with a view to promoting the four licensing objectives but, in particular, the licensing objectives relating to Public Safety, Prevention of Crime & Disorder and Protection of Children from Harm.

The Sub-committee carefully considered the report of the Licensing Officer and the representations made by Lancashire Constabulary and Environmental Health.

The Sub-committee has had regard to the Temporary Event Notice and the relevant representations received.

The Sub-committee has had regard to the s182 Guidance issued by the Government.

The Sub-committee has had regard to its own Statement of Licensing Policy.

Having taken all of the above into consideration, the Council considers it appropriate for the promotion of the licensing objectives to issue a counter notice in relation to the Temporary Event Notice (TEN) applied for for 3rd June 2022 to 4th June 2022.

REASONS FOR DECISION.

1. Public Safety

The applicant has not considered the following factors affecting the licensing objective of public safety, and presented these in the application:

- The necessary health and safety and fire risk assessments at the site relating to the event, and other measures to reduce risk to public safety;
- An event management plan, site based risk assessments and public liability insurance document;
- A detailed plan of safe access to, and egress from the site, including for emergency services;
- The measures to be employed to monitor the occupancy of the site so that maximum capacity (499) stated on the application is not exceeded;
- The number of people employed or engaged to secure the safety of everyone attending the premises or event including performers in order that numbers can be restricted to 499 people;
- Measures for the appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises or event;
- Details of how facilities will be provided at the event – not limited to toilet facilities, first aid, provision of power to the site (including a copy of the current Electrical Inspection Report Certificate if relevant) and dispersal policy for safe egress of visitors at the end of the evening;
- Arrangements for ensuring that adequate and suitably maintained sanitary provision and washing facilities are provided for the number of people expected to attend any premises or events.

2. Prevention of Crime and Disorder

The nature of the event is described as 'live bands, children's funfair, food stalls and beer tent'. Lancashire Constabulary has real concerns with regards to this licensing objective being undermined in the absence of the following.

The applicant has not addressed the following:

- The prevention of under 18's obtaining alcohol as tickets for 17 year olds are available;
- How many tickets are available for each day;
- How the number of people will be monitored on site considering there are 10 entrances/exits;
- Details of security arrangements to be deployed on site;
- The provision of first aid on site, and
- Provisions and arrangements for parking as public transport is likely to be restricted as it is Jubilee weekend.

3. Protection of children from harm.

- If alcohol is to be permitted at the event where children will be present considering there is a children's fun fair at the event, the applicant has not addressed how he will manage to keep children away from the 'beer tent' and prevent any under 18's from accessing alcohol at the event. In the absence of a detailed event management and risk assessment this objective is to be undermined.
- The application does not state how the park will be secured to monitor access to the site in order to monitor the numbers on site at any one time.

4. The matters set out in the paragraphs above have the effect of undermining the licensing objectives of the prevention of public safety, prevention of crime and disorder and protection of children from harm.

5. In those circumstances it is considered that the issue of a counter notice serves to promote the public safety, prevention of crime and disorder and protection of children from harm objectives.

6. Consideration has been given to all the powers available to the licensing authority under section 105 of the Act and concludes that the issue of a counter notice is both necessary and proportionate in the circumstances.

Right of Appeal

7. If the applicant disagrees with the hearing decision, he is entitled to appeal. An appeal should be lodged within 21 days and at least five working days before the event.

REPORT TO LICENSING SUB COMMITTEE



DATE	30th May 2022
PORTFOLIO	Community & Environment
REPORT AUTHOR	Karen Davies
TEL NO	01282 425011
EMAIL	kdavies@burnley.gov.uk

Licensing Act 2003 Hearing regarding Notices of Objection to a Temporary Event Notice

PURPOSE

1. To consider notices of objection received by the Licensing Authority in response to a Temporary Event Notice (TEN) given by Person A on 16th May 2022 in accordance with Part 5 of the Licensing Act 2003 (The Act).

2. The TEN premises are within Queens Park, Burnley.

RECOMMENDATION

3. Members are recommended to make a determination with a view to promoting the licensing objectives, which are:
 - The prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm

The premises are subject to a Premises Licence PLN 0057 held by the Council's Head of Green Spaces and Amenities which covers the whole of Queens Park .The licence does not include the sale of alcohol.

Sub-Committee may, in respect of the Temporary Event Notice:

- Allow the licensable activities to go ahead as stated in the notice, or

- Attach conditions to the TEN, which must be drawn from conditions attached to the existing premises licence, or

- Issue a Counter Notice, preventing the event taking place, to the premises user under Section 105(2b) if the Committee consider it appropriate for the promotion of the licensing objectives.

Committee must give a notice of the decision, with explanation, under Section 105(3a) to the premises user and the objecting relevant persons.

REASONS FOR RECOMMENDATION

4. TENs usually operate without conditions. Where a premises is already holds a licence, conditions can only be attached at a hearing following objections, and only those conditions applied to the Premises Licence can be attached to the TEN. Unlike new or variation premises licence applications there is no provision within the TENs process for objections to be mediated out by the parties to arrive at a compromise in advance of a hearing, although all parties can agree that the hearing is no longer necessary. The Licensing Sub-Committee are responsible for determining such applications where objections are received.

SUMMARY OF KEY POINTS

5. The event is to be held on Saturday 4th June 2022.

The licensable activities applied for are:

- The on and off-sale, by retail, of alcohol from 12.00hrs (mid-day) till 21.00hrs and
- Provision of regulated entertainment 12.00hrs (mid-day) till 21.00hrs

The off sales element permits alcohol to be consumed off the TEN premises, ie beyond the area marked on the plan.

Relevant (rather than regulated) entertainment is also indicated between 12.00hrs and 21.30hrs, but as this relates to nudity etc and would be unsuitable in the presence of minors, this is likely to be an error.

The nature of the event is described as '*Outside live music event Manchester cover bands (see event plan)*'

No plan of the TEN premises area was supplied with the TEN, but an image has since been provided. The area to be used for the event is described on the TEN as '*Park Bandstand hardstanding & open grassed area to the SW of the Bandstand. Access via the park gates at the junction of Ormerod Rd and Belvedere Rd.*'

The TEN is provided at Appendix A, the TEN premises location image at Appendix B, the event plan (as submitted with the TEN) at Appendix C. A revised event plan and location plans have since been submitted and are provided at Appendix H.

On 19th May 2022 the Licensing Authority received objection notices from Lancashire Constabulary and Environmental Health in accordance with s104(2). The objections are provided at Appendices D & E respectively.

The event taking place on Saturday 4th June has been advertised for a number of months as 'This is Manchester Indie Festival', with 6 tribute bands and tickets being sold across a number of ticketing platforms. The event holder indicated on 16th May that 490 tickets had been sold at that point.

Since receipt of the TEN, Green Spaces and Amenities have indicated their permission to use the park providing numbers are capped at 499. One of the restrictions on the use of the TENs process is that the activities are only permitted where numbers do not exceed 499. This number includes staff and performers

A copy of licence PLN 0057 is provided at Appendix F, and a plan of the licenced premises at Appendix G – the licenced area.

As Premises Licence PLN 0057 applies to the TEN premises where the event is to take place, any conditions attached to that licence can be applied to the TEN as per paragraph 3 of this report.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

6. None

POLICY IMPLICATIONS

7. The Council's Licensing Policy deals with TENs at section 17. Of particular note at Para 17.7 *The authority encourages notice providers to give the earliest possible notice of events likely to take place. This is particularly relevant to events which are to take place in the open air or in a temporary structure. Assistance with the planning of events can be provided through the Council's Events Safety Advisory Group.*
8. Statutory Guidance issued under s182 Licensing Act provides deals with TENs at section 7.
At para 7.35 The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time... In each case it is important that licensing authorities and relevant persons consider whether they believe the premises user intends to exceed the 499 person limit, or will be unable to control, or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.

DETAILS OF CONSULTATION

9. None

BACKGROUND PAPERS

10. None

FURTHER INFORMATION	
PLEASE CONTACT:	Lisa Tempest 01282 425011
ALSO:	

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Queens Park 137 Ormerod Road Burnley BB10 3AA	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	PLN0057
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Park Bandstand Hard Standing & Open Grassed Area to the SW of the Bandstand Access via the park gates at the junction of Ormerod Rd & Belvedere Road	
Please describe the nature of the premises below. (Please read note 4)	
Public Park	
Please describe the nature of the event below. (Please read note 5)	

Outside Live Music Event Manchester cover bands (see event plan)

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input type="checkbox"/> Yes
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/> No
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/> Yes
The provision of late night refreshment	<input type="checkbox"/> No
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/> No
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
Saturday 4 th June 2022	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)	
12PM till 9PM	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	499
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only <input type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/> YES

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

12PM till 9.30PM

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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes Y	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Ribble valley	
Licence number	PER0556	
Date of issue	22/06/2010	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No N
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No N

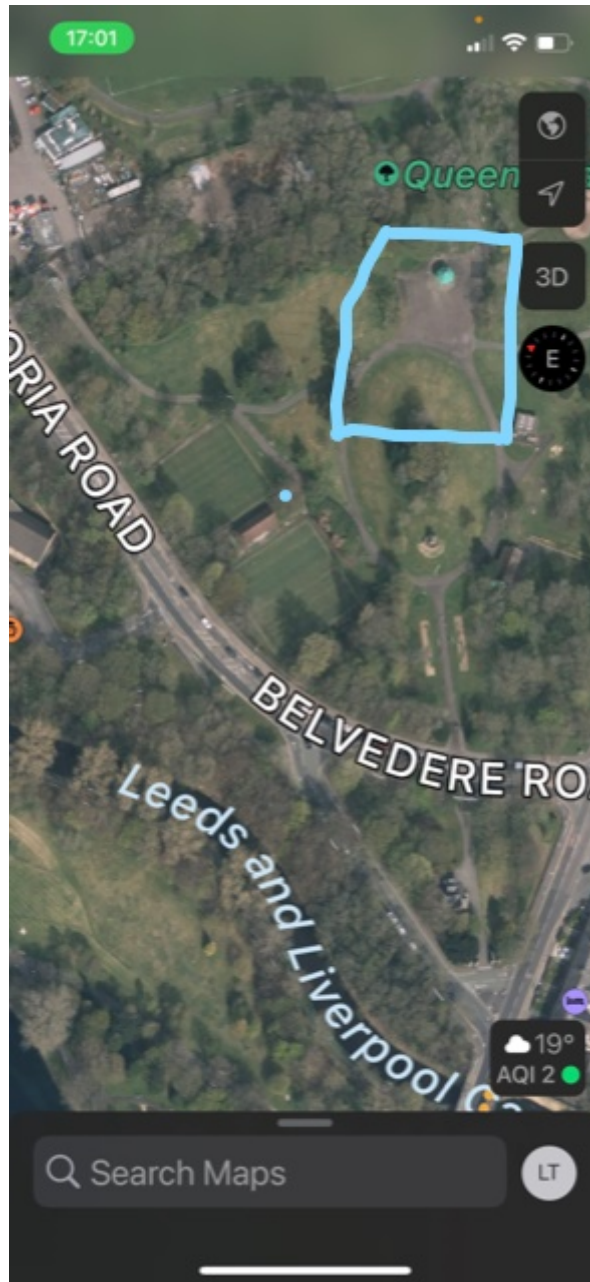
6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No N
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No N
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No N

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No N

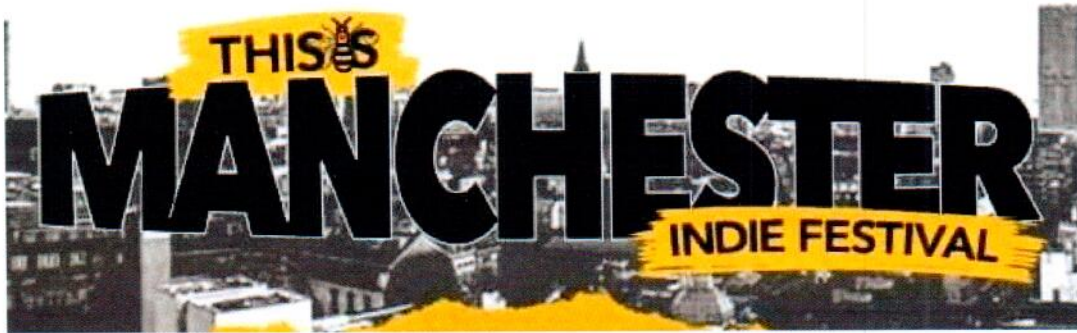
7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	Yes
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	Yes
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	Yes
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	N/A
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	N/A
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	N/A
Made or enclosed payment of the fee for the application	Yes
Signed the declaration in Section 9 below	Yes

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	



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Event Plan

For the

Manchester Indie Festival

Queens Park Burnley
4th JUNE 2022

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A. Preface

This document has been compiled to ensure the safe delivery of a single day music festival at Queens Park, 137 Ormerod Rd, Burnley BB10 3AA on the 4th June 2022. Based at the bandstand area within the park the event will see bands performing between the hours of 1200 and 2130.

The Manchester Indie Festival a brand new event for the town is the concept of which the Event Team hope will become a popular, regular, viable event in the towns live music calendar. Hosted by the who having previously hosted events in Townley Park and other venues, hope this new site can provide a permanent home for the festival moving forward. Later this year the team intend to apply for a full premises licence to secure the future of the festival. The 2022 event will operate on a Temporary Event Notice (TE1492) which has been secured from the council and be limited to 499 persons. There will however be additional people in the confines of the park as access has to be maintained for patrons who wish to use the Tennis and Skateboard facilities.

B. Event Team

The event is to be managed by a small team made up of the following people.

This Event team will be responsible for all safety and logistical items in relation to the building and operation of the Event and its impact on surrounding areas - prior too, during and after the event.

1. Event Facilities

1.1 Parking

Event Parking is to be split into two areas as follows:-

Parking for the event staff, its contactors and artists will be within the Park using the Queen Victoria Road entrance. There will be no contractor / very restricted vehicle movement during the event.

Parking for event attendees will be 'on street' around the park with a drop off and pick up facility for taxis opposite the school on Ormerod Road. We don't envisage many event attendees arriving by car and as such feel the on street parking will be adequate for this first event. There is a plan to ask the school on Ormerod Road for the use of their facilities should it be required moving forward.

1.2 Tickets and Passes

Tickets are available online until 24hrs prior to the start of the event and from local selling agents up to the start of the event. There will be no provision to pay on entry and no entry without a ticket. Wrist bands will be issued to ticket holders on entry to the site in order that security can identify individuals who may have gained entry by other means.

1.3 Accommodation

The Event will be based at the bandstand area within Queens Park. The bandstand itself will be used as the stage for the event with the attendees gathering on the hard standing and grassed area SW of the band stand. There will be a marquee erected to house the bar and an additional top hat to be used as an event staff and First Aid base. **The main park entrance gates will be locked by our Event Staff at 0700Hrs on the morning of the event until 2100hrs the same day. Public access to the Tennis and Skateboard areas will be maintained via a gate yet to be agreed with Park Services and will be managed by a member of the Event Security Team. Access for patrons to the event will be via the gate on Belvedere Road**

1.4 Toilets

During the build-up and strike-out phases there are toilet facilities available at the park for contractors to use

Additional Portable toilets are to be brought in for the duration of the event from local supplier . The number of toilet units will be based on their own assessment once we have accurate information from ticket sales.

Based on the maximum numbers allowed on the Temporary Event Notice and based on the existing toilets available at the park we are planning to supplement the event with 3 Standard units and 1 Disabled Unit

1.5 Food & Refreshments

A professional third party vendor has been engaged to provide refreshments. They are in possession of the appropriate certification and licences. *Included in this document at Section 7.*

1.6 Event Bar & Alcohol

are to operate a purpose built Bar on the event site and will be serving beer, wines and spirits. The bar will be operating both a rigorous Challenge 25 and a NO GLASS policy. All staff will be briefed prior to their shift by the DPS or his nominee on our exact requirements.

All drinks will decanted into plastic glasses where required

is the nominated DPS for this event with (also a DPS) being operationally responsible for the Bar during the event

1.7 Handling of Cash

As both the event entry point and bar are to be cashless the only cash handling we envisage will be at the bar token point. This point at one end of the bar will be closely supervised by . At regular intervals in conjunction with the security staff cash will be transferred to a locked compartment elsewhere on the site and only a float left at the token point.

1.8 First Aid

During the build-up and strike-down phases first aid will be provided by our own nominated first aiders. Members of the event team hold first aid certificates

Public and Contractor First Aid during the Event will be provided by our own dedicated First Aid trained staff.

1.9 Insurance

provides public insurance on an event by event basis and copies of our policy for this event are included at Section 7.5 Our selected contractors are fully insured and covered by their own insurance during the build-up, show and strike-out phases. A copy of our contractor and insurance policies are included at Section 7.4

2. Traffic and the Public

2.1 Traffic Management

There will no physical traffic management scheme for this event. Due to the modest number of attendees expected we feel that the egress from the site will be orderly with most people making their way by taxi or on foot into the town centre.

2.1 Temporary Road Closures

There are to be no road Closures for this Event

2.2 Noise Nuisance

We don't expect the noise to significantly impact on the residents nearby but have put measures in place to control the amount of noise from the site. We will be using the 'Code of Practice on Environmental Noise Control at Concerts' as a reference standard for our operations.

Prior to the event we will circulate a letter to the local residents informing them of the event and listing a single contact number enabling them to directly get in touch with us should they experience problems on the day.

will be responsible for the off-site noise monitoring on the day and will regularly visit the pre-determined noise metering points established prior to the event to undertake regular measurements. On the day all complaints will be logged and their outcome documented.

2.3 Litter

Bins will be provided on the site with litter sweeps taking place during the event and at the day following the event end to ensure the event area and wider park is clear of discarded items. Park services have agreed to supply the additional bins required.

3. Consultation

3.1 Local Authority

Lancashire County Council are the single point of contact for organisations promoting major events. Their events management group then co-ordinate communications with all interested parties such as local authorities, highways, police, fires and rescues.

3.2 Police Involvement

The police do not provide an official presence but it is anticipated that, as usual, may attend in a watching brief.

3.3 Communications

The event team and security staff will all be in contact by telephone and / or radio during the event. A list of contact details will be circulated to all parties prior to the event.

5. Equipment

5.1 Temporary Structures – External

There will be a number of temporary structures erected on the site ranging from a small marquees and modified caravans to purpose built sets. All structures will be erected by companies trained and competent in the erection of said structures and all temporary structures will be certified and signed of as safe the day prior to the show.

5.2 Temporary Structures – Internal

There are no arena type structures to be erected at this event.

5.3 Communications

Key personnel will be provided with two way radios. There will also be hand held loud hailer for use in an emergency

5.4 Sound Systems

There will be a single sound system deployed on the day by our specialist contactor to cover the immediate area in front of the bandstand. The system will be fully manned during the day with attention paid to the operating levels. The system will be of a 'line array type - having a predictive coverage pattern in use and aimed away from the residential areas. Operating levels will be set and adjusted as required to maintain the correct off site limits.

5.5 Lighting Systems

FX Lighting may be used on the bandstand. This will primarily be made up of 'eye candy' effects for their visual appearance and enhancement of the event experience. There are no laser or sky scanning effects on this event

5.6 Special FX

There are to be no pyrotechnics used at this event. Co2 FX may be in use and will be operated by a subcontractor who is trained and competent in its use

5.7 Power

We intend to use the power available on the bandstand for the event. Where we feel additional provision may be required this will be installed by a specialist contractor and will be RCD protected according to its use. The external contractor will be responsible for the Design, Installation and certification of the system.

6 Personnel

6.1 Teams

Event Team

Bar Team

Bar team will be supplied by

Sub-Contractors

Sound Equipment Supplier
Lighting Equipment Supplier
Generators and Power
CO2 FX suppliers

Security / Door Supervisors
Bar staff
Toilet Providers.
Waste Company

6.2 Briefings

Briefings will take place at various times on the morning of the event to ensure all staff and subcontractors understand the Event Teams operating policy and any additional information that may be applicable to the safe delivery of this event.

6.3 Security

Security will be provided by local approved contractor

Following conversations with the company they have made the assessment that there will be 6 x SIA front line security staff and 2 x Marshalls allocated to the main event area, with 2 x SIA front line staff for the Tennis Court Access gate

7 Supporting Documentation

7.1 Event Maps

7.2 Traffic Plans & Information Documents

7.3 Notification Letters

7.4 Risk and Method Statements

7.5 Insurance

7.6 Noise Map & Information

8. Summary

8.1 Review Strategy

This assessment will be reviewed on an on going basis up to the event. This will be done to take in to account weather conditions and other factors that may affect the event. The organisers will communicate with the local authority, county council and police for advice and guidance in the event of any issue arising likely to impact the health and safety of the attendees, organizers or the general public.

- Assessment was made on Saturday 15/05/2022 by
- Assessment was reviewed on Wednesday 18/05/2022

Signed

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19th of May 2022

Licensing Unit
Burnley Borough Council

Police objection to the application for a Temporary Event Notice at Queens Park on the 4th of June 2022.

Lancashire Constabulary has received a TEN for a live music event in Queens Park, Burnley, on the 4th of June 2022 between the hours of 12:00 and 21:00hrs. The event has been described as an outside live music Manchester cover bands event. The application is made by PERSON A.

The park has a premises licence, PLN0057, the Licence Holder being Burnley Borough Council. It is my understanding that this licence will be used for the live entertainment aspects of this event.

The constabulary is concerned that the Temporary Event Notice will not be subject to any licensing conditions.

Queens Park is as a public park, with an approximate perimeter of 1.2 km with 10 entrances.

Lancashire constabulary objects to the application on the Prevention of Crime and Disorder, Public Safety, Prevention of Public nuisance and the Protection of Children from Harm licensing objectives.

The background to this is that there has been dialogue between the applicant, another person called PERSON B and the authorities since January.

The dialogue emphasised the need for relevant plans and risk assessments – none of which were forthcoming and is worrying. In fact, no risk assessments or replies to meaningful questions were given by PERSON B.

The key issue in this is that the TEN for alcohol sales is just one aspect of this event. The lack of any kind of planning or risk assessment raises serious doubts as to the validity of the event and, as such, Burnley Borough Council's Parks Department did not give consent for the park to be used.

A Temporary Event Notice submitted by PERSON B for this event was objected to by PC 2623 Michael Jones on 11th May. This led to a licensing hearing at Burnley Town Hall – in which PERSON B did not attend – as such the TEN was rejected.

Now another TEN application has been submitted for the same event from PERSON A who I believe has worked with PERSON B on other events in the borough.

Although there is an event plan as such, there are still concerns regarding this at the time of writing.

The key issues are that it does not specify explicitly the security arrangements involved that would support the promotion of all four licensing objectives. Also, all that has been submitted is a vague satellite map of Queens Park that does not show where the alcohol tent will be nor any boundaries for the on-sales element or boundary fencing to control the event. Also, a tangible dispersal policy.

At this point, the Parks department have said that permission is not withheld but the event is now capped at 499 persons, a risk assessment to follow and insurance purchased and policy provided.

Parks have given PERSON A a deadline that was midday today to review the event management plan.

We are still unclear what the actual numbers are attending the event as the 499 figure must include all staff and performers – in addition to attendees.

Although there is an event plan, it is my view that this is rather late in the process for something that should have been considered weeks ago to promote the licensing objectives – the key being public safety here. It still does not satisfy all concerns.

Lancashire Constabulary is concerned that the application does not describe provisions fully for a genuinely informed decision to be made.

The Jubilee Bank Holiday is going to be an extremely busy weekend, which will hopefully be enjoyed in the right spirit. However, Lancashire Constabulary is expecting an extremely busy weekend as there are lots of events taking place over East Lancashire – with alcohol consumption. This has the potential for crime and disorder.

We are bracing ourselves to be extremely busy and stretched for four days. What we need from event organisers is responsibility and good planning to mitigate risk for ourselves and the public at large. The lack of timely, tangible planning here has completely undermined this.

We are not objecting to put a spanner in the works – we support good events that benefit the local community. However, there needs to be more responsibility around promoting the licensing objectives.

In view of the above, Lancashire Constabulary objects to the application on the grounds that the lack of planning undermines the licensing objectives – given the amount of time this event has been in the works.

Regards

Sgt 3707 Gary Hennighan

East Division Licensing Officer

Dear PERSON A,

Further to the above TEN I believe that allowing the premises to be used in accordance with the TEN will undermine the Public Safety licensing objective for the following reasons;

The detail presented in the current event management plan is in my view is insufficient. The risk assessments presented do not sufficiently indicate how the area relating to the TEN will be effectively managed to protect public safety. There is no detailed plan of the TEN area or for the event as a whole, to indicate access for emergency services. The capacity for the whole event is 499 including staff and artists, I understand that 490 tickets have been sold already and I feel there is insufficient detail as to how you will ensure this number is not exceeded. Albeit it is proposed the park premises licence is used for the entertainment element of the event, the licensing conditions do not transfer across to the TEN there it is important that the licensing objectives are upheld s part of the risk assessments.

I also have concerns that given there is no detailed traffic management plan for the event, this could result in significant noise as people leave the event and try and find public transport home, resulting in noise nuisance to nearby residents after the event finishes at 9pm.

I am therefore objecting to the TEN on behalf of Environmental Health

Regards

Jill

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Licensing Unit
 Parker Lane
 Burnley
 Lancashire
 BB11 2DT

Tel: 01282 425011
 Web: www.burnley.gov.uk
licensing@burnley.gov.uk

Licensing Act 2003

Premises Licence

PLN0057

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Queens Park

Queen Victoria Road, Burnley, Lancashire, BB10 3EF.

Telephone 01282 423838

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors & Outdoors)	Monday to Sunday	10:00am	9:30pm
B. Exhibition of films (Indoors & Outdoors)	Monday to Sunday	10:00am	9:30pm
C. Indoor sporting event	Monday to Sunday	10:00am	9:30pm
E. Performance of live music (Indoors & Outdoors)	Monday to Sunday	10:00am	9:30pm
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday	10:00am	9:30pm
G. Performance of dance (Indoors & Outdoors)	Monday to Sunday	10:00am	9:30pm
H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)	Monday to Sunday	10:00am	9:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	10:00pm

Licensing Act 2003

Premises Licence

PLN0057

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Burnley Borough Council Head of Green Spaces and Amenities, Town Hall Manchester Road, Burnley, Lancashire, BB11 1JH.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

ANNEXES

ANNEX 2 - Conditions Imposed in Accordance with the Operating Schedule & Under Paragraph 18(4) & 18(5) Schedule 8 Licensing Act 2003

All events must be risk assessed and a copy of the assessment shall be forwarded to the emergency services prior to the event taking place.

Noise levels shall be kept within any guidelines issued by Environmental Health Dept.

There shall be no events containing material of an adult or offensive nature

The Code of Practice on Environmental Noise at Concerts shall be followed for all events and advice shall be sought from Environmental Health Dept. in advance of any event taking place

ANNEX 1 - MANDATORY CONDITIONS

When a film is exhibited, admission of children to that part of the premises must be restricted in accordance with any recommendation made by the British Board of Film Classification in relation to that film.

Use of door supervisors.

Each individual in the premises who carries out a security activity must be licensed by the Security Industry Authority unless the premises or part of the premises where they are present is being used wholly or mainly as a restaurant or guest house, for theatrical performances or plays, or a Gaming Licence is for the time being in force in respect of those premises.

ANNEX 3. Conditions attached after a hearing by the licensing authority

None

ANNEX 4 - Plan of Premises

The official plan of the premises is attached and endorsed

Licensing Act 2003

Premises Licence Summary

PLN0057

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Queens Park

Queen Victoria Road, Burnley, Lancashire, BB10 3EF.

Telephone 01282 423838

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	10:00pm



Licensing Unit
Parker Lane
Burnley
Lancashire
BB11 2DT

Tel: 01282 425011
Web: www.burnley.gov.uk
licensing@burnley.gov.uk

Licensing Act 2003
Premises Licence Summary **PLN0057**

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Burnley Borough Council Head of Green Spaces and Amenities, Town Hall Manchester Road, Burnley, Lancashire, BB11 1JH.

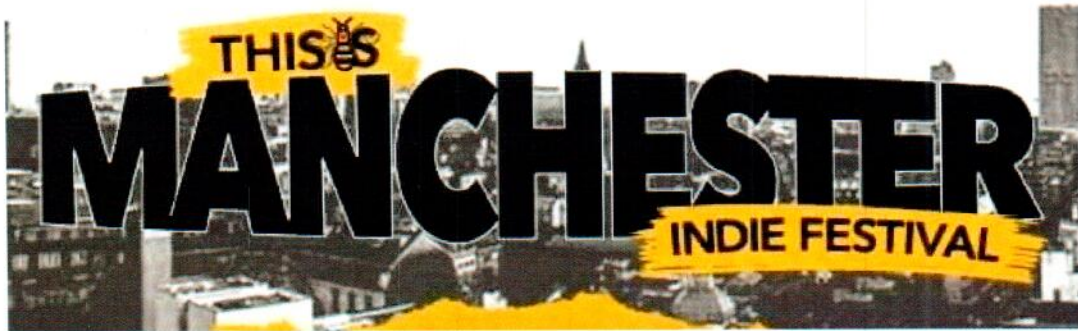
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

None



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Event Plan

For the

Manchester Indie Festival

Queens Park Burnley
4th JUNE 2022

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A. Preface

This document has been compiled to ensure the safe delivery of a single day music festival at Queens Park, 137 Ormerod Rd, Burnley BB10 3AA on the 4th June 2022. Based at the bandstand area within the park the event will see bands performing between the hours of 1200 and 2130.

The Manchester Indie Festival a brand new event for the town is the concept of , which the Event Team hope will become a popular, regular, viable event in the towns live music calendar. Hosted by the who having previously hosted events in Townley Park and other venues, hope this new site can provide a permanent home for the festival moving forward. Later this year the team intend to apply for a full premises licence to secure the future of the festival. The 2022 event will operate on a Temporary Event Notice (TE1492) which has been secured from the council and be limited to 499 persons. There will however be additional people in the confines of the park as access has to be maintained for patrons who wish to use the Tennis and Skateboard facilities.

B. Event Team

The event is to be managed by a small team made up of the following people.

This Event team will be responsible for all safety and logistical items in relation to the building and operation of the Event and its impact on surrounding areas - prior too, during and after the event.

1. Event Facilities

1.1 Parking

Event Parking is to be split into two areas as follows:-

Parking for the event staff, its contactors and artists will be within the Park using the Queen Victoria Road entrance. There will be no contractor / very restricted vehicle movement during the event.

Parking for event attendees will be 'on street' around the park with a drop off and pick up facility for taxis opposite the school on Ormerod Road. We don't envisage many event attendees arriving by car and as such feel the on street parking will be adequate for this first event. There is a plan to ask the school on Ormerod Road for the use of their facilities should it be required moving forward.

1.2 Tickets and Passes

Tickets are available online until 24hrs prior to the start of the event and from local selling agents up to the start of the event. There will be no provision to pay on entry and no entry without a ticket. Wrist bands will be issued to ticket holders on entry to the site in order that security can identify individuals who may have gained entry by other means.

1.3 Accommodation

The Event will be based at the bandstand area within Queens Park. The bandstand itself will be used as the stage for the event with the attendees gathering on the hard standing and grassed area SW of the band stand. There will be a marquee erected to house the bar and an additional top hat to be used as an event staff and First Aid base. **The main park entrance gates will be locked by our Event Staff at 0700Hrs on the morning of the event until 2100hrs the same day. Public access to the Tennis and Skateboard areas will be maintained via a gate yet to be agreed with Park Services and will be managed by a member of the Event Security Team. Access for patrons to the event will be via the gate on Belvedere Road**

1.4 Toilets

During the build-up and strike-out phases there are toilet facilities available at the park for contractors to use

Additional Portable toilets are to be brought in for the duration of the event from local supplier . The number of toilet units will be based on their own assessment once we have accurate information from ticket sales.

Based on the maximum numbers allowed on the Temporary Event Notice and based on the existing toilets available at the park we are planning to supplement the event with 3 Standard units and 1 Disabled Unit

1.5 Food & Refreshments

A professional third party vendor has been engaged to provide refreshments. They are in possession of the appropriate certification and licences. *Included in this document at Section 7.*

1.6 Event Bar & Alcohol

Drop the Beat are to operate a purpose built Bar on the event site and will be serving beer, wines and spirits. The bar will be operating both a rigorous Challenge 25 and a NO GLASS policy. All staff will be briefed prior to their shift by the DPS or his nominee on our exact requirements.

All drinks will decanted into plastic glasses where required

is the nominated DPS for this event with (also a DPS) being operationally responsible for the Bar during the event

1.7 Handling of Cash

As both the event entry point and bar are to be cashless the only cash handling we envisage will be at the bar token point. This point at one end of the bar will be closely supervised by . At regular intervals in conjunction with the security staff cash will be transferred to a locked compartment elsewhere on the site and only a float left at the token point.

1.8 First Aid

During the build-up and strike-down phases first aid will be provided by our own nominated first aiders. Members of the event team hold first aid certificates

Public and Contractor First Aid during the Event will be provided by our own dedicated First Aid trained staff.

1.9 Insurance

provides public insurance on an event by event basis and copies of our policy for this event are included at Section 7.5 Our selected contractors are fully insured and covered by their own insurance during the build-up, show and strike-out phases. A copy of our contractor RAMS and insurance policies are included at *Section 7.4*

2. Traffic and the Public

2.1 Traffic Management

There will be no physical traffic management scheme for this event. Due to the modest number of attendees expected we feel that the egress from the site will be orderly with most people making their way by taxi or on foot into the town centre.

2.1 Temporary Road Closures

There are to be no road Closures for this Event

2.2 Noise Nuisance

We don't expect the noise to significantly impact on the residents nearby but have put measures in place to control the amount of noise from the site. We will be using the 'Code of Practice on Environmental Noise Control at Concerts' as a reference standard for our operations.

Prior to the event we will circulate a letter to the local residents informing them of the event and listing a single contact number enabling them to directly get in touch with us should they experience problems on the day.

Our staff will be responsible for the off-site noise monitoring on the day and will regularly visit the pre-determined noise metering points established prior to the event to undertake regular measurements. On the day all complaints will be logged and their outcome documented.

2.3 Litter

Bins will be provided on the site with litter sweeps taking place during the event and at the day following the event end to ensure the event area and wider park is clear of discarded items. Park services have agreed to supply the additional bins required.

3. Consultation

3.1 Local Authority

Lancashire County Council are the single point of contact for organisations promoting major events. Their events management group then co-ordinate communications with all interested parties such as local authorities, highways, police, fires and rescues.

3.2 Police Involvement

The police do not provide an official presence but it is anticipated that, as usual, may attend in a watching brief.

3.3 Communications

The event team and security staff will all be in contact by telephone and / or radio during the event. A list of contact details will be circulated to all parties prior to the event.

5. Equipment

5.1 Temporary Structures – External

There will be a number of temporary structures erected on the site ranging from a small marquees and modified caravans to purpose built sets. All structures will be erected by companies trained and competent in the erection of said structures and all temporary structures will be certified and signed of as safe the day prior to the show.

5.2 Temporary Structures – Internal

There are no arena type structures to be erected at this event.

5.3 Communications

Key personnel will be provided with two way radios. There will also be hand held loud hailer for use in an emergency

5.4 Sound Systems

There will be a single sound system deployed on the day by our specialist contactor to cover the immediate area in front of the bandstand. The system will be fully manned during the day with attention paid to the operating levels. The system will be of a 'line array type - having a predictive coverage pattern in use and aimed away from the residential areas. Operating levels will be set and adjusted as required to maintain the correct off site limits.

5.5 Lighting Systems

FX Lighting may be used on the bandstand. This will primarily be made up of 'eye candy' effects for their visual appearance and enhancement of the event experience. There are no laser or sky scanning effects on this event

5.6 Special FX

There are to be no pyrotechnics used at this event. Co2 FX may be in use and will be operated by a subcontractor who is trained and competent in its use

5.7 Power

We intend to use the power available on the bandstand for the event. Where we feel additional provision may be required this will be installed by a specialist contractor and will be RCD protected according to its use. The external contractor will be responsible for the Design, Installation and certification of the system.

6 Personnel

6.1 Teams

Event Team

Bar Team

Bar team will be supplied by Burnley Venue -

Sub-Contractors

Sound Equipment Supplier
Lighting Equipment Supplier
Generators and Power
CO2 FX suppliers

Security / Door Supervisors
Bar staff
Toilet Providers.
Waste Company

6.2 Briefings

Briefings will take place at various times on the morning of the event to ensure all staff and subcontractors understand the Event Teams operating policy and any additional information that may be applicable to the safe delivery of this event.

6.3 Security

Security will be provided by local approved contractor

Following conversations with the company they have made the assessment that there will be 6 x SIA front line security staff and 2 x Marshalls allocated to the main event area, with 2 x SIA front line staff for the Tennis Court Access gate

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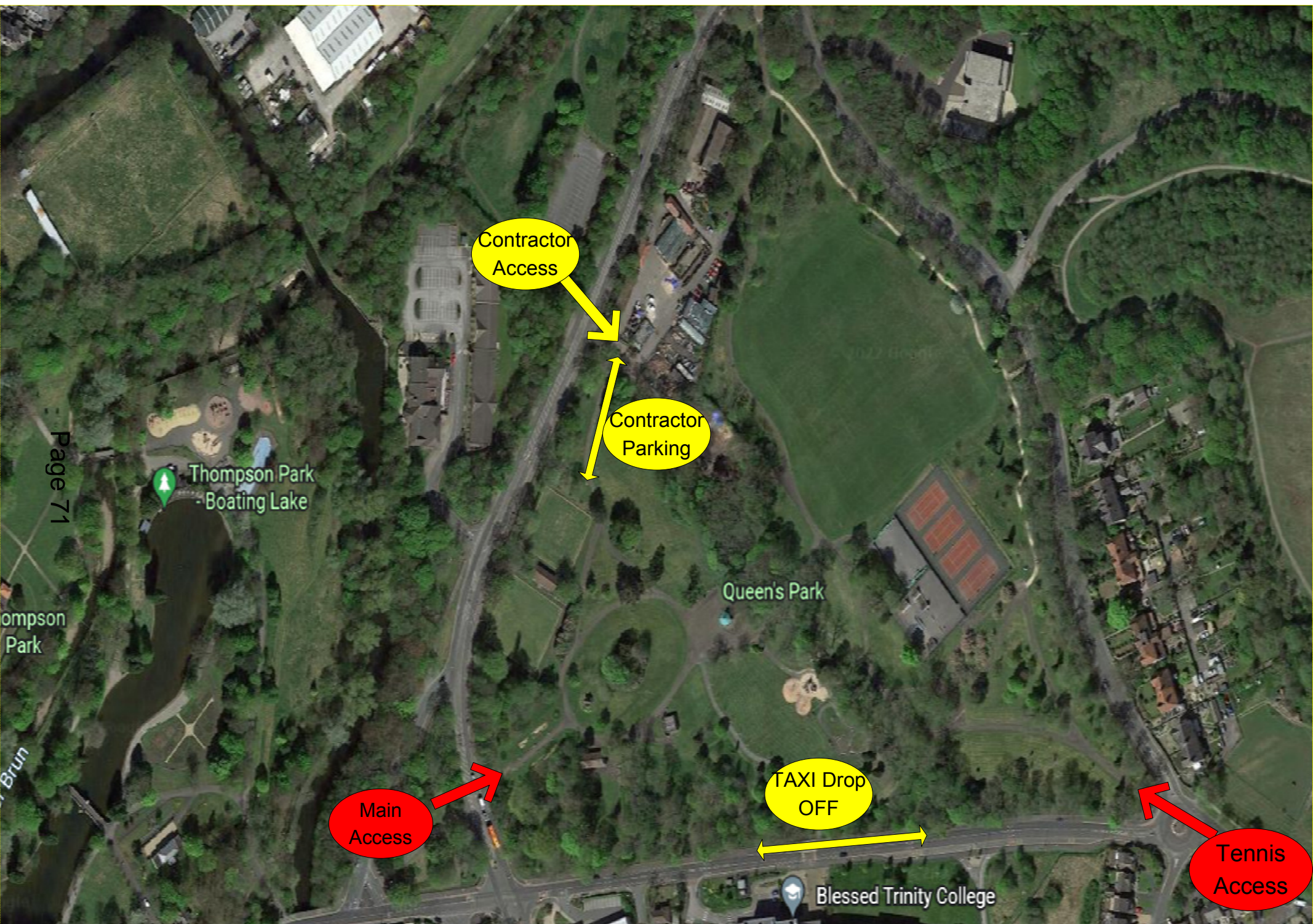
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-
- Assessment was made on Saturday 15/05/2022
 - Assessment was reviewed on Wednesday 18/05/2022

Signed

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Contractor Access



Contractor Parking



Thompson Park - Boating Lake

Queen's Park

TAXI Drop OFF



Main Access

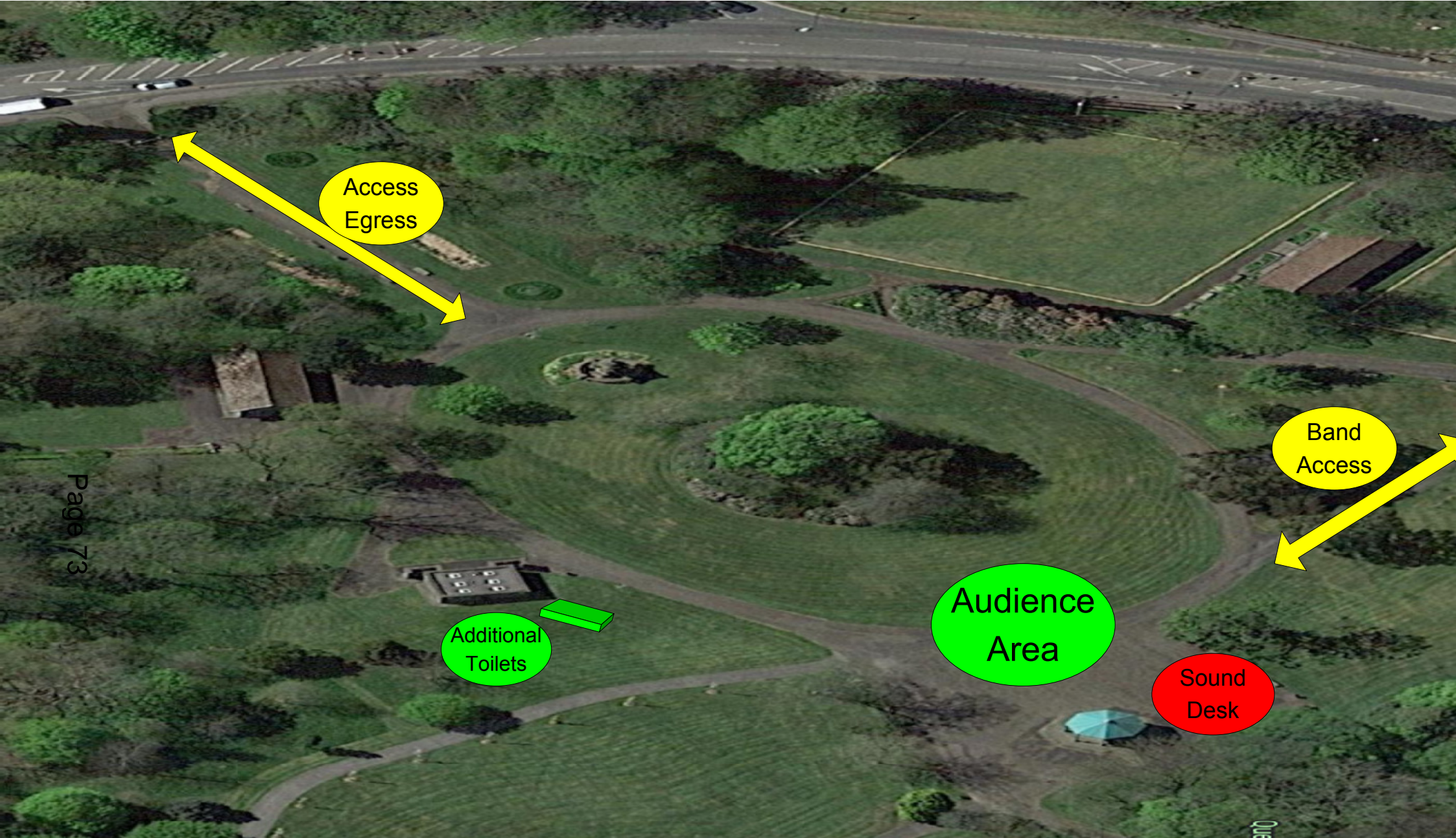


Tennis Access



Blessed Trinity College

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Access
Egress

Band
Access

Audience
Area

Sound
Desk

Additional
Toilets

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