

THAMES VALLEY POLICE

Division/Station : Reading Police Station Licensing Dept

From : PC 5787 Simon Wheeler

To : West Berkshire Council

Ref : Woodside Farm, Priors Court Road, Hermitage, Thatcham, West Berkshire

Date : 02 August 2018

Subject :

TENS for 25th – 27th August on behalf of applicant Keith Hewett

To whom it may concern

I PC 5787 Simon Wheeler on behalf of the Chief Officer of Thames Valley Police wish to formally object to the proposed Temporary Events Notice (TENS) as it is believed that this application for Woodside Farm, Priors Court Road, Hermitage, Thatcham, West Berkshire, between 1800 hours in the 25th August 2018 until 0200 hours on Monday 27th August 2018 (named as Griffstock) shall undermine the four licensing objectives as the applicant has not sufficiently considered the promotion of the four licensing objectives with specific regard to that of the prevention of crime and disorder and public safety.

Paragraph 7.6 of the current Secretary of States Section 182 guidance states:-

*“The police or EHA (“relevant persons” for the purposes of TENS) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. A relevant person may also intervene by agreeing a modification of the proposed arrangements directly with the TENS user (see paragraph 7.36). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. **When giving a TEN, the premises user should consider the promotion of the four licensing objectives.** The licensing authority may only otherwise intervene if the statutory permitted limits on TENS would be exceeded (see paragraphs 7.15-7.22).”*

Furthermore the West Berkshire Council Statement of Licensing Policy provides the following:-

*5.2 The Licensing Authority advises organisers of Temporary Events to submit their Notice as soon as reasonably possible in order for the Police and Environmental Health to consider the event and for the Licensing Authority to check that the limitations set down in part 5 of the Act are being observed. **The Licensing Authority recommends that at least two calendar months notification of an event is given.***

The application for this event was received by West Berkshire Council on the 28th of July 2018 which is less than one month from the date of the event. Although only a recommendation (as above) the Licensing authority would reasonably expect a notification of at least two months for the event to be given. This ensures that the application and its contents can be tested sufficiently and if required the applicant can be provided assistance with the event.

When looking at an event of this nature with a stated capacity of 499 persons which includes two stages and the sale of alcohol we would expect a comprehensive strategy and plan for the event. The premises user should consider the promotion of the four licensing objectives and a means to show that due diligence is to provide such a plan, which details their strategy and processes to support that.

This initial application that had been received in relation to this TENS contained minimal information about the event itself and a further communication was received from Mr Hewett which provided the following details:-

“The event is a retro-punk and rock themed party. There will be two small stages for bands and two bars serving alcoholic drinks. The bars will be managed by two professional bar managers who both hold personal licenses, myself and Sally Hunt (License number 13-06397-LAPER). These bars will be operated in accordance with all licensing objectives. Attendance will be controlled by tickets and numbered wristbands limiting staff and party-goers to 499 people. Live music will be permitted from 12am midday until 12am midnight, followed by recorded music at from one bar until 2am. The qualified Health and Safety and Security Officer will be Samantha Monks. Responsibility for First Aid arrangements will be by Nurse Justine Lewis. Ten temporary toilets (Portaloos) will be provided by Brandon Hire. Volunteers have been arranged for stewarding duties and security. Any questions regarding these arrangements can be directed to myself using the supplied contact details.”

This communication and information does not make any reference to the licensing objectives apart from stating that the bars will operate in conjunction with them, and provides little detail as to the specific measures that are being undertaken.

From a Policing perspective and the prevention of crime and disorder our specific concern is related to the security provision for the event which should be based on an in depth risk assessment and would be expected to consider areas such as capacity, access and egress, dispersal and a mapping process withy considerations for the layout of the event.

We would also wish to be provided with information regarding search policy and drugs policy for both the prevention and detection of drug usage as well as for other security purposes.

Again the West Berkshire Council Statement of Licensing Policy provides guidance in relation to this:-

8.11 In addressing the Licensing Objectives, the Licensing Authority recognises the significant role played by the combination of drugs and alcohol at some licensable events whilst acknowledging that drug abuse is not specifically addressed as a licensing objective. Accordingly the Licensing Authority may, in circumstances where representations have been made, impose licence conditions aimed at addressing these problems. In so doing, the Licensing Authority will consider:

8.11.1 Appropriate guidance on the subject, for instance “Safer Clubbing” and other appropriate publications;

8.11.2 the availability of free water;

8.11.3 the provision of designated chill out areas;

8.11.4 staff training in first aid to an appropriate standard and

8.11.5 the provision of SIA licensed door supervisors.

Thames Valley Police recognise that on the 31st July 2018 Mr Hewett provided a generic risk assessment entitled “Griffstock” and with a review date of May 2014. We can only assume that this has been generically provided from previous Griffstock events but cannot confirm this. The risk assessment is provided as appendices TVP1.

The risk assessment in itself is very basic and covers some areas that we would applaud such as references to utilising Challenge 25 and a refusals register being in operation. However the

Security of the event is only loosely discussed stating “security personnel will be on hand in the unlikely event of them being required”.

You will note that in Mr Hewetts initial precise’ of the event he mentions volunteers to provide stewarding and security and whether Security Industry Authority (SIA) staff are included is unclear.

Again if we look towards paragraph 8.11.5 of the Statement of Licensing Policy this offers the usage of SIA door supervisors as appropriate guidance to prevent issues caused by alcohol and drugs at some licensable events.

On 2nd August 2018 Thames Valley Police spoke with the applicant Mr Hewett with the hope of clarifying the procedures in place to ensure that the licensing objectives were promoted and with specific intent on identifying the processes the applicant intended to put into place to prevent crime and disorder and for the promotion of public safety.

The questions were asked; how many SIA staff were due to be employed, where were they to be deployed and the rationale supporting both their numbers and deployment areas? It was also hoped to discuss the entry and searching policies, drug prevention policies and host of other security and safety measures.

Unfortunately Mr Hewett was unable to answer these questions and clearly there was no overarching strategy or plan for the event which any one person was able to supply.

Instead Mr Hewett asked Thames Valley Police how many security staff that we would suggest were employed by them! Our expectation is that any applicant should have sufficiently addressed such issues themselves and conducted their own assessments and plan to address such matters.

Our expectation would be that any applicant with concerns and a lack of knowledge in such matters should consult with both the Licensing Authority and the Police in good time and prior to any such application for advice, or at the very least apply in line with the Council policy ie with more than two months notice.

In conclusion it appears that Mr Hewett may have made this application on behalf of Griffstock who have previously ran unlicensed events within Stroud, Gloucestershire. If so a conclusion may be drawn that as Mr Hewett is working with them and or on their behalf that the information that he is being required to provide is difficult for him to ascertain. We suspect that until now Mr Hewett has also not even visited the prospective site in person, although that cannot be confirmed.

Either way we are left with a serious concern that this event in it’s current format and with the lack of information that has been able to be provided shall likely undermine the licensing objectives rather than promote them.

This event is scheduled to take place on a Bank holiday weekend which is a date in which there are notoriously pressures on public services, and it would be in our opinion remiss to allow this TENS to take place with the current failings that have been identified within the applicants management plan or lack of as is the case.

The current Secretary of States Section 182 Guidance states provides the following conclusion regarding TENS which would undermine the licensing objectives:-

7.28 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may

*decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions) and provide a copy to each relevant party. **Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.***

Therefore in our submission we respectfully ask the Licensing Sub-Committee to consider this objection in order to uphold the licensing objectives with specific regard for those of the prevention of crime and disorder and public safety.

Appendices

TVP 1 – Risk Assessment supplied for Griffstock event by Mr Hewett.