

To: Councillors Woodward (Chair),
D Edwards and Grashoff

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6 March 2019

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NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 2 - 14 MARCH 2019

A meeting of the Licensing Applications Sub-Committee 2 will be held on Thursday, 14 March 2019 at 9.30 am in the Council Chamber, Civic Offices, Bridge Street, Reading, RG1 2LU. The Agenda for the meeting is set out below.

<u>ACTION</u>	<u>WARDS AFFECTED</u>	<u>Page No</u>
1. DECLARATIONS OF INTEREST		
<p>(a) Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration; (b) Councillors to declare whether they wish to speak on the grounds they: (i) Have submitted a relevant representation as an interested party; or (ii) Will be speaking on behalf of an interested party.</p>		
2. MINUTES		3 - 6
<p>To confirm the Minutes of the meeting of Licensing Applications Sub-Committee 2 held on 14 February 2019 as a correct record.</p>		
3. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - TEA PARTY FESTIVAL	ABBEY	7 - 72
<p>To consider an application for the grant of a Premises Licence in respect of Tea Party Festival, "Thameside Promenade", Reading RG1 8DP.</p>		

CIVIC OFFICES EMERGENCY EVACUATION: If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble on the corner of Bridge Street and Fobney Street. You will be advised when it is safe to re-enter the building.

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Present: Councillors Woodward (Chair) and Rowland.

Apologies: Councillor Grashoff

25. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 1 held on 4 December 2018 and 18 December 2018 and Licensing Applications Sub-Committee 2 held on 6 December 2018 and 13 December 2018 were confirmed as correct records and signed by the Chair.

26. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - UNION FOOD AND WINE

The Head of Planning, Development and Regulatory Services submitted a report on an application by Mr Ajeet Singh Chopra for the grant of a Premises Licence in respect of Union Food and Wine, 11b Union Street, Reading, RG1 1EU.

The report stated that the premises did not currently have a Premises Licence in force and that the premises was located within the Council's Cumulative Impact Area. As stated in the report, the application was seeking the following:

Sale of Alcohol (On and Off the Premises)

Monday to Sunday from 0700hrs until 0000hrs (Midnight)

Hours Open to the Public

Monday to Sunday from 0700hrs until 0000hrs (Midnight)

A copy of the application form was attached to the report at Appendix 1.

The report stated that during the 28 day consultation process for the application, representations had been received from Reading Borough Council's Licensing Team (attached to the report at Appendix 2), Thames Valley Police (attached to the report at Appendix 3) and an interested party (attached to the report at Appendix 4).

The application was made in an area subject to the Council's Cumulative Impact Policy, which created a rebuttable presumption that applications for the grant of premises licences which were likely to add to the existing cumulative impact would normally be refused or subject to certain limitations, following representations, unless the applicant could demonstrate that there would be no negative cumulative impact on one or more of the licensing objectives.

The report stated that in considering the application, the Licensing Authority had a duty to carry out its functions with a view to promoting the four licensing objectives, as follows:

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

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 14 FEBRUARY 2019

The report also stated that any conditions placed on the premises licence should be appropriate and proportionate with a view to promoting the licensing objectives and that the Licensing Authority could amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

The report set out paragraphs 1.5, 8.41-8.49, 9.4-9.13, 10.15 and 14.63-14.64 from the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and paragraphs 2.1-2.14, 3.2-3.3, 6.1-6.2, 6.11-6.13, 6.16, 9.1-9.3, 9.6-9.7, 12, 12.1-12.3, 12.6-12.8, 12.10-12.15, 12.18-12.21, 12.23-12.24, 12.32 and 12.35 from the Council's Statement of Licensing Policy (October 2018).

Richard French, Licensing Officer, Reading Borough Council and Declan Smyth, Licensing Officer, Thames Valley Police, were both present and addressed the Sub-Committee on their representations regarding the application as stated in the report.

The applicant was represented by Mr Duncan Craig, Barrister, Citadel Chambers, who addressed the Sub-Committee on the application and responded to questions. Mr Ajeet Singh Chopra, the applicant, was present and responded to questions from the Sub-Committee and was accompanied by Mr Surendra Panchal, Personal Licence Courses Ltd.

Resolved -

That, in order to promote the licensing objectives, and having regard to the oral and written representations made, the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (April 2018) and the Council's Statement of Licensing Policy in respect of cumulative impact, the Sub-Committee was not satisfied that the presumption against granting the application had been rebutted and therefore the application for the grant of a Premises Licence in respect of Union Food and Wine, 11b Union Street, be refused. The Sub-Committee's reasons were:

- (a) that despite the applicant's representative making attempts to address the issue of the Cumulative Impact Policy at the hearing, the Sub-Committee was very concerned that the original application made no mention of the Council's Cumulative Impact Policy or how the policy would be rebutted;
- (b) the Sub-Committee was not satisfied that the Premises Licence Holder had sufficient grasp of the reasons for and objectives of the Council's Cumulative Impact Policy;
- (c) the Sub-Committee was not confident that the Premises Licence Holder would promote the licensing objectives within the Cumulative Impact Area and in particular a sensitive part of that area.

27. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - PREMIER INN

The Head of Planning, Development and Regulatory Services submitted a report on an application by Whitbread Group PLC for the grant of a Premises Licence in respect of Premier Inn, on the site of 20 Hosier Street, Reading, RG1 7JL.

The Sub-Committee decided to adjourn the hearing until further discussions had taken place between the applicant and the Council's planning department.

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 14 FEBRUARY 2019

(The meeting started at 9.30am and finished at 11.52am)

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LICENSING ACT 2003 HEARING THURSDAY 14th MARCH 2019 AT 0930HRS
APPLICATION FOR THE GRANT OF A PREMISES LICENCE

1. Premises:

Tea Party Festival
"Thameside Promenade"
Reading
RG1 8DP

2. Applicant:

Tea Party Fest Limited
11 Castle Hill
Maidenhead
SL6 4AA

3. Premises Licence:

There is currently no premises licence in force at the premises for this specific outdoor event.

4. Proposed licensable activities and hours:

The application is for the grant of a premises licence for the last weekend (Saturday and Sunday) in June annually for the following activities:

Sale of Alcohol (on and off the premises)
Saturday and Sunday from 1200hrs until 2200hrs

Regulated Entertainment (i
ndoor and outdoors)
Saturday and Sunday from 1200hrs until 2200hrs

Hours Open to the Public
Saturday and Sunday from 1200hrs until 2200hrs

Other
Capacity 9999 persons per day

5. Temporary Event Notices

In considering any application the Licensing Authority should be aware of the possible use of Temporary Event Notices to extend entertainment activities or hours of operation. A premises may extend the hours or scope of their operation by the use of Temporary Event Notices. Up to 15 events per year can be held under this provision at a particular premises. These events may last for up to 168 hours provided less than 500 people are accommodated and provided the total number of days used for these events does not exceed 21 per year.

6. Date of receipt of application: 18 January 2019

A copy of the application form is attached at Appendix LIC-1

7. Date of closure of period for representations: 15 February 2019

8. Representations received:

During the 28 day consultation process for the application, representations were received from:

Reading Borough Council Licensing team (attached at Appendix LIC-2)

Thames Valley Police (attached at Appendix LIC-3)

Environmental Protection (Noise) team (attached at Appendix LIC-4)

Environmental Health (Food and safety) team (attached at Appendix LIC-5)

Other interested parties (attached at Appendix LIC-6)

A location plan is included within the application.

9. Licensing Objectives and Reading Borough Council's Licensing Policy Statement

In considering representations received the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are as follows:

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

Any conditions that are placed on a premises licence should be appropriate and proportionate with a view to promoting the licensing objectives. The Licensing Authority can amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

The Council's licensing policy also places an onus on applicant's who wish to open past 11pm to demonstrate how they will mitigate the issues of crime and disorder and potential public nuisance.

The Council's Licensing Policy Statement (October 2018)

Introduction

1.1 This policy sets out how the Council as the Licensing Authority for Reading promotes the four licensing objectives stated in the Licensing Act 2003. The four licensing objectives, as outlined in Section 4 (2) of the Licensing Act 2003, are of equal importance and the Council along with other named Responsible Authorities, stakeholders, residents and licence holders shall work together in order to actively promote them. Those four licensing objectives are:

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm
- Public Safety

1.2 The Council must have regard to the four licensing objectives when carrying out its functions under the Licensing Act 2003. The Licensing Authority will also have regard to other Council policies which have been introduced to tackle issues that may undermine crime and disorder or any of the other licensing objectives. The Licensing Authority will have regard to the contents of this policy as well as the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003. It may also depart from this policy and the Secretary of State's Guidance if there are exceptional circumstances and it is appropriate to do so to promote the licensing objectives. If the Licensing Authority departs from the Secretary of State's Guidance it will give reasons as per paragraph 1.9 of that guidance.

1.6 The predominantly urban nature of Reading as a town means that an appropriate balance needs to be struck between the needs of local business and the needs of local residents. This licensing policy seeks to encourage all stakeholders to engage in the licensing process so that the needs of all can be taken into account and issues dealt with in a spirit of partnership and Co-operation.

Crime and Disorder Act 1998

3.2 This Act requires local authorities and other bodies to consider crime and disorder reduction. Section 17 of the Act states that it shall be the duty of each authority, to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that is reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment). This links specifically with the licensing objective of prevention of crime and disorder and the licensing authority will take into account all reasonable measures that actively promote this licensing objective.

Consultation

4.1 In drawing up and reviewing this policy, the licensing authority consulted with the bodies designated as Responsible Authorities within the Licensing Act 2003. The Authority also consulted with licence holders, local residents groups and groups representing the trade including licensing solicitors and Pubwatch.

- The chief officer of the police for the Reading local authority area
- The fire authority of the Reading local authority area
- The Public Health authority for the Reading local authority area
- Reading Borough Council Environmental and Nuisance team
- Reading Borough Council Environmental Health/Food Safety team
- Reading Borough Council Trading Standards team
- Reading Borough Council Planning Authority
- Reading Borough Council Safeguarding Board

- Alcohol licensing team at the Home Office
- All premises licence holders who hold a licence with Reading Borough Council
- Local organisations who are representative of local holders of premises licences
- Persons or bodies representative of local residents
- Licensing solicitors representing multi-site operators

4.5 The Licensing Authority shall, as required by Section 4 of the Licensing Act, have regard to this policy in its decision making. The policy may be departed from in the individual circumstances of any case where it is in the interests of promoting the licensing objectives. In such cases, the Licensing Authority shall give full reasons for departing from this policy.

4.6 The Licensing Authority has a duty under the Licensing Act 2003 to carry out its functions so as to promote the four licensing objectives. All four licensing objectives are of equal importance.

Licensing Conditions - General Approach

6.1 Conditions shall be appropriate and proportionate for the promotion of the licensing objectives and shall be unambiguous and clear in their stated aims. Conditions will also be tailored to the type, location and characteristics of the particular premises and the relevant licensable activities. Any condition imposed by the Authority shall also aim to avoid duplication of other legislation unless there is a requirement to impose such a condition in order to promote the licensing objectives (for example, a capacity limit for public safety reasons). This shall apply to all relevant applications (grant/variation of a premises licence or club premises certificate)

6.2 The operating schedule within an application should contain an assessment from the proposed licence holder of what they believe are appropriate and proportionate measures to enable them to carry out their proposed licensable activities. This assessment should be arrived at by taking cognisance of this policy and the Secretary of State's guidance which outlines the matters that an applicant should take into account such as issues in the locality and why their proposed measures are suitable for their proposed operation.

Licensed premises in residential areas

7.6 When dealing with applications and issuing licences, the authority is likely to impose stricter conditions on premises operating in residential areas if it considers it appropriate and proportionate to do so. This will apply to all premises types.

7.7 Generally, any licensed premises looking to open past 11pm (2300hrs) in a residential area will need to demonstrate clearly in their operating schedule that public nuisance will not result from later operation. As part of the operating schedule, applicants should read the Secretary of State's Guidance, this policy and any other relevant document and ensure that

robust measures are included in any application.

7.8 Premises that wish to provide regulated entertainment may be subject to additional conditions to ensure that residents are not disturbed. This may include the use of sound limiters; keeping doors and windows closed and restricting the hours when music is played.

7.9 Premises with outdoor areas such as beer gardens and smoking areas may also be subject to further restrictions in regard to their operation and use.

7.10 Where any outside area is used for drinking and/or smoking - including the public highway outside of a licensed premises - and complaints of public nuisance or noise are received the authority will consider controls to limit the disturbance.

7.11 Premises that are planning to put on events that involve regulated entertainment may be required to provide the authority with a detailed event management plan of that event which may include a detailed noise risk assessment.

7.12 The licensing authority will seek the input of the Council's Environmental Protection and Nuisance team when looking at measures that may be appropriate for the prevention of public nuisance. This will include taking cognisance of any representations that are submitted as part of the application process or any enforcement action they have taken under their own legislation - such as noise abatement notices.

Drinking up/Winding down time/Dispersal

7.14 Premises that provide licensable activity that may undermine the promotion of the four licensing objectives; cause disturbance to residents or in any way exacerbate issues of anti-social behaviour and crime and disorder, are expected to adopt, implement and maintain a robust dispersal policy. Licensed premises in residential areas or within the Council's Cumulative Impact Area are also expected to outline measures such as a suitable wind down time where licensable activities will come to a gradual conclusion before closing time to allow for a gradual and orderly dispersal from the premises and area. It is expected that all staff will be aware of any dispersal policy and wind down times so as to ensure that customers actively leave the premises and area within permitted hours and with the minimum of disturbance to local residents.

7.15 In the case of nightclubs, dance venues and similar premises, it is expected that licence holders and designated premises supervisors instigate and operate a wind down time starting at least thirty minutes before closing time. During this time, the pace, volume and type of music played should be slowed down and reduced to background levels. The sale of alcohol should also cease and staff should be available to assist in the gradual dispersal of patrons from the premises and the immediate area. It is expected that door supervisors should also assist with the gradual dispersal of patrons from the

premises and the area and direct people to public transport if appropriate.

8.2 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

8.3 The Authority will expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises. The Authority will also expect any licence holder who wishes to hold events for children to provide it and Thames Valley Police with a detailed risk assessment of that event including how the event will be managed, staffing levels for the event and how any child will be prevented from being exposed to any harm.

8.16 The Licensing Authority expects all applicants for grants or variations of their premises licence or club premises certificate to outline robust measures to protect children from harm. This can include appropriate staff training as well as a Challenge 25 age verification policy for the sale of alcohol and any other measure which is deemed appropriate for the style of premises.

General Principles

9.1 It is the responsibility under the Act for all responsible authorities; licence holders and prospective licence holders to actively promote the four licensing objectives. The Council along with partner agencies, has a wider responsibility to protect the public as a whole and prevent crime, harm or nuisance from taking place.

9.2 The Authority will carry out its licensing functions with a view to actively promoting the licensing objectives and maintaining public safety. This applies to the dual role the licensing authority has both as the administrator of the process and as a responsible authority.

9.3 The Licensing Authority has previously and will continue to work with other responsible authorities and partner agencies in order to ensure that the licensing objectives are promoted and that a consistent and joined up approach is taken to enforcement across Reading.

9.4 Reading Borough Council and Thames Valley Police work in partnership when carrying out work that involves licensed premises and any matter that undermines the licensing objectives. The Authority and Thames Valley Police also work in partnership with colleagues in the Home Office Immigration Enforcement team and Trading Standards on a variety of issues including the prevention and detection of illegal working in licensed premises and issues surrounding super strength alcoholic products and responsible alcohol retailing.

9.5 The Licensing Authority, Trading Standards and Thames Valley Police have established a regular partnership group to discuss and identify issues arising from licensed premises and to decide what, if any, enforcement action should be taken against any such premises. The partnership group is often attended by other colleagues so as to provide the widest possible, joined up approach to tackling issues in relation to licensed premises. It is the authority's view that issues are best tackled, whenever practicable, through this joined up approach as it provides consistency and a best practice approach to dealing with licensing issues.

Inspections

9.6 The Authority will carry out inspections at all premises where a premises licence is in force. Additionally, an inspection may also be carried out where an application for a grant, variation or review is received by the Authority to ascertain the likely effect of granting any application on the promotion of the licensing objectives. Inspections may also be carried out if the Authority or one of our partner agencies/responsible authorities are made aware of complaints or other incidents that undermine the promotion of the licensing objectives.

9.7 Inspections will be carried out solely by the Licensing Authority or in conjunction with other partners such as Thames Valley Police, Home Office Immigration Enforcement and Trading Standards.

Test Purchasing

9.8 It is the Authority's view that the sale of alcohol or other age restricted products to children is completely unacceptable. The Authority will work with colleagues in Thames Valley Police, Trading Standards and the Community Alcohol Partnership to regularly carry out test purchases on licensed premises. The sale of alcohol to children is an offence under the Act. Any premises or licence holder that is found to be selling alcohol to children is likely to have enforcement taken against them.

Enforcement Approach

9.12 Where offences are found to have been carried out on licensed premises, the Authority has a number of enforcement options available to it. The Authority will work with partner agencies to determine which enforcement option is appropriate for the promotion of the licensing objectives. The seriousness of the offences found will be taken into consideration as well as any previous issues of non-compliance or criminality that have taken place at the licensed premises.

Amended Guidance issued under section 182 of the Licensing Act 2003 (April 2018)

Licensing Objectives and Aims:

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises

Steps to promote the licensing objectives:

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where

there are no known concerns, acknowledge this in their application.

8.45 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

The role of responsible authorities

9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

9.12 Each responsible authority will be an expert in their respective field,

and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area⁵. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

Licensing authorities acting as responsible authorities

9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.

Determining Actions that are appropriate for the promotion of the Licensing Objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

Proposed Conditions

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours

during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

Designated Premises Supervisor

10.27 The main purpose of the 'designated premises supervisor' as defined in the 2003 Act is to ensure that there is always one specified individual among these personal licence holders who can be readily identified for the premises where a premises licence is in force. That person will normally have been given day to day responsibility for running the premises by the premises licence holder.

10.28 The 2003 Act does not require a designated premises supervisor or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the 2003 Act and conditions attached to the premises licence to promote the licensing objectives.

Licensing Act 2003

The Licensing Act 2003 under Section 18 (6) also states that any relevant representation should be considered in the context of:

(a) the likely effect of the grant of the premises licence on the promotion of the licensing objectives.

Therefore in the context of the grant of a licence, it is reasonable for the Licensing Authority to base its decision on an application on what the likely effects of granting a licence would have on the promotion of the licensing objectives.

Case Law

The Licensing Authority must consider each application on its own merits with a view to assessing the likely effect of granting such a licence on the promotion of the licensing objectives which is reasonably acceptable in a particular location (Paragraph 18 (6) of the Licensing Act 2003). This is confirmed in (R) on the application of Hope and Glory Public House v Westminster City Council (2011) EWCA Civ31 where Lord Justice Toulson stated:

(Para 42) Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a

licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance.

Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.

The above approach to grant applications and the prospective nature of the licensing objectives was confirmed in East Lindsey DC v Abu Hanif (2016) EWHC 1265 Admin, where Mr Justice Jay stated:

(Para 18) The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.



Reading
Application for a premises licence
Licensing Act 2003

For help contact
licensing@reading.gov.uk
 Telephone: 0118 937 3762

* required information

Section 1 of 21

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

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
 Yes No Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

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

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

Applicant Business

Is your business registered in the UK with Companies House? Yes No Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

The events will be held in the grounds of Thameside Promenade, Caversham, Reading, RG1 8DP. The area is an open space of green public park which currently supports open spaces for local residents including dogs walkers. There is a leisure center near to the site which include public toilets. The grass areas are supported by an extensive tarmac path network clearly shown on the CAD plan at Appendix A.

Continued from previous page...

The application requests authority for 1 or 2 event days on the last weekend of June annually at the location with a maximum of 9,999 per day.. The first years event paperwork only requests activity on one of those days that being the 29th June 2019

The submission includes a CAD drawing shown for the license application. An individual CAD will be attached to each set of submission paperwork each year.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the exhibition of films take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

There may be a film or part of a film shown on stage screens during performances on site as part of the Festival entertainment.

We aim to schedule stages to run until 21:45, this allows a 15 minute gap for any performance over-run.

State any seasonal variations for the exhibition of film

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

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

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

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Continued from previous page...

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors Outdoors Both

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

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

This consists of DJ's, MC's and on rare occasion bands performing 'live' as part of the event entertainment on any given
event day.

Continued from previous page...

We aim to schedule stages to run until 21:45, this allows a 15 minute gap for any performance over-run.

State any seasonal variations for the performance of live music

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

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

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

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start
Start

End
End

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

TUESDAY

Start
Start

End
End

WEDNESDAY

Start
Start

End
End

THURSDAY

Start
Start

End
End

FRIDAY

Start
Start

End
End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors

Outdoors

Both

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

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

The Festival consists of DJ's, MC's, associated artists, including bands using recorded music. This will mainly be played during DJ performances and throughout intervals in performances as part of the event entertainment.

We aim to schedule stages to run until 21:45, this allows a 15 minute gap for any performance over-run.

State any seasonal variations for playing recorded music

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

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

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

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

During the Festival dancers may perform supporting DJ's and associated artists. These dance performances will take place on stages or within tented structures.

We aim to schedule stages to run until 21:45, this allows a 15 minute gap for any performance overrun.

State any seasonal variations for the performance of dance

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

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

Continued from previous page...

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

Section 13 of 21

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

See guidance on regulated entertainment

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

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FRIDAY

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SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

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

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

Entertainment of a similar description may take place as part of the on site Festival entertainment within the event site.

State any seasonal variations for entertainment

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

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

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

Continued from previous page...

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

Continued from previous page...

NIL KNOWN

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

the event is licenced for the last weekend of June on Saturday and Sunday although the first application with supporting Event Safety Management Plan only requests permission for Saturday 29th June 2019. After the first year Tea Party Festival Limited have the option to apply for an event across 2 days on the last weekend of June each year.

Continued from previous page...

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

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

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

This application is for a Premises Licence to hold a yearly Event at Thameside Promenade, Caversham, Reading, RG1 8DP on the last weekend in June on either the Saturday or Sunday between 1200 - 2200 or both days if approved by the responsible authorities.

The promoter has applied to licence both day for flexibility but also to allow the event to take place on both days subject to a successful application to the responsible authorities with the event paperwork submitted 120 days before the proposed event.

The event days per year will be licenced to a capacity of 9,999 per day.

The content of these days will vary across the following events types:

- Live Concert event
- DJ led music event

Tea Party Festival Limited will deliver their responsibilities as follows:

1 Staff

All staff must be fully trained. All staff shall be issued with a wristband identifying them as staff working at the event. All staff will receive daily briefings and debrief.

Designated premises supervisor will be in control of the day-to-day control of the event, he/she to provide good training for staff on the Licensing Act (Training Record), and to authorise each alcohol sale.

2 Employed Security

The Premises License Holder shall maintain a register giving details of each and every person employed in the role of a security and shall provide upon any reasonable request by any Police Officer the details of these staff.

Any person employed by the Licence Holder carrying out security/ marshaling / stewarding activities shall wear a high visibility tabard / jacket.

All SIA accredited security persons shall be linked via an event radio. Security and stewarding staff will have their own dedicated channel on the event radio system.

Door supervisors on duty throughout the day and at night. If the premises are closed to the public a security guard must be present.

Continued from previous page...

3 Entry and Exit

Every entry/exit point to the venue shall be staffed by an identifiable steward and have access to the event radio. Random searches and bag searches on entry must be carried out.

4 Alcohol

Customers shall not be permitted to bring their own alcohol onto the site.

5 Glass/Bottles

No glass containers or bottles shall be allowed inside the event site; Bottle banks shall be located at the event site entrances to facilitate disposal.

No glass bottles shall be dispensed to customers and therefore either plastic bottles must be used or the beverage decanted from the glass bottle into a plastic container.

6 Number Present

Upon request by a responsible authority the holder of the premises license or an agent on behalf of and under the authority of the license holder shall provide precise information regarding the number of people present on the site at the given time during which licensable activities are taking place.

7 Ejection policy

There shall be a written ejection policy in place for the event.

This policy shall be agreed between the licence holder and the Police in writing and this policy shall be implemented whilst licensable activity is taking place.

8 Training

Before commencing their duties all new staff must receive information and training concerning the sale of age-restricted products.

This training shall cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age.

All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area.

9. Refusals Log

Each bar supplying alcohol shall have a refusals log.

The premises license holder shall ensure that the refusals log is checked, signed and dated at the end of each day's trading. The log shall be made immediately available on request for inspection by the police.

These records shall be retained for a period of at least 12 months.

10 Challenge 25

There will be a Challenge 25 policy operating at the premises.

Continued from previous page...

Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a photo card driving license, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises

11 Festival operational restrictions

1) This Licence is to have effect only for the duration of any Tea Party Festival Limited Event that is to be held on any of the 2 days on the last weekend of June an annual basis.

2) The holder of the premises licence shall give to the Licensing Authority and the Police a written notification of the event at least 4 months before the date upon which a is to be held. A drawing of the proposed site layout showing the area within which licensable activities are to take place and the position of public bars for sale of alcohol will be submitted as well.

3) A comprehensive risk assessment, fire risk assessment, evacuation plan, medical plan, lost children/vulnerable persons procedure and children safeguarding policy (if relevant for an under 18 event) must be provided to Licensing Authority and the Police 4 months prior to the event taking place.

4) The operator of this licence will carry on the business of Tea Party Festival Limited (including any licensable activities included therein so far as may be applicable) in accordance with the provisions of the Event Safety Management Plan.

5) All fire escapes must be clearly visible.

6) The area where the festival is to take place will be fenced off and admissions controlled. Entry to be recorded by a clicker system.

Ticketed event, to control the numbers attending

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

12 Noise Control

A sound management plan to include control of noise at all times (including during set up and breakdown as well as the main event) and monitoring throughout the event will be compiled and agreed with Environmental Health 8 weeks prior to each event.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

The Licensee will ensure that staff who arrive early morning or depart late at night conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Deliveries of goods and equipment will be carried out between 08:00 to 22:00 and in such a manner as to prevent nuisance and disturbance to nearby residents.

Noise is low level for event and the stage will face away from residential properties.

Continued from previous page...

No sound checks before 1000 and No Vehicle movement after 22:00 hrs.

Fair ground rides or attractions to be erected during day and not to exceed beyond 22:00 hrs.

Refer to full Event Safety Management Plan (to be provided to all responsible authorities 4months prior to the event) for full detail.

13 Restriction on children

Events to be 18+ only with ID checks on entry.

Event Safety Management Plan Submissions

The submission of our supporting documents include our Event Safety Management Plan and appendix documents covering the following:

APP A - CAD Reading Tea Party Festival 2019

APP B - Fire Risk Assessment

APP B - Risk Assessment

APP C - Emergency & Evacuation Procedures

APP D - Security & Stewarding Plan

APP D1 - Drugs Policy

APP E – Medical Operational Plan

APP F – Child Protection Policy

APP G – Premises Licence

APP H – Noise Management Plan

The separate appendix documents will not be published with the exception of the Site Plan.

These documents and associated appendices are year and event specific and will be updated following review and consultation with the local responsible authorities.

The formal documentation will be available to the public and therefore any provision relating to a matter which, if in the public domain would negate their effect will be contained in one of the separate appendix documents.

The documentation will be revised prior to any event and, with effect after the first event, a draft version of that document will be circulated to the responsible authorities (and SAG) and the licensing authority (Reading Borough Council), not later than 120 days before any future events after the initial application.

The fixed dates of each event will be notified to the responsible authorities, SAG and licensing authority (Reading Borough Council) on submission of the draft formal documentation as above.

Following the circulation of the documentation the premises licence holder or agent will consult with all responsible authorities and take into account any representations made regarding the content of the document.

The licence holder agrees:

The licence holder agrees that any proposed alteration to the following shall not be made during the period of the premises licence except without a formal variation of the licence:

- Change of designated premises supervisor
- Change to the defined perimeter of the licensed area
- Change to the overall capacity (save for any decrease)
- Change to the hours during which licensable activities are to take place

Continued from previous page...

(save for any decrease)

- Change to the number of days over which the events take place each year (including max 3 consecutive days rule - save for any decrease)
- Change to the hours the licensed area is open to the public for licensable activities (save for any decrease)
- Any proposed increase in the total noise output from stages/structures at the event site beyond that permitted pursuant to the provisions of the pre-existing document.
- Material changes to the general location of major stages/structures from those existing in the pre-existing plan

b) The prevention of crime and disorder

Please refer to the attached documentation to review what steps we are taking to discharge our responsibilities under the licensing objectives.

These include our Event Safety Management Plan and appendix documents including:

- APP A - CAD Reading Tea Party 2019
- APP B - Fire Risk Assessment
- APP B - Risk Assessment
- APP C - Emergency & Evacuation Procedures
- APP D - Security & Stewarding Plan
- APP D1 - Drugs Policy
- APP E - Medical Operational Plan
- APP F - Child Protection Policy
- APP G - Premises Licence
- APP H - Noise Management Plan

These documents are event specific and will be updated each time following review and consultation with the responsible authorities after the initial draft submission.

The holder of the premise licence or agent (under the licence holders authority) will produce these document addressing the methods by which the premise licence holder intends to manage the event and discharge the licensing objectives.

This includes the following specific areas:

1. Introduction
2. Requirements of the 2003 Licensing Act.
3. Venue & Event Evaluation
4. Organisation Chart & Management Structure
5. Risk Assessment
6. Event Health, Safety and Welfare
7. Stage, Temporary Structures and Infrastructure
8. Electrical Systems
9. Food, Refreshments and Traders
10. Waste Disposal
11. Security/Stewarding - Crowd Control
12. Build and Breakdown Controls/Traffic Management
13. Organisation and Contractors
14. Communication
15. Medical/First Aid Provision
16. Fire Precautions and Equipment
17. Sanitary Accommodation

Continued from previous page...

- 18. Emergency Procedures & ELI
- 19. Sale of Alcohol Policy
- 20. Accident Reporting & Investigation
- 21. Provisions for Persons with Special Needs
- 22. Controlling Noise at Work
- 23. Contingencies
- 24. Event Inspection

c) Public safety

As per section B

d) The prevention of public nuisance

As per section B

e) The protection of children from harm

As per section B

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. The fee payable will be based on the rateable value of the property. Band A - 0 - 4300 - Fee Payable - 100 Band B - 4301 - 33,000 - Fee Payable - 190 Band C - 33,001 - 87,000 - Fee Payable - 315 Band D - 87,001 - 125,000 - Fee payable - 450 Band E - 125,001 and over - Fee payable - 635 Additional fees apply to outdoor events.

* Fee amount (£)

DECLARATION

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15)

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy
01

Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/reading/apply-1> to upload this file and continue with your application.
Don't forget to make sure you have all your supporting documentation to hand.

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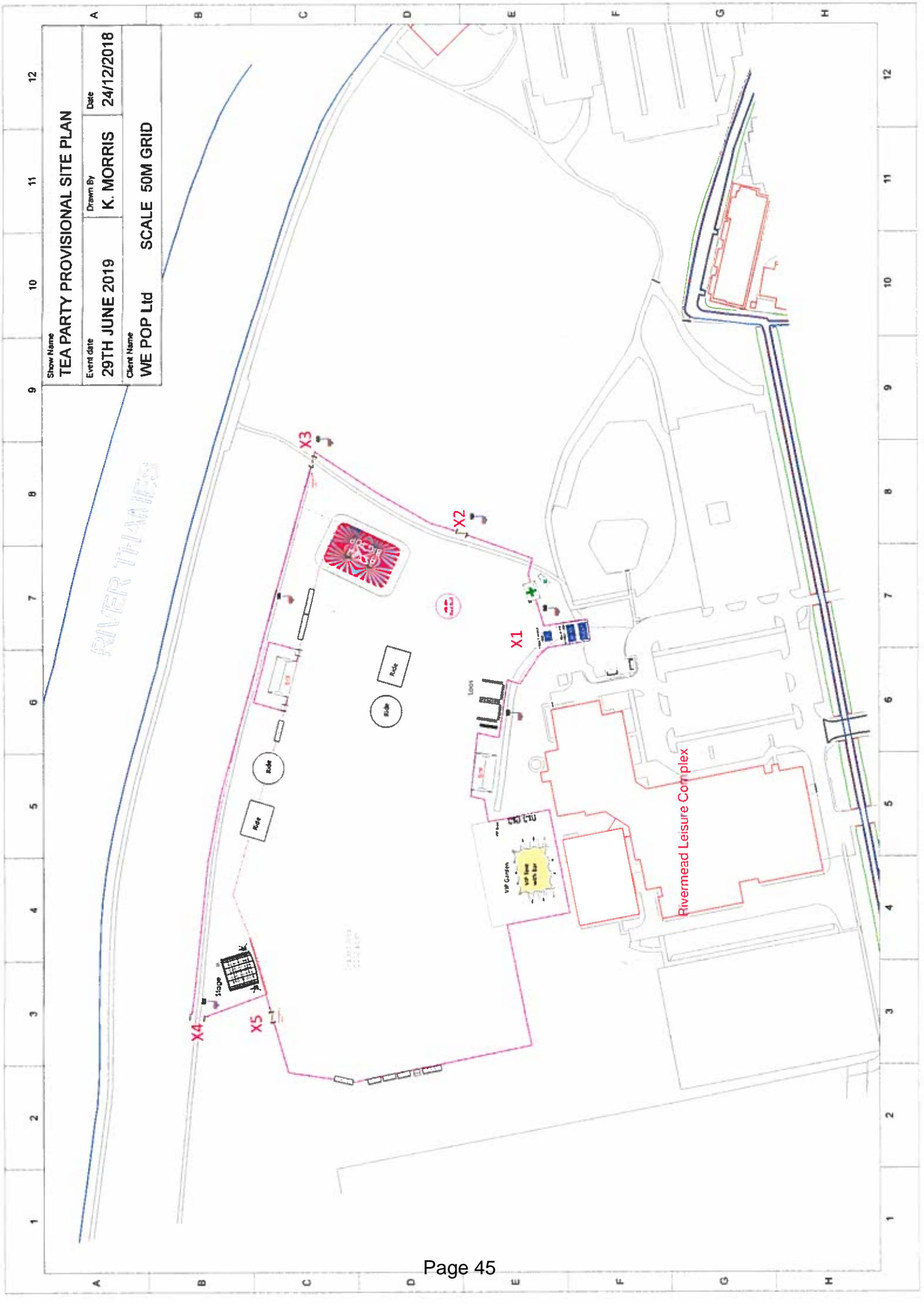
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >



Show Name TEA PARTY PROVISIONAL SITE PLAN	
Event date 29TH JUNE 2019	Drawn By K. MORRIS
Client Name WE POP Ltd	Date 24/12/2018
SCALE 50M GRID	

Name of Officer	Richard French						
Type of Application	Grant of Premises Licence - Licensing Act 2003						
Name of Premises	Tea Party Festival						
Address	Thameside Promenade						
	Reading						
	RG1 8DP						
Proposed Licensable Activities	Live Music/Recorded Music/Performance of Dance from 1200hrs to 2200hrs (Indoor and Outdoor)						
	Sale of Alcohol from 1200hrs to 2200hrs (On and off the premises)						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	2200	2200	2200	2200	2200	2200	2200
Content of Application:							
The application was submitted by Tea Party Festival Ltd on 18 th January 2019							
The application seeks for the above licensable activities to be permitted at Thames Prom for two days at the end of June each year. The application states that if a licence is granted for 2019, then the event will take place on 29 th June 2019 only. The application was submitted with various appendices including an event management plan which form part of this application.							
Licensing Officer's Comments:							
The Licensing Authority, as a Responsible Authority under the Licensing Act 2003, object to this application and believe it will have an adverse impact on the promotion of the four licensing objectives - notably the prevention of crime and disorder; the prevention of public nuisance; the protection of children from harm and public safety. We have the following concerns in relation to the application and appendices submitted with it:							
1. There are significant concerns in relation to a shooting that occurred at this event when it was held at Windsor Racecourse in 2016. The information we have at this current time indicates that a person was shot with a gun within the VIP area of this festival when it was held at Windsor Racecourse. This leads to concerns around the proposed security arrangements for the event here in Reading as well as concern over the nature of the event and the applicant's ability to run a safe event.							

2. We also have concerns around the applicants ability to host an event for up to 9,999 people in particular in relation to the structures used on site. Events run by the same company in Reading outside the train station led to the structures being used for that event being prohibited as unsafe. Therefore concerns arise whether the applicant has the competence to host an event for 9,999 people and whether the tents and structures used for the event will be safe and competently constructed. The Event Management Plan only contains brief paragraphs in relation to the safe construction of temporary structures (7.1 to 7.12) which is a concern. There are also concerns about the layout of the site in terms of fire evacuation and the ability to evacuate persons from the site in the event of an emergency. Concerns also exist about fire safety and the location of fire exits.

3. Scrutiny of the appendices attached to the application, as well as the plan submitted, raise concerns about noise nuisance being generated by the music played on site. The location of the tents and the types of music being played at the event are likely to cause undue disturbance to local residents. It is also unclear from the Noise Management Plan who will be conducting the noise monitoring; whether they will be on site; what the acceptable levels will be; where any noise monitoring will take place from and what measures are to be put in place to ensure a noise nuisance does not take place. The Noise Management Plan identifies the nearest noise sensitive areas but does not suggest any sufficient mitigation to stop noise nuisance except to set up a complaints hotline which would seem to suggest that the applicant is expecting noise to occur. This would seem to undermine the licensing objective of preventing public nuisance from occurring in the first place. The Noise Management Plan also seems to place the onus for ensuring that this is done satisfactory on the Council and is lacking in the detail we would expect for such a plan.

4. The Event Management Plan and associated appendices attached to the application are not sufficient in detail and contain lots of broad, general statements which do nothing to allay the fears that the licensing objectives will be undermined. I outline these specific issues below but they relate to the Security policy; Emergency Evacuation Procedure; Medical Plan; Noise Assessment and the main Event Management Plan.

5. The applicant, at the time of this submission, has not been in contact with any member of the Council's Safety Advisory Group about anything substantive to do with the proposed event. The SAG contain members from most Council departments who would have a regulatory interest in the event as well as the Police, Fire Service and SCAS. We would expect all organisers of outdoor events to present their proposals to SAG so that they can be commented on by experts in those respective fields. No explanation has been provided as to why the organisers of this event have chosen not to do this in light of the nature and complexity of holding such an event on Thames Prom. The Licensing Authority - as a member of SAG - therefore have concerns that the premises licence application and attached appendices as well as the lack of engagement from the applicant undermines the promotion of the four licensing objectives. The Council has an overriding duty to protect the public and as I will outline, the Event Plan and associated appendices

do not allay the concerns that the event could be unsafe and undermine the promotion of the licensing objectives.

Background - Case Law

The Licensing Authority must consider each application on its own merits with a view to assessing the likely effect of granting such a licence on the promotion of the licensing objectives which is reasonably acceptable in a particular location (Paragraph 18 (6) of the Licensing Act 2003). This is confirmed in (R) on the application of Hope and Glory Public House v Westminster City Council (2011) EWCA Civ31 where Lord Justice Toulson stated:

(Para 42) Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance.

Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.

The above approach to grant applications and the prospective nature of the licensing objectives was confirmed in East Lindsey DC v Abu Hanif (2016) EWHC 1265 Admin, where Mr Justice Jay stated:

(Para 18) The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

Background - Secretary of States Guidance (April 2018)

The Secretary of State's Guidance also outlines what applicants should take into account when applying for a licence with an Authority. I draw specific attention to paragraphs 8.41 to 8.49 as highlighted below:

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities

are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and

- on-line mapping tools.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

The applicant does not seem to have taken cognisance of the Secretary of State's Guidance. It seems that insufficient information has been provided to the Licensing Authority and the level of detail in the Event Management Plan and appendices attached to the application are lacking in detail - especially the Noise Management Plan. Therefore it does not allay the concern that the licensing objectives will be undermined if a licence is granted for this event.

Specific concerns in relation to the submitted application:

I now address the specific points as summarised on page 1 and 2 of this representation.

1. Alleged Shooting at Windsor Event in 2016

1.1 Information in relation to this incident is still being sought from Thames Valley Police and Windsor and Maidenhead Council as it raises significant concerns over the type of event being proposed at Thames Prom and the security arrangements for it. An internet search revealed that a person was shot in the chest within the VIP tent at the Tea Party Festival held at Windsor Racecourse. The VIP tent was

allegedly very busy with various DJ's having performed over the course of the day. The nature of this incident raises serious concerns over the nature of the event and the security arrangements for the event. No explanation for this incident has been forthcoming from the event organisers.

1.2 The Security and Stewarding Plan (appendix D of the application) states that: *'security levels will be determined by using information gleaned from the various debriefs and comments relating to previous Reading Tea Party events, my own personal experience of events, ticket sales, the site design, consultation with the event management team, numerous site meetings, ongoing dialogue with the promoter, the license conditions and the occupancy levels'*.

There is no clear number for the amount of proposed security staff that may be needed for an event holding 7,500 people. There is no clear indication how onsite and offsite will be managed - particularly given the location of the site. A lot of questions remain over the control of the event; control of off site areas and security of the site. There are also no detailed plans about the levels of search; how to secure and dispose of illegal substances and what measures are in place to deal with specific incidents that may occur on site.

1.3 There has been no indication that the applicant has engaged with the responsible authorities about security arrangements for the site or for the event in general. This includes Thames Valley Police; RBFRS and SCAS. This is particularly important in relation to incidents at the site; the staffing of the big top tents; emergency access routes; the impact on police and hospital resourcing and any detail on what the escalation procedures are on site if an incident occurs or illegal substances or firearms are found. Until a more detailed plan is produced which contains more substantive information, the Licensing Authority cannot be confident that public safety will be put at risk and that the licensing objectives will be undermined.

1.4 It is unclear whether the event organisers or security staff have made an updated risk assessment of the event in terms of threat or have contacted Thames Valley Police in relation to potential threat risk or additional mitigation steps they would have to take to secure the safety of members of the public. The only threat level in the documentation is the national threat (detailed within appendix C at paragraph 8.3)

2. Structures and Fire Safety

2.1 The Licensing Authority has serious concerns over the use of structures for the event and the fire safety measures that have been described in the application and associated appendices.

2.2 The applicant has previously had events in Reading and at least one of them, has had structures prohibited due to the potential that they will cause injury to the public. Given the nature of the proposed event outlined in the application and the use of bigger structures such as 'big top tents', the Authority has concerns about the competency of the event organisers to make such structures safe.

2.3 The Event Management Plan at 7.2 states that details of all structures will be submitted to the Council. No details have been received. 7.4 states that all structures are checked by a 'competent person' but does not say who that person is or what qualifications they have to sign off such structures. 7.8 makes a statement about security being in place but does not give a number. There is also no mention in the main EMP in relation to escape lanes and how the crowd will be managed.

2.4 The EMP only contains 12 brief paragraphs about the temporary structures. The wording of those paragraphs is vague and does not contain the level of detail that we would expect for the use of big temporary structures.

2.5 The Authority also has concerns about the layout of the site and the location of the fire exits which, in our view, do not allow for an adequate means of escape from all parts of the site.

2.6 The fire risk assessment (appendix B) also lacks detail and places a lot of onus on a 'competent person' who is, as of yet, unknown. There is no clear command structure for the event and/or structure for dealing with incidents relating to fire outbreak or health and safety.

2.7 The fire risk assessment also states that pyrotechnics will be used but gives no clear information on who will be responsible for them; how they will be securely stored; which artists are likely to use them and who is qualified to set them up. No separate risk assessment has been provided in relation to the use of pyrotechnics.

3. Noise Management Plan

3.1 Appendix H - attached to the application - contains the Noise Management Plan. This plan also lacks sufficient detail and makes it almost certain that the prevention of public nuisance licensing objective will be undermined.

3.2 Given the close proximity of the site to residential locations (The Warren; Premier Inn; Richfield Avenue and the Crowne Plaza), the Authority would expect significantly more detail in a noise management plan. It is not clear from reading the plan:

- a) Who will be carrying out the noise monitoring;
- b) Whether there will be any person(s) working during the event who will be actively carrying out the noise monitoring and whether they are qualified to do so;
- c) Where noise monitoring will be carried out;
- d) What the noise levels on site will be set at and why the applicant believes those noise levels are correct for that locality;
- e) How the event organiser and premises licence holder will prevent low frequency noise and bass levels from penetrating the site and affecting

nearby residents and businesses given the nature of the music;

3.3 It is likely that given the information provided and the location of the tents where the entertainment will take place, that local residents will experience a noise nuisance from the event - thereby undermining the licensing objective of preventing public nuisance.

3.4 The Noise Management Plan states that a number of measures will be agreed with the Council but no approach has been made to the Council in relation to this event. It is also not for the Council to carry out noise monitoring on behalf of an event organiser.

4. The Event Management Plan and other Appendices

4.1 The Event Management Plan and other appendices attached to the application lack clarity and detail and leave the Authority with the view that the application, as it stands, undermines the four licensing objectives.

4.2 Appendix C (The Emergency and Evacuation Procedures) states at paragraph 1.3 that in producing the plan, the Authority; police, fire service and NHS have been consulted. It is my understanding that none of those bodies mentioned have been consulted on any aspect of the event at the time of this submission. Paragraph 1.4 states that in the event of a major incident, this incident will be handed over to responsible authorities to manage and that the promoter will support the implementation of the authorities major incident plan. It is unclear what this means and why the event organiser seems to be abdicating control of the event to the Authorities. It is also unclear whether the event organiser has awareness of what the Authorities major incident plan is given the lack of consultation to this point. Paragraph 1.6 makes reference to working with Responsible Authorities to identify forward control points. It is unclear what this means and what work has been done in the planning stage of the event to identify them. Paragraph 3.8 says that festival attendees will be asked to leave the site in the event of an emergency but does not say where any fire assembly points will be. It has already been noted in this representation (my paragraph 2.5) that the location of the fire exits and sufficient areas to evacuate people to, are a concern. Questions also arise in relation to paragraph 3.16 (in relation to the police considering the validity of any bomb threat); paragraph 4.13 (about evacuating persons from the site to areas around the site) and paragraph 8.16 onwards which has been copied and pasted from elsewhere.

4.3 Appendix D1 (Drugs Policy) is not clear on the following points:

a) Staff involved in drug searching;

b) The method of disposal of any drugs or legal highs and the safe storage of them;

c) Details on eviction including dealing with potential safeguarding issues - particularly given the young demographic of the audience;

d) Details on where and when any drugs dogs will be deployed;

e) The level of police engagement at the event as it states police will be called to the site to deal with people found with large quantities. Have the police been notified of this and what is the process to be followed, etc.

The Authority is aware of allegations of large quantities of drugs being brought into the event when it was held elsewhere.

4.4 The Medical Plan (appendix E) makes reference to the event concluding at 2100hrs which seems at odds with the hours proposed in the application. Section 13 of the medical plan also makes reference to off site transfers and the potential impact on RBH. It is not clear whether RBH and SCAS have been duly notified or consulted in relation to this event.

4.5 The Child Protection Policy (appendix F) needs to contain more detail on how to identify; manage and deal with vulnerable people and any person deemed to be at risk. Whilst it is acknowledged that the event is for persons over the age of 18, this does not remove the responsibility on the event organiser to have robust measures in place to ensure that children and other vulnerable people are not harmed by the licensable activity. The Secretary of State's Guidance to the Licensing Act makes clear at paragraph 2.2 that:

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

The event organiser should take cognisance of the above and ensure that the licensing objective of protecting children from harm is actively promoted. The 1 sentence contained on page 4 of the Child Protection Policy in reference to Safeguarding is clearly not sufficient.

4.6 The main Event Management Plan also raises concerns and questions as set out below:

Paragraph 1.2 states that the EMP is produced pursuant to the terms of the premises licence. No premises licence has been granted for the event so it is unclear where the measures in the EMP have come from - particularly in light of the lack of pre-event engagement with the enforcing authorities.

Paragraph 1.20 makes reference to parking provision but does not say where any such parking provision will be; who the 'traffic company' is - as mentioned in the EMP and how the car parking sites will be managed and secured.

Paragraph 3.16 makes reference to noise controls and that officers from the Council will be present on site to monitor and control them. The issues around the specific noise management plan have already been outlined in this representation. Again, it is unclear how the event organiser has reached the conclusion that officers of the Council will be controlling noise levels at the event without contacting them in the first instance or providing a satisfactory noise management plan.

Paragraph 3.22 makes reference to the young demographic of the audience but as per my comments above in relation to the child protection policy; no detailed measures seem to have been considered for the safeguarding of young and vulnerable persons.

Paragraph 3.24 makes reference to the line-up of the event and how the line-up should lead to a well behaved audience creating minimal disorder. No line-up has been received and no rationale is given for that statement. It is unclear whether this assessment has therefore impacted on the levels of security needed for the event.

The whole of Section 7 in relation to Temporary Structures is insufficient (see my paragraph 2.4 above) and raises significant questions over the competency of the organiser to safely erect such structures and who the 'competent person' is for the event.

No mention is made within Section 10 of how water supply on site will be managed and how site clear up will take place.

Section 11 is an even briefer version of the Security and Stewarding plan which contains insufficient information on numbers of staff; control measures on site and off site; how to deal with drugs when seized, etc. (see my paragraph 1.2 onwards)

Section 12 in relation to build and breakdown of the site does not contain any timescales for this; how contractors will be accessing site; how emergency services will be accessing the site; paragraph 12.11 says the event organiser will be exploring the use of shuttle buses with Reading Buses but no further information or pre-event contact is detailed; paragraph 12.12 states that the promoter will ensure that an appropriate taxi drop off area is used for pick ups and drop offs but no traffic management plan is attached and paragraph 12.13 makes reference to pay and display car parks but makes no mention of how this will be controlled and secured by event staff.

Sections 15 and 16 make reference to local NHS and fire services but it is not clear what, if any contact has been made with them so that they can manage their resources accordingly.

Section 24 makes reference to 'event inspections'. Who is undertaking the event inspections? For example, who is the competent person signing off

the safety of the site and the temporary structures. (see my previous paragraph 2.1 onwards)

4.7 In Summary, the event management plan and associated appendices are not detailed enough and do not contain sufficient and robust information so that we as a responsible authority can be satisfied that the licensing objectives will be actively promoted and that the public will be safe on site.

5. Safety Advisory Group and Pre-application consultation

5.1 Reading Borough Council run a Safety Advisory Group made up of various responsible authorities in the Council as well as Thames Valley Police, the Fire Service and SCAS. The group meets once a month and is largely concerned with large events catering for a high volume of people.

5.2 At no stage have the event organisers made contact with the Safety Advisory Group to discuss their proposed activity. Some of the issues and concerns outlined in this representation could have been addressed if such consultation had taken place. As it stands, the Licensing Authority - as a responsible authority under the Licensing Act 2003 remains dissatisfied with the premises licence application and documents submitted with it. There is concern that should a licence be granted for this event whilst the issues outlined in this representation remain unresolved, that members of the public will be put at risk and the licensing objectives will be severely undermined.

Summary

For the reasons outlined in this representation, the Licensing Authority in its role as a responsible authority under the Licensing Act 2003, object to the application for the Tea Party Festival. The documentation provided is not satisfactory and significant questions remain over the competency of the event organisers to put on such an event without undermining the licensing objectives. We will be attempting to make contact with the event organisers in relation to these matters and the issues we have discovered with other events both here in Reading and Windsor.

Whilst the licensing authority is not against the holding of such events in Reading - being home to a number of successful events like Reading Festival and CAMRA Beer Festival - our first responsibility is to safeguard the public and promote the four licensing objectives. At the time of this submission, we do not believe that the documentation provided for this proposed event is detailed or sufficient enough for this event to be held without endangering members of the public and undermining the licensing objectives.

Date Received	18/01/2019	Date Due	15/02/2019
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Date	05	02	2019
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Division/Station : Reading Police Station Licensing Dept

From : C2107 Declan Smyth

To : Reading Borough Council

Subject : Ref : Tea Party Festival Limited, Thameside Promenade, Caversham, Reading RG1 8DP
Date : 12th February 2019

Objection to premises application

To whom it may concern

I C2107 Declan Smyth on behalf of the Chief Officer of Thames Valley Police wish to formally object to the proposed application for a premises licence submitted in relation to Tea Party Festival Limited, Thameside Promenade, Caversham, Reading RG1 8DP.

Thames Valley Police objection to this application is made as we believe that in its current format this application fails to promote the licensing objectives of the prevention of crime and disorder, public nuisance and public safety.

Thames Valley Police recognise that the applicant has submitted an Event Safety management Plan. This document states under the heading **Event Security Staff** that **“Main Event Security will provide a proportionate security response with the ability to scale up and down, the visibility and tactics dependent on the threat assessment at the time”**.

Thames Valley Police finds that the document submitted as the Event Safety Management Plan is vague and lacking in sufficient detail so as to allow us to consider if the applicant and his security provider are in a position to be proactive and preventative. We would expect that the applicant submit information detailing, with certainty, what policies, security plans and security numbers would be in place for an event of this scale. Currently we can only assume that this has been generically provided from previous events. The risk assessment for 2017 is provided as appendices **TVP1**

Paragraph 7.11 of the Reading Borough Council Statement Of Licensing Policy states: - “Premises that are planning to put on events that involve regulated entertainment may be required to provide the authority with a **detailed event management plan** of that event which may include a detailed noise risk assessment.

Thames Valley Police do not believe that the application has considered a suitable dispersal/ wind down period as the proposed time for the cessation of licensable activities and the sale of alcohol is identical to the proposed hours the premises is open to the public i.e. 2200 for all licensable actives.

The Reading Borough Council Statement Of Licensing Policy states:-
7.14 Premises that provide licensable activity that may undermine the promotion of the four licensing objectives; cause disturbance to residents or in any way exacerbate issues of anti-social behaviour and crime and disorder, are expected to adopt, implement and maintain a robust dispersal policy. Licensed premises in residential areas or within the Council’s Cumulative Impact Area are also expected to

outline measures such as a suitable wind down time where licensable activities will come to a gradual conclusion before closing time to allow for a gradual and orderly dispersal from the premises and area. It is expected that all staff will be aware of any dispersal policy and wind down times so as to ensure that customers actively leave the premises and area within permitted hours and with the minimum of disturbance to local residents.

7.15 In the case of nightclubs, dance venues and **similar premises**, it is expected that licence holders and designated premises supervisors instigate and operate a wind down time starting at least thirty minutes before closing time. During this time, the pace, volume and type of music played should be slowed down and reduced to background levels. The sale of alcohol should also cease and staff should be available to assist in the gradual dispersal of patrons from the premises and the immediate area. It is expected that door supervisors should also assist with the gradual dispersal of patrons from the premises and the area and direct people to public transport if appropriate”.

Thames Valley Police in the past have had dealings with the applicant in regard to running events in the Reading area.

1. [REDACTED] Reading RG1 1NB.

The events at this premises became a major concern over the summer period. The showing of the World cup games on the large screens became a major drain on policing resources, we believe that the security levels were not at a level that helped prevent crime and disorder.

The applicant also used the premises to run a [REDACTED] event, where a member of staff was identified as a sex offender.

Thames Valley police are of the opinion that the applicant has shown themselves to be reasonably good in terms of their reaction to issues after they have occurred and shown a willingness to rectify problems; however they have been poor pre-emptively. We are now in a position questioning if the applicant is suitable to run a large event of this nature in the Reading area.

In The Event Management Plan under the heading The Prevention Of Crime & Disorder 2.2 it states “All **issues arising outside the licensing premise will be the responsibility of the local police service** and measures will be taken to minimise the impact through a full consultation process with the local policing area”.

The applicant has failed to mention the actual measures that will be put in place and again the applicant has failed to provide us with a detailed plan on what their expectation would be on policing for the event/day, because of this we are unable to confirm if the Security is proportionate for the event.

The Reading Borough Council Licensing Policy states: -

8.2 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. **Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.**

8.3 The Authority will expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises. The Authority will also expect any licence holder who wishes to hold events for children to provide it and Thames Valley Police with a detailed risk assessment of that event including how the event will be managed,

staffing levels for the event and how any child will be prevented from being exposed to any harm.

In Conclusion Thames Valley Police strongly feel that this application in its current format and without further scrutiny is likely to undermine the licensing objectives.

Case law within the East Lindsey District Council v Abu Hanif establishes:-

“Importantly the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of the prevention and deterrence”

Therefor in this situation we would state our opinion that the licensing objectives are prospective and can be preventative and would urge the Licensing Sub-Committee to refuse this application for a premises licence in order to prevent the licensing objectives from being undermined.

Finally as mentioned earlier within our submission we have a concern regarding the proposed hours that the premises is open to the public in that it does not provide for a suitable and safe wind down/dispersal period. Thames Valley Police would expect that all regulated entertainment and licensable activity should cease at 2100 hours in order that a 60 minute dispersal period can be adhered to.

Appendices

TVP1 – Event Safety Management Plan 2017

INTERNAL MEMORANDUM

To: Licensing

From: Rebecca Moon

Dept: Licensing

Dept: Environmental Protection & Nuisance

Date: 14 February 2019

Urgent Response required Further action (see below)

Subject: Application for Premises Licence: ref - 639697
Premises: Tea Party Festival, Thameside Promenade Thames Side Promenade,

I refer to the above application.

I have reviewed the application and would like to make representation against the application. I am concerned that due to the location of the premises and the type of music proposed, there is a high likelihood of noise from the event causing a public nuisance to nearby residents.

The applicant has provided a noise management plan which states that the following measures will be in place:

- Letter drop to residents
- Noise complaints hotline
- Sound propagation tests prior to start of event
- Noise monitoring during event

However, the noise management plan is lacking in detail and does not include the following:

- What the noise limits will be and whether they are appropriate and achievable;
- Where the noise limits will be set from and where the noise will be monitored from, will the monitoring be continuous, and how many sites will there be;
- How low frequency noise will be controlled and what the low frequency noise limits will be;
- Who will be responsible for noise control and who will be carrying out the noise monitoring.

I have experience with monitoring noise from events at this location. I am concerned that a public nuisance is likely to result from this event at this location due to the following:

- The type of music that the festival involves i.e. techno/house music which is a high volume, and intense with a heavy bass beat which has a high potential to cause a nuisance;
- The topography of the location whereby noise tends to impact on the properties to the north which are elevated above the site, including the presence of the river which increases the passage of sound as it is a reflective surface;
- The close proximity of a large number of residential properties;
- The fact that music will be played for ten hours;
- The fact that the event will also be for two days on future years;
- With a noise limit stringent enough to prevent public nuisance I don't believe the event would be viable as the music would not be loud enough;
- When the event has previously been held at Windsor racecourse there were complaints about low frequency noise.

In addition, the residents at this location are already subjected to noise from a three day live music festival, plus approximately a month of noise from the build and removal of that festival therefore this does not seem to be a suitable site for an additional loud event.

For the above reasons I recommend that the committee refuses this application.

To: Licensing

From: Rachael Bright -
Technical Officer
(Food & Safety)

My Ref: CPT/639702

Date: 15/02/2019

Premises: Tea Party Festival

Premises Address: Thames Side Promenade, Reading

Application For: Premises license for an event (29th June 2019)

I wish to make representations (objection) on behalf of Consumer Protection (Food & Safety) for the premises license for Tea Party Festival. The concerns are:

- Previous history of health and safety non-compliance (relating to temporary structures).
- Insufficient risk assessments provided.
- Lack of food safety provisions.

Health and Safety at Work etc Act 1974

The Management of Health and Safety at Work Regulations 1999

Construction (Design and Management) Regulations 2015

Summary: Legal obligations of duty holders

- It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees and non-employees (visitors).
- Every employer shall make a suitable and sufficient assessment of the risks to the health and safety of his employees to which they are exposed whilst they are at work; and the risks to the health and safety of persons not in his employment (non-employees). It is a legal requirement for employers to document their risk assessments if they employ 5 or more people.

1. PREVIOUS HISTORY - Health & Safety

The promoters (We Pop) of 'Tea Party Festival' have had other events in Reading previously including having a pop up bar called 'The Village' at Station Hill, Reading.

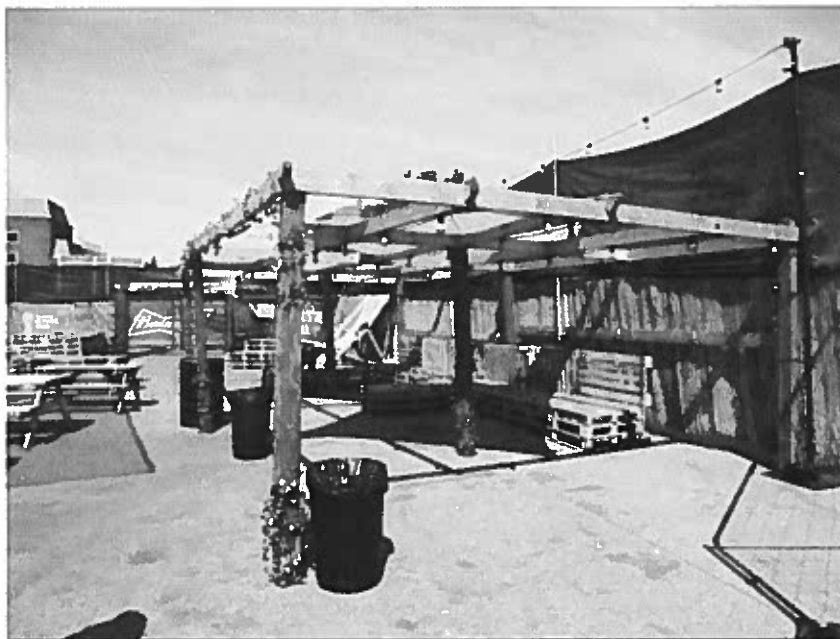
A complaint from a member of the public was made about two wooden structures that had been erected at the pop up bar (see photo below). The wooden pergola structures were not properly constructed, secured or anchored and as a result, a prohibition notice was served on 06 July 2018. The organisers at the time were reminded that unsafe structures that were being used presented a risk of serious personal injury. To be able to comply with the notice, the duty holder was given two options:

1. Provide a report issued by a qualified Structural Engineer confirming that the wooden pergola structures are safe to use as the current anticipated use.

Or

2. Remove the wooden pergola structures from the site

It was agreed that barriers could be installed to stop the general public and staff from walking underneath/being near to one of the wooden structures for the remainder of the event. The other structure was dismantled.



One of the wooden structures at Station Hill

With the previous history, this questions our confidence in the promoters of Tea Party Festival to ensure that all temporary demountable structures (TDS) at the event would be secure and anchored adequately.

Referring to the EMP provided with the license application (7.1), it states that *“a Construction Design Management Plan will exist for this event”*. This has not been received or submitted with the application.

In addition to this, 7.2 states that the organisers would give a list of all the temporary structures to the council - this has not been received with the premises application.

2. INSUFFICIENT RISK ASSESSMENTS

Risk assessments and a fire risk assessment were provided with the premises application for the event.

Refer to: structural collapse in the risk assessment, the controls column states:

“All structures to be built by competent contractor and signed off by a structural engineer or other suitably qualified person to the Event Safety Advisor prior to public admission”

Clarification is needed about your definition/criteria for a person to be a ‘suitably qualified person’.

In addition to this, the risk assessments did not cover:

- **Workplace transport** (the use of forklift trucks). In the risk assessment (hazard: movement of equipment), it mentions that forklift trucks will be used in the break and build process. No controls to prevent serious injury/death from forklift trucks were outlined.
- **Pyrotechnics:** it is mentioned in the event management plan that low level pyrotechnics and smoke will be used on the stage. No risk assessments for the use of these have been submitted with the premises application.

3. LACK OF FOOD SAFETY PROVISIONS

Relevant Legislation

EC (852/2004)

The Food Safety and Hygiene (England) Regulations 2013

Food Safety Act 1990

Toilet facilities for food handlers

Referring to the EMP 9.6, it stated that *“Concessions will have direct access to an isolated toilet facility from the general public with suitable hand wash facilities available”*.

Looking at the floor plan, it is unknown where toilets for food handlers will be. It is a legal requirement for food handlers to access hot and cold water, soap and drying facilities after visiting the toilet. Using hand sanitiser (usually in portable toilets) is not an adequate hand washing facility. Hand sanitiser can only be used supplementary to handwashing.

Waste water collection

Referring to 10.7 in the EMP: *“concessions will all have a facility to dispose of waste water close to their working unit. Waste water will not be disposed of onsite”*.

It is unknown how many ‘facilities’ there will be for the food traders to dispose of their waste water. Looking at the floor plan, the food traders are in clusters; they are not congregated in one area. To ensure that food handlers do not dispose of the waste water onsite (pouring it onto the ground), we would expect to see a waste water facility close to each cluster of food traders. This includes the bars too (VIP tent/bar).

Clean water provision

The EMP does not mention any provision for potable water for the general public or stall holders (food/bars) to access.

Choosing Food traders:

It is not known if the organisers have set criterions when choosing food handlers. For instance, would the organisers allow a food trader that has a food hygiene rating of a ‘0’ (urgent improvement is required) to operate at the event? This is something the organisers should consider.

In relation to the representations made above, the application undermines the promotion of the licensing objectives and does not provide sufficient evidence to satisfy us that the organisers will protect its employees and general public from harm.



Go Local On a Better Environment

Caversham GLOBE, c/o Church House, 59 Church Street, Caversham RG4 8AX

Tea Party Festival - Thames Promenade

Caversham GLOBE has a number of concerns about this licence application.

With 10,000 people attending, car parking may be an issue, with parking extending to residential streets around Caversham (as happens during Reading Festival).

After the event this may result in a trail of litter / nuisance leading back to the parking locations.

Have the festival organisers made any arrangements for extra parking on or off site, or arrangements with RBC Streetcare to cover additional street-cleaning costs arising from this event?

For example, during Reading Festival additional litter bins are provided along local roads leading to the site. RBC also carries out a deep-clean mechanical sweeping of all the surrounding streets immediately after Reading Festival.

With 10,000 people attending the Tea Party Festival a similar cleanup operation to that provided after Reading Festival may be needed, covering not only the immediate festival site but also a wide area around it, including parts of Caversham.

The bulk of the extra litter / nuisance is likely to be around Richfield Ave, Cow Lane, Caversham Rd, Vastern Rd, parts of Central Caversham, also along the Thames towpath either side of Thames Prom.

With around 10,000 people leaving the festival at 10pm, there could be potential issues arising from large crowds leaving the site at the same time.

Can the local roads cope, and can Reading station cope with potentially huge crowds this late on a Saturday night?

We are particularly concerned about any automatic roll-over licensing to future years i.e. the application "for 1 or 2 event days on the last weekend of June annually".

Any licence that may be issued this year should be limited to this year only, as licensing in future years would need to take account of any issues that may arise from this year's event, should it go ahead.

Caversham GLOBE 14.2.2019

Re: Licensing Application by 'Tea Party Festival Limited' dated 18/01/2019

Representations made by: Nick Haskins
Chair of North Reading Safer Neighbourhood Forum (NRSNF)

Background

A member of one of the local resident associations asked me to raise the license application to the NRSNF on 31st January 2019. The proposed festival falls in the NRSNF catchment and will impact upon the residents represented by this Group. It was raised at the NRSNF but none of the councilors, the resident associations, residents or police present was aware of the application.

I would note that I did ask for the additional appendices, but I have only been sent some of them.

Prior to the meeting I did a brief amount of research.

- Press reports of previous editions have been described as 'chaotic' with people gaining entry via false tickets.
<https://www.getreading.co.uk/whats-on/whats-on-news/reveller-slams-royal-ascot-tea-9633499>
- There are numerous press report of person being shot at a previous edition
<https://www.standard.co.uk/news/uk/gunman-at-large-after-man-shot-in-vip-tent-of-tea-party-festival-in-windsor-a3320141.html>
- The reason given in the applicant's publicity for the festival for the move to the 'Reading Festival site' is an excessive demand for tickets last year and states in the application that there will be 9999 attendees. Last year's venue of Windsor Racecourse has accommodated 10000 people for other events in the past, therefore the stated motive for this move should be questioned.
- It does not appear to be a 'Tea Party'. It appears to wish to become another Reading Festival. The website shows pictures of a large festival.
- The festival is promoting itself as taking place on the 'Reading Festival site' and early bird tickets were advertised as already being sold out. There would thus appear to be an assumption by the applicant that the granting of a license is a formality.
- The festival is promoting itself as taking place on the 'Reading Festival site'. The site shown on the site plan is NOT the Reading Festival site rather it is the field between Rivermead and the Thames Promenade.
- The event is clearly stated on all of the advertising to be on 29th June.

Objections to the license:

Timeframe

- The applicant is applying for a license for the last weekend in June annually ad infinitum.
If a license is granted it must be for one year only, particularly given the issues surrounding previous editions of this event. (Ad Infinitum licenses would not appear to be appropriate for such an event in any case..
- The applicant has asked for a license for two days. This is clearly not necessary for a one day event on 29th June.
If a license is granted it must be for one day only.

Application

Please note that there appear to be apparent inaccuracies or lack of clarity of the responses in the application:

1. Public Notice :
There does not appear to be a company by the name of 'Tea Party Festival Limited' registered with Companies House
A license cannot be issued to a company that does not exist
2. Section 2 : A postal address is stated for the 'premises' where there is none. The 'premises' is open land and an OSmap reference should have been given. Furthermore, the 'premises' on the site plan is not Thameside Promenade as stated in the application rather it is the field between the Rivermead and Thames Promenade
A license cannot be issued to a premise that does not exist
3. Section 3 : The applicant has not confirmed the required statement(s)
A license cannot be issued as the applicant has not confirmed any of section 3
4. Section 4 The applicant 'Tea Party Festival Limited' does not exist
A license cannot be issued to a company that does not exist
5. Section 5 : Reference is made to 'a leisure centre near the site which include public toilets' . Are these indeed 'public toilets', rather they are toilets intended for leisure centre users ?
Are there adequate toilet facilities?
6. Section 14 : It is stated that late night refreshment will not be provided - site plan shows several food stalls in addition to the bars and the event runs until 22.00 –
Please clarify until what time will refreshments be served until?

Notices for application for license

- The signs displayed on the Thameside Promenade do not accord with this application as they state that the days are Saturday OR Sunday whilst the application states Sat-Sun (last w/e of June annually)
- It would appear that notices do not seem to have been displayed in any locations where affected residents would have opportunity to see them, nor is there an awareness of any notification in the press
- The noise management plan specifically identifies that the nearest residents are on The Warren yet these residents do not appear to have been notified of the application.

Please confirm whether the application has been sent by the applicant to all the responsible authorities as listed to be required by Reading Borough Council Policy and please advise in which newspaper that circulates in Reading the application was advertised within 10 days.

Representations

The representations that follow are made under the first three licensing objectives of prevention of crime and disorder, public safety and of prevention of public nuisance.

The fourth licensing objective of Protection of Children would appear not to apply as the festival attendees are required to be over 18 although it is unclear how this is planned to be regulated - the planned use of Challenge 25 policy seems superfluous if the attendees are over 18 ? I would, however, note that the provision of App F Child Protection Policy seems contradictory to the policy of admitting over 18s only.

a) Prevention of crime and disorder:

This licensing objective relates to the prevention of crime and disorder on the premises.

However, festivals of this nature are likely to result in an increased potential for illegal activities such as the supply of illegal substances in the surrounding areas as attendees arrive and leave at the beginning and end of the festival and during the course of the festival as they are likely to be able to leave and re-enter the site.

I note that press reports of the festival at its previous Windsor Racecourse venue reported police nowhere to be seen as excessively drunk people staggered in front of vehicles when leaving the festival

Further press reports describe previous editions of the festival in as chaotic and there is extensive coverage of the shooting in the VIP tent at a previous edition.

If a license is granted it must have provision for additional policing around the festival

b) Public Safety:

The proposed festival site is in close proximity to the River Thames.

The site plan appears to show access to the site as being possible from the Thameside Promenade.

If a license is granted it must have provision for safety boats on the River Thames as per Reading festival

If a license is granted it must have provision for the Environment Agency on the River Thames during the event as per Reading festival

If a license is granted it must have provision for the District Enforcement on the River Thames during the event as per Reading festival

c) Prevention of Public Nuisance :

Noise and vibration - it is stated that noise is low level for the event and the stage will face away from residential properties.

The site is in close proximity to the River Thames and noise carries across the river and bounces back off the chalk walls.

The noise level needs to be minimal and the proposed site would appear to have been deemed by the planning department of Reading Borough Council as NOT appropriate for the showing films or playing of music. (Please see the planning application for the building that is closest to the site - that it should not be used as a cinema, theatre, concert hall, bingo or dance hall as these activities could be harmful in terms of residential disturbance and or traffic generation.)

If a license is granted it must not play music or show films during the event

If a license is granted it must have provision for sound monitoring at residential properties in the vicinity during the event

If a license is granted then a manned telephone helpline must be set up during the construction phase and during the event

If a license is granted then there must be a committee created to liaise with the local resident groups affected by the event

Litter - there do not appear to be any arrangements for parking for attendees. Attendees are therefore likely to park in residential streets and from experience of the Reading Festival there will likely be a trail of litter/nuisance back to wherever they park , and indeed back to the station
If a license is granted then arrangements must be put in place by RBC Streetcare for additional bins and emptying of bins and cleaning of the streets in the surrounding areas during and after the event

Parking – there does not appear to be any information given regarding travel to and from the festival.

If a license is granted the applicant needs to advertise travel arrangements to and from the venue which do not cause a nuisance to the surrounding residents, clubs, amenities, and companies.

Timing of application

The applicant states that written notification of the event shall be given to the Licensing Authority and to the Police with comprehensive associated documentation at least 4 months before the event. The application is scheduled to be heard at the licensing sub Committee meeting on 14th March subsequent which would be less than 4 months before the Festival date.

It would appear that the license is too late for 2019

From: Robin Bentham [mailto:xxxxxxxxxxxxxxxxxxxxxxxxxxxxx]
Sent: 14 February 2019 12:04
To: Smalley, Robert
Subject: Tea Party Licence

Dear Mr Smalley,

Please note my objections to the issue of a premises licence for the last weekend of June annually on behalf of residents in The Warren and District Residents Association area.

1. The designation of Thames Promenade is misleading if the premises are in fact the field between the Promenade and Rivermead. The Promenade itself being a public right of way and towpath should not be impacted and would be unlikely to accommodate 9,999 attendees.
2. The sound levels should be set lower than for Reading Festival as the sound stage would be much closer to properties than Reading Festival. In particular base notes should be moderated.
3. Parking arrangements are not clear. With no camping this may be a critical issue on each performance day.
4. The call for a multiple year licence is unreasonable for an organisation moved on from its previous venue, for whatever reason. A single year licence should be the maximum, if any, with the option to reapply following demonstrated good management.

Please send me a copy of the site plan and other available management details.

Yours sincerely
Robin Bentham
Chair

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