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| To | Licensing Officer |
| From | Claire Whitchurch: Health Protection Officer |
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| Email | claire.whitchurch@iow.gov.uk |
| Date | 28 January 2015 |
| Subject | Licensing Act 2003 ("The Act") Application for a Grant of Premises Licence V-Dub, South Fairlee Farm, Mews Lane, Newport, Isle Of Wight, PO30 2LB |

Memo

By virtue of Section 13 (4)(c) and 13 (4)(e), Environmental Health is a responsible authority and may make representations to the Licensing Authority over applications for Premises Licences.

It is concerned that the applicant has not adequately addressed the licensing objectives for control of public nuisance and Public safety in the Operating Schedule as required under section 17(4)(g) of the Act.

Unconditional approval of this application may not promote the licensing objectives of prevention of public nuisance or public safety, and therefore gives this department reason for concern over this event.

However, the application contains insufficient information to properly assess these environmental implications. Furthermore, the application currently contains insufficient information for this Department to support refusal or recommendation, subject to appropriate specific conditions.

This department considers both the public safety objective and the prevention of public nuisance objectives. The Licensing Statement of Policy 2014-2019 at 9.7 states that 'applicants must indicate in their operating schedule the steps proposed to ensure public safety' and at sections 9.9-9.14 applicants should have regard to offering up steps to ensure that causing a nuisance is prevented. It is felt that the applicant has failed to satisfactorily do this.

Public Safety

The applicant has submitted an event management plan, and within that there is reference to health and safety at page 12. This paragraph states that the applicant is aware that the carrying on of the activities they propose may present risks to health and safety and welfare, however there is no further mention of what they are and how they will be managed. This section does not refer to any risk assessment being carried out in relation to the event, nor is one submitted.

A lack of information in this area does not allow this department to consider whether the organisers are able to safely carry on this event. A named person has been put forward in page 13 of their document, who will manage Health and Safety at the event. No further details are provided as to the competence, qualification and experience of this individual, or what this role covers.

There are numerous further concerns in this document in relation to health and safety. For example; page 3 states that the event caters for a maximum of 4999 people, whereas page 7 states that the numbers expected are around 2000. This department has considered whether we could recommend conditions for inclusion on the licence to ensure that the public safety objective is upheld, but we feel at this time, these conditions would be too many in number and overly prescriptive due to the lack of information.

Whilst the applicant has written in their plan that previous events have gone by without problems, there were a number of failings which we had identified following the 2014 event, requesting that these were given attention to for the 2015 event. This department also has responsibility of the enforcement of the Health and Safety at Work Act 1974, and a letter detailing specific health and safety regulations was sent to the organiser separately. It is therefore disappointing that of the items raised following the 2014 event, I have not seen any reference to these same points in the 2015 application.

If the event is operating in a manner which is 'unsafe' we do have powers to remedy under the Health and Safety at Work Act 1974, however we see that the licensing mechanism for such an event is to prevent this from occurring and to ensure that public safety will be upheld before the event.

This department therefore requires the following information, which is in line with the current Event Safety Guide¹, and also in line with details already submitted to the applicant.

- A Health and Safety policy statement
- Risk assessments for the event, highlighting all significant risks arising from the event.
- Details of the competence of the personnel carrying out the above two points and their responsibilities during the event.
- Details of the sanitary provision, in line with the numbers they intend to have onsite. How will they increase the provision, if numbers on site increase?
- Details of the on-site traffic management plan, with specific detail at vehicle/pedestrian intersections.
- Details of the mechanism for reporting accidents and near misses.

The applicant has referred us in the plan to the guidance in relation to these points. We are aware of the guidance, but we need to know specifically how they will apply this. The guidance referred to above is publicly available and as such there is an expectation that the organiser is conversant with it.

These are not matters which we feel can be conditioned for the applicant to provide prior to the event, as seeing and understanding how they will manage the event is crucial to the determination of the licence.

Public Nuisance

The applicant wishes to carry on licensable activities including live and recorded music until 03:00 hours for the duration of the main event and until 23:00 hours in the lead up to the event in the campsites.

There are residents within 260 metres of the event site, and therefore potential for nuisance to arise, especially late at night from this event. One of the areas which may experience noise nuisance is on the opposite side of the river. There is nothing in the application to suggest that the applicant has identified this, and how they will carry out any monitoring.

Once again the event management plan states that they will comply with noise conditions and guidance as suggested by Environmental Health. Whilst in previous years we have suggested noise conditions, it is not our place to design this aspect of their plan.

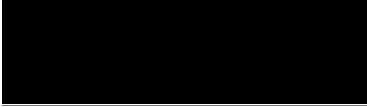
In both 2014 and 2013, we have queried the ability of the organiser to comply with the noise conditions as set. Figures submitted after the event have indicted a lack of understanding of acoustics and of the equipment used to measure. This location is more noise sensitive than previous years and we will want reassurance that the noise monitoring is carried out by a competent person.

¹ The Purple Guide to Health, Safety and Welfare at music and other events (Events Industry Forum: 2014)

We are reluctant in this situation to suggest conditions without any further information to suggest that the organisers are able to comply with them.

Should this application go before the licensing committee I am happy to produce for them the documentation referred to above in relation to the 2014 'V-dub' event, however I do not include it in this representation as it is not a public document. I am happy to attend a meeting of the Licensing Sub-committee should this be required in the determination of this application.

Kind Regards



Claire Whitchurch
Health protection Officer