

## **APPENDIX C**

### **REPRESENTATIONS**

**From:** Pete West

**Sent:** 24 July 2018 14:37

**To:** Julia Davis; Ian Taylor; Jim Whitelegg

**Cc:** Dick Page; Lizzie Deane; Louisa Greenbaum; Sahar Abuelbashar

**Subject:** RE: "Whisky Bravo" on The Level

### **MSB CON ENDS 15.08.18 VALID PS & PNN (A)**

Dear Jim,

**2018/04437/LAPREN**

I'm seriously concerned about the impact Ocktoberfest will have on the amenity of local residents who last year experienced considerable noise disturbance. I'm also concerned at the impact the event will have on the quiet enjoyment of the park by members of the public over the many days substantial areas of the open space will be lost between the start of setting up and final pack down - which I believe took up 10 days last year. We have a considerable on-going problem with street drinking, illegal drug use and public disorder at the Level, and the compression of this vital and heavily used open space by this event and the nature of it as a largely drink related event will do nothing to help improve the safety of the park. I believe therefore that Ocktoberfest will be at odds with a number of the licensing objectives, chiefly regarding public safety and nuisance and would request that this application be heard by a licensing panel please.

Many thanks

Pete

From: Ian Scoones

Sent: 28 July 2018 14:41

To: EHL Safety

Subject: Attn: Ian Baird, Head of Planning and Public Protection, Health and Safety Licensing, Bartholomew House

**MSB CON ENDS 15/08/18 VALID PNN (B)**

Re: Application for license by Whiskey Bravo for North Lawns, The Level, Brighton (11-13 October 2018)

I would like to object to this application. The Level is a much-used public park in a highly residential area, and the impact of removing the whole north lawn area from use has a negative impact on local users for the whole period of the application, plus the period of setting up and taking down the marquees (adding up to 5 days or more). The noise generated by amplified music until 11pm is a major nuisance to local residents. Following last year's festival there were numerous complaints about the excessive noise and disruption. It is clear that The Level is an inappropriate location for this event. Given its scale and noise generated, such events need to be in non-residential areas, and at a site that does not remove a significant proportion of a public space from use.

Yours,

Ian Scoones (resident, 42 Park Crescent BN2 3HB)

Jim Whitelegg  
Head Of Licensing  
Brighton and Hove City Council  
(via email)

Date: 1<sup>st</sup> August 2018  
Our Ref: 2018/05500/EPLIC/EH  
Phone:  
Email:

## **MSB CON ENDS 15.08.18 VALID PPN (C)**

Dear Mr Whitelegg,

**Formal representation concerning application for a Premises Licence:  
Oktoberfest, The Level, North Lawns, Lewes Road  
Brighton Complaint Reference : 2018/05500/EPLIC/EH  
Licensing Act 2003**

I refer to the application made by Whiskey Bravo Productions Ltd, for a Premises Licence for Oktoberfest, The Level, North Lawns, Lewes Road.

The applicant is applying for various regulated entertainment including live music, recorded music and performance of dance between the hours of 17:30 - 23:00 Thursday 11<sup>th</sup> October, Friday 12<sup>th</sup> October and Saturday 13<sup>th</sup> October 12:00- 23:00.

I have concerns about this application and make a representation on the grounds of “**prevention of public nuisance**” one of the 4 licensing objectives within the Licensing Act 2003.

Last year Alun Cance, Environmental Protection Officer received six complaints from local residents concerning loud music from Oktoberfest. I have concerns that nearby residents will be disturbed again this year by loud music. I note that this event takes place in the Special Stress area of Brighton and Hove, which is deemed an area of special concern in terms of the levels of public nuisance experienced within it.

I note that there is some mention of noise management and limitation in the application, which would form part of the overarching Event Management Plan. However, I would ask the applicant to consider the following three conditions to be attached to the premises licence, to assist in ensuring noise disturbance is kept to minimum and any disturbance is dealt with effectively:

1. Not less than 6 weeks prior to the commencement of the event the premises licence holder shall submit a draft Noise Management Plan (NMP) to Brighton & Hove City Council’s Environmental Protection Team, for discussion.

2. Following discussion with the Environmental Protection team, a finalised agreed version of the NMP shall be submitted to the Licensing Authority and all Responsible Authorities not less than 3 weeks prior to the event.

3. The finalised agreed version of the NMP shall form part of the application and will become attached to the premises licence as operating schedule conditions. The premises licence holder shall ensure that the finalised NMP is fully implemented.

The applicant should note that within the NMP we would expect the following information to be included:

- provision for measuring and monitoring noise before and during the event
- provisions for advance notice letters to be sent to local residents within an agreed area
- provision for a hot-line number to be provided to local residents and Responsible Authorities, to be manned throughout the event
- information on how complaints will be dealt with by event staff

This list is not exhaustive, but gives a guide on some of the provisions we expect to be addressed in the NMP.

Yours sincerely,

Charlie Taylor  
Environmental Protection Officer  
Environmental Health & Licensing

## **AGREED POLICE CONDITIONS**

The Level, North Lawns, Brighton, BN2 9SY

Application number 1445/3/2018/04437/LAPREN

### General

1. All planning for the event will be in line with recommendations laid out in the online 'Purple Guide' and HSG154 Managing Crowds Safely and will be planned in strong consultation with local authorities and licensing staff via regular ELT meetings starting no less than 4 months before the proposed start date of any activities on the site.
2. The final site layout shall be as agreed with the event health and safety advisor and Security consultant and all statutory authorities (which includes but is not limited to members of the council events department, licensing, highways, parking, and blue light services).
3. There shall be at least one personal licence holder in the bar present whilst the bar is in operation. Furthermore, whenever the premises are open to the public the Designated Premises Supervisor shall be present within the licensed premises.
4. Plastic glasses or cans will be used at the bar. Where a drink is in a bottle and this is not plastic, the contents of said bottle will be decanted into a plastic glass.
5. The boundaries of the licensed premises will be clearly fenced and marked so that staff, interested parties, police and members of the public can clearly see what areas are licensed.
6. No event shall take place until an Event Management Plan has been submitted to and approved by all other relevant statutory bodies.
7. All core event staff and personnel will be issued with a radio and will be in contact with event control.
8. All licensed door staff will use radios to contact each other and will wear hi-visibility arm bands with their SIA badge clearly on display. They will also be in high visibility jackets or similar and should be clearly identifiable as security.
9. All stewards will wear high visibility jackets or similar and should be clearly identifiable as stewards.

For the Prevention of Crime and Disorder:

10. The appointed security contractor will provide SIA registered security staff provision, including the mix of male/female staff will be based on a risk assessment carried out no less than one month before any event.
11. Outside the permitted hours for alcohol, all alcoholic drinks shall be secured safely to prevent their sale or theft.
12. Any patrons displaying signs of drunkenness or use of drugs will be ejected from the premises where it is safe to do so or admitted to onsite welfare facilities until they are deemed safe to be ejected. Where anti-social behaviour is observed in connection with alcohol or drugs the patron will be ejected when safe to do so.
13. Refusal log books will be completed for any refusal of the sale of alcohol. There will be one book at every bar and will be made available upon request to officers from the Licensing Authority, Trading Standards or Sussex Police.

Public Safety:

14. Security will be posted at key locations, as identified within the EMP and agreed with all relevant statutory authorities, around the event site to ensure the protection of adjoining residencies and businesses.
15. All drugs or illicit substances found or confiscated on site will be logged via radio at the point of confiscation and then returned to the event HQ where it will be securely stored and logged in a drugs book which shall be made available upon request to Officers from Sussex Police. All contraband along with seizure records will be handed to Sussex Police at the end of the event.
16. Sufficient welfare provision will be made within the site to treat and ensure the safety of any vulnerable patrons in the premises.
17. Adequate medical provision will be made available in line with calculations from the "Purple Guide" and following a risk assessment carried out by the medical provider.

18. An incident book will be completed for any incident that takes place within the licensed premises. The book will be made available upon request to officers from the Licensing Authority, Trading Standards and Sussex Police.
19. Waste management teams, alongside event staff and volunteers will be engaged to ensure the event site is cleaned and returned to its previous condition.

Prevention of Public Nuisance:

20. Potential attendees will be reminded of the residential location via digital media in advance of the event and clear signage throughout the event site will be used to remind and inform attendees of the proximity of residential areas.
21. Noise limits will be agreed with local authority noise management agents and adhered to vigorously. All residents within the area will be advised of any use of the premises no less than one month before any event and a contact number to management staff issued to ensure any complaints can be dealt with in a timely fashion.
22. Sufficient sanitary facilities will be made available within the premises to prevent public urination (as per the Event Management Plan).

For the Protection of Children from Harm:

23. The site will be 18+ only. Vigorous ID checks will be carried out both at the entry points and at the point of sale for any age restricted products.
24. All age restricted sales training undertaken by staff members will be fully documented and recorded prior to being allowed to sell alcohol. All training records shall be made available to Officers from the Licensing Authority, Trading Standards and Sussex Police.
25. The premises will adopt a 'Challenge 25' policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID as proof of their age. The only ID that will be accepted are valid passports and UK driving licences with a photograph or proof of age cards bearing the 'PASS' mark hologram. The list of approved ID may be amended or revised with the prior agreement of Sussex Police and the Licensing Authority without the need to amend the actual licence.

26. A dedicated medical team with DBS clearance and sufficient facilities for predicted welfare needs will be onsite during all operational hours.

**From:** Ian Baird

**Sent:** 10 August 2018 11:39

**To:** Brighton Licensing

**Subject:** Re: The Level, North Lawns, Brighton, BN2 9SY

Dear Hannah,

I can confirm we are happy to include all conditions as identified within your proposal.

Many thanks,

Ian