

Shaw, Tommy

From: Tierney, Eileen
Sent: 22 September 2023 15:58
To: Tierney, Eileen
Subject: Objection to New Premises Licence Application - Fox Festival - Kenslow Farm, Middleton by Youlgrave, DE45 1LY

From: Cowley, David <David.Cowley@derbyshiredales.gov.uk>
Sent: 05 September 2023 09:41
To: Licensing Inbox <LicensingInbox@derbyshiredales.gov.uk>;
Cc: Tierney, Eileen <eileen.tierney@derbyshiredales.gov.uk>
Subject: RE: New Premises Licence Application - Fox Festival - Kenslow Farm, Middleton by Youlgrave, DE45 1LY

Dear Licensing,

The Environmental Health Service is a responsible authority under the Health and Safety at Work etc, Act 1974 in terms of Public Safety, and Environmental Protection Act 1990 in terms of Public Nuisance. As a responsible authority we have not previously known of this application prior to the 11 August 2023. This was when the service received notification from the Licensing Service for this Application.

After reviewing the application details, we are OBJECTING to this application in terms of Public Safety and Public Nuisance. The application is too basic for this type of application, given the Application will allow a capacity of 4,999/ 5,000 people. I have reviewed the ESMP Event Safety Management Plan, and application form and site plan and all documents are not sufficient generally.

The following matters are of concern:

1. The plan attached to the application is basic. A scaled plan detailing the location in context and a scaled plan of the arena public areas in detail is needed. Without this detail we cannot really consider this application in detail.
2. Size of the venue – the application makes no reference to the size of the venue 1 acre / 2 acres 20 acres the size is not defined. The Licenced area should be detailed sufficiently on the plan detailing the size, and location, and parameters of Licensable Activities.
3. Evacuation and people movements – the applicant must demonstrate that people can move around the site safely during normal operating activities and in event of emergency. The ESMP and Site Plan are not sufficient to demonstrate this.
4. Stage locations and other infrastructure locations and orientation are defined in context.
5. Parking arrangements are not clear
6. Basically, the ESMP is not sufficient and is really basic for an event hosting 4,999 / 5000 people.

The Environmental Health service have no idea whether this applicant is competent to organise an event for this capacity within a rural location. We have not received any details of previous event activities which are Licensable whether under a TEN or Premises Licence. The ESMP does not confirm who is responsible for Health and Safety and / or Public Safety and whether they are competent.

Key contractors are not confirmed which is concerning. In terms of public safety the applicant must demonstrate further competence. Environmental Health will be proposing conditions for

members to consider in terms of Public Safety. In terms of the Licensable Area Plan, the Plan for this application is not suitable for this application generally.

The Environmental Health service is also concerned with the arrangements for preventing a Public Nuisance. The location is already used for 2 other public events 1 CEX which is not Licensable and Rosa Festival. The Noise Management plan appears to be insufficient for back to back events. Therefore Environmental Health will be proposing conditions for member consideration.

1. An updated scaled plan of the event arena / wider access and egress movements around the site, must be submitted to Environmental Health – 6 months prior to any event. (to prevent a public nuisance and to determine the public safety risk).

(As confirmed the plan submitted within the application is not sufficient to be attached to any Premises Licence application as too variable etc)

2. The Event must not occur within 48 days of any other Licensable Activity or other type of Large Gathering of a similar nature on the site. (to prevent a public nuisance)
3. Only one event will be permitted, annually, to take place over a maximum of 3 days. (to prevent a public nuisance)
4. Each year the Licence Holder will give each responsible authority a copy of the ESMP (Event Safety Management Plan) with a least 4 months' notice (Public Safety Matter)
5. The ESMP will include, but will not be limited to the following: Prevention of Crime and Disorder / Crowd Management / Security (Including Ejection Policy and Searching) / emergency evacuation / plans / First Aid / Fire Safety / Noise Management Plan / Traffic and Parking Planning / Adverse Weather Plan / Water Management Plan / Drugs Policy. (Public Safety Matter)
6. A final copy of the ESMP must be submitted to all Responsible Authorities 28 days prior to an event (Public Safety Matter)
7. The layout of the site shall be captured within a scaled plan which is communicated to all responsible authorities. Any final plan must be submitted with the final ESMP 28 days prior to an event. The site plan will have due regard to industry safety guidance such as the Purple Guide on such matters ensuring suitable segregation of activities and shall include but not limited to: On-site camping / car-parking / main arena and attractions / concessions / staging and structures / plant and equipment / crowd dynamics / artist and staff volunteer facilities / / general access and egress including clearways and sterile areas for emergency vehicles / emergency meeting points and control room / welfare facilities (showers and toilets) the plan will be to scale and in sufficient detail. (To prevent a Public Nuisance and Public Safety Matter)
8. Prior to any event the Licence Holder will make contact with all local residents within 2 miles to inform them of this event 2 months prior to any event, in writing. Including contact information for the Event Organiser, and confirmation that if they experience Noise Nuisance this should be reported to the Council Environmental Health. If the Organiser receives any concerns about noise nuisance from a local resident at any time this must be reported to the Council Environmental Health. (To prevent a Public Nuisance)
9. The entire area must be within a secured fenced area, namely camping / arena concessions and welfare arrangements. If vehicles are located in an unsecure area any

member of the public returning to their vehicle must be checked / searched before re-entering the site. (Public Safety)

10. The Licence Holder will provide a contact number for Responsible Authorities which is answered during the Event. The Licence Holder will provide a contact number for Local residents reporting any concerns during the event regarding Public Safety or Public Nuisance. These phone lines will be contactable 24 hours while ever Licensable activities are occurring. The number will be publishable by the Council for Local Residents. (Public Safety and to prevent a Public Nuisance)
11. Noise will not be audible from the site, at the nearest residential premises after 18:00 on days used for preparing / closing down the event. (to prevent a public nuisance)
12. A noise management plan will be submitted to the Environmental Health Service 6 months prior to any event. (to prevent a public nuisance)
13. A competent trained person shall be employed to oversee Health and Safety of the Activities. They will also have the Authority to override the Event Organiser / Licence Holders in situations of public safety. The details for this person shall be notified to all Responsible Authorities 28 days prior to any event. (Public Safety)

Given the current Application and details provided the Environmental Health service cannot support this Application, and therefore Formally Object. The Application has not demonstrated suitable arrangements for an event of this nature. The Environmental Health service are also concerned that no prior notification of this Application was made to the Responsible Authority. We have therefore considered the application on the information we have received.

Unless the application is significantly improved with a detailed plan, and further development of the ESMP and associated documentation we will not be withdrawing our Objection. If the members feel this application should be granted then due consideration should be given to all the points listed above as Public Safety at large events is paramount, and lots of fundamental gaps are noted within the application.

If you require further information please don't hesitate to contact Environmental Health

Kind regards

David Cowley
Principal Environmental Health Officer (Commercial)



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