

**REPORT:** Regulatory Committee

**DATE:** 19 February 2020

**REPORTING OFFICER:** Chief Executive

**PORTFOLIO:** Resources

**SUBJECT:** Application for a Premises Licence – Spike Island Event Widnes

**WARD:** Riverside

## **1. PURPOSE OF REPORT**

To hold a hearing to assess relevant representations made in response to an application for a premises licence in respect of Spike Island event Widnes

## **2. RECOMMENDATION**

**That the Committee considers the relevant representations and makes a determination on the application.**

## **3. SUPPORTING INFORMATION**

- 3.1** An application has been made under section 17 Licensing Act 2003 (“the 2003 Act”) in respect of the proposed event described in Section 4 below.
- 3.2** Representations have been received in respect of the applications which have triggered this hearing.
- 3.3** This hearing is held in accordance with the 2003 Act and the Licensing Act 2003 (Hearings) Regulations 2005.
- 3.4** The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 3.5** The hearing is solely concerned with those aspects of the application, which have been the subject of relevant representations as defined in the 2003 Act.

## **4 THE APPLICATION**

- 4.1** Lightbulb Festivals Limited has applied for a premises licence in respect of Spike Island Upper Mersey Road Widnes for an event to take place on Saturday 16 May 2020 only
- 4.2** The application requests:-

- The provision of Films, Live Music, Recorded Music and the Supply of Alcohol 11.00 to 23.00
- The premises open to the public between the hours of 11.00 to Midnight.

**4.3** The maximum number of people licensed to attend the premises at any one time is requested to be 19,999.

**4.4** A number of variations to the application have been made by the applicant. For example, the maximum number of people requested to attend the proposed event has been reduced to 14,999.

**4.5** As part of the Operating Schedule the applicant has set out the information and conditions: these are set out at **Appendix A**.

**4.6** The changes/modifications to the application made (to date) by the applicant together with further clarification and representations are set out at **Appendix B**.

**4.7** Version 4 of the Event Safety Management Plans and Risk Assessment was used as part of the initial application made on 27 December 2019. The updated Version 5 of the document was attached to an e mail sent to the Council on 15 January 2020. Version 6 was attached to an e mail on 24 January 2020.

## **5 RELEVANT REPRESENTATIONS**

### **5.1 RESPONSIBLE AUTHORITIES**

#### **5.1.1 CHESHIRE CONSTBULARY**

These representations are set out at **Appendix C**.

#### **5.1.2 ENVIRONMENTAL HEALTH**

These representations are set out at **Appendix D**

#### **5.1.3 CHESHIRE FIRE AND RESCUE SERVICE**

These representations are set out at **Appendix E**

#### **5.1.4 TRADING STANDARDS**

The Council's Trading Standards department have requested conditions to be attached to the Premises Licence as set out at **Appendix F** and these conditions have been accepted by the applicant.

## **5.2 ANY OTHER PERSON**

None

## **6 OPTIONS**

**6.1** The Committee has the following options under section 17 of the 2003 Act:

7.1.1 It must Grant the application (where properly made) unless it considers that for the promotion of the licensing objectives it considers it appropriate to take any of the following steps, namely -

7.1.2 Impose relevant conditions on the licence;

7.1.3 Reject the whole or part of the application.

**6.2** The Committee must act with a view to promoting the licensing objectives, namely:

(a) the prevention of crime and disorder;

(b) public safety;

(c) the prevention of public nuisance; and

(d) the protection of children from harm.

The Committee must also have regard to-

(a) the Council's Statement of Licensing Policy, and

(b) the Statutory Guidance issued by the Secretary of State

(c) the Regulators' Code under the Legislative and Regulatory Reform Act 2006

## **7 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Application Documents And Representations	Legal Services	John Tully/Kay Cleary

## **APPENDIX A**

### **Extract from Operating Schedule**

#### **Conditions consistent with the Operating Schedule**

##### **General**

To manage the event an Event Management Team (EMT) is in place. This consists of the Promoter, the security Manager, the Production Manager, the Medical Manager the Safety Team (Who will be qualified in Event Safety Management Nation Qualifications framework level 5 or above or equivalent)

A serviced office for meetings will be onsite.

To deliver to the public a safely planned and organised event, that meets all of the statutory obligations under relevant legislation; that meets the standards of safety applied to all public events in Halton; and to incorporate agreed recommendations made at Joint Agency Planning Meeting, Safety Advisory Group or of individual responsible authorities where they are issuing advice pursuant to other statutory powers.

The event management team of Lightbulb Festivals are responsible for the Health and Safety and Welfare of their staff contractors and visitors (ticketholders). They are responsible for the overall management of the event, the Health and Safety of the staff and other persons not in their employment affected by their undertaking whilst on the premises.

The Event includes a range of licensable activities: live music, recorded music and similar as well as the retail sale of alcohol. This application is to support that delivery. This will be supported by other and documentation as part of the planning process. An EMP with Risk assessment and safety plan will be produced and shared with the relevant agencies. This will be produced in line with the EIF Purple Guide. Production of it is a condition of the licence, though its primary function is covered by other statutory duties.

Any alterations/significant amendments to the event safety plan will be subject to appraisal and evaluation through Halton Licensing and the Safety Advisory Group process as far as is reasonably practicable and agreed by Licensing. In any event they are to be discussed and agreed by the widest available multi – agency team. Such alterations will be to support the licensing objectives, in particular public safety.

It is the responsibility of, the Event Managers/Licensee and their Management Team to ensure an ongoing assessment takes place throughout the build-up, duration and deconstruction of the event. Any escalation in the severity of a hazard or the discovery of a new hazard must be reported to the Event Control and recorded. Where appropriate the relevant multi-agency body should be informed.

In all cases such changes are to be recorded in the Event Safety Log which is maintained as a record of activity during the operation of the site, including construction and deconstruction, the logging will be via safety advisors.

A premises licence will be in place. In addition to the mandatory conditions the EMT Spike Island 2020 have as part of the land use agreement agreed to a range of specific appropriate conditions aimed at supporting the management, where such conditions are consistent with the Licensing Act and appropriate common law.

### **Prevention of Crime and Disorder**

The EMT will co-ordinate with crowd management personnel, security staff, adjoining premises and Halton Council and Cheshire Police to ensure a positive action programme for combatting crime and disorder is in place.

It will seek at all times to use the wider policing family to reduce impact on the Police service and there is no request for Special Police Services. All security personnel operating will be SIA registered door supervisors in line with the SIA requirements, all supervisors of SIA security will be SIA registered; all crowd management personnel will be trained to NVQ Level 2 or equivalent or as necessary in accordance with legislation.

There will be 24 hour cover during the building and removal of each event, as well as full operation staff level identified in and detailed in the Crowd Management and Security section of this EMP.

Evictions from site must be approved by the nominated duty manager and recorded.

In addition, the EMT will in addition to support the strategy a search policy as condition of entry, with a right to search at any time when on the premises as a condition of entry looking for prohibited articles including but not limited to alcohol, drugs or weapons or anything that be used as a weapon.

Drug detection dogs will be used to search the premises before opening; staff are also subject to search; drug detection dogs will be employed after the search areas, persons indicated by the dogs will be subject to an enhanced search.

Amnesty bins for surrender of such items will be made available to the public, this will be secured and sealed so no items will be able to be retrieved.

A Challenge 25 policy for alcohol, and no persons under 18 will be admitted. Persons who look under 25 but do not have approved photo ID will be refused.

There is a prohibition of alcohol purchased on site leaving the premises, and a prohibition of alcohol being brought on to the site.

No glasses to be used. No glass bottles to be served. Open tins to be served and PET's to be opened and lids removed. The bars will close at 22.45 or shortly after.

Wayfinding staff will be located to remind patrons of the impact of antisocial behaviour, a wider cleaning plan is in place to cover ingress and post egress.

### **Public Safety**

The EMT will consult with and Halton Safety Advisory Group on the plans for Spike Island 2020 Events. These plans will be developed through coordination with each agency. They have been developed to meet guidance under the Purple Guide and associated guidance, and in accordance with the management principal set out in Successful Health and Safety Management.

A two way radio system will be in place for site management safety and security, this will locate at a staffed event control, where meeting area for joint agencies are available.

Account has also been taken of the National Police Chief Council Policy on Public Safety. It has ensured a professionally qualified safety manager is in place. There is a general prohibition of petrol and petrol generators within the site. All generator will be serviced by an appropriately qualified electrician and will be diesel; all supply will be RCCD protected to end user. There is a general prohibition on use of naked flame, private barbeques; Chinese lanterns; fireworks across the site.

Security will provide a 24 hour fire watch whilst the site is being assembled and deconstructed, and when it is open to the public. Extinguishers will be located across the site at locations deemed necessary by the fire risk assessment.

There will be independently powered site lighting system supported by non-maintained emergency floodlights.

Water rescue equipment will located adjacent to the canal and Widnes dock; two craft to assist in water rescue will locate on the canal.

Structures will be required to be signed off by those persons erecting them. A weather monitoring system will be in place to identify adverse weather, including wind rain and heat, in line with the staging code.

A bespoke medical plan written by Spark Medical a specialist CQC provider will be in place providing on site medical triage and treatment facilities on site plus an emergency ambulance.

The Promoter has coordinated with local taxi firms and provide pick up and drop off points. Water supply will be tested in line with Water Regulations, if not satisfactory bottled water will be available for free from welfare areas.

### **Prevention of Public Nuisance**

To prevent public nuisance, Lightbulb Festivals will ensure appropriate noise control levels are in place to minimise sound disruption. The music noise level will be 70dB (A) leq 15 minutes 13.00 – 19.00; 75dB (A) leq 15 mins 19.00 – 22.30. continual monitoring is in place, using class 1 evidential NTI XL2 sound level meter, LAeq15' with real time data analytics with the nearest noise sensitive building residential buildings on or just off Sankey Street. The event will be subject to a specific noise management plan which will be provided no less than 4 weeks before the event.

The standards are set in accordance with the Code of Practice on Environmental Noise Control at concerts.

Monitoring of background noise levels will take place prior to the event at the identified noise sensitive locations.

There is a 22.45 noise curfew.

Noise complaint line will be identified, supported by social media.

Monitoring will take place on a live basis at FOH with a monitoring engineer able to require the FOH engineer to reduced volume levels as well as identified noise sensitive locations during the performance. The local authority will receive a written report relating to compliance. It will have access to all data during the performances.

Lightbulb Festivals will display notices reminding patrons to be quiet as they leave, and for consideration of neighbours and use the way finders to remind patrons regarding their conduct.

No amplified music is allowed after 22.45 h except in the event of an emergency.

Lightbulb Festivals has ensured appropriate rest and welfare facilities are in place. Spark Medical Services providing event cover.

Lightbulb Festivals will provide suitable and enough waste collection points supported by a cleansing and litter picking programme before during and after the events, especially at entry to the site.

There will be portable toilet provision on site with all waste being removed to an authorised disposal point.

### **Protection of children from harm**

The EMT will not admit persons under the age of 18 to the site, will utilise a challenge 25 alcohol policy approach. ID for age may be checked at any time and is a condition of entry. In addition there are separate facilities specifically for separated vulnerable people staffed by specialist welfare staff from the Spark medical.

There is a general prohibition on anyone under the age of 18.

Welfare facilities will be located where possible adjacent to secure production area and medical facilities and have free access to a phone.

All working personnel will be advised to the location of the facilities.



## **APPENDIX B**

### **Changes/modifications to the application and further clarification on representations**

#### **Email from Edward Grant who is acting on behalf of Lightbulb Festivals Limited dated 15 January 2020 to the Council**

Our current premises licence application for Spike Island has as a condition that an EMP is shared

This has been updated to v5 following an internal review and consultation with EHO, who made representations regarding access and egress and further conditions have been volunteered

The most significant change is the capping of tickets for sale to the public to 15,000; second the main stage will close at 22.00, or shortly after. This is to facilitate ingress and egress. The premises itself bars VIP will remain open with background music until 23.00 to encourage dwell time

Other aspects have been updated accordingly

#### **Email from Stephen Burrows Environmental Health dated 22 January 2020 to Edward Grant who is acting on behalf of Lightbulb Festivals Limited**

Unfortunately we are not in a position to withdraw the objection at this stage. Whilst the reduction in ticket sales and bringing forward the production finish time go some way to alleviate our concerns about patrons being able to leave the event site in sufficient time to access public transport, we remain concerned about pedestrian access and egress to the event. The revised plan identifies potential pedestrian routes to the event however these are currently closed off. It is not clear if they have been completed and when they will be reopened to provide access to the site.

Also the revised plan version 5 now seems to confirm that all patrons whether arriving by transport or on foot will have to access the site via the same narrow pathway that passes under the Mersey Gateway Bridge. This is a particular concern on egress with most people leaving at the same time. Provision has been made for 2 x 2 m bridges over the canal to provide pedestrian access to the site - however I am concerned that the width of the pathway and (and useable land either side) is less than 4 meters heading towards and under the Mersey gateway bridge - this is likely to create a bottle neck which will further slow egress from the site and has the potential to cause a crush if there are no further crowd control measures at this point. Options to widen the available area are limited by the Mersey gateway bridge on one side and the canal on the other - the land next to the path also drops away steeply in parts towards the canal and so cannot be relied upon to extend the width of the existing path. I did attempt to measure the available width today but the land on the other side of the bridge is currently closed off to the public.

**APPENDIX C.**  
**Cheshire Constabulary Representations**

Your Name	Lesley Halliday
Job Title	Police Licensing Officer
Postal and email address	Warrington Police Station, Charles Stewart House, 55 Museum Street, Warrington, WA1 1NE <i>Lesley.halliday@cheshire.pnn.police.uk</i>
Contact telephone number	01606 36 3580

Name of the premises you are making a representation about.	<b>Spike Island</b>
Address of the premises you are making a representation about.	<b>Upper Mersey Road, Widnes, WA8 0DG</b>

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children		
To prevent Public Nuisance		
To prevent crime and disorder	Yes	See Below
Public Safety	Yes	See Below

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>See Below:</p>
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## COMMENTS:

Following a site visit to Spike Island on 20/01/2020, Cheshire Police object to this application because we believe it undermines the Public Safety and Crime and disorder licensing objectives.

The Event Management Plan (EMP) does not provide any details of the company who will be providing the security and stewarding for the event, nor does it provide any information on the numbers of security staff that are expected to be employed on the day and the ratio of security staff to the number of ticket holders.

There is no information on how the organisers plan to police the danger areas of the site of which there are many including canal banks, deep-water pools, dangerous bridges etc.

The EMP currently does not include a detailed traffic management plan and the constabulary are very concerned that the event organiser does not see the need for any traffic orders to be in place for the event.

There are currently road works on Waterloo Road, which are over-running and there is no guarantee that these will be complete by the date of the event. These roadworks may impede emergency services should they be required to attend in the event of an emergency.

The same organiser, held an event in Warrington last year. This event did not have a traffic management plan in place and public safety during egress had not been given sufficient consideration by the organisers and although the Constabulary assigned nine officers to police the area at the end of the event, additional officers had to be brought in (over 20). These officers were used to form a barrier along the road due to the number of people who just walked out into the road whilst on their phones or generally just not paying attention when they were leaving the event. In addition, people who were catching buses needed to cross the road to get to the bus stop, but there were no measures put in place to ensure this happened safely.

No traffic orders had been put in place to close any of the surrounding roads to allow for safe departure of attendees, so this was a major concern for public

safety. It is also worth noting that the crowd was not a full capacity crowd as many people had left the venue earlier to catch trains or other transport before the end of the concert.

There are concerns that the evacuation plan/procedure is not detailed enough to provide information on how the event organisers would clear the area if they were required to do so, there's nothing in the evacuation plan for how disabled persons will be moved to safety in the event of needing to evacuate.

Due to the nature of the site the standard Counter Terrorism Marauding advice may not be appropriate because if 15,000 ran this would lead to panic and possible stampede, which would lead to injury and could also result in loss of life. Further consideration needs to be given and advice sought as to what action would need to be taken in the event of having to evacuate the site, with a documented plan on how this would be done.

The EMP does not include a drugs policy that will be adopted for the event.

The search policy does not detail what will happen to any surrendered items and how they will be disposed of; the constabulary would have particular concerns regarding the disposal of drugs and weapons and how these will be secured during the event. There is also no mention of how the amnesty bins will be secured and then emptied after the event.

The organisers do not mention whether security staff will be a mix of both male and female security to ensure that any searches are conducted by security personnel of the same sex as the person being searched.

There is no mention of any food vendors at the event, we therefore have concerns that if 15,000 people are potentially drinking alcohol for over 10 hours without food, this is going to lead to higher levels of intoxication and taking into consideration the amount of water surrounding the event, this would make the event very high risk in nature.

Cheshire Constabulary have reason to believe that when the Fiddlers Ferry power station closes at the end of March, this may lead to the canal water draining from the area at low tide, should this be the case this could also lead to the banks collapsing inwards. There is no mention of this in the EMP nor does the EMP take into account how this would affect public safety at the event or the affect this would have on the use of boats in an emergency.

Cheshire Constabulary have concerns that the event organisers wish to serve drinks in tin cans. Whilst we appreciate the event organisers are trying to make service at the bars quicker and easier, tin cans could be used as missiles and if thrown whilst full these could cause serious injury.

There is no drinking water available on the island, any water will need to be brought in, in water bowsers or will need to be bottled. The EMP states that free bottled water will be available from the Welfare area, consideration should also be given to have free bottled water available at all bars on site.

None of the documentation provided refers to any checks being done on staff working at the event, such as checking security staff have a current SIA badge and are entitled to work.

The organisers have failed to give consideration to how staff arrival on site will be managed and whether they be subject to a search to ensure that, they are not bringing any illegal substances on site. Cheshire Constabulary has established that at other events of a similar nature illegal substances are often brought in by staff working at the event as they are not subject to the same search policy as persons attending the event.

The EMP does not state whether the event organisers have contacted the local rail networks and stations to advise them of the possible increase in persons using the trains as a means of transport to and from this event. It also does not state whether British Transport Police have been made aware of the event to enable them to determine if they require any staff or additional staff to be present at the local stations that are likely to be used by persons attending this event. Large numbers of people attempting to catch trains could create a flash point for disorder in these areas.

**Should committee be mindful to grant this application, then Cheshire Constabulary would request that consideration is given to including the following conditions on the licence:**

The Event Management Plan shall contain the following:

- a traffic management plan
- the evacuation procedure
- fire risk assessment
- crowd management plan
- drugs policy
- search policy
- details of the Security & Stewarding company
- Numbers of staff working at the event & in what capacity
- Staff search policy

The Event Management Plan shall be submitted to Cheshire Fire & Rescue Service, Cheshire Constabulary and Halton Borough Council for approval at least 28 days prior to the start of the event.

Copies of this documentation shall be retained on site while licensable activities are being provided, and shall be made available to any of the responsible authorities, as defined in the Licensing Act 2003, upon request.

No licensable activities shall be permitted to take place under this licence unless the Event Management Plan for the event has been approved by Cheshire Fire & Rescue Service, Cheshire Constabulary and Halton Borough Council. Any deviation from this documentation during the event shall only be made in exceptional circumstances, and the details shall be recorded in the

event log with detailed reasons at the time. These changes must be raised at the next available ESAG meeting where a review of the event will be done and any improvements for future events will be highlighted.

The event will use and maintain an event log. This will be kept up to date by Event Management and will be used to record all significant policy decisions made during the event by staff. This log will be available at the ESAG meeting, and will be available for inspection by the responsible authorities, as defined in the Licensing Act 2003, at any time.

There shall be a written drugs policy in place for the event. This policy shall be agreed between the licence holder and the Cheshire Police Licensing in writing and this policy shall be implemented whilst licensable activity is taking place. This document will include reference to psychoactive substances and must ensure a zero tolerance policy in this area. This policy must be agreed at least 14 days prior to the start of the event.

There shall be a written ejection policy in place for the event. This policy shall be agreed between the licence holder and the Cheshire Police Licensing in writing and this policy shall be implemented whilst licensable activity is taking place. This policy must be agreed at least 14 days prior to the start of the event.

The premises licence holder shall ensure that customers will not be allowed to bring their own alcohol on to the site.

The premises licence holder shall ensure that customers do not bring glass bottles onto the site.

Contact telephone numbers for the designated premises supervisor, event managers and site managers shall be provided to Cheshire Fire & Rescue Service, the Cheshire Police Licensing and Halton Borough Council before the start of the event.

No staff member while on duty and / or in uniform will consume alcohol or drugs on site or be under the influence of alcohol or drugs at any time whilst working.

All accidents, however minor, will be recorded in the on-site accident book and be reported to the event management team where applicable within 24 hours.

The premises licence holder shall publish a message on the event website at least 1 month prior to the event containing the following information:

- (a) Challenge 25 Policy for entry to the event and for bar service whilst licensable activities are taking place.
- (b) No alcohol permitted to be brought onto the site and searches will be made on entry
- (c) No glass drinking vessels and bottles allowed on site
- (d) Disabled access and facilities information
- (e) Details of medical facilities

The premises licence holder shall ensure that there are measures in place to accurately record and monitor entry numbers to the site. Upon request by a responsible authority, as defined in the Licensing Act 2003, the holder of the premises licence or an agent on behalf of and under the authority of the licence holder shall provide precise information regarding the number of people present on the site at the given time.

The premises licence holder shall ensure that all members of staff and SIA personnel have received training commensurate to their role, and have been fully briefed prior to the start of the event on the information contained within the Event Management Plan documents relevant to their role.

The premises licence holder shall have procedures in place to:

- (a) Manage the occupancy levels within areas to enable a safe and quick evacuation in the event of an emergency; and
- (b) Allow unrestricted and unobstructed access for emergency vehicles.

The licence holder shall ensure that all members of staff involved in the sale of alcohol receive appropriate training. This training must include the following:

- The licensing objectives
- The conditions of the licence
- Recognising signs of drunkenness and recognising intoxication through drugs.
- Challenge 25 and appropriate forms of identification.
- Refusals logs including when and how to use them.
- Proxy sales

This training must be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training. Records should be kept for a minimum of 6 months following the event.

No person shall sell alcohol until they have received the training and signed the training document.

Any person involved in the sale or supply of alcohol shall have a lanyard or similar item which is to be worn on their person detailing the training they have received for easy reference.

Signage advising customers that Challenge 25 is in operation shall be prominently displayed at each bar.

No supply of alcohol shall take place at any bar unless a personal licence holder is present in a supervisory capacity.

Each bar shall have on display a document showing details of the bar. These details shall be the name of the bar manager, their personal licence number, and the hours of operation.

All bar managers shall have access to a radio link with the event management team and security teams.

All personal licence holders shall be made aware of the licence conditions. Personal licence holders shall sign a declaration to confirm that they have been received a copy of the licence conditions.

This shall be documented and a copy of the conditions shall be made available at each bar. The signed declaration shall be made available to the Cheshire Police Licensing Unit or the Licensing Authority upon request.

Signage shall be in place at each bar encouraging persons to drink responsibly.

All staff shall be issued with a wristband, lanyard, or similar, which identifies them as staff working at the event.

The specific number of volunteers, stewards, marshals and frontline SIA staff shall be recorded in the Event Management Plan. They will be based on a capacity of staff and customers for the entire licensable area. The numbers of staff will reflect the different challenges of the individual day or various events and will not be generic.

The licence holder shall maintain a register giving details of each and every person employed in the role of security and shall provide upon request by any Police Officer or authorised officer of the licensing authority, the following details:-

- (a) The licence number, name, date of birth and residential address and telephone number of that person;
- (b) The time at which he/she commenced that period of duty
- (c) The time at which he/she finished the period of duty
- (d) If that person is not an employee of the licence holder, the name of the person by whom that person is employed or through whom the services of that person were engaged;

The register shall be made available to a Police officer or the Licensing Authority on request. This register may be in paper or digital format.

Every entry and exit point to the venue shall be supervised by SIA licensed security personnel.

All security persons shall have access to a radio to communicate to other staff on site.

All residents within identified streets shall be provided with appropriate contact telephone numbers for the event organisers, or relevant event staff, prior to the event

The premises licence holder shall ensure that bag searches are carried out as customers enter the event.



The premises licence holder shall ensure that any person appearing to be under the influence of illegal drugs shall be refused entry.

Any person deemed unfit due to drink or drugs at the event shall be asked to leave the event after organisers have considered that it is safe for them to leave the site.

The licence holder shall ensure that patrols of the site including the car park area are performed by security staff of the site whilst the site is closed to the public.

A response team staffed entirely of SIA licensed personnel shall be available for deployment during the event. This team will be in possession of body-worn cameras. All footage captured by these cameras will be made available to a Police officer upon request. This team will not be used for any other function.

There shall be an area within the licensable area dedicated to dealing with vulnerable adults. There shall always be on duty at this location a person nominated as in charge. Staff working in this area shall have access to a radio connecting with the event management.

A Medical Team will be set up on-site with trained and experienced staff available to care for ill, intoxicated or vulnerable adults until they are ready to leave safely.

There shall be a facility on site to deal with persons taken unwell or injured during the course of the event. This facility shall be open at all times that the site is open to members of the public.

An SIA accredited person shall be present at all times that the facility is open to members of the public. The medical facility shall have access to a radio connecting to the site control. The numbers of medical personnel will be set and recorded in the event management plan taking into account any statutory guidance available at the time of the event.

Event organisers shall ensure that adequate arrangements exist to enable the safe evacuation of disabled people in the event of an emergency; and that disabled people on the premises are made aware of those arrangements.

No glasses to be used. No glass bottles to be served. No tins to be served. All drinks to be decanted into wax coated paper cups or plastic cups.

Soft drinks and water will be available at all times and at each of the bars on site as an alternative to alcoholic beverages.

Signed: Lesley Halliday

Date: 22/01/2020

## **APPENDIX D**

### **Environmental Health Representations**

**10 January 2020**

I have reviewed the application, site plans and V 4 of the Event Safety Management Plan. I have also undertaken a visit to the site and surrounding areas.

Based on the current information available Environmental Health object to this application on the grounds of Public Safety.

The principal reasons for this objection are;

- Safe Access and Egress for pedestrians
- Lack of comprehensive traffic / transport plan

I have set out below the detailed reasons for the objection. The two issues are closely related and so will be considered together.

It is important to note at the outset that this event is being promoted on a national and regional basis and so it is anticipated that a large number of patrons will be from outside the area, travelling by public transport and will be unfamiliar with the local area.

There is currently no safe access and egress to the site to the proposed main pedestrian entrance to the North of the site. It is acknowledged that this was the main entrance point for the original concert 30 years ago. However since then two significant construction projects – the Widnes Eastern By Pass (A557) in the 1990's and the recently opened Mersey Gateway Bridge - have reshaped the landscape and infrastructure around the area.

Whilst the site plans identify a pedestrian entrance to the proposed licensed premises - including temporary bridges over the canal and provision for search lanes before this entrance - there is no indication as to how pedestrians will safely reach this point from the wider Widnes area. Due to the ongoing construction works around the site none of the current footpaths identified in the event safety management plan link with the wider highway / footpath network to provide a safe means to access the site on foot.

The footpaths shown in photograph 19 of section 5 of the Event Safety Management plan are not complete. The lower path ends at the canal tow path heading back towards Spike Island, the Boat Club and the Catalyst Museum. The higher path ends on unmade ground at the brow of the incline. Even if the path were to be completed with a temporary surface for the event the only place such a path could start or end to provide a point of access to the highway and footpath network would be at the construction site for the

new Widnes loops interchange. This does not provide a safe means for pedestrians to access the site.

The Canal tow path at photograph 18 does not provide a means to reach Widnes town centre.

The Event Safety Management plan identifies a potential car park and pick up and drop off point (PUDO) between the new Mersey Gateway and the A557 (detailed on photo on page 6 of 95) However to date these have not been confirmed as available by the promoter. This area can be accessed by road from the A557 – however this is a main route to the Mersey Gateway Bridge and significant traffic management measures will need to be in place to ensure vehicles can safely enter and exit this site without causing a hazard to other road users. (Detailed traffic management is outside my remit). Pedestrian access from the car park and PUDO is proposed via the pathway passing under the Mersey gateway Bridge. However this area is currently closed. It is important to note that only vehicles can access the Car Park and PUDO. There is no safe means for pedestrians to access this area on foot from Widnes at present.

The underpass from croft street under the A557 is currently closed off. It is not clear when this will be reopened and once it is open it is not clear if the pathways beyond provide a safe pedestrian route to spike Island and the main entry point to the licensed premises.

It is acknowledged that the application and plan make reference to various transport options;

- Green Bus from a number of Towns and Cities
- Buses to and from train stations (however see comment below)
- Taxi's
- Car Parking

However all these options are dependent on land being made available for parking and PUDO alongside a comprehensive traffic management plan to ensure safe and efficient movement of vehicles within the area and safe access and egress of vehicles from this area to the A557 .

Whilst it is hoped many ticket holders will use the proposed transport options set out above it must be assumed that many will seek to access the venue on foot. E.g. those who live or are staying in hotels locally, those who arrive by bus from nearby towns and those who chose to have a drink or a meal in Widnes before going on to the event. In my view a license should not be granted until a safe route for access to and egress from the entrance to the licensed premises is established and sites for parking and PUDO confirmed.

Unless adequate safe routes are available for pedestrians to access the site there is a risk pedestrians will attempt to find their own route to and from the site and that persons may slip or fall on unmade or unlit ground or come into contact with road traffic attempting to navigate roads that are not intended for pedestrian access. These risk are enhanced at the end of the

event when it will be dark and some patrons may be intoxicated. If a license was eventually to be granted whatever provision is made for pedestrian access should not include the canal tow paths to avoid the risk of patrons entering the canal. These should be fenced to prevent patrons using these paths as a means to leave the site.

Unless adequate provision is made for both pedestrian access and for taxi PUDO at the North entrance this is likely to cause those with local knowledge to divert to the south entrance at Mersey Road / Catalyst. This would require additional contingency measures in the event safety management plan.

### **Public Transport, event finish and site egress times**

I have a further observation with regard to public transport and the time it will take for patrons to leave site due to the limited egress points available.

The event plan provides ingress flow calculations. These appear to suggest that it will take at least 1 hour – possibly longer for all patrons to leave the site. Based on the production finish time of 22:30 – it is assumed most patrons will leave the event at this time – however to stagger the egress of patrons bars and catering facilities will remain open until 23:00. The promoter anticipates the site being cleared by 00:00 hrs.

Section 9.10 of the event safety plan sets out train departure times from Widnes, Runcorn and Runcorn East stations. Having reviewed the information on Trainline.com it is unclear if trains run as late as specified in the event safety plan on the day of the event. It is acknowledged that the promoters may have obtained their information from another source – however based on the publically available information at this point the last trains from the following stations to principal destinations are as follows

Widnes to Liverpool	00:08
Widnes to Manchester	00:07
Runcorn to Liverpool	22:24
Runcorn to Chester	22:38
Runcorn to Crewe	22:41
Runcorn East to Chester	23:55
Runcorn East to Manchester	23:41

Due to the distance from the site to these stations the promoter has indicated that buses will run from the site to the above stations. However given the current proposed finish time and the time it will take patrons to exit the site and find a means of transport to the station, we are concerned that many people may not reach the station in time for the last train home.

One possible option to make public transport by train a more realistic option is for the event to start and finish earlier to provide more time for guests to access the available public transport. The event website does suggest both Widnes and Runcorn station as options for travel to the event. It must

therefore be presumed that many patrons will use the train to get to the event. It is not clear from the plan if the potential increase in passenger volumes has been discussed with the train operators and companies responsible for station management to ensure that they have the capacity to deal with an increased volume of passengers on the trains and at the stations on the day of the event.

### **Further observation – Water supply**

It is not clear from the plans what provision is to be made for water provision on site for hygiene, hydration and catering.

**APPENDIX E**

**Cheshire Fire and Rescue Service Representations**

**LICENSING ACT 2003**

**PREMISES:** OUTDOOR LEISURE AREA, SPIKE ISLAND, MERSEY ROAD,  
WIDNES. WA8 0DF

**RE:** PROPOSED EVENT BY LIGHTBULB FESTIVALS LTD,

The information supplied in support of the application for a Premises Licence dated 27 December 2019 has been examined and Cheshire Fire and Rescue Service now **wish to make a representation** to the Licensing Committee because the public safety objective of the Licensing Act **has not been adequately addressed**.

The applicant has been informed that Cheshire Fire and Rescue Service will be making a representation to the Licensing Committee.

The area(s) that are of concern to the Fire Authority are as follows:

- a. Inadequate information to make an informed decision
- b. Inadequate means of escape from information to hand

Please would you advise us, at your earliest convenience the date and time of the Licensing Committee Hearing?

If the relevant areas of concern are addressed and adequate notice is given to the Fire Authority the representation may be withdrawn.

This letter is without prejudice to any enforcement action that the Fire Authority may take under any other relevant legislation.

**APPENDIX F**  
**Trading Standards Representations (agreed)**

**HALTON COUNCIL**

**Representation Form.**

**Responsible Authority.**

Your Name	Deana Perchard
Job Title	Trading Standards Manager
Postal and email address	Trading Standards Public Health Runcorn Town Hall Runcorn WA7 5TD Deana.perchard@halton.gov.uk
Contact telephone number	0151 511 6229

Name of the premises you are making a representation about.	<b>Spike Island</b>
Address of the premises you are making a representation about.	Upper Mersey Rd Widnes

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children	Yes	Please see below
To prevent Public Nuisance		
To prevent crime and disorder		
Public Safety		

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Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Committee to take into account. Please use separate sheets where necessary.	Please see below
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Trading Standards understands the importance of the day and night-time economy and the way in which it supports the generation of employment and skills opportunities in areas of Halton. However, it is also important to mitigate potential risks to Halton residents and their families. Halton suffers from high levels of alcohol-related harm with significant impact on local individuals, families and communities. The cost of alcohol misuse in Halton has been estimated at £58 million, or £461 per person per year. In Halton, the hospital admission rates for under 18s for alcohol specific conditions is greater than the England average.

The Trading Standards Service has a multi-faceted approach to tackling under age sales of alcohol and as well as working with the trade we will raise awareness with the community of the offences that 'buyers' can commit instead of focussing solely on offences that may be committed by the trade.

The purpose of these representations is to put in place procedures that we consider are appropriate to promoting the protection of children from harm licensing objective. The measures will also assist management to demonstrate to relevant authorities that due diligence systems are being operated at the premises.

The application indicates that under 18s will not be permitted entry to the premises and that a Challenge 25 Policy will be operated. Although not stated in the application, the applicant has confirmed that Challenge 25 signage will be at the entrance and at the bars. The following condition is therefore proposed:

- **A notice shall be displayed at the entrance to the premises where it can be clearly seen, indicating that there is a "Challenge 25" policy in place at the premises.**
  - **Either:**
    - a) **The Challenge 25 notice shall indicate that it is an offence for a person under 18 to buy or attempt to buy alcohol or for a person over 18 to buy alcohol on behalf of a person who is under 18**
- or
- b) **A separate notice shall be displayed at the entrance to the premises where it can be clearly seen which shall indicate that it is an offence for a person under 18 to buy or attempt to buy alcohol or for a person over 18 to buy alcohol on behalf of a person who is under 18**



The application does not state what forms of ID will be acceptable and so the following condition is proposed:

- **The only forms of ID that shall be accepted as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, Armed Forces ID cards or other reliable photo ID that has been approved for acceptance by the Police or other responsible authority.**

Following discussion with the applicant it is clear that those who pass the Challenge 25 test will be issued with a wrist band to show their ID has been verified. The following conditions are therefore proposed:

- **At each of the event entrances, staff will operate the Challenge 25 Policy by identifying people who appear under the age of 25 and ask them to provide ID proving their age so that they can enter the event. Upon producing a valid in date form of ID showing that they are over 18 the member of staff will put a wristband on the customer in such a way that it can't be slipped over the persons hand or removed without damaging the wristband. The wristband will identify them as being age verified.**
- **Where customers are challenged and valid ID is not produced or it is fake/belongs to another person, the customer will be refused entry.**
- **The wristband will be non-transferrable (i.e. it cannot be removed from the wrist without causing serious damage to the wristband) and durable.**
- **Challenge Staff/Security will be located at each of the bar areas and will operate the Challenge 25 policy by checking wristbands where queuing takes place and any person who does not have a wristband and appears under 25 will be asked to provide ID. If they are unable to provide appropriate ID they will not be served alcohol.**
- **Bar staff serving drinks will operate the Challenge 25 policy with respect to customers attempting to purchase alcohol and any person who does not have a Challenge 25 wristband and appears under 25 will be asked to provide ID. If they are unable to provide appropriate ID they will not be served alcohol.**

Although not stated in the application, the applicant has confirmed that a refusals register will be kept. The following conditions are therefore proposed:

- **Where challenges are made and the person does not produce valid ID, whether at the gate, bars or in any bar areas, the incident log must be completed and the log shall be made available for inspection by the police and local authority officers.**
- **Each bar area shall have an incident log and staff responsible for implementing the Challenge policy will be informed where it is kept**

**At least the following information shall be recorded:**

- **The date, what was asked for (if a refusal occurs at a bar), the reason for the refusal and the name and signature of the person making the refusal.**

Although not stated in the application, the applicant has confirmed that those checking IDs will be experienced event people who are used to checking IDs. The following conditions are therefore proposed:

- **A documented training programme shall be introduced for all staff employed by the premise licence holder who have responsibility for the operation of the Challenge 25 policy. This will include bar staff and all other staff who are responsible for the operation of the Challenge 25 policy. Details of the training and records of attendance shall be made available for inspection by local authority officers and the Police if requested. No member of staff will be permitted to implement the Challenge 25 policy until they have completed this training.**
- **Where services are subcontracted then it will be a term of the premise licence holder's contract with them that staff who have responsibility for the operation of the Challenge 25 policy or who will be serving alcohol will have received training as detailed in the condition below in respect of the operation of a Challenge 25 policy and that the subcontractor or contractor will be required to make available for inspection by the local authority officers and the Police, details of the training and records of attendance if requested. No member of staff will be permitted to implement the Challenge 25 policy until they have completed this training.**

**The training must include:**

- **Informing staff of the requirement to ask customers for ID if customers look under 25**
- **Informing staff that the only forms of ID that shall be accepted as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card or Armed forces ID.**
- **Informing staff where the incident logs are located and of the information required to be recorded.**
- **Informing Challenge 25 staff working at the entrances that any person who appears under age 25 will be asked to provide valid ID. If the customer is unable to provide appropriate ID they will refuse the person entry to the event.**
- **Informing Challenge 25 staff working in the bar area that any person who does not have a wristband and appears under 25 will be asked to provide ID. If the customer is unable to provide appropriate ID then they will not be served alcohol.**