

comments prior to conciliation

From: Ian.Clements@met.pnn.police.uk [<mailto:Ian.Clements@met.pnn.police.uk>]
Sent: Tuesday, January 08, 2019 4:15 PM
To: Mills, Dorcas
Subject: RE: Bermondsey Street Festival Meeting 16th January

Dear Dorcas

The updated event plan certainly addresses a number of the concerns highlighted by PC White in his initial representation. There still remains our concerns that the application contains specific detail about stalls or operators along the footway and kerbside outside of the access gates to 40 Bermondsey street and the access road into Black Swan Yard.

Having visited the site again today, I am minded to ask the applicant to consider a condition on the license that no stalls or obstructions are to be placed in front of the gates to 40 Bermondsey Street or the access road to Black Swan Yard.

In addition we would like to see condition on the license requiring the event to be operated in line with all the details contained within the Bermondsey Street Festival management plan. This would address our representation regarding the deployment and numbers of SIA staff deployed across the event.

Kind Regards

Ian Clements

From: Farrington, Ian
Sent: Tuesday, January 15, 2019 2:33 PM
To: Mills, Dorcas
Subject: RE: Bermondsey Street Festival Meeting 16th January

Dorcas,

Having read the event management plan you provided on 8th January, I note that a number of the points I raised before Christmas have been addressed, however there are still a number of omissions. **I must be clear that it is for the event organiser to manage the safety of this event, and therefore manage their interaction with their contractors and neighbouring properties.** I can however propose that a number of conditions be added to the licence, which may enable the applicant to conciliate if the event organiser is willing to accept the following wording as conditions on the licence. These conditions are written in **RED**.

Condition relating to the management, and use of contractors, to appear as written below:-

“For individuals or companies that you are using, employing and/or contracting to carry out any service and/or hiring for the event, you must ensure the following information is held:

- list all goods/services the contractors are supplying
- contractors’ contact details
- contractors’ method statements
- schedules such as start date and time, arrival time, completion of services, receipt of goods
- hand-over of all appropriate certificates, eg portable appliance test certificate, gas safety test certificate, completion certificate for temporary demountable structures.

All signed documents such as delivery notes and completion sheets should be retained on your event files and records. These may be requested at any time including after the event,”

Condition relating to crowd management, to appear as written below:-

“The organisers shall provide no fewer than 36 Certified SIA (Security Industry Authority) registered professional security staff between the hours of 11:00 and 20:00, who will be managed by a competent person with crowd management experience.”

Note this is similar to other such events and has been calculated based on 6000 persons attending (which I believe was the estimate for last year, and works out to a ratio of 1:166 SIA:Public attending).

Recommended Condition for agreement :-

“Only business registered with their local authority and a current food hygiene score of 3, 4 or 5 should be permitted to trade at this event.”

- Details should be provided to the local authority no later than 30 days before the event, of the Named individuals who will be present at the event and involved in the preparation or serving of food, and any training they have in food hygiene.
- Details should be provided to the local authority no later than 30 days before the event of the types of food that your food trader will be offering at the event. For food items requiring cold/chill storage you must include how this will be met. The same

applies for food that will be served hot or kept hot awaiting sale. These should be included in the food safety management system.

Any food vendor that does not have the documentation as stated above should be prevented from trading at the event by the event management.”

Recommended Condition for agreement :-

“Any food business which has hot surfaces must ensure the hot surface is protected from public contact by use of a physical barrier.”

Recommended Condition for agreement :-

“Separate Toilet and Hand Washing Facilities are to be provided by the organisation for use by food vendors, so as to prevent the need to que at the public toilets at busy times. This provision should be in a ratio of one toilet and one separate hand washing station for every 10 food stalls or part there of .

You need to provide each wash hand basin with adequate supplies of hot and cold, or appropriately mixed, running water, soap and hygienic means of drying hands. This provision is in addition to, and should not replace any provision the stalls make as part of their own HACCP risk assessment.

This ensures the toilet facilities used by food handlers can be maintained in a hygienic condition that will prevent the possible spread of harmful bacteria through hand contact surfaces, a situation that could easily arise if all the toilets are used by everyone attending the event.”

If the applicant is willing to accept these conditions then there may be opportunity to conciliate before the meeting, or these matters may be left to the judgement of the committee.

Kind Regards

Ian Farrington - Principal Enforcement Officer (Health and Safety)

Postal address:Community Safety & Enforcement, Floor 3, Hub 1, PO Box 64529, London SE1P 5LX

Office Address (for meetings and deliveries), 160 Tooley Street, London, SE1 2TZ

From: Andrews, Ken
Sent: Wednesday, January 09, 2019 3:23 PM
To: 'Bill Owen'
Cc: Mills, Dorcas
Subject: New Event Plan 2019 - Bermondsey Street Festival-EPT representation

Dear Mr Owen,

I am writing to you with regards to the representation made on behalf of Southwark Environmental Protection Team, in our capacity as Environmental Health Responsible Authority (EHRA) when considering the time limited premises licence application for the Bermondsey festival.

EHRA main concern is that the event has a potential to impact on the promotion of the prevention of Public Nuisance licensing objective with respect to noise from , patrons, amplified music, live performances and delivery and collection of waste and other activities. I have considered the revised or the New Event Plan that was submitted in support of the application and noted a brief mention of Noise on page 28 of that document.

This department will require you to include further measures as described below;

1. That SIA Staff and festival Volunteers are employed to monitor the noise levels in the vicinity of residential premises on an hourly basis . EHRA will require the organisers to identify and propose the monitoring locations for approval.
2. All noise sources aimed to face away from residential premises. All STA trained personnel briefed and active on identifying noise nuisance and as part of their duties, actively monitor noise to identify nuisance on the perimeter of the event.
3. That STA staff and festival volunteers be trained and have the responsibility of dispersing noisy congregations outside of residential premises .
4. Information stand staff briefed and able to record and deal with noise nuisance complaints. Also a contact number should be given to residents so that they can call should they be affected by nuisance. On the day of the event the organiser should contact the Southwark's Noise and Nuisance Team via the call centre on 0207 525 5777 and advise them of a direct contact name and mobile phone number that they can use to advise the organiser if there are any complaints received from the public during the event.
5. External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 23.00hrs on Saturday and/or between 09.00-1800 on Sunday
6. Any portaloos must be located outside of buildings away from highly trafficked areas in case of leakage, and with room for vehicular access to effect emptying and removal.
7. That the event plan is updated to include the above measures.

If you wish, I can meet with you to discuss the above.

Kind regards

Ken

From: Bill Owen [m [REDACTED]]
Sent: Wednesday, January 16, 2019 5:50 PM
To: Andrews, Ken
Cc: Mills, Dorcas
Subject: RE: New Event Plan 2019 - Bermondsey Street Festival-EPT representation

Ken,

Good to meet you today, and , again my apologies for my difficult response in the first instance.

I'm generally happy with your representations although I must take exception to:

- Responsibility for circulating a noise complaint number
- Volunteers are engaged only in visitor experience roles.
- We start set up at 4am, any restriction on that makes the event undeliverable
- That the conditions are added to the licence and not to the event plan.

I'm very concerned that Festival is being tarnished by complaints relating to events held under a TENS and would ask that the council places rigid procedures in place to identify as to where the complaint originates.

I do hope that we can move forward quickly.

Regards

Bill

From: Andrews, Ken <Ken.Andrews@SOUTHWARK.GOV.UK>
Sent: 09 January 2019 15:23
To: Bill Owen [REDACTED]
Cc: Mills, Dorcas <Dorcas.Mills@SOUTHWARK.GOV.UK>
Subject: New Event Plan 2019 - Bermondsey Street Festival-EPT representation

Dear Mr Owen,

I am writing to you with regards to the representation made on behalf of Southwark Environmental Protection Team, in our capacity as Environmental Health Responsible Authority (EHRA) when considering the time limited premises licence application for the Bermondsey festival.

EHRA main concern is that the event has a potential to impact on the promotion of the prevention of Public Nuisance licensing objective with respect to noise from , patrons, amplified music, live performances and delivery and collection of waste and other activities. I have considered the revised or the New Event Plan that was submitted in support of the application and noted a brief mention of Noise on page 28 of that document.

This department will require you to include further measures as described below;

1. That **all** SIA Staff are **briefed on the need** to monitor the noise levels in the vicinity of residential premises on a **continuous ad hoc** basis, **particularly on Bermondsey Street where there are no amplified noise sources.**

2. All noise sources aimed to face away from residential premises. All SIA trained personnel briefed and active on identifying noise nuisance and as part of their duties, actively monitor noise to identify nuisance on the perimeter of the **the two stages**.
3. That SIA staff and to have the responsibility of dispersing noisy congregations outside of residential premises . **Once the street has been cleared of stalls, trading premises are advised that Festival has vacated the street, at this moment any noisy congregations become the responsibility of those premises.**
4. Information stand staff briefed and able to record and deal with noise nuisance complaints. **It is not reasonable to expect Festival to undertake an exercise to publicise an telephone number for noise complaints. There is a contact number provided on the front page of the event plan and this can be shared with the contact centre.**

Given that TENS routinely issued for premises adjacent to Festival, and for events that continue beyond the end of Festival. We would ask that a detailed log of complaints be kept of such complaints, and any complaint is escalated to the complaint telephone number immediately on receipt to enable Festival organisers to verify that the complaint relates to Festival. No complaints shall be countenanced once stages have closed, retrospective

4A. External Waste Handling hours shall be at the direction of the Festival Cleansing contractor, Southwark Council.

Deliveries that are unlikely to cause no nuisance to residential amenity may take place from 04.00 on Saturday and no delivery likely to cause nuisance takes place before 08.00. Stall and stage set up starts at 04.00.

5. Collections shall only take place between the hours of 08.00hrs and 23.00hrs on Saturday and/or between **06.00-1800 on Sunday** **The toilets are collected on Sunday morning, everything else goes on Saturday**

6. Any portaloos must be located outside of buildings away from highly trafficked areas in case of leakage, and with room for vehicular access to effect emptying and removal.
7. That the event plan is updated to include the above measures.

If you wish, I can meet with you to discuss the above.

Kind regards

Ken

Bermondsey Street Festival Licensing Application no 865850

Trading Standards response to the new operation schedule.

In the previous schedule there was a mixture of references to “Challenge 21” and “Challenge 25” which has now been amended to a consistent “Challenge 21”.

1. On 3rd January 2019 Ray MOORE forwarded an electronic copy of LB Southwark’s Trading Standards “Refusals Register” (as requested) which also includes instructions and explanations on the cover about approved forms of ID, including the “PASS” scheme and “Challenge 25”. It would therefore be consistent if this is to be sent out to all stall holders selling alcohol, that the document is consistent across the board with the industry standard of “Challenge 25”.
2. I note that on page 2 of the “Event Management Plan” it states “Challenge 21 will be strictly enforced for alcohol sales throughout the event”.
3. I also note that on page 25 of the same document it has a heading “Provision of Alcohol” under which it states...

“All staff applications are now managed on line and acceptance of all terms and conditions along with other key requirements and Challenge 21 acceptance will be subject to a tick box confirmation which will be replicated on the invoice issued.

All applicants are required to maintain a refusals register and make it available for inspection by authorised officers and will need to tick box acknowledge when booking.

Festival accepts it is their responsibility to check that Challenge 21 is in place although they take no responsibility for the availability and accuracy of refusals registers for local businesses based nearby.”

4. There is a screen shot of the Stall Holder Acceptance Order form displayed on page 30 of the plan.

I accept the Terms & Conditions *

Please ensure you understand that when selling alcohol there must be a personal licence holder on your stall at all times. In accepting the terms and conditions you confirm that you will demonstrate compliance with Challenge 21 and you will be maintaining a refusals register, which should be available to be checked by authorised officers. Should you have concerns over the requirements of such a register then a proforma can be downloaded above.

Tick box to accept

Do you Require a Stall for your Pitch

Tick this box if you do.

Do you want to sell Alcohol & Food ?

There is an additional charge of (+£70.00)

Attach your completed Council Food form here if you are not located in Southwark

I would make the current comments about these matters and re-iterate my original comments when responding to the application previously.

1. I would suggest that if they are to send out the Southwark refusals registers then they would need to be consistent and use the industry standard "Challenge 25" throughout the document. They will also find that similarly provided refusals registers, such as "Citizens Cards" "No ID No Sale" refusals registers also use the industry wide standard of "Challenge 25".
2. It is standard in these documents to have a management review process (usually on a monthly basis) to ensure that management are checking that the books have been filled out. If a business is just selling the alcohol for the day then they are not going to be in a position to do this at a one day festival. However, if it is a business that regularly sells alcohol then they should be doing this as a matter of course.
3. For the purposes of this event it is probably easier to remove the reference to management check on the register.
4. There seems to have been no attempt to really incorporate the matters referred to in my previous representations.
5. I would suggest that the rest of the reps made – which represent industry wide best practice on these matters – should be incorporated into either the "Event Management Plan" under the heading "Provision of alcohol" on page 25 or on the online "Stallholder Acceptance" form. I would suggest that it would probably be best that it was incorporated into both to emphasise those fact.

Just for clarity... the previous representations (with the removal of the monthly checks requirement) would read as follows.

Trading Standards ask that he following conditions are added to the premises license.

- A. That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to

purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.

- B. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- C. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- D. That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request

REFUSALS REGISTER

This register is to be used as part of your age verification policy

Premises name _____ Address _____

When customers who appear to be below **25** attempt to buy age restricted products always ask them to show suitable proof of age so that you actually verify that they are old enough to be served



Suitable proof of age means a proof of age card (e.g. SPA card or CitizenCard) which bears a PASS approval hologram or a passport or UK driving licence

- Complete an entry every time an age restricted product sale is refused after the customer has left
- Managers must check, date and sign off each completed page
- Keep the register accessible to all sales staff but out of sight of customers
- Registers must be produced to authorised council officers or police on request

To obtain more registers email tradingstandards@southwark.gov.uk or telephone 020 7525 2000

CHALLENGE 25

agecheck
helping you understand age restricted sales

	Date (dd/mm/yy)	Time	Type of goods	Description of customer	Staff comments	Staff name
e.g.	5/8/13	7.15pm	<i>Cigarettes and WKD bottle</i>	<i>Female, blonde hair, 5ft 4' - looked 15 years</i>	<i>Nervous and unable to show ID</i>	<i>John Smith</i>
1						
2						
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