

BUCKINGHAMSHIRE COUNCIL

MEMO

To: Licensing Services

From: Catriona Crelling

Tel Ext: 5875

Date 10.05.23

Ref: PR202304-318413

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Application for a New Premises Licence

Buckinghamshire Oktoberfest, Burnham Park, Windsor Lane, Burnham

I am submitting a representation on behalf of the Licensing Authority in respect of this application for a new premises licence. In drafting this representation, careful consideration has been given to the promotion of the four licensing objectives, the Buckinghamshire Council Statement of Licensing Policy and the Secretary of State Section 182 Guidance.

The application is for both on and off sales of alcohol between the hours of 16.00 and 22.30 on a Friday evening, 11.00 and 22.30hrs on the Saturday and 12.00 and 20:00hrs on a Sunday. The application also specifies regulated entertainment in the form of both live and recorded amplified music over the same hours. Whilst the application specifies a start date of Friday 29th September, this application is not for a time limited premises licence, so there is no indication of when any other event will take place under this licence.

The event described in the application is an "Oktoberfest" - a German themed food, drink and music event to be held in Burnham Park. The event will be fenced off with heras fencing and self contained in terms of the facilities and services provided with the main seated area located in a big top marquee with banquet style seating. There will also be an outside area which will include a food court and entertainment.

Having reviewed the application and the proposed operating schedule, I cannot be satisfied that the licensing objectives will be met at all events held under the premises licence should it be granted in its present form. This is primarily because this is an application for an ongoing premises licence as opposed to a time limited licence for a one-off event. Events may vary from year to year and this is not reflected in the applicant's proposed operating schedule. The application also makes no reference to production of an event management plan or consultation with the council's Safety Advisory Group (SAG).

Regarding events, the Council's Statement of Licensing Policy states:

"3.63 For the purpose of this section a large event is a one-off event which has the potential for significant public nuisance to the wider community, increased risk of crime and disorder and which carries a significant risk to public safety. It is not necessarily defined by the number of people attending. Applicants are strongly recommended to check in advance with the Licensing Authority whether the proposed event is likely to be treated as a large event within the meaning of this Policy.

3.64 Organisers of large events are also strongly encouraged to make early contact with Buckinghamshire Council's Safety Advisory Group (SAG). The SAG is made up of representatives from the emergency services and other agencies concerned with event safety. The SAG has produced some general advice to event organisers and this can be found on the Council's web site. In the first instance an organiser is required to complete an event notification form and risk assessment.

For more complicated or very large events an organiser may be invited to attend a meeting with the SAG. Applicants for events requiring a premises licence would be expected to make contact with the SAG at least six months before the event date. Failure to consult with the SAG properly and in a timely fashion is likely to result in the application receiving a relevant representation from a responsible authority. If any issues of concern remain outstanding at the time of a hearing this might result in an adjournment or even a refusal of the application if the sub-committee is not satisfied that any adverse impact on the licensing objectives has been properly addressed.

3.65 Given the complexity and scale of large events it is normal practice to produce an Event Management Plan (EMP)...."

"3.66 For the purpose of an application for a premises licence the EMP can be the operating schedule. The Act requires the Licensing Authority to issue the licence with conditions consistent with the operating schedule accompanying the application. Paragraph 10.7 of the Statutory Guidance states that 'consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule.' Applicants should bear this in mind when drafting their EMP so that the premises licence is prepared with clear and enforceable conditions attached to it."

In relation to the event for 2023, the Licensing Authority would consider this a large event. I am aware that the applicant has notified the Safety Advisory Group in good time on this occasion and the Risk Assessments and Event Management Plan that have been produced set out how factors that could potentially cause public nuisance or risks to public safety will be addressed, such as having a noise management plan in place, provision for litter picking, provision for security, stewards and CCTV. However, I note that the operating schedule makes no specific reference to the preparation or compliance with an Event Management Plan.

The conditions proposed by the applicant in their operating schedule also make no reference to compliance with notifying the Licensing Authority of future events, allowing adequate time for the Safety Advisory Group to be consulted should the event require it.


It is the recommendation of the Licensing Authority that should this application be granted, the following conditions should replace those proposed on the applicant's operating schedule:

- The dates of any event will be notified to the Licensing Authority at least three months prior to the event or a lesser period as agreed by the Licensing Authority.
- The Premises Licence Holder shall present the Event Management Plan (upon request) to authorised officers at least 28 days before the first event day. The Event Management Plan shall include but not be limited to the following:-
 - a. Nature & style of the event, including crowd profile
 - b. Capacity and expected audience

- c. Event programme & advertising
- d. Communication strategy
- e. Site and location plans
- f. Management structure
- g. Special effects
- h. Campsite safety and security (when on site)
- i. Emergency evacuation plan
- j. Medical plan
- k. Information and welfare
- l. Safeguarding children and young people and age controls
- m. Transport and traffic management plans
- n. Food, drink and water provision
- o. Waste management
- p. Working at height
- q. Animal welfare
- r. Noise management planning and controls
- s. Temporary demountable structures
- t. Fire risk assessment
- u. Electrical safety
- v. Welfare and sanitation plan
- w. Extreme weather and contingency plans
- x. Waste management
- y. Crowd management
- z. Emergency procedures
- aa. Barriers and fencing
- bb. Entry search and eviction policy
- cc. Alcohol and drugs policy
- dd. Counter terrorism

• So far as is reasonably practicable, the licence holder shall ensure that the event is run in accordance with the Event Management Plan.

Yours sincerely



Catriona Crelling
Senior Licensing Officer