

SUPPLEMENTARY 1

LICENSING SUB-COMMITTEE

Thursday, 1 August 2019

**Agenda Item 3. Licensing Act 2003 - Defected Music Festival,
Central Park, Dagenham- Application for a new time
limited Premise License (Pages 1 - 14)**

Contact Officer: John Dawe
Telephone: 020 8227 2135
E-mail: John.dawe@lbbd.gov.uk

This page is intentionally left blank

Defected FSTVL London 2019 Ltd
Damyns Hall Aerodrome, Aveley Road, Upminster RM14 2TN

PC Richard Clay
PC Oisin Daly
Metropolitan Police Service EA Licensing
Via Email

29th July 2019

Dear Richard and Oisin,

Re: Time Limited Premises Licence Application, Defected Festival, Central Park, Dagenham.

Thank you for your representation dated 3rd July 2019, which has been forwarded to me by the London Borough of Barking and Dagenham (LBBD) licensing department.

Whilst I am grateful for the time you spent preparing the representation, I feel that there are significant oversights in the representation that it is important to put before the Licensing Committee, so that they may form a balanced picture of the proposed event.

It is also the case that, given the ongoing nature of event planning, many of the concerns raised in your representation have already been dealt with by the provision of additional information.

The status of the event

1. Whilst I have a similar role as Designated Premises Supervisor (DPS) for the event, this is reflective of the role I have taken at numerous large scale events throughout the UK, especially within London, and is indicative of a career in event management and safety of around 25 years.
2. In 2019, as well as the work I have undertaken on We Are FSTVL, I will be working in a similar capacity on two other large-scale electronic dance music events Lovebox Festival (London Borough of Hounslow, 40,000 persons) and SW4 festival (London Borough of Lambeth, 30,000 persons), and have worked on both those events for well over a decade. Both shows have very similar audience profiles to this application, and are in some ways more similar than We Are FSTVL, as all three take place in urban parks.
3. Whilst there are certainly shared marketing elements The Defected London FSTVL 2019 has different owners to We Are FSTVL and is also a completely different show in terms of capacity and duration.
4. Also, as you know, the other significant difference between We Are FSTVL and the current application, as well as its duration, is that We Are FSTVL is a festival with camp-site facilities. The provision of camping at the event extends the on site duration of the festival to

twenty four hours per day and means that We Are FSTVL runs for 74 hours, rather than the 12 hours proposed for this event.

5. It is also the case, as acknowledged by the additional resources and planning required by festivals with camping, that the provision of overnight camping will have an impact on indicators such as medical, welfare cases and crime statistics.
6. The application is for an event which is a sixth of the duration of We Are FSTVL, for a third of the capacity, is staged on public rather than private land, does not feature camp site facilities and is an application for a time-limited (one day) licence, rather than the permanent licence which is in place for We Are FSTVL.
7. What is also fundamental to this application is that it should be considered on its own merits. The application is for the Defected London FSTVL 2019 and is not a debrief for We Are FSTVL. As you are aware, that debrief was held on 2nd July, in the agreed manner, and all parties including the Metropolitan Police Service (MPS) contributed to the process.
8. I note that you have also included the MPS representations to the 2017 We Are FSTVL application. I am however disappointed to note that you have not advised the Licensing Committee that MPS withdrew this representation and consented to the grant of the Premises Licence for this event. I think it would be helpful if you were to clarify this point for the committee.

Planning

9. As we discussed at the meeting between myself and MPS licensing on 17th May 2019, the information flow for large-scale events is an iterative process, and as planning develops the information provided becomes greater.
10. With this in mind, we outlined a timescale for the provision of information and further agreed that this timescale would be included in the proposed conditions for the event, which is included at paragraph 23 below.
11. Additionally we have circulated documents and provided updates at the LBBB Safety Advisory Group (SAG) meetings that MPS has attended. We will continue to provide information and updates via this channel, with the next meeting scheduled for the week following the licence committee hearing.

MPS Representation: The Prevention of Crime and Disorder

12. The licence application for Defected festival includes a number of measures related to the promotion of this licensing objective, all of

which were discussed and agreed with MPS licensing at our meeting on 17th May 2019.

13. As discussed above, the application for this event is for a one-day only event, for a maximum of 14,999 persons. As you know We Are FSTVL 2019 was attended by a total of 58,540 persons over three days and included campsite facilities. They are not properly comparable.
14. The crime report summary for We Are FSTVL 2019 provided to LBBB Licensing by MPS records 51 offences, of which four do not appear to be connected to the event. These are; An ABH offence at an unrecorded time during a mental health episode at a hospital, a theft from a vehicle by an unknown person in Upminster Town Centre, a person found in possession of drugs three miles away from the festival, and an offence under the Badger Act committed by a (non-event) contractor working at a nearby country park.
15. Of the 47 remaining alleged offences, 21 relate to drugs offences, and were generated in the majority of cases (as was acknowledged by the MPS event commander at the SAG debrief) by the work of event security staff and by an effective search operation.
16. Included in the 26 non-drugs offences are seven offences described as 'Theft not classified elsewhere', which are recorded as having been registered as crimes by the MPS Territorial Policing Headquarters (TPHQ) rather than the local area Policing operation. It is inferred from the scant descriptions that these recorded offences are mobile phone thefts that have been reported post-event using the MPS online crime reporting facility. It is unclear from the report to what extent these reports have been verified, and it would be good to understand the extent to which post-event reporting of alleged mobile phone theft took place.
17. What is unfortunately not included in the comments about the crime figures is any context, which I think it would only be fair to provide to the licensing committee.
18. Therefore, provided below are the historic figures provided by MPS for the 2017 and 2018 We Are FSTVL events, plus the 2019 figures, provided by yourselves to LBBB.

	Drugs offences/arrests	Victim Based offences	Other	Total
2017	15	99	0	114
2018	13	53	6	72
2019	21	26	0	47

19. Whilst crime per head at the event has been low for a number of years compared to a typical London Borough, the number of overall offences has continued to fall, and the number of victim-based offences has

fallen by an even greater margin. The reduction in recorded crimes between 2017 and 2019 has been 59%.

20. To put the figures in a wider context;

- For the London Borough of Havering, where We Are FSTVL takes place, the average crime rate for the 11 months June 2018 – May 2019 (excluding the We Are FSTVL period) was 12.13 crimes per 1000 population [source: met.police.uk].
- For We Are FSTVL 2019 the crime rate per 1000 attendees is 0.8.
- For the period 2017-2019, the We Are FSTVL average crime rate per 1000 attendees is 1.32.

21. It should be noted that one of the key elements of the crime reduction strategy for We Are FSTVL is the provision of an entry search operation conducted by event security staff. The proposed conditions for the Defected event agreed between the applicant and MPS on the 17th May include the same measures.

22. The MPS representation in relation to crime and disorder does not suggest any measures that MPS wish the applicant to take in addition to those already agreed. Neither does the 2017 representation to We Are FSTVL which has been attached to the representation, and which (as discussed at point 8 above), was withdrawn by MPS. I will comment more fully on this in the following paragraphs.

MPS Representation: Public Safety

23. This representation seems to mix up and conflate the proposed measures for the event applicant with a second debrief of the We Are FSTVL event.

Defected FSTVL Licence Application

24. The proposed conditions include a timetable for the publication of information relating to the event, which recognises the phased nature of planning for events of this type.

25. The conditions also provide for a mechanism for the Licensing Authority to 'sign off' the event documentation as satisfactory 30 days in advance of the event, or conversely to withhold permission if this is not viewed to be the case.

26. The following information has been provided to MPS via circulation from the LBBB SAG meetings, which MPS licensing officers attend, and updates provided as outlined in the timetable contained in the proposed conditions discussed with MPS officers on the 17th May 2019.

Document	Comment
Event Safety Management Plan	V1 issued to SAG on 3 rd March 2019 V3 issued to SAG on 16th July 2019 V4 scheduled for 15 th August 2019
Crowd Safety Plan	V1 Issued to SAG on 9 th July 2019
Alcohol Plan	V1 scheduled for issue on 31st July 2019
Security Plan	V1 Issued to SAG on 3 rd April 2019
Transport Plan	V2 Issued to SAG on 9 th July 2019
Food Safety Plan	V1 Issued to SAG on 3 rd March 2019

27. The representation states that no British Transport Police (BTP) have been confirmed to support egress at Dagenham East Station. As MPS are now aware, this is not the case, as BTP confirmed during their attendance at the 10th July 2019 LBBB SAG meeting.

28. The representation states that there is no Metropolitan Police resource to cover the Dagenham East tube station. As at paragraph 27 above, the duty at the tube station is within the BTP remit.

29. No confirmed transport agreement with Secret Cinema; as discussed at various SAG meetings and confirmed with LBBB licensing and event officers, an agreement is in place and forms part of the proposed licence conditions as indicated elsewhere in the papers provided to the committee by LBBB Licensing.

30. In relation to plans relating to the arrival and departure of patrons from the event environs, transport planning work has been undertaken by traffic management contractors in conjunction with the LBBB Highways department and a detailed traffic management plan provided along with applications for the necessary traffic restrictions.

31. Whilst the plan does reflect the possibility of patrons arriving at Romford and travelling 2.6 miles to the event, the strategy discussed at SAG meetings has been to focus public attention on travelling via Dagenham East tube station (1.3 miles from the event) and using facilities provided by the event.

We Are FSTVL 2019

32. Turning to your comments on Crowd Safety at We Are FSTVL, I would request that you revise your comments in this section, as they contain serious inaccuracies, which if left unaltered would clearly be prejudicial, and are disappointing, given the attendance of MPS EA licensing officers at the meeting where these matters were discussed.

33. The Crowd Safety Plan for We Are FSTVL was submitted on the due date as required by the licence.

34. Across the entire event weekend, 11 persons were transported to hospital from the event (from the total 58,540 attendees). None of those transported to hospital had injuries related to a 'crush'.
35. The description of four persons in intensive care appears to refer to persons treated for drug/overdose intoxication (again, not related to 'crush' injuries). However, as was reported at the We Are FSTVL SAG debrief by the NHS, only three such patients were transported from the event (all of whom recovered), and the hospital was unable to confirm that the fourth patient was related to the event.
36. It is disappointing that the casualty information from the event has been mischaracterised, given that the information was freely available at the SAG debrief attended by MPS.
37. In relation to the description of the report in relation to the adoption of new technology, I would make the following observations;
38. The We Are FSTVL 2019 event used 'cashless' wristband scanning technology that has been in operation at a wide range of festivals and events for a number of years, this is not new technology.
39. The 2017 report referred to a proposal by MPS to impose the use of nightclub ID scanning systems on a large scale outdoor event. A system which had never been used in such a context, and which to date has still never been used on such large audience numbers. Neither were the ID scanning systems suitable for use in outdoor conditions such as rain.
40. In any case, there are no proposals to use cashless wristband scanning or nightclub ID scanning at the event to which this application relates.
41. During the We Are FSTVL event a number of attempts were made to gain unauthorized access to the event. The event has CCTV coverage, 3.5m high solid perimeter fence inside a 3m high outer mesh fence, and security staff and dog handlers engaged in external patrols. I note that no detail is included to support the assertion of 'large numbers' of persons gaining entry, despite the request by MPS licensing to review the 1,100 hours of CCTV footage relating to the event.
42. The representation again refers to We Are FSTVL in relation to the supply of bottled water, and the duration of crowd waiting, both of which are not reflective of the actual events that took place; bottled water was provided to those queueing throughout both days of the event, and those involved in a crowd surge had been waiting for around 60-90 minutes, a not untypical situation given that they had arrived at the advertised last entry time.

43. In relation to the application for the Defected event; the perimeter fence layout will be 3.5m high solid perimeter fence inside a 3m high outer mesh fence, CCTV cameras will provide coverage of the site and perimeter, no cashless wristband systems will be used, bottled water will be provided should queues build up for any reason, and welfare teams will monitor any static queues along with security staff, these measures are reflected in the conditions agreed with MPS licensing on the 17th May, and there have been no requests for measures in addition to those proposed.

MPS Representation: Prevention of Public Nuisance

44. The Police representation in relation to the possibility of crowds leaving the event not dispersing from the area does not reflect the reality of the timing of the event nor the experiences of other large-scale events throughout London. The transport plan and offsite stewarding arrangements are designed to reflect this and will be approved at SAG meetings.

45. Audiences do not behave as some kind of amorphous, unthinking 'mob', they have the same motivation as any other individual might who is not attending the event, and so once the event has finished their aim is to ensure that they can make their way out of the area, either to home or to a later night entertainment venue in another part of the city.

46. The transport plan and stewarding arrangements are designed to reflect this, and have been discussed at SAG meetings.

MPS Representation: The Protection of Children from Harm

47. The licence application is clearly for over 18's and the proposed conditions agreed with MPS licensing officers reflect this.

48. The security strategy provided to MPS on 3rd April reflects the importance of ID checks taking place by both bar and security staff, alcohol and welfare management plans submitted as part of the ongoing planning process (as outlined in the proposed licence conditions agreed by MPS) further reinforce the importance that the organisers attach to the promotion of this licensing objective.

49. As part of the agreed strategy to promote this licensing objective at We Are FSTVL, ID checks were undertaken as part of the event entry process. MPS have identified two underage persons who were found on site from 58,540 attendees.

50. The comments on the test purchases at the We Are FSTVL event fail to make clear that the majority of test purchases were conducted by the organisers as part of their audit process to ensure that contractors were performing to the required standards, and also fails to acknowledge the immediate steps taken by the organisers to rectify the

deficiencies (which included re-briefing and re-training of bar staff, deployment of additional supervisory staff, and in some cases, the dismissal of bar staff who failed to conduct ID checks), all of which were recognised by the Licensing Authority as forming part of the organisers ongoing work to promote the licensing objectives.

51. The comments on test purchases are also inaccurate in terms of the number of test purchases conducted at We Are FSTVL. The independent company employed to do so conducted 48, not 8 test purchases at the event.

52. As part of the overall event security strategy at We Are FSTVL a search regime was agreed with the MPS event command team and operated with their oversight. The conditions agreed with MPS for the Defected event contain the same proposals.

53. I am not going comment on the video and newspaper reports which you have included as an appendix as they have no relevance to the current application.

Once again, thank you for your work in producing your representation, I believe that the above should provide the clarifications necessary for you to withdraw the representation, but if there is anything which you feel is unresolved or which you feel may not be finalised via the agreed planning and event sign-off process, we would of course be happy to meet to discuss this.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mick Bowles', consisting of a stylized 'M' followed by a cursive 'B' and 'owles'.

Mick Bowles

1. The licence is to be limited to the 14th September 2019 from 11:00hrs to 23:00hrs.

2. The premises licence holder shall appoint suitably competent persons who shall prepare and implement the plans included in the Event Management Plan (EMP).

3. EMP SCHEDULES:

V1 v2 to accompany prem lic application

V3 at least 60 days prior to event and circulated to SAG for approval

V4 final EMP signed off 30 days before event by SAG

The EMP shall be made up of the following documentation as a minimum;

Drugs & alcohol policy

CCTV plan

Command, control and communication plan

Crime prevention/ reduction plan

Crowd management plan

Fire safety management plan

Food safety management plan

Health and safety risk assessments

Lighting Plan

Major incident plan

Medical and welfare plan

Noise management plan

Production schedule

Sanitary facilities plan

Security and stewarding operational plan

Site plan (gridded with clear RV points for speedy access)

Strategy to take all reasonable steps to ensure that no under 18 year olds can gain entrance to the festival or buy alcohol at the festival

Ticket and entry policy

Trader information and management plan

Traffic management plan

Venues plan

Waste plan

Water supply plan

Schedule of key dates

Wet weather plan

4. The final version of the EMP will be published 30 days before the event and subject to the approval by the LA as advised by the Responsible Authorities. Should changes to the EMP be required after this date they will be considered for approval by the L.B. Barking and Dagenham Public Protection Manager or Assistant Director for Environment on behalf of the LA.

5. The contents of the final EMP as endorsed pursuant to condition 4 shall be fully complied with.

6. A debrief meeting will be undertaken with the SAG within 3 months of the event.

7. Unless otherwise agreed with the LA, the total number of people to be accommodated for the purposes of this licence at the event site at any one time shall not be more than 14,999 (this figure includes ticket holders and all security staff, catering concession staff, performers and employees)

8. The tickets manifest must be sent or shown to the Police and LA Licensing Officers upon request.

9. Upon request authorised Enforcement officers of the Responsible Authorities on duty in that capacity of LA, Environmental Health Team, Metropolitan Police Service and the London Fire Brigade must be provided with security passes for full and free access at all times to each and every part of the licensed area.

10. The event shall be an over-18 only event.

11. A complaints book or electronic record will be held on the premises to record details of any complaints received through the dedicated line and the action taken.

The information is to include, where disclosed, the complainants name, location, date and time and subsequent remedial action taken. This record must be made available to police and enforcement officers on request

12. A suitably qualified and experienced acoustic consultant will prepare a noise management plan as part of the event safety management plan and manage noise at the event in accordance with it.

13. Complaints concerning noise will be investigated by the licensee's appointed acoustic consultant during the event and measurements will be taken to ensure compliance with limit values.

14. A music noise level of 70 LAeq dB(A) 15 minute and 80 Leq dB (63Hz) 15 minute both measured 1m from the façade of any noise sensitive premises.

15. The details of all complaints received, actions taken and measurements made in response to complaints of noise will be recorded and provided to the LA as part of the acoustic consultant's post-event report.

16. Programming and placement of sound sources will be undertaken with consideration for residents in the vicinity of the event. Sound systems will be selected for ability to create focused sound within minimum bleed.

17. A direct hotline to the site management team will be in operation from 08:00–20:00 for the duration of the set up and breakdown of the event and For the duration of the live event day.

18. The licence holder will work closely with technical suppliers to minimise disruption to local residents from the festival and will ensure that the event production schedule specifies deliveries/collections from the site between 08:00 and 20:00 where possible.

19. The occupancy levels of the marquee/tented structures within the licensed site will be continually monitored and will not exceed the capacities specified in the final EMP agreed through the SAG process.

20. The event will have clear conditions of entry as follows – “No glass bottles, no alcohol shall be brought onto site, no illegal drugs or illegal highs, no weapons of any kind, or anti-social behaviour will be tolerated, and the organisers reserve the right to refuse admission.”

21. The licence holder will operate an emergency liaison team on site. This will consist of key people within the event including first aid, Police, security, event managers and health and safety. This team will meet at regular intervals during the event to review the event and make any agreed changes needed.

22. All bar staff shall be trained for their bar duties and for the sale of alcohol and shall not be permitted to sell alcohol until completion of training.

23. The licence holder will operate a ‘Challenge 25’ policy at all bars.

24. All sales of alcohol and drinks shall be provided in polycarbonate or similar non-glass drinking vessels. All glass bottled drinks shall be decanted at point of sale.

25. The designated search area will be determined by the Police and security manager at least four weeks prior to the commencement of the event.

26. Numbers of security personnel shall be agreed by the SAG prior to the event and included in the final EMP.

27. Persons, equipment and vehicles shall be searched on entry to the designated search area, including staff, contractors, artists and VIPs in accordance with the searching protocols agreed with the Police and included in the final EMP. The premises licence holder shall deploy passive drug detection dogs at all entry points to the designated search area in consultation with the Police.

28. A designated member of staff to be responsible for the emptying and packaging of amnesty bins in the presence of Police officers, this person to identify themselves to Police at event control at the start and conclusion of the event.

29. A steel shield fence will be erected around the perimeter of the event as shown on the site plan and constantly monitored by security staff.

30. The DPS shall be a member of the applicant's Management Team.

31. A record of all persons detained in the Enhanced Search Tent, any quantities of drugs found on their person, their name, address and date of birth (as much as can reasonably be obtained) is to be kept and sent to Police licensing officers.

32. Notices shall be displayed within the Designated Search Area declaring that individuals found to be in possession of illegal drugs shall be removed from the Designated Search Area.

33. Representatives from all security companies shall attend emergency liaison team meetings.

34. Notices shall be displayed within the Designated Search Area and upon the website of the festival advertising penultimate train times from Dagenham East station.

35. Free potable water shall be freely available from standpipes across the designated search area and clearly signposted throughout. Empty plastic bottles shall be permitted into the designated search area for drinking water from standpipes.

36. The licence holder will provide a welfare/chill out space on the site and a vulnerable persons' policy will be in place for those who may need assistance.

37. There shall be an Egress and close down schedule on licensable activity timings being phased to ensure closure before 23:00hrs.

38. On the 14 September 2019, due to the parallel operation of both Defected FSTVL London (DFL) and Secret Cinema (SC) in the vicinity of Dagenham East underground station, the following conditions will apply:

- a. The Premises Licence Holder will build and operate an egress queue management system outside Dagenham East underground station which will

aim to filter customers from both DFL and SC into the station area managed by TfL at a rate agreed with their local station management team.

b. The Premises Licence Holder will manage the security and stewarding operation for customers from both DFL and SC once SC audience leave the boundary of their site.

c. Should DFL tickets sales reach 11,500 number by 1 September (the trigger point) or be predicted to reach this sales level prior to the event. DFL will provide an appropriate number of shuttle buses to operate from the SC site to an agreed alternate underground station, in order to remove the need for SC audience members to queue at Dagenham East station.

Notwithstanding the above clauses 38 a-c., the Premises Licence Holder agrees to work cooperatively with the Council and Secret Cinema to ensure safe operations on 14 September 2019, this includes sharing plans with Secret Cinema, the Council and if required the Safety Advisory Group (SAG).