

**LICENSING PANEL**  
**Regulatory Committee**  
**Agenda**

Date Tuesday 7 August 2018

Time 9.30 am

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Sian Walter-Browne in advance of the meeting.
  2. CONTACT OFFICER for this Agenda is Sian Walter-Browne Tel. 0161 770 5151 or email [sian.walter-browne@oldham.gov.uk](mailto:sian.walter-browne@oldham.gov.uk)
  3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Thursday, 2 August 2018.
  4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE LICENSING PANEL IS AS FOLLOWS:  
Councillors Cosgrove, C. Gloster and Shuttleworth

Item No

1 Election of Chair

The Panel is asked to elect a Chair for the duration of the meeting.

2 Apologies For Absence

3 Urgent Business

Urgent business, if any, introduced by the Chair

4 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

5 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

6 Order of Proceedings (Pages 1 - 4)

7 M35 Music – Music Event – Austerlands Cricket Club, Thorpe Road, Oldham, OL4 3QW (Pages 5 - 52)

The purpose of this report is to inform Members of a Temporary Event Notice which has been served on the Council in relation to a music event by M35 Music in a Marquee on the Cricket Pitch of Austerlands Cricket Club, Thorpe Road, Oldham which, due to representations being received, has been referred to this Panel for determination.

## OLDHAM BOROUGH COUNCIL

### **LICENSING PANEL - ORDER OF PROCEEDINGS**

The procedure outlined below, which was enclosed with the notice of hearing sent to each party, and a copy of which is before you today, will be followed.

Documentary evidence may be relied upon and considered by the Panel if it has been served on the Licensing Authority prior to the hearing, or if all parties consent it can be produced on the day of the hearing.

Any person wishing to call a witness to speak at the hearing must have applied in writing for permission from the Licensing Authority at least 2 working days before the hearing and must also have provided the name of the witness and a brief description of the points on which that person may be able to assist the authority in relation to their application, representations or notice. Any application to call a witness where the party has not given 2 working days' notice will be considered by the Panel at the beginning of the hearing and permission will not be unreasonably withheld.

Each party will have the same amount of time in which to address the Panel, each party will have up to 60 minutes to address the authority and give any further information (which must be relevant to that party's or another party's application or representation). Where any party considers this time to be insufficient then, a request in writing may be made to the Constitutional Services Officer for an extension of time at least two working days before the hearing; however this will not automatically be granted, and will be at the discretion of the Panel.

Any person behaving in a disruptive manner will be asked to leave the hearing, however, if this occurs that person will be entitled to submit in writing any information they would have been entitled to give orally.

The Authority will provide a record of the hearing in a permanent and intelligible form and keep it for 6 years from the date of determination or disposal of any Appeal.

Members are advised that they are making decisions in a quasi-judicial manner. As such, they have a duty to view all evidence presented before them impartially. Members must disregard any information given by a party which is not relevant to the promotion of the licensing objectives. The Panel is not bound by the formal rules of evidence. Nevertheless, Members must carry out their duty placing what weight they feel is appropriate given the nature of the evidence and the manner in which it was obtained, and communicated.

## **ORDER OF PROCEEDINGS**

### **INTRODUCTION**

The Constitutional Services Officer (“the Clerk”) will welcome those present and outline the procedure to be followed (as set out below) and record those present. The Clerk will remind everyone that each party will have up to 60 minutes to address the Panel and give any further information.

### **APPLICATION**

The Licensing Officer will outline the nature of the application.

The applicant and/or their representative to address the Panel, present additional information in support of the application (where consent to do so has been granted) and call any witnesses (subject to having given the required prior notice or having received permission at the beginning of the hearing). The Applicant and any witnesses may be questioned by Members of the Panel.

Any party, if given permission by the panel, may question the applicant and his witnesses, but this shall not take the form of cross examination.

### **REPRESENTATIONS**

The Party making the representation and/or their representative to address the members of the Panel, providing any additional information in support of their representation (where consent to do so has been granted) and call any witnesses (subject to having given the required prior notice or having received permission at the beginning of the hearing). The party and any witnesses may be questioned by Members of the Panel.

In the event that a number of members of the public are present at the meeting who intend to make a representation in relation to the application as interested parties then the Chair has discretion to ask that they appoint a nominated spokesperson to present their representations.

Any party, if given permission by the panel, may question the party making representations and his witnesses, but this shall not take the form of cross examination.

These representations will be taken in the following order: -

- Police Representation (unless they are the applicant)
- Licensing Authority
- Environmental Health Representation
- Other Responsible Authorities Representation
- Public Representation (Interested Parties)

### **CLOSING STATEMENTS**

The party making the representation may summarise their representation and make a closing statement.

The holder of the premises licence may summarise their representation and make a closing statement.

The Applicant may summarise the application and make a closing statement.

**SUMMARY** The Chair to summarise who has made representations.

### **DETERMINATION**

The Panel Members will leave the hearing to consider their decision in private. The panels may request the Services of legal representative and Constitutional Services Officer.

The Chair of the Panel will announce the determination of the application and the reasons for that determination, and it will then be confirmed in writing within 5 working days of the hearing.

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**Oldham**  
Council

## Licensing Panel

### Licensing Act 2003 Temporary Event Notice

### M35 Music – Music Event – Austerlands Cricket Club, Thorpe Road, Oldham, OL4 3QW

Report of Executive Member for: Neighbourhoods

Officer contact: David Smith  
Ext. 3472

**7<sup>th</sup> August 2018**

#### **Reason for Decision**

The purpose of this report is to inform Members of a Temporary Event Notice which has been served on the Council in relation to a music event by M35 Music in a Marquee on the Cricket Pitch of Austerlands Cricket Club, Thorpe Road, Oldham which, due to representations being received, has been referred to this Panel for determination.

#### **Recommendations**

Members are recommended to consider the application, taking into account the representations received.

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**Licensing Act 2003 – Temporary Event Notice****M35 Music (Stephen O'Mara) – Marquee on the Cricket Pitch of Austerlands Cricket Club, Thorpe Road, Oldham****1 Background**

- 1.1 The purpose of this report is to inform Members of a Temporary Event Notice which has been served on the Council in relation to a music event by M35 Music in a Marquee on the Cricket Pitch of Austerlands Cricket Club, Thorpe Road, Oldham which, due to representations being received, has been referred to this Panel for determination pursuant to Section 105 of the Licensing Act 2003.
- 1.2 The event itself initially came to light when the Licensing Authority were made aware of the event following complaints received from local residents. The event had been advertised on social media as being a music event due to commence at 12:00hrs Sunday 26<sup>th</sup> August 2018, ending at 04:00hrs Monday 27<sup>th</sup> August 2018. No authorisations had been sought, nor granted for the licensable activities detailed in the event.
- 1.3 Following being made aware of the event, the organiser, Mr Stephen O'Mara (the applicant) and a representative of Austerlands Cricket Club were invited to the Licensing Office to meet with an officer of the Licensing Authority and the Police Licensing Officer to discuss the overall concerns of the proposed event and the unauthorised licensable activity element of the proposed event. This meeting took place on the 26<sup>th</sup> June 2018.
- 1.4 Following the serving of the Temporary Event Notice on the 24<sup>th</sup> July 2018, a further mediation meeting was held on the 26<sup>th</sup> July 2018 between the event organisers, the Licensing Authority, Police and Environmental Health. The Police and Environmental Health provided the applicant with a compromise (see para 3.6) to the times of the event.
- 1.5 This compromise was not accepted by the applicant.

**2 Recommendations**

- 2.1 Members are asked to consider the notice, taking into account the representations received.

**3 The Notice**

- 3.1 On the 24<sup>th</sup> July 2018, the applicant, Mr Stephen O'Mara of M35 Music, served a Temporary Event Notice for the premises named above.
- 3.2 Details of the licensable activities and the times applied for are as follows:-

Licensable Activity	Days & Times	
Supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (on the premises)	Sunday 26 <sup>th</sup> August 2018	12:00 – 00:00



Provision of Regulated Entertainment	Sunday 26 <sup>th</sup> August 2018	12:00 – 00:00
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3.3 The premises/marquee on the Cricket Pitch named in the temporary event notice currently holds no authorisations for licensable activities.

3.4 A copy of the notice (redacted) is attached at **Appendix 1**.

3.5 Supporting documentation from the applicant has been supplied and is listed as follows:

- **Appendix 2** – Risk Assessment for Marquee
- **Appendix 3** – Insurance for Marquee
- **Appendix 4** – Map/Site plan
- **Appendix 5** – Noise Level Information Letter
- **Appendix 6** – Event Risk Assessment
- **Appendix 7** – General Risk Assessment

3.6 The compromise that Police and Environmental Health delivered to the applicant was a 23:00hrs finish to licensable activities in the Marquee. This was with a view to a desire of the applicants wanting to provide a VIP after-party for a limited number of guests who have attended the music event in the Austerlands Cricket Club clubhouse, which is authorised by a Premises Licence. A further TEN would be required to be served for an extension to the times authorised by the Premises Licence and the compromise delivered by the Police and Environmental Health was a 02:00hrs finish to licensable activities as opposed to a 03:00hrs finish as sought by the applicant. It is relevant to note that the 'after-party' element forms no part of this determination.

#### 4 **Representations**

4.1 There have been two objections to the notice served on the Licensing Authority, one by the Environmental Health Team, and one by Greater Manchester Police, they are attached as **Appendix 8** and **9** respectively.

4.2 The reasons for the objection from Environmental Health are:-

1. A concern that the application for the playing of both recorded and live music outdoors in a marquee until midnight has the potential to cause serious problems to the local residents in terms of noise nuisance.

The reasons for the objection from Greater Manchester Police are:-

1. A concern the event will impact upon the local community and lead to an increased risk of crime & disorder as well as anti-social behaviour.

#### 5 **Licensing Policy**

5.1 Members considering this application should take note of the Authority's Licensing Policy Statement when determining an application, particularly Section 8 (page 13 onwards) with reference to Public Nuisance.

5.2 Members should consider the impact of the licensing objectives on the local community.

#### 6 **Secretary of States Guidance**

6.1 Chapter 7 of the Secretary of States Guidance from April 2018 relates to Temporary Events. Section 7.32 to 7.36 state:

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## **Police and environmental health intervention**

- 7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.
- 7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.
- 7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.
- 7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the permitted persons limit will not be exceeded. For example, where notices are being given for TENs simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit, or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.
- 7.36 However, in most cases, where for example, alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (such as at weddings with a cash bar or small social or sporting events) this should not usually give rise to the use of these powers.

### **Modification**

- 7.37 As noted above, the police or EHA (as “relevant persons”) may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree for the modification to be made. There is no scope under the 2003 Act for the modification of a late TEN.

- 6.2 The Guidance then goes on to advise on the imposition of conditions.

### **Applying conditions to a ten**

- 7.38 The 2003 Act provides that only the licensing authority can impose conditions from the existing conditions on the premises licence or club premises certificate to a TEN. The licensing authority can only do so:

- 
- if the police or the EHA have objected to the TEN;
  - if that objection has not been withdrawn;
  - there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
  - and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

7.39 This decision is one for the licensing authority alone, regardless of the premises user's views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

6.3 A copy of the Secretary of State's Guidance will be available at the hearing.

## 7 Options for the Panel

7.1 When determining the Notice Members having regard to the representations, may take such steps as they consider appropriate for the promotion of the licensing objectives. The steps are -

- Confirm the notice as served on the Licensing Authority
- To reject the notice and issue a counter notice

7.2 Any steps appropriate to promote the licensing objectives should be specified. If no steps are appropriate the notice should be granted.

7.3 Findings on any issues of fact should be on the balance of probability.

7.4 In arriving at a decision Members must have regard to the relevant provisions of national guidance and the licensing policy statement and reasons must be given for any departure.

7.5 The decision should be based on the individual merits of the case.

## 8 Consultation

8.1 Consultation in accordance with the Act has taken place with the Police and Environmental Health Team.

## 9 Legal Services Comments

The Panel may reject the application and issue a counter notice if it considers it appropriate for the promotion of a licensing objective to do so. The applicant has a right of appeal to the magistrates court against the issue of a counter notice. In dealing with the application the Panel must have regard to the Secretary of State's Guidance. (A Evans)

## 10 Environmental and Health & Safety Implications

10.1 Such implications are covered by the objection made by Environmental Health and within the Councils Statement of Licensing Policy

## 11 Equality, community cohesion and crime implications

11.1 The Council's 'Statement of Licensing Policy' takes into account these matters. All decision made by the Licensing Panel, must have regard to this policy and National Guidance.

## 12 Equality Impact Assessment Completed?

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12.1 No

13 **Background Papers**

13.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

File Ref: Records held in Directorate  
Officer Name: David Smith  
Contact No: 0161 770 3472

14 **Appendices**

Appendix 1 – the Temporary Event Notice (redacted)

Appendix 2 – Risk Assessment for Marquee

Appendix 3 – Insurance for Marquee

Appendix 4 – Map/Site plan

Appendix 5 – Noise Level Information Letter

Appendix 6 – Event Risk Assessment

Appendix 7 – General Risk Assessment

Appendix 8 – Objection from Environmental Health

Appendix 9 – Objection from Greater Manchester Police

TRADING STANDARDS  
RECEIVED  
24 JUL 2017  
FIRST RESPONSE SERVICES

50082

~~SAF~~ Posted to  
env + Police

~~21 24/7/17~~  
phone

IN APPS

TRADING STANDARDS  
29 JUL 2017  
FIRST RESPONSE SERVICES

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

<b>1. The personal details of premises user (Please read note 1)</b>			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	O'MARA		
Forenames	STEPHEN		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
4. Your place of birth		MANCHESTER	
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[Redacted]			
[Redacted]			
MANCHESTER			
[Redacted]			
Post town		Postcode	
MANCHESTER		[Redacted]	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)		[Redacted]	
Fax number (optional)			
E-Mail address (if available)		[Redacted]	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
AUSTERLANDS CRICKET CLUB THORPE ROAD OLDHAM OL4 3QW	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	PL013
Club premises certificate number	PL013
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
CRICKET CLUB	
Please describe the nature of the event below. (Please read note 5)	
MUSIC EVENT - LIVE MUSIC - RECORDED MUSIC	

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3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
26 <sup>th</sup> AUGUST 2018		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
12.00 HRS - 00.00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		
499		
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p>    
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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number		
Date of issue		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>


6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		



Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	16.7.18
Name of Person signing	STEPHEN O'MARA

For completion by the licensing authority

<b>10. Acknowledgement (Please read note 20)</b>	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

# THE WHITE MARQUEE COMPANY LIMITED

## GENERAL RISK ASSESSMENT

Assessment Date 01.05.18

Reviewed By T. Holloran, Bob Worm

Review Date 01.05.19

<u>ASSESSMENT SUBJECT</u>	<u>AREA</u>	<u>REGULATIONS</u>
Erection and Dismantling and Use of Marquees	Non-specific Marquee Site  To be read in conjunction with the site specific risk assessment	The Management Of Health and Safety At Work Regulations 1999  The Provision And Use Of Work Equipment Regulations 1998 Fire Scotland Act 2006 The Regulatory Reform (Fire Safety) Order 2006  Health and Safety At Work Etc Act 1974  Fairgrounds and amusements parks: guidance on safe practice 1997 – HS(G)175

<u>IDENTIFICATION OF HAZARD(S)</u>	<u>(ACTIVITY/SUBJECT)</u>
1. Erection and dismantling of marquees.	
2. Falling materials.	
3. Working at height.	
4. Underground services.	
5. Poor housekeeping.	
6. Overhead services.	
7. Manual handling.	
8. Exposure to inclement weather.	
9. Sunburn.	
10. Vehicles.	
11. Public.	
12. Use of hand tools, drill, staple guns etc.	
13. Handling abrasive materials ropes pegs and material.	
14. Use of forklift truck.	
15. Use of heaters, propane fuelled.	
16. Exposure to electricity.	

**WHO AND HOW MANY MIGHT BE HARMED**

Employees, volunteers, members of the public, contractors, exhibitors.

**THE WHITE MARQUEE COMPANY LIMITED**

<b>SIGNIFICANT RISK</b>	<b>SEVERITY OF RISK</b>
1. Musculo-skeletal injuries from poor manual handling techniques.	High
2. Misuse of equipment due to lack of experience resulting in injuries to fingers and hands.	Medium
3. Being struck by falling material.	High
4. Falls from height in excess of two metres.	High
5. Slips and falls due to debris and ropes around marquees.	Medium
6. Electric shock from striking underground or overhead electrical services.	Medium
7. Explosion from striking gas mains.	Medium
8. Exposure to inclement weather resulting in fatigue to employees.	Low
9. Exposure to sun causing sunburn to employees	High
10. Inclement weather having detrimental effect on marquee structure resulting in collapse and multiple injury.	Low
11. Being struck by vehicles on site resulting in multiple injuries.	High
12. Injuries sustained by public from exposure to above hazards.	High
13. Cuts to hands and fingers from contact with hand tools and abrasive materials.	Medium
14. Feet being struck by materials, vehicles and other objects.	Medium
15. FLT colliding with building structure and individuals.	Medium
16. Fire from misuse of propane gas heaters.	Low
17. Electric shock from connection to electrical services.	Low

# **THE WHITE MARQUEE COMPANY LIMITED**

## **WHAT CONTROL MEASURES ARE IN PLACE (INCLUDE ALL TRAINING PROVIDED)**

1. Trained experienced tent erectors undertake tent erection.
2. Hand, foot and body protection worn as necessary by employees in the work area.
3. Method statements completed for tent erection.
4. Company follows MUTA guidance with regards to safety design and specification of marquees.
5. Employees have received training in manual handling, basic safety awareness, fire fighting equipment and hazardous substances.
6. Other specific training includes driving vehicles and first aid.
7. Induction training given to all staff.
8. Sunscreen provided in operations vehicles
9. Direct supervision on site controlled by Foreman.
10. Sites routinely inspected by highly experienced management.
11. Pre-site inspections incorporate and identify safety issues.
12. Underground services detected via client's knowledge.
13. All plant and equipment subject to a preventative and statutory maintenance and inspection schemes.
14. Hand-over inspections undertaken
15. Tent material coated in fire retardant material.
16. Electrical connections via competent electrical contractor or via client.

<b>ACTION RECOMMENDED TO CONTROL/REDUCE RISK (INCLUDE TRAINING REQUIREMENTS AND INFORMATION TO BE PROVIDED TO EMPLOYEES)</b>
--

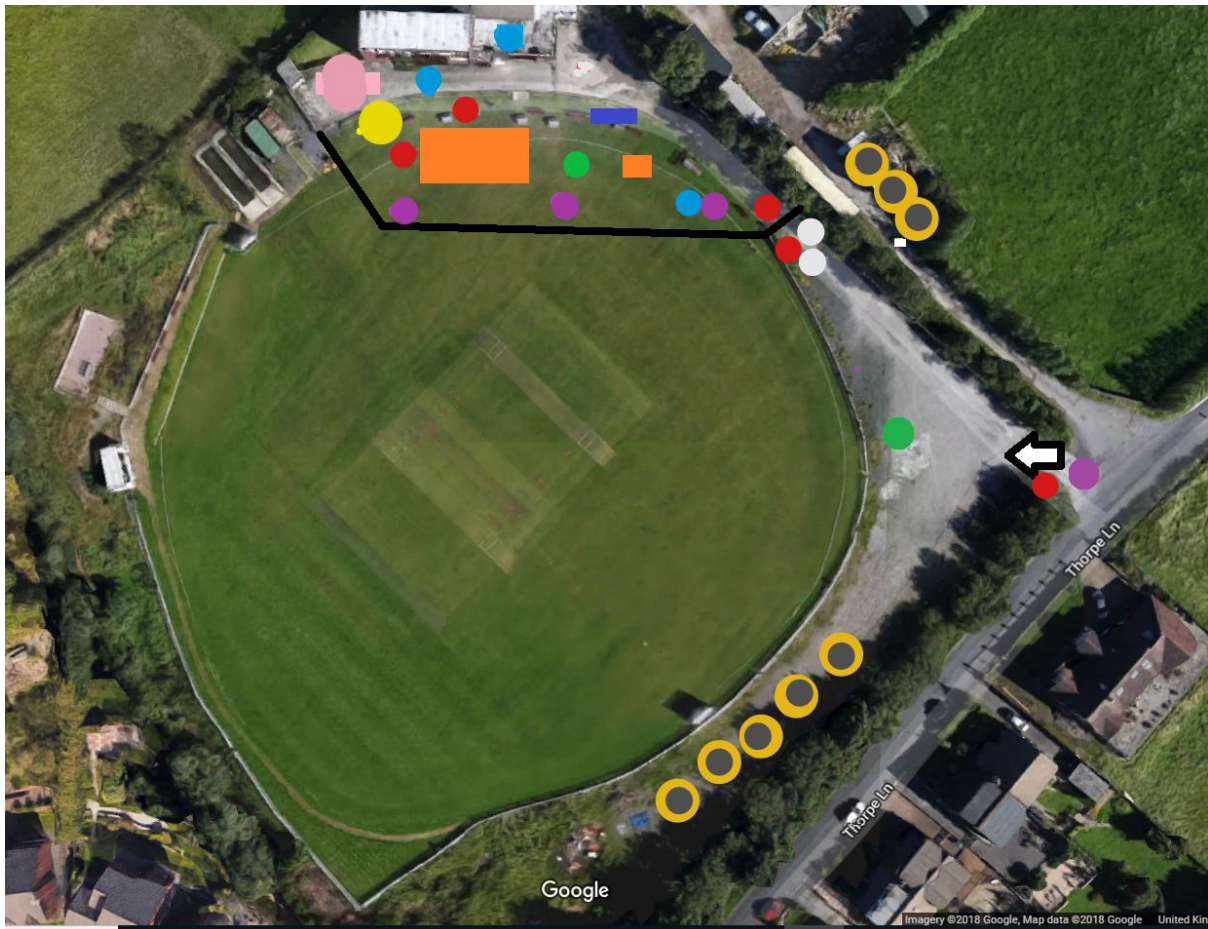
<b>ACTION PRIORITY</b>
------------------------

**THE WHITE MARQUEE COMPANY LIMITED**

1. Continue with existing control measures.	Ongoing
2. Ensure PPE is worn when undertaking task.	Ongoing
3. Ensure employees cover up during the middle 5 hours of the day and ensure staff wear sunscreen on exposed areas of skin.	Ongoing
4. Ensure that marquees are erected with sufficient space between each other and other structures, a gap of 6 metres is recommended.	Daily and ongoing
5. Ensure that the clients are aware of whom to contact in event of emergency, bad weather affecting stability of structure etc.	Ongoing
6. Re-inspect marquee after severe weather, wind etc, which may affect stability.	After severe weather
7. Ensure that any contractors on site have a good understanding of your safety policies, method statements and safety issues applicable to that specific site.	Before work commences
8. Ensure contractors have employers liability insurances and are competent to complete tasks required.	Before work commences
9. Ensure that any pre-site visits incorporate safety considerations, access and egress, underground, overhead services and any other hazards on site.	At pre-site inspection
10. Ensure that the tent erected is suitable for clients needs e.g. determine its use, if toxic or flammable substances, then a tent should not be used.	Before erection
11. Ensure clients are aware of fire precautions and evacuation procedures required for the use of the marquees.	On completion
12. Ensure that underground services are detected via Utility companies if necessary.	Before erection
13. Ensure ropes next to exit points are marked off to avoid public walking into them.	During erection
14. When erecting some marquees ensure that the work area is restricted to the public by erecting hazard tape around access areas, or a change in the time of erection is undertaken to reduce the risk of injury.	Before and during erection

**EVALUATION OF RESIDUAL RISK AFTER ALL CONTROL MEASURES ARE TAKEN**

**Low**



### Key Colour Code

- Barriers
- Security (5)
- Stewards (2)
- Volunteers (4)
- The marquee and chill out area
- Toilets
- WC / Disabled
- First aid mobile
- Catering
- Outdoor bar
- Yellow/grey =carpark/pick up/drop off

\*White = ticket staff

(Austerlands Cricket Club) Proposed event 26<sup>th</sup> August 2018



DISTANCE TO NOOK AVENUE = 138m (453ft)



DISTANCE TO THORPE LANE = 130m (427ft)

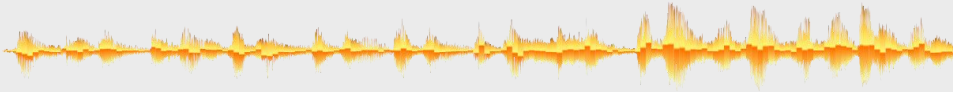




ARIEL VIEW OF AUSTERLANDS

\*Sound will be emitted away from residents( please see risk assessment )

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16/06/18

Dear M35 Music,

RE;

Austerlands Cricket Club

Event Date – 26/08/18

Noise Level Monitoring Information

- Stick to a Strict 98dBA at front of house (FOH).
- A fixed decibel meter at FOH monitoring 'continuous equivalent noise level' (Leq) over 15-minute periods.
- Portable decibel meter to be used to check various points around and off site (Site entrance, far end of Site, nearest residential area)
- Maximum of 65dBA at nearest residential area.
- Off-Site noise to be checked every 30 minutes using the portable decibel meter.
- Noise level at FOH to be lowered to 85dBA after 21.00hrs.
- Far traveling sub frequencies such as 63hz to be reduced at 21.00hrs.
- Personnel at FOH at all times monitoring noise levels and checking for Peaks and breaches, if this is the case then taking appropriate action to eradicate the breach in noise level.

Kind Regards

Alex Simmons

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## **CONTENTS**

1. INTRODUCTION (2 pages)
2. ORGANISERS CONTACT INFORMATION (1 page)
3. REFERENCE FROM THE MARE AND FOAL(1 page)
4. REFERENCE FROM THE MILLGATE (1 page)
5. LETTER OF SUPPORT FROM ROB KNOTTS (2 pages)
6. RISK ASSESMENT PLAN (9 pages)
  - 1.1 Vehicle Movements
  - 1.2 Access for emergency services
  - 1.3 Crowd Management
  - 1.4 Anti-social behaviour
  - 1.5 Security searches
  - 2.0 Sale/consumption of alcohol
    - 2.1 Illegal Drugs
    - 2.2 Noise
    - 2.3Litter
    - 2.4 Emergency evacuation
    - 2.5 Fire Safety
    - 2.6 First Aid
    - 2.7 Structures
    - 2.8 Electrical safety
    - 2.9 Gas Safety

END

Contractors information shall be forwarded separately.

## 1. **Introduction**

Austerlands is to be organised by M35 music. It is scheduled to take place on the 26<sup>th</sup> August 2018 from 12.00-00.00 at Austerlands cricket club Oldham. It is proposed that it will be licensed under the TEN with attendance of no more than 499 people including staff. This event is advertised for adults only, we expect this event to attract an audience profile of 30-46 age range with a 60/40 split of Female and male. However, we advocate a range of ages to avoid age discrimination which is conducive with our ethos.

This small event will be within the cricket club grounds (see map), where a Marquee shall be erected that will house a stage, sound equipment, staff, and attendees and shall be secured with safety barriers and stewards to prevent any unwanted entry.

The day will compose of live music acts until 19.00 which offer a genre of music and Disc Jockeys from 19.30 -00.00 playing recorded music of different genres. The venue will provide all beverages and a mobile catering van will be on site to provide food. There shall be a smaller bell tent erected on the grass area for a 'chill out' which will offer attendees some relaxation with the chance to read some information on a local charity 42<sup>nd</sup> street which supports the mental health of 11-25-year olds.

Regarding the TEN, we apologise profusely by the mistakes made regarding the process of this. M35 have never submitted a TEN, this has always been submitted by the personal Licence holder. Conversely, a separate TEN has been submitted by Austerlands cricket club to accommodate the after party.

The rationale for requiring the Midnight finish time, is due to many attendees' being unable to make the day time entertainment, due to work and other commitments. Unfortunately, most attendees can only attend from 18.30, and we feel if the extension was disallowed, it would be unfair to charge people the full ticket price if they had to leave a few hours later. Additionally, having no after party would also impact on ticket sales resulting in M35 having to locate a different venue that has sufficient licence times, which will further impact the funds needed for Austerlands Cricket Club.

## **Background and Aim**

M35 music was created by Stephen O'Mara in 2009. Stephen who works full time in pest control, is 43 years old from Failsworth in Manchester. His passion for music and love for people inspired him to create events in local and surrounding areas that bring communities together regardless of backgrounds. By supporting local musicians from differing backgrounds and ages to perform at M35 events gives everyone the opportunity to enjoy and support local talent. Furthermore, most of the musician **Page 28** Disc Jockeys who are scheduled to play

at Austerlands are unsigned acts who simply love music, which resonates our ethos; Diversity.

In response to a demand, we also host Adult only events. Recognising many of our attendees have stressful occupations which require time out. In response to this, our adult only events were created providing adults a fun, safe environment to enjoy.

M35 have no profits in these events and have a very small team with volunteers who share our vision.

Over the years we have built a relationship with the people who attend the events, and this continues to grow in a positive direction.

Subsequently, M35 have also encouraged musicians who are homeless who may have mental health issues to experience our events, proving there is some light at the end of tunnel for the vulnerable in our society.

Moreover, M35 have supported various charities over the years including; The Royal Oldham Hospital, Cancer UK, Pancreatic Cancer research, McMillan, MAHDLO and most recently 42<sup>nd</sup> street.

M35 hold an annual mini-festival 'The Mill-Fest' which is a family event (see enclosed reference) with Bands and activities for all the family to enjoy.

Stephen also hosts a radio show with NMFm 106.6FM where he has volunteered for several years. The station is based within a college in Moston, where he regularly invites musicians on the show, providing them a platform for their talents. Subsequently, Stephen and the NMFm team have been invited for afternoon tea with the lord mayor of Manchester in recognition for their hard work and commitment.

We Hope this synopsis has given some insight, and we offer our full cooperation with the council and local authorities. We do hope to continue to deliver such events and hopefully, your support.

Kind Regards

Stephen O'Mara and the M35 Team

2

**ORGANISERS CONTACT DETAILS**

Name: Stephen O'Mara

Address: 63 Cooke Street, Failsworth M35 9DF

Telephone:07711256591

Email:m35music@hotmail.com



---

**From:** Veronica Kertesz <veronic.kertes@btconnect.com>

**Sent:** Tuesday, July 10, 2018 6:50:29 PM

**To:** Stephen O'Mara

**Subject:** reference for m35 music

To who it may concern

I have dealt with m35 music on many occasions, I have always found them very professional ,they are well managed and we have never had any anti-social behaviour at any event with nearby residents always in support, i would not hesitate to use them for future events.

Veronica Kertesz  
Mare & Foal  
Ashton road west  
Failsworth  
M350ES  
07852187488

4

**From:** Millgate <millgate@jwlees.co.uk>  
**Sent:** Thursday, July 12, 2018 4:56:16 PM  
**To:** m35music@hotmail.com  
**Subject:** Reference for M35 Music

Reference for M35 Music

To whom it may concern.

We have an annual music event and fun day called Mill-Fest held here at The Millgate pub in Failsworth. M35 Music have organised and managed this event alongside us since 2013. This event has grown and attracts both local people and music lovers from further afield. We have never had any incidents or anti social behaviour associated with any of the events hosted by M35 Music. These events have full support from local residents and businesses alike. Steve and his team at M35 Music have always presented a professional approach and we hope to continue this partnership for many years to come.

Pamela Brooks  
General Manager

The Millgate Pub  
Ashton Road West,  
Failsworth, M35 0ES  
Tel: 0161 688 4910

[www.themillgatepub.co.uk](http://www.themillgatepub.co.uk)

<https://www.facebook.com/themillgatepub/>

<https://twitter.com/themillgatepub>

Dear Sir/Madam,

Permit me to comment on the M35 music event that is planned to take place at the Austerlands Cricket Club, Thorpe Lane, Oldham OL4 3QW on 26<sup>th</sup> August 2018.

Austerlands Cricket Club is an important and popular community amenity and plays an important part in community life. During the summer it offers cricket coaching and training to many children and teenagers with volunteer coaches recruited from the local community. It hosts cricket matches every weekend during the summer. In the remainder of the year it hosts social functions which include an annual bonfire around 5<sup>th</sup> November and very occasionally an outdoor function; a very popular and successful event last year was a weekend meeting of motor cyclists. The club also hosts functions during the autumn and winter weekend and forms the hub for the monthly meetings of the Scouthead and Austerlands Community Group; I am a member of the group.

The cricket club takes its position and responsibilities in the community very seriously. I have lived in North Nook for 30 years and have never witnessed or experienced any irresponsible or anti-social behaviour in the club or its surrounds. The club caters for inter-generational members and effectively contributes to ethnic cohesion particularly with the cricket matches which attract teams from all over Oldham.

The club has hosted cricket matches for nearly 150 years. Austerlands Cricket Club was founded in the parlour of The Royal Tiger Inn on Huddersfield Road, one Friday evening in 1872. The club acquired the lease of the club site from Slack Hall Estate. The property became and remains the home of Austerlands C.C.

In 1893, The Oldham & District Cricket League was formed with Austerlands as a founder member team. Saddleworth & District Cricket League (S & D. C. L.) was formed in 1898 also with Austerlands as a founder member and one of only 3 clubs to have played in every S & D.C.L. season.

The Club's finances rely on membership fees supplemented by fund raising from social events. The club's continued existence relies fund raising opportunities such as the M35 music event; it could not be sustained solely through membership fees. Without fund raising an important community amenity would be lost and the club's long association with cricket in the Oldham and Saddleworth areas would come to an end.

I am aware that a resident on Thorpe Lane has complained to Oldham Council about the planned M35 music event with numerous unsubstantiated social media statements made about potential anti-social behaviour that could arise due to the M35 music event. Events and functions have taken place in the past without any problem.

Austerlands Cricket Club committee members advised the group that M35 Music has submitted an event application to Oldham Council; this obviously needs to be confirmed.

Last night (5 July 2018) the Scouthead and Austerlands Community Group held its monthly meeting; one item discussed was the M35 music event. The meeting was unanimous in supporting the event. Quite a few members of the group live in Thorpe Close and North Nook, streets which are near the cricket club. We were reassured by members of the cricket club's committee that outdoor music will take place in a marquee positioned well away from Thorpe Lane; the area between Thorpe Lane and the club is shielded by a thick layer of trees which would dampen sound to neighbouring properties. We were further assured that the music would not take place in the marquee late in the evening; musicians would move into the cricket club building. Austerlands Cricket Club committee members advised the group that M35 Music, the organisation planning the event, has submitted an event application to Oldham Council; the situation needs to be checked.

I have been a Saddleworth Parish Councillor since 2011. Throughout my time as a councillor I have never received a complaint about noise or anti-social behaviour arising from Austerlands Cricket Club.

Please note that I am not a member of Austerlands Cricket Club and therefore have no vested interest in the club's activities.

I have copied this email to OMBC Councillor Pam Byrne, one of the Borough Councillors representing Saddleworth North.

Yours faithfully,

Saddleworth Parish Councillor Rob Knotts  
26 North Nook  
Austerlands  
Oldham  
OL4 3QR

0161 627 3798

# OUTDOOR EVENT RISK ASSESSMENT FORM

OUTDOOR EVENT: AUSTERLANDS 2018

LOCATION: AUSTERLANDS CRICKET CLUB  
THORPE LANE  
OLDHAM  
OL4 3QW

EVENT ACTIVITY: OUTDOOR LIVE MUSIC

NO. OF PERSONS EMPLOYED ARTISTS/STAFF/STEWARDS/VOLUNTEERS: 52

ASSESSOR :STEPHEN O'MARA

ASSESSMENT DATE: 4/7/18 SIGNATURE:S. O' Mara

### ASSESSMENT REVIEW DATES

Date: 4/8/18 By Whom: Stephen o'Mara

Date: ..... By Whom: .....

Date: ..... By Whom: .....

Date: ..... By Whom: .....

Date: ..... By Whom: .....

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# RISK ASSESSMENT

## HAZARD AND RISK IDENTIFICATION

5

EVENT: .AUSTERLANDS LOCATION: THORPE LANE OLDHAM OL4 3QW DATE: 4/7/2018. SHEET No: ...1.... OF ...8..

SIGNIFICANT HAZARDS IDENTIFIED	PERSONS AT RISK WHAT COULD GO WRONG	RISK RATING			CONTROL MEASURES	DATE ACTIONED and SIGNATURE
		Hazard x Risk = Risk Level				
1.1. Vehicle movements	<ul style="list-style-type: none"> <li>• Collisions with other vehicles</li> <li>• Accidents to pedestrians</li> <li>• Nuisance to neighbours</li> <li>• Attendees/staff/volunteers/residents</li> <li>• Confusion</li> </ul>	4	1	4	<ul style="list-style-type: none"> <li>• Vehicle and pedestrian access to be separated by barriers</li> <li>• Traffic cones and barriers to be implemented on carpark.</li> <li>• No vehicle access zones clearly signed</li> <li>• A parking only zone for contractors and staff</li> <li>• No parking in residential area/Volunteer to monitor</li> <li>• Stewards to monitor entrance and carpark flow and to carry communication devices</li> <li>• Site entrance drive to be kept clear</li> <li>• No vehicle access from 19.30-23.30</li> <li>• Vehicle access permitted from 23.30 and 03.00* if attendees wish to leave earlier there is a designated pick up point adjacent to the venue.</li> <li>• Ample Taxi services to be aware of the event date</li> <li>• To notify attendees of transport links and availability through event management social media page</li> <li>• Maps and routes to be shown on event page</li> <li>• Overflow carpark to be utilised if necessary and stewards to direct any vehicle to this area /All staff to wear High Visibility vests</li> <li>• Adequate drop off /pick up area to avoid any congestion</li> </ul>	4/7/2018 S.O'Mara

					<ul style="list-style-type: none"> <li>• Clear directions from nearest bus stop</li> <li>• Direct Hotline number for residents if any issues arise with rapid response</li> <li>• Designated Carpark/drop off to be well li with speed limits imposed</li> <li>• All contractors to observe a speed/time limit</li> <li>• We have attained that most attendees will not be driving; using public transport and shuttle buses</li> </ul>	
1.2 Access for Emergency services	<ul style="list-style-type: none"> <li>• Delay in receiving treatment</li> <li>• Delay in responding to an incident</li> <li>• Attendees/staff/volunteers/residents</li> </ul>	3	1	3	<ul style="list-style-type: none"> <li>• Road/access to premises to be kept clear</li> <li>• Clear signage for carpark and drop off area</li> <li>• Steward to direct the flow and keep area clear</li> <li>• Traffic cones to be used in designated areas</li> <li>• Incorporate this into the events emergency action plan</li> <li>• Site entrance drive to be kept clear</li> </ul>	4/7/2018 S. O'Mara
1.3 Crowd management: Bar area	<ul style="list-style-type: none"> <li>• Anti- social behaviour</li> </ul>	2	2	4	<ul style="list-style-type: none"> <li>• There are adequate bars to cope with a sudden influx of people</li> <li>• PA system in place</li> <li>• Steward to monitor bar area</li> <li>• Bar manager to monitor any rise</li> <li>• Outdoor bar area is to have barriers for a fair queuing system.</li> <li>• Last entry is 19.30</li> <li>• Barriers to be imposed around the site to keep crowds in line and in good flow</li> <li>• Ticket only event</li> <li>• No tickets sold on entry</li> <li>• Extra steward at peak times</li> <li>• Transport available on carpark and overflow carpark/drop off at end times</li> <li>• Security to have a Head count clicker</li> <li>• SIA staff have body cameras</li> <li>• Two first aiders on site</li> </ul>	4/7/2018 S. O'Mara
1.4 Anti -social behaviour	<ul style="list-style-type: none"> <li>• Anti- social behaviour</li> <li>• Personal injury</li> <li>• Public Nuisance</li> <li>• Prevent unauthorised access</li> <li>• Attendees/staff/volunteers/residents</li> </ul>	2	1	2	<ul style="list-style-type: none"> <li>• Colour code system (AMBER, RED)</li> <li>• SIA registered staff are trained in such issues</li> </ul>	4/7/2018 S. O'Mara

					<ul style="list-style-type: none"> <li>• All names have been logged for this event</li> <li>• ID required on entry</li> <li>• Chill out area</li> <li>• Challenge 25 is to be adopted by the DPS</li> <li>• Drink responsible is implemented on the premises</li> </ul>	
1.5 Security Searches	<ul style="list-style-type: none"> <li>• Weapons</li> <li>• Alcohol</li> <li>• Drugs</li> <li>• Refusal</li> <li>• Attendees/staff/volunteers/residents</li> </ul> <p>*Full company details of MSS are enclosed</p>	2	1	2	<ul style="list-style-type: none"> <li>• All security staff are SIA registered</li> <li>• No rucksacks allowed</li> <li>• Contact police if any searches expose any weapons or drugs</li> <li>• Female SIA registered staff on site</li> <li>• Advise the attendees by social media that there will be searches</li> <li>• No alcohol permitted onsite</li> <li>• SIA registered staff have body cameras</li> <li>• Adequate staff levels to avoid queues</li> </ul>	4/7/2018 S. O'Mara



SIGNIFICANT HAZARDS IDENTIFIED	PERSONS AT RISK WHAT COULD GO WRONG	RISK RATING			CONTROL MEASURES	DATE ACTIONED and SIGNATURE
		Hazard	x Risk =	Risk		
		Level				
2.0 Sale/consumption of Alcohol	<ul style="list-style-type: none"> <li>Attendees/staff/volunteers/residents</li> <li>Injury</li> <li>Anti-social behaviour</li> </ul>	2	2	4	<ul style="list-style-type: none"> <li>The designated licence holder shall be on site whenever the sale of alcohol is taking place</li> <li>No persons shall be permitted to bring any alcoholic drink on site or be allowed to leave the site with any</li> <li>SIA registered staff will perform searches on entry and upon leaving if anyone is suspected</li> <li>Stewards will be vigilant and liaise with SIA registered staff when required</li> <li>No beverage shall be sold or supplied in any glass containers</li> <li>In the event of an individual being refused alcohol SIA registered staff will be on hand to assist with any subsequent issues</li> <li>The challenge 25 is adopted by the DPS and posters will be displayed accordingly</li> <li>All bar staff are to be briefed what ID is acceptable</li> <li>If the DPS considers there is any imminent violence or disorder at any point of the sale of alcohol he shall close the outlet immediately until clearance off SIA staff and Event Management has been given</li> <li>A written record of any adverse incidents taking place at the event or of any complaint made by any person, also of the refusal to sell alcohol. Any such record shall be signed and dated by the person making the entry and shall be produced to any local authorities on reasonable request</li> </ul>	4/7/2018 S. O'Mara

## HAZARD AND RISK IDENTIFICATION

EVENT: AUSTERLANDS. LOCATION: THORPE LANE OLDHAM OL4 3QW .DATE: 4<sup>th</sup> JULY 2018 SHEET No .5. OF 8

SIGNIFICANT HAZARDS IDENTIFIED	PERSONS AT RISK WHAT COULD GO WRONG	RISK RATING			CONTROL MEASURES	DATE ACTIONED and SIGNATURE
		Hazard x Risk = Risk Level				
2.1 Illegal Drugs	<ul style="list-style-type: none"> <li>• Personal injury</li> <li>• Anti -social behaviour</li> <li>• Arrests</li> <li>• Mis-use of Drugs</li> </ul>	2	2	4	<ul style="list-style-type: none"> <li>• The organisers have a zero tolerance to any illegal drugs</li> <li>• Full body Searches will be implemented upon entry by trained SIA security staff</li> <li>• Any drugs uncovered will be confiscated and handed to the police as soon as is reasonable practical</li> <li>• Stewards to be vigilant and report any signs of drug use to SIA registered staff</li> </ul>	4/7/2018 S. O'Mara
2.2 Noise	<ul style="list-style-type: none"> <li>• Damage to hearing</li> <li>• Public Nuisance</li> </ul> <p>*A copy of the sound engineers risk assessment is enclosed</p>	2	2	4	<ul style="list-style-type: none"> <li>• A trained designated person from sync production LTD will carry out noise management and monitoring throughout the event in accordance with HSE</li> <li>• Attendees not allowed within 3m from any loudspeaker. To Implement safety barriers to achieve this</li> <li>• To place sound systems away from residents to avoid noise pollution</li> <li>• To reduce and monitor sound levels from 22.00 to avoid any public disturbance.</li> <li>• To provide residents with a hotline number with a rapid response</li> <li>• To provide earplugs upon stage entry</li> <li>• To liaise with EHO</li> <li>• Unload and erection of the Marquee will take place on the 25<sup>th</sup> August at midday</li> <li>• The erection of the stage will take place on the 26<sup>th</sup> August at 08.00</li> </ul>	4/7/2018 S. O'Mara

2.3 Litter	<ul style="list-style-type: none"> <li>• Slips</li> <li>• Environmental issue</li> <li>• Fire Hazard</li> </ul>	2	1	3	<ul style="list-style-type: none"> <li>• Adequate number of waste disposal on site</li> <li>• Ensure stewards and volunteers are up to date with the protocols regarding waste</li> <li>• Volunteers and stewards to actively monitor waste throughout the event</li> <li>• To keep the drive to the site clear from litter</li> <li>• To monitor the roads surrounding the site for litter</li> <li>• To provide a clean up operation after the event</li> <li>• Contractors to adhere to the venues policies regarding waste</li> </ul>	4/7/2018 S. O'Mara
2.4 Emergency Evacuation	<ul style="list-style-type: none"> <li>• Terrorist</li> <li>• Fire</li> <li>• Adverse weather conditions</li> </ul>	3	1	3	<ul style="list-style-type: none"> <li>• An emergency evacuation plan in place for emergency evacuation – which includes methods of egress; designated assembly points; stewards/volunteers to direct attendees; information boards for attendees and staff/volunteers</li> <li>• PA system in place</li> <li>• Emergency services to be notified by the DPS</li> </ul>	4/7/2018 S. O'Mara
2.5 Fire safety	<ul style="list-style-type: none"> <li>• Various injuries to attendees and staff</li> </ul>	3	1	3	<ul style="list-style-type: none"> <li>• The Organisers and venues fire risk assessment will assist in ensuring that all necessary fire safety procedures, fire prevention measures, and fire precautions are in place and any equipment tested and passed. The risk assessment addresses and includes:</li> <li>• Identifying combustible materials (including LPG, diesel, gas, trees/shrubs, dry grass, wood, /marquees, litter, vehicles</li> <li>• Checking that the fire would be detected in a reasonable time and people warned</li> <li>• Checking that attendees including persons with disabilities who may be in the building/marquee/area can get out safely</li> <li>• Checking that people at risk know what to do if there is a fire</li> </ul>	4/7/2018 S. O'Mara

					<ul style="list-style-type: none"> <li>• Ensuring there is adequate fire safety equipment according is maintained and that suitably trained people are available to operate any fire extinguishers</li> <li>• Ensuring that any marquees or other enclosed buildings/structures used for the event are included in the Fire Risk Assessment</li> <li>• Volunteer to make sure all fire exits are clear</li> <li>• Clear signs in place for designated smoking area and stewards to monitor this</li> <li>• Contractors and employees/volunteers adhere to the fire risk assessment</li> <li>• Emergency evacuation Plan</li> </ul>	
2.6 First Aid provision	<ul style="list-style-type: none"> <li>• Attendees /staff requiring medical treatment</li> </ul>	3	1	2	<ul style="list-style-type: none"> <li>• First aid for staff to be provided in accordance with Regulations.</li> <li>• First Aid point provided for the public with a minimum of two first aiders for events of up to 500 attendees or in accordance with Chapter 20 HSG 195 The Event Safety Guide – A guide to the health, safety and welfare at music and similar events (commonly known as The Purple Guide)</li> <li>• First aid to actively patrol area</li> <li>• Liaise with St Johns Ambulance</li> </ul>	4/7/2018 S. O'Mara
2.7 Collapse of structures a) Marquee b) Stage c) Barriers	<ul style="list-style-type: none"> <li>• Various Injuries to attendees / staff</li> </ul>	2	1	2	<ul style="list-style-type: none"> <li>• Please see enclosed Risk Assessment from the white marquee company and Sync production LTD</li> <li>• Please see enclosed risk assessment from</li> <li>• The organiser will follow the emergency evacuation plan</li> <li>• Contractor to provide sign off certificates for all structures.</li> <li>• Daily checks made on all structures by a competent person</li> <li>• PA system to inform attendees</li> </ul>	4/7/2018 S. O'Mara

2.8 Electrical safety	<ul style="list-style-type: none"> <li>Attendees / staff may suffer serious and possibly fatal electric shock/burns injuries from faulty electrical equipment or installation</li> </ul>	3	1	3	<ul style="list-style-type: none"> <li>All electrical systems should be constructed and maintained in a condition suitable for use in the open air and will be protected as necessary by 30mA residual current circuit breakers.</li> <li>All generators, distribution boxes to be fenced and away from public.</li> <li>A competent person should certify all electrical installation as to their safety on completion. Certificate to be kept at the event.</li> <li>All electrical equipment to be PAT tested</li> <li>Contractors and performer to ensure any electrical equipment they bring to the event is PAT tested.</li> <li>Each contractor as their own risk assessment for this</li> </ul>	4/7/2018 S. O'Mara
2.9 Gas safety	<ul style="list-style-type: none"> <li>Explosion</li> <li>Burns</li> <li>Staff/Attendees/Volunteers</li> </ul>	3	1	3	<ul style="list-style-type: none"> <li>Food Vendors using LPG to be required to ensure their gas installation and equipment has been installed and checked within the last twelve months by a "Gas Safety Register" approved contractor. Compliance certificates to be kept on food stall.</li> <li>Food vendors to be reminded of the need to ensure staff changing LPG cylinders are trained to do so.</li> <li>Food vendors permitted to have one day supply of LPG at their stall.</li> </ul>	4/7/2018 S. O'Mara

- EVALUATION OF RESIDUAL RISK AFTER ALL CONTROL MEASURES ARE TAKEN = LOW

Risk Rating		
Hazard (Severity)	Value	Risk (Likelihood)
Negligible	1	Unlikely
Slight	2	Possible
Moderate	3	Quite Possible
Severe	4	Likely
Very Severe	5	Very Likely

Hazard Value x Risk Value = Risk Level

Ranking of Risk (Risk Level)	
1 – 4	Low Risk
5 – 15	Medium Risk
16 – 25	High Risk

**Low Risk** – risk can be acceptable.

**Medium Risk** – acceptable with adequate control measures in place.

**High Risk** – action must be prioritised and timetabled to reduce risk to an acceptable level.

# SYNC Production LTD

## General Risk Assessment

Assessment Date: 1<sup>st</sup> July 2018

Review Date: 1<sup>st</sup> July 2019

Reviewed By: Josh Williams

### **Assessment Subject**

- Erection, use and operation of temporary staging, PA & lighting systems.

### **Area**

- Non-specific site.
- To be read in conjunction with the site-specific risk assessment.

### **Regulations**

- The Management Of Health and Safety At Work Regulations 1999
- The Provision And Use Of Work Equipment Regulations 1998
- Fire Scotland Act 2006
- The Regulatory Reform (Fire Safety) Order 2006
- Health and Safety At Work Act 1974
- Working at Height Regulations 2005
- Control of Noise at Work Regulations 2005

<b>Identification of Hazard(s): (Activity/Subject)</b>	
1	Erection and dismantling of staging, PA, lighting & rigging systems.
2	Working at height.
3	Manual handling.
4	Exposure to inclement weather.
5	Falling equipment/materials.
6	Poor housekeeping.
7	Vehicles.
8	Exposure to unsteady terrain.
9	General public.
10	Use of hand tools.
11	Sunburn.
12	Exposure to electricity.

<b>Who may be harmed:</b>
Employees, freelancers, volunteers, members of the public, contractors & exhibitors.



<b>No.</b>	<b>Significant Risk</b>	<b>Severity of Risk</b>	<b>Control Measures</b>
1	Injuries from poor manual handling techniques.	Medium	Trained and experienced crew to handle equipment.
2	Misuse of equipment due to lack of experience resulting in injury.	Medium	Trained and experience crew to operate equipment at all times.
3	Struck by falling equipment.	High	Only qualified and competent crew to install and operate aerial equipment to manufacturers' guidelines including use of secondary bonding.
4	Fall from height.	High	Only qualified and competent crew to work at height.
5	Fall from stage.	High	Stage edge to be taped with white tape to highlight the edge.
6	Trips from unsecured cables.	Medium	All cables to be taped securely to the floor or to be placed in sufficient cable ramp.
7	Trips from audio & lighting stands.	Medium	All stands to have a white-tape boundary.
8	Exposure to inclement weather resulting in fatigue.	Low	Crew advised to bring appropriate clothing for the working environment (e.g. outdoor show).
9	Exposure to sun causing sunburn.	High	Crew advised to apply sufficient sun cream.
10	Injury from dropping equipment.	Medium	All crew must wear steel-toe boots at all times when handling equipment.
11	Damaged hearing from loudspeakers.	Medium	All crew are provided with hearing protection when in noisy environment.

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12	Electric shock from connection to electrical supply.	High	Connections to electrical supply to be made by competent electrical contractor or client.
13	Stuck by moving vehicle.	High	All crew to wear high visibility vest when working near moving vehicles.
14	Injury by misuse of hand tools.	Medium	Only trained crew to use hand tools.

<b>Action Recommended To Control/Reduce Risk</b>		<b>Priority</b>
1	Continue with existing control measures.	On-going
2	Ensure correct PPE is worn when undertaking tasks.	On-going
3	Ensure employees cover up if working in the hottest part of the day.	On-going
4	Ensure on-site contractors have a good understanding of your works, safety policies, method statements and any site-specific safety hazard.	Before work commences
5	Ensure contractors have public liability insurances and are competent to perform the task.	Before work commences
6	Ensure pre-site visits incorporate safety considerations, access & egress and any other hazards on site.	At pre-site inspection
7	Ensure electrical supplies are tested and safe to use.	Before work commences
8	Ensure cables stay adhered to the floor and in cable traps.	On-going

<b>Evaluation of residual risk after all control measures are taken</b>	<b>Low</b>
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**LICENSING ACT 2003**

**OBJECTIONS TO AN APPLICATION FOR THE GRANT OF A TEMPORARY EVENT  
NOTICE**

**From: Environmental Health Section, Chadderton Town Hall**

**To: The Licensing Authority, Oldham Metropolitan Borough Council**

**Date returned to Licensing: 27<sup>th</sup> July 2018**

**Premises: Austerlands Cricket Club, Thorpe Road, Oldham, OL4 3QN**

**The Environmental Health Section, in its capacity as a 'Responsible Authority' under the provisions of the Licensing Act 2003, hereby give notice to the Licensing Authority of our objection to the grant of a Temporary Event Notice in respect of the above premises.**

**The reason for the objection is as follows:**

**I'm concerned that the application for the playing of both recorded and live music outdoors in a marquee until midnight has the potential to cause serious problems to the local residents in terms of noise nuisance. I would recommend that the playing of music is stopped at 10pm.**

**Signed: Gary Maclean**

**Doc Ref: 554657**

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## LICENSING ACT 2003

### OBJECTION TO AN APPLICATION FOR A TEMPORARY EVENT TO BE GRANTED UNDER THE LICENSING ACT 2003

From: Greater Manchester Police, Oldham Division

To: The Licensing Authority, Oldham Metropolitan Borough Council

Date: 27<sup>th</sup> July 2018

Premises: Austerlands Cricket Club / M35 Music  
Date of Application: 24/07/2018  
Our Ref: TF/0003/18

The Greater Manchester Police, Oldham Division, in its capacity as a 'Responsible Authority' under the provisions of the Licensing Act 2003, hereby give notice to the Licensing Authority of our objection to the application for a Premises License to be granted under the Licensing Act 2003.

The reason(s) for the objection is as follows:

**Our relevant representations are made on the grounds of the Prevention of Crime and Disorder and Public Nuisance, in promotion of the licensing objectives.**

Austerlands Cricket Club is situated off Thorpe Lane, Austerlands, Oldham. It has residential properties on two sides. Primarily the venue is a cricket club however this application is to accommodate an outdoor music festival at which significantly larger numbers of people are likely to attend, when compared to a cricket match.

The Police are concerned the event will impact upon the local community and lead to an increased *risk* of crime & disorder as well as anti-social behaviour.

The Police and Local Authority have met with the event organisers on two occasions in order to try to mitigate any concerns and reach a compromise which reduces the risk of Public Nuisance and Crime & Disorder. The last meeting was on the 26<sup>th</sup> July 2018 with Environmental Health present on this occasion. A proposal was made by both the Police and Environmental Health to the event organisers M35 Music, which included an amendment to the times of their event.

The event organisers requested time to consider the proposal and make a decision. They agreed to update all parties prior to the last date for objection to this TEN.

As of this time they have failed to respond to the Police and Environmental Health proposal and as such the Police are left with no option but to submit this objection.

Signed:  
Name: Tony Farrell  
For Greater Manchester Police

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