

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 29 JANUARY 2018

LICENSING ACT 2003: WE ARE THE FAIR / GALA FESTIVAL, PECKHAM RYE PARK,
PECKHAM RYE SE15 3JA

1. Decision

That the application made by We are the Fair for a premises licence under the Licensing Act 2003 in respect of the premises known as Peckham Rye Park, Peckham Rye SE15 3JA is granted as follows:

Licensable activity	Hours
Sale and supply of alcohol for consumption on the premises only	Sunday from 11:00 to 22:00 Monday from 11:00 to 21:30
The provision of films, live music, recorded music, performance of dance anything similar to live or recorded music	Sunday from 11:00 to 22:30 Monday from 11:00 to 22:00
Operating hours	Sunday from 11:00 to 23:00 Monday from 11:00 to 22:30

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form and additional conditions agreed between the environmental protection team and licensing authority during the conciliation process, and the following additional conditions agreed by the licensing sub-committee:

1. That the depositing of waste glass / earthenware into waste receptacles shall not take place between 20:00 and 08:00 hours.
2. That the final egress plan shall include replacement train and bus routes and stops to be clearly mapped out.
3. That the ingress and egress plans and dispersal policy must be submitted to the members of the SAG for approval and in particular the licensing authority, the environment protection team and police six weeks before the date of the event for approval.

4. That the noise levels to be maintained in accordance with the Noise Policy within the maximum expected to be between 67 and 73 decibels without exceeding 75 decibels at any time at local residential properties. All readings to be available for inspection by London Borough of Southwark officers and the Metropolitan Police.
5. That a maximum of 8,000 tickets may be issued including free tickets.
6. That, lollipops with paper sticks are to be available and to be provided to all festival customers when exiting the event to assist in keeping potential noise to a minimum.
7. That on day two, each adult shall be allowed to supervise a maximum of three children under 16.
8. That the event organisers must consult Southwark Council's highways and parking departments and Transport for London (TfL) and act on any appropriate guidance. A transport infrastructure plan shall be drawn up and submitted as part of the application process.

3. Reasons

The reasons for the decision are as follows:

The licensing sub-committee were advised that there were no outstanding representations from any of the responsible authorities. The sub-committee heard that the licensing authority and environmental protection authority had agreed conditions with the applicant and in view of these conditions had withdrawn their representations on that basis.

The licensing sub-committee heard from the applicant's representative who advised the licensing sub-committee that the Gala was an independent festival heavily focused on food with the best of London street traders attending and supplying the event.

The representative advised that Sunday's event would be over 18's only and that the event on Monday would be family friendly, welcoming children.

The representative advised that "We are the Fair" are an awards winning events agency who have been in operation for 18 years with a proven track record of organising successful similar and larger events. The representative stated that their approach was to high quality and safe events, highlighting that the event which operated in 2017 for a capacity of 5,000 was a success with one noise complaint which was dealt with appropriately.

The applicant had employed noise consultants which considers issues relevant for the site and recognises a careful balance to be struck for this event. The noise consultant had produced a noise management strategy assessing the appropriate levels of noise and limitations to be observed during the festival.

The noise consultants would be present at the festival and would take between 20-40 readings throughout each day and would be responsible for minimising and dealing with any complaints directly and in line with the conditions.

The representative confirmed that there would be no entry after 8pm and no re-entry throughout each day.

The licensing sub-committee were also advised that the applicant had met with the ecology officer and parks team and measures have been agreed to ensure that there will be minimal disturbance to the park. By way of example, they agreed that important areas would be cordoned off by fencing and that lights would not be hung off certain trees to minimise any potential disruption to the parks wildlife. They stated barriered walkways would be used for organised ingress and egress and floor covering would be provided where necessary to prevent damage. Queuing would be organised in a way as to not cause damage or disturbance and would be barriered.

The applicant had also paid a damage deposit as an additional measure to ensure that minimal disruption or damage to the park.

The representative advised that as a number of local train stations will be closed they would provide information to customers detailing alternatives public transport routes in order to manage the ingress and egress.

The representative confirmed that they had engaged in early liaison with responsible authorities and agreed 51 conditions and as a result of which the responsible authorities had withdrawn their representations.

The representative agreed that they would ensure the safety advisory group (SA)G were in agreement and confirm that they are happy to sign of all documents listed at paragraph 14 in section 1 of the agreed conditions which are to be added to the licence.

The representative advised that they would make good any damage to the park caused by the event or their patrons and that they had agreed to enforce this by way of a damage deposit and by agreement of conditions. They would also employ a reputable waste company to ensure that waste was collected throughout the duration of the festival and also after the festival and that they would ensure that the festival waste was cleared in the streets outside the festival area.

They stated that they would operate reactively in that if they are aware of any waste that appears to be as a result of the festival in the surrounding areas they would ensure that the waste was collected so as to reduce any impact to the local residents.

The representative advised that they expect to have 150 SIA officers.

The representative advised that the dispersal policy would specify the agreed pick up and drop off designated areas and that they are in the process of collecting data to confirm where customers are coming from and also where they are likely to be going after the festival ends, in order to allow further dispersal plans to be put into place depending on the outcome of the data.

This will include appropriate signage being in place and liaison with the taxi companies to confirm the designated pick up areas.

The applicant also confirmed that TFL would be consulted and if it necessary they are happy to agree to the addition of a shuttle bus to assist with the egress of the customers from the event and will also contribute towards additional rail replacement services.

The licensing sub-committee heard from five of the local residents of the area who expressed concerns that they did not consider the area to be appropriate for the event and that they considered the capacity of the event was excessive for the area.

In addition residents also raised concerns over potential noise and concerns regarding the transport for egress after the event and stated that they did not consider the local transport to be sufficient for the event.

The residents also raised concerns about the dispersal policy and queried why the applicant had already sold tickets for the event prior to obtaining a licence.

Residents also raised concern about potential damage to the park area and stated that they considered the fact that the park area would be out of use to residents before the event and during the event to be a public nuisance.

Residents were concerned about the alcohol consumption during the course of the festival and potential disorder as a result which they were concerned would be detrimental to local residents.

Residents raised concerns that there was another larger festival going on at the same time in the Brockwell Park. However, it is understood by members that this festival will be taking place in early June 2018.

The residents stated that an event, which was not operated by the current applicant, took place approximately 12 years ago which was a disaster.

The licensing sub-committee expressed concerns regarding the current level of detail within the dispersal policy. The licensing sub-committee stated that they required further details to be provided to the working dispersal document before the event. The applicant confirmed that it was a working document and that they were in the process of finalising the policy.

In order to assist in alleviating the licensing sub-committee's concerns, the applicant agreed that the final dispersal policy should be presented and approved by the members of the safety advisory group (SAG) six weeks before the event in particular the licensing Sub Committee requested that the licensing officer should approve the final document before the event. This was agreed and imposed by way of an additional condition.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4. Appeal rights

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) The licence ought not to be been granted; or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy.

Date: 29 January 2018

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

861145

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Peckham Rye Park Peckham Rye	
Ordnance survey map reference (if applicable): 174963534910	
Post town London	Post code SE15 3JA
Telephone number [REDACTED]	

Where the licence is time limited the dates 27 May 2018 and 28 May 2018

Licensable activities authorised by the licence Films - Indoors and Outdoors Live Music - Indoors and Outdoors Recorded Music - Indoors and Outdoors Performance of Dance - Indoors and Outdoors Entertainment Similar to live/recorded music - Indoors and Outdoors Sale by retail of alcohol to be consumed on premises
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The opening hours of the premises. For any non standard timings see Annex 2 Monday 11:00 - 22:30 Sunday 11:00 - 23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities For any non standard timings see Annex 2 of the full premises licence
Films - Indoors and Outdoors Monday 11:00 - 22:00 Sunday 11:00 - 22:30
Live Music - Indoors and Outdoors Monday 11:00 - 22:00 Sunday 11:00 - 22:30

Recorded Music - Indoors and Outdoors

Monday 11:00 - 22:00
Sunday 11:00 - 22:30

Performance of Dance - Indoors and Outdoors

Monday 11:00 - 22:00
Sunday 11:00 - 22:30

Entertainment Similar to live/recorded music - Indoors and Outdoors

Monday 11:00 - 22:00
Sunday 11:00 - 22:30

Sale by retail of alcohol to be consumed on premises

Monday 11:00 - 21:30
Sunday 11:00 - 22:00

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or

such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually

given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax; (2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

340 That no vehicles or generators are placed beneath trees and that planned infrastructure is not positioned where it may be possible to damage tree roots or canopies.

341 That the event will be ticketed and open to ticket holders only.

342 That day 1 will be an 18+ only event.

343 That day 2 will be a family friendly event, catering to all ages.

344 That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card, any Proof of Age Standards Scheme (PASS) accredited card or any proof of age card validated by the Secretary of State.

345 That an event and site-specific Event Safety Management Plan (ESMP) will be developed and shared with the Licensing Authority and Safety Advisory Group (SAG) and will be agreed and signed off by the SAG 6 weeks in advance of the event.

346 That the event organisers shall have a means of counting in the people entering the event site to ensure that they are able to provide on request, the number of people on site at any point in time to authorised officers.

347 That locked amnesty bins shall be provided for the disposal of alcohol and other waste.

348 That the following documentation will be produced in consultation with the SAG

- a) Event Safety Management Plan (ESMP)
- b) Event Risk Assessments & Method Statements
- c) Fire Risk Assessment
- d) Site Plan
- e) Security & Crowd Management Plan
- f) Drugs Policy
- g) Liquids Policy
- h) Alcohol Management Plan
- i) Medical Operational Plan
- j) Noise Management Plan
- k) Construction Phase Plan
- l) Egress Plan
- m) Lost Child & Vulnerable Persons Procedures
- n) Emergency Procedures Plan
- o) Equal Opportunity Statement
- p) Traffic Management Plan

q) Public Liability Insurance

r) Production Schedule

These documents will be living documents which are reviewed during the build up to the event.

349 That a reputable and experienced SIA accredited security and stewarding company will be appointed to ensure public safety and to prevent crime and disorder.

350 That the Security & Crowd Management Plan will outline details of the level of search on entry to be implemented.

351 That searches will only be carried out by SIA Registered staff of the same sex.

352 That the Drugs Policy will include NPS and No2 / NOS / Nitrous Oxide. No2 will not be permitted on site and any found on entry will be confiscated.

353 That anyone found on entry with more than the agreed quantities for personal consumption (as outlined in the Drugs Policy) of controlled substances or NPS will be refused entry and the Police informed immediately.

354 That anyone found with an offensive weapon on entry will be refused admittance and the Police informed immediately.

355 That each bar on site shall have a dedicated bar manager or supervisor and team who shall be conversant with the requirements and responsibilities for the sale of alcohol and shall be given written designation of their responsibilities.

356 That the DPS shall brief all bar staff before each event. A written record of this briefing shall be kept on site.

357 That an event and site-specific Risk Assessment and Fire Risk Assessment will be undertaken and implemented.

358 That a Medical Risk Assessment will be undertaken taking into account the Health and Safety Executive (HSE) "purple guide" on outdoor events to determine the level of first aid provision for the event.

359 That all emergency exits, toilets and first aid posts shall be clearly indicated, such that it is visible from all parts of the licensed area.

360 That all drinks shall be sold in either opened cans, PET containers or decanted into polycarbonate vessels. No glass will be permitted into the public festival arena. Glass bottles will be retained behind bars for disposal.

361 That the appropriate type and number of firefighting equipment shall be provided throughout the site. Locations and numbers will be specified in the ESMP.

362 That a queuing system will be designed and implemented at the main entrance to minimise waiting time whilst maintaining crowd safety.

363 That loudhailers will be deployed at the entrance to assist stewards in providing information to customers regarding delays and other pertinent information.

364 That a qualified and suitably experienced Noise Management Consultancy will be appointed to produce a Noise Management Plan (NMP) and provide representatives on site during the live hours of the event.

- 365** That there will be no amplified music or other entertainment after 22:00 on either day.
- 366** That local residents will receive prior notification of the event including details of the event timings. The distribution radius for the notification letter will be agreed with the Local Authority. This is to include local businesses that may be affected by attendees to the event during ingress and egress. A noise "hot line" number will also be included to allow residents to contact an event representative should they need to make a complaint during the event.
- 367** That an arrangement (contract) with a reputable waste management company to manage the event site and externally affected areas for the duration of the event and a post event clean up shall be in place.
- 368** That on day 1 the event is ticketed and open to adults over the age of 18 only.
- 369** That on day 2 children are to be supervised at all times by an adult over 21. All parent / carers will be responsible for their children. Any child under the age of 16 must be accompanied by an adult (over 21) into the festival site. These age restrictions will be clearly stated on the event website.
- 370** That on day 2 each adult will be allowed to supervise a maximum of 3 children (U16).
- 371** That on day 2 on arrival at the festival all responsible adults will be given a white wristband to write their mobile number on to then put on their child's wrist in case of emergency.
- 372** That on day 2 over 18's who have proved their age will have a festival wristband to facilitate the Challenge 25 policy at the bars, but we still be asked to show ID each time they use the bars.
- 373** That on day 2 the lost children station will be located by the Information Point in the food court throughout the duration of the event. This will be staffed by 2 DBS checked staff at all times.
- 374** That on day 2 children will not be allowed into the bar areas.
- 375** That on days 1 & 2 a Lost Child & Vulnerable Person Procedure will be in place and will be detailed in the ESMP.

Annex 3 - Conditions attached after a hearing by the licensing authority

840 That the depositing of waste glass / earthenware into waste receptacles shall not take place between 20:00 and 08:00 hours.

841 That the final egress plan shall include replacement train and bus routes and stops to be clearly mapped out.

842 That the ingress and egress plans and dispersal policy must be submitted to the members of the SAG for approval and in particular the Licensing Authority, the Environment Protection Team and police six weeks before the date of the event for approval.

843 That the noise levels to be maintained in accordance with the Noise Policy within the maximum expected to be between 67 and 73 decibels without exceeding 75 decibels at any time at local residential properties. All readings shall be made available for inspection by London Borough of Southwark officers and the Metropolitan Police.

844 That a maximum of 8,000 tickets may be issued including free tickets.

845 That lollipops with paper sticks are to be available and to be provided to all festival customers when exiting the event to assist in keeping potential noise to a minimum.

846 That the event organisers must consult Southwark Council's highways and parking departments and Transport for London (TfL) and act on any appropriate guidance. A transport plan shall be devised prior to the event and adhered to during the event.

Annex 4 - Plans - Attached

Licence No. 861145

Plan No. GALA / KERB 2018

Plan Date 28/03/2018

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 7 FEBRUARY 2019

LICENSING ACT 2003: GALA & JAM ON RYE FESTIVALS, PECKHAM RYE, LONDON SE15 3JA

1. Decision

That the application made by We Are the Fair Limited for a time limited premises licence to be granted under s.17 of the Licensing Act 2003 in respect of the premises known as Peckham Rye Park, Peckham Rye, London SE15 3JA is granted as follows:

2. Conditions

1. That there will only be one event per calendar year, taking place for a maximum of two days for three years ending 31 December 2021.
2. That there will be no amplified music or other entertainment after 22:30 on Saturday or Sunday and 22:00 on Bank Holiday Monday.
3. That the maximum duration of events per day will not exceed 11.5 hours (Saturday and/ or Sunday) and 11 hours (Bank Holiday Monday).
4. That each and every event would be presented individually to the Safety Advisory Group (SAG) which will be approved by the responsible authorities.
5. That a Challenge 25 policy will be in operation at all bars. Clear signage will be in place informing customers of this policy. The designated premises supervisor (DPS) will ensure that all staff are briefed on the acceptable forms of ID.
6. That events will be categorised as either '18+ Only' (Gala) or 'Family Friendly' (Jam on Rye).
7. That events categorised as '18+ Only' (Gala) will operate a 'No ID, No Entry' policy to guests, details of which are included in the event safety management plan (ESMP). Challenge 25 will also be in operation at the entrance to the event.
8. That events categorised as 'Family Friendly' (Jam on Rye) will feature a comprehensive child welfare policy which will be detailed in the event safety management plan.
9. That maximum capacities for events will be agreed with the SAG during the planning process will be approved by the responsible authorities.
10. That the events Gala and also Jam on Rye will be ticketed and open to ticket holders only.

11. That the event organisers shall have a means of counting in the people entering the event site to ensure that they are able to provide on request, the number of people on site at any point in time to authorised officers.
12. That locked amnesty bins shall be provided for the disposal of alcohol and other waste.
13. That an event and site-specific event safety management plan (ESMP) will be developed and shared with the licensing authority and SAG.
14. That the ESMP will include details on the following subjects: event risk assessments, event schedule, site plan, fire risk assessment, security and crowd management plan, drugs policy, liquids policy, alcohol management plan, traffic management plan, egress plan, waste management plan, medical management plan, adverse weather plan, crisis communication plan, noise management plan, child sanitation plan, welfare/vulnerable persons policy. These documents will be living documents which will be reviewed and revised in the planning phases of the events.
15. That a reputable and experienced SIA accredited security and stewarding company will be appointed to ensure the public safety and to prevent crime and disorder.
16. That the ESMP crowd management plan will outline the number, position and roles of the security and stewarding staff working at the event.
17. That the security and crowd management plan will outline the details of the level of search on entry to be implemented.
18. That searches will be carried out by SIA registered staff of the same sex as those being searched.
19. That the drugs policy will include new psychoactive substances (NPS) and No2/ NOS/ Nitrous Oxide. No2 will not be permitted on site and any found on entry will be confiscated.
20. That anyone found on entry with more than the agreed quantities for personal consumption (as outlined in the drugs policy) of controlled substances or NPS will be refused entry and the police informed immediately.
21. That anyone found with an offensive weapon on entry will be refused admittance and the police informed immediately.
22. That each bar on site shall have a dedicated bar manager or supervisor and team who shall be conversant with the requirements and responsibilities for the sale of alcohol and shall be given written designation of their responsibilities.
23. That the DPS shall brief all bar staff before each event. A written record of this briefing shall be kept on site.
24. That all drinks shall be sold in either opened cans, PET containers or decanted into polycarbonate vessels. No glass will be permitted into the public festival arena. Glass bottles will be retained behind bars for disposal.

25. That an event and site specific risk assessment and fire risk assessment will be undertaken and implemented.
26. That the premises licence holder shall carry out a suitable and sufficient medical risk assessment as well as use the Health and Safety Executive (HSE) "purple guide" on outdoor events to determine the level of first aid provision for the event, such that there is no undue demand on National Health Service resources.
27. That all emergency exits, toilets and first aid posts shall be clearly indicated by means of signage, such that it is visible to attendees.
28. That the appropriate type and number of fire fighting equipment shall be provided throughout the site. Locations and numbers will be specified in the ESMP.
29. That a queueing system will be designed and implemented at the main entrance to minimise waiting time whilst maintaining crowd safety.
30. That crowd Management Stewards tasked with entry lane queue management will wear hi-visibility tabards.
31. That loudhailers will be deployed at the entrance to assist stewards in providing information to customers regarding delays and other pertinent information.
32. That an agreed number of stewards and marshals will be deployed to manage the egress phase of the events. These stewards and marshals will wear hi-visibility tabards and will also be supplied with loudhailers. The number, role and position of these staff will be detailed in the security and crowd management plan, egress plan and traffic management plan.
33. That the egress plan and traffic management plan will take into account any service disruptions to local rail services and any subsequent rail replacement bus services.
34. That the egress plan will be submitted to the SAG for approval a minimum of six weeks prior to the event.
35. That the traffic management plan will be developed following consultation with Southwark Highways and Parking departments as well as Transport for London. The Traffic Plan will be adhered to during the event.
36. That no vehicles or generators will be placed beneath trees and event infrastructure will not be positioned where it may be possible to damage tree roots or canopies.
37. That a qualified and suitably experienced noise management consultancy will be appointed to produce a noise management plan (NMP) and provide representatives on site during the live hours of the event.
38. That no waste glass or similar items shall be disposed of ("bottling out") between the hours of 20:00 and 8:00.
39. That noise levels will be maintained in accordance with the noise management plan within the maximum levels expected to be between 67dB and 73dB without exceeding 75dB at any time at the façade of local residential properties. All dB

readings shall be available for inspection by MPS and Southwark environmental protection officers.

40. That local residents will receive prior notification of the event including details of the event timings. The distribution radius for the notification letter will be agreed with the local authority. This is to include local businesses that may be affected by attendees to the event during ingress and egress.
41. That a noise "hot line" number will also be included to allow residents to contact an event representative should they need to make a complaint during the event.
42. That the premises licence holder shall have in place an arrangement (contract) with a reputable waste management company to manage the event site and externally affected areas for the duration of the event and post event clean up.
43. That the event will be a ticketed, 18+ music festival (Gala).
44. That no person under the age of 18 will be permitted to enter the event site for Gala.
45. That a challenge 25 Policy will be in force at all festival bars.
46. That the event will operate a 'No ID, No Entry' Policy.
47. That a child welfare and vulnerable person procedure will be in place and will be detailed in the ESMP. This will outline action to be taken in the event that under 18's attempt to gain entry to the event or are discovered within the event perimeter.
48. That children are to be supervised by an adult at all times. Parents/carers will be responsible for their children.
49. That any child under the age of 16 must be accompanied by an adult (over the age of 21).
50. That each adult will be allowed to be responsible for a maximum of three children (under 16).
51. That wristbands will be provided on entry to all children to allow parents/carers to write their phone number on the inside of the wristband.
52. That a dedicated lost children point will be set up and manned by DBS checked staff (minimum of two on duty).
53. That a challenge 25 policy will be in force at all festival bars.
54. That a child welfare and vulnerable person procedure will be in place and will be detailed in the ESMP.
55. That the organiser will be required to employ a noise control consultant who shall carry out a test of the noise sources prior to the event. The tests shall be conducted at the nearest residential premises.

56. That the organiser should ensure an officer from environmental protection team is invited to the proposed sound tests prior to the event (preferably one day before the event).
57. That the organiser shall ensure that all requests from the Council Officers are complied with.
58. That details of two contact telephone numbers including a mobile telephone number, permanently staffed during performances, are to be made available to council officers prior to the event(s).
59. That at least one week prior to the beginning of the event a leaflet drop is to be made to households in the immediate area. The leaflet is to include a timetable and description of each performance and the contact telephone numbers.
60. That the applicant should ensure that the predicted levels and proposed noise level limits are not exceeded during the event. These limits shall be subject to review during this event and feature events EPT are to receive a substantiated noise complaint if at any point during the event.
61. That regular checks are to be carried out at the nearest sound sensitive locations to the event (e.g. houses, residential homes, churches) to monitor the noise and ensure that the limit set is not exceeded.
62. That the volume of all sound equipment on site shall be the responsibility of the noise control consultant appointed by the event organiser.
63. That no additional sound equipment shall be used on site without the prior agreement of the council's environmental protection team and the appointed noise control consultant.
64. That the appointed noise control consultant shall continually monitor noise levels at the sound mixer position and instruct the sound engineer accordingly to ensure that the above noise limits are not exceeded. The Council shall have access to the results of the noise monitoring at any time.

3. Reasons

The reasons for the decision are as follows:

The licensing officer presented his report to the licensing sub-committee and advised the members that the representations from all of the responsible authorities had been conciliated. As a result a comprehensive schedule of conditions had been agreed between the applicant and responsible authorities.

The licensing sub-committee then heard from the applicant who advised that the Gala Festival had been named in the best festival listings for Time Out magazine and The Independent newspaper and thereafter, referred to the representations that had been submitted by other persons in support of the application, in particular Party 13:

“I've been to Gala for the last 3-years since its conception...and seen it grow to a real hub for diversity, culture and inclusivity attracting people from all over London and beyond.

....Peckham is a young thriving community of creatives and Gala is a festival that couldn't be more aligned with that identity.

I can honestly say that Gala was one of the best days I've had at a festival".

The festival would have the same format as the 2018 event, but with substantial detailed conditions. The applicant sought an increase in capacity to 9,999. For the 2018 event, the sub-committee reduced the capacity to 8,000 based solely on the major transport stations being closed. This was no longer the case, so a realistic and safe dispersal of the increased capacity could be guaranteed. Overall, the capacity increase could be viewed as small, so would have no significant negative impact.

In addition, the applicant had organised an extremely detailed consultation plan that would be rolled out on an annual basis between July (being a debrief with the SAG following the event) up until April the following year with residents' drop, stakeholder's meeting and ecology consultation.

The applicant also sought a time limited licence for three years; not to circumvent the system. Three years had been agreed (in principle) with Southwark's Safety Advisory Group (SAG). The time limited application also detailed one event per year, which would be over three days, rather than the two days as per the 2018 application. This would give the applicant flexibility for future years. The application failed to provide any information or detail as to what the third day would consist of.

The applicant maintained that the event was for the benefit of the local community and put Peckham on map: discounted tickets for both days events were made available to local residents. A large proportion of those attending came from the SE15, SE22 and SE23 postcodes and therefore the dispersal issues anticipated in 2018 didn't occur as many patrons could walk home from the events. This was determined by the ticket sale data.

The licensing sub-committee noted that submissions from other persons, namely 28 objectors and seven supporters. The representations objecting to the application are concerned that significant noise nuisance, crime and disorder, endangerment of public safety and risk to children is likely to arise as a result of the proposed event. The representations contend that these issues were noted when the same festivals took place at the premises on 27 and 28 May 2018.

The licensing sub-committee then heard from three other persons who had submitted objections to the application, being parties 4, 33, and 34.

Party 4 advised that they had objected to the previous time limited applications, but each year the event became bigger and the capacity extended. The event closed off the park for the rest of the community and the introduction of a fourth stage meant the event was increasing by 25% in size.

Party 33 similarly referred to the poor consultation, noise and detrimental impact the event had on the environment.

Party 34 referred to the poor consultation that had taken place for the 2018 event and reference was made that the only consultation that had taken place for the 2019 event was the blue posters for this application. The park is very well used and is considered as an extension of local residents' homes that have no gardens. It was morally wrong to close off a public park for the benefit of a limited company. The noise generated from the event was unacceptable and those living in the vicinity could not escape from it.

The licensing sub-committee considered the level of objection raised by the local community and whilst a large number of local residents had submitted objections, there was also a good deal of support. The applicant is a reputable award winning event production agency that delivered large-scale events. The applicant has made considerable improvements with their engagement with the community and rolling consultation was now in place, which includes a consultation website.

Furthermore, the applicant agreed 64 conditions with the responsible authorities (in addition with SAG) demonstrating their commitment to reduce any negative impact on the community and environment, which includes (amongst things) consultation with an ecology officer to establish appropriate timelines for ecology surveys and the impact from noise will be reduced from the re-position of the speakers and the implementation of a noise hotline. The 2018 event resulted in few noise complaints and this is demonstrated by the environmental protection team's lack of detail of complaints made to them, in addition to their agreement to a conciliation.

This licensing sub-committee are therefore of the view that there would largely be only 2-days where the community would be negatively impacted and with the provisions in place, the overall benefit of the two day event out weighed the negative to the community. Local residents are advised that should the applicant breach the terms of any of the licence conditions or alternatively, if they should undermine the licensing objectives, then they should exercise their right to review the premises licence.

The licensing sub-committee did consider the applicant's request for a third day to be included in each annual event. Unfortunately, the applicant failed to provide sufficient information that justified their need for this. The applicant is reminded that a variation application could be submitted, should the details for a third day become available.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4. Appeal rights

The applicant may appeal against any decision:

- a. To impose conditions on the licence
- b. To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a. The licence ought not to be been granted; or
- b. That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy.

Date: 7 February 2019

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

865977

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Gala Festival and Jam on Rye Festival Peckham Rye Park Peckham Rye	
Ordnance survey map reference (if applicable): 535103175037	
Post town: London	Post code: SE15 3JA
Telephone number	

Where the licence is time limited the dates 25/05/2019 to 31/05/2021
--

Licensable activities authorised by the licence Plays - Indoors and Outdoors Films - Indoors and Outdoors Live Music - Indoors and Outdoors Recorded Music - Indoors and Outdoors Performance of Dance - Indoors and Outdoors Entertainment Similar to live/recorded music - Indoors and Outdoors Sale by retail of alcohol to be consumed on premises
--

The opening hours of the premises. For any non standard timings see Annex 2
Monday 11:00 - 22:30
Saturday 11:00 - 23:00
Sunday 11:00 - 23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Plays - Indoors and Outdoors

Monday 11:00 - 22:00
Saturday 11:00 - 22:30
Sunday 11:00 - 22:30

Films - Indoors and Outdoors

Monday 11:00 - 22:00
Saturday 11:00 - 22:30
Sunday 11:00 - 22:30

Live Music - Indoors and Outdoors

Monday 11:00 - 22:00
Saturday 11:00 - 22:30
Sunday 11:00 - 22:30

Recorded Music - Indoors and Outdoors

Monday 11:00 - 22:00
Saturday 11:00 - 22:30
Sunday 11:00 - 22:30

Performance of Dance - Indoors and Outdoors

Monday 11:00 - 22:00
Saturday 11:00 - 22:30
Sunday 11:00 - 22:30

Entertainment Similar to live/recorded music - Indoors and Outdoors

Monday 11:00 - 22:00
Saturday 11:00 - 22:30
Sunday 11:00 - 22:30

Sale by retail of alcohol to be consumed on premises

Monday 11:00 - 21:30
Saturday 11:00 - 22:00
Sunday 11:00 - 22:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

We Are Fair Limited
Smith Cooper
158 Edmund Street
Birmingham
B3 2HB

[REDACTED]
[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

09327525

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No.: [REDACTED]
Authority: [REDACTED]

Licence Issue date: 08/03/2019

[REDACTED]
Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day

("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

340 That there will only be one event per calendar year, taking place for a maximum of two days for three years ending 31 December 2021.

341 That there will be no amplified music or other entertainment after 22:30 on Saturday or Sunday and 22:00 on Bank Holiday Monday.

342 That the maximum duration of events per day will not exceed 11.5 hours (Saturday and/ or Sunday) and 11 hours (Bank Holiday Monday).

343 That each and every event would be presented individually to the Safety Advisory Group (SAG) which will be approved by the responsible authorities.

344 That a Challenge 25 policy will be in operation at all bars. Clear signage will be in place informing customers of this policy. The designated premises supervisor (DPS) will ensure that all staff are briefed on the acceptable forms of ID.

345 That events will be categorised as either '18+ Only' (Gala) or 'Family Friendly' (Jam on Rye).

346 That events categorised as '18+ Only' (Gala) will operate a 'No ID, No Entry' policy to guests, details of which are included in the event safety management plan (ESMP). Challenge 25 will also be in operation at the entrance to the event.

347 That events categorised as 'Family Friendly' (Jam on Rye) will feature a comprehensive child welfare policy which will be detailed in the event safety management plan.

348 That maximum capacities for events will be agreed with the SAG during the planning process will be approved by the responsible authorities.

349 That the events Gala and also Jam on Rye will be ticketed and open to ticket holders only.

350 That the event organisers shall have a means of counting in the people entering the event site to ensure that they are able to provide on request, the number of people on site at any point in time to authorised officers.

351 That locked amnesty bins shall be provided for the disposal of alcohol and other waste.

352 That an event and site-specific event safety management plan (ESMP) will be developed and shared with the licensing authority and SAG.

353 That the ESMP will include details on the following subjects: event risk assessments, event schedule, site plan, fire risk assessment, security and crowd management plan, drugs policy, liquids policy, alcohol management plan, traffic management plan, egress plan, waste management plan, medical management plan, adverse weather plan, crisis communication plan, noise management plan, child sanitation plan, welfare/vulnerable persons policy. These documents will be living documents which will be reviewed and revised in the planning phases of the events.

354 That a reputable and experienced SIA accredited security and stewarding company will be appointed to ensure the public safety and to prevent crime and disorder.

355 That the ESMP crowd management plan will outline the number, position and roles of the security and stewarding staff working at the event.

356 That the security and crowd management plan will outline the details of the level of search on entry to be implemented.

357 That searches will be carried out by SIA registered staff of the same sex as those being searched.

358 That the drugs policy will include new psychoactive substances (NPS) and No2/ NOS/ Nitrous Oxide. No2 will not be permitted on site and any found on entry will be confiscated.

359 That anyone found on entry with more than the agreed quantities for personal consumption (as outlined in the drugs policy) of controlled substances or NPS will be refused entry and the police informed immediately.

360 That anyone found with an offensive weapon on entry will be refused admittance and the police informed immediately.

361 That each bar on site shall have a dedicated bar manager or supervisor and team who shall be conversant with the requirements and responsibilities for the sale of alcohol and shall be given written designation of their responsibilities.

362 That the DPS shall brief all bar staff before each event. A written record of this briefing shall be kept on site.

363 That all drinks shall be sold in either opened cans, PET containers or decanted into polycarbonate vessels. No glass will be permitted into the public festival arena. Glass bottles will be retained behind bars for disposal.

364 That an event and site specific risk assessment and fire risk assessment will be undertaken and implemented.

365 That the premises licence holder shall carry out a suitable and sufficient medical risk assessment as well as use the Health and Safety Executive (HSE) "purple guide" on outdoor events to determine the level of first aid provision for the event, such that there is no undue demand on National Health Service resources.

366 That all emergency exits, toilets and first aid posts shall be clearly indicated by means of signage, such that it is visible to attendees.

367 That the appropriate type and number of fire fighting equipment shall be provided throughout the site. Locations and numbers will be specified in the ESMP.

368 That a queueing system will be designed and implemented at the main entrance to minimise waiting time whilst maintaining crowd safety.

369 That crowd Management Stewards tasked with entry lane queue management will wear hi-visibility tabards.

370 That loudhailers will be deployed at the entrance to assist stewards in providing information to customers regarding delays and other pertinent information.

371 That an agreed number of stewards and marshals will be deployed to manage the egress phase of the events. These stewards and marshals will wear hi-visibility tabards and will also be supplied with loudhailers. The number, role and position of these staff will be detailed in the security and crowd

management plan, egress plan and traffic management plan.

372 That the egress plan and traffic management plan will take into account any service disruptions to local rail services and any subsequent rail replacement bus services.

373 That the egress plan will be submitted to the SAG for approval a minimum of six weeks prior to the event.

374 That the traffic management plan will be developed following consultation with Southwark Highways and Parking departments as well as Transport for London. The Traffic Plan will be adhered to during the event.

375 That no vehicles or generators will be placed beneath trees and event infrastructure will not be positioned where it may be possible to damage tree roots or canopies.

376 That a qualified and suitably experienced noise management consultancy will be appointed to produce a noise management plan (NMP) and provide representatives on site during the live hours of the event.

377 That no waste glass or similar items shall be disposed of ("bottling out") between the hours of 20:00 and 8:00.

378 That noise levels will be maintained in accordance with the noise management plan within the maximum levels expected to be between 67dB and 73dB without exceeding 75dB at any time at the façade of local residential properties. All dB readings shall be available for inspection by MPS and Southwark environmental protection officers.

379 That no vehicles or generators will be placed beneath trees and event infrastructure will not be positioned where it may be possible to damage tree roots or canopies.

380 That local residents will receive prior notification of the event including details of the event timings. The distribution radius for the notification letter will be agreed with the local authority. This is to include local businesses that may be affected by attendees to the event during ingress and egress.

381 That a noise "hot line" number will also be included to allow residents to contact an event representative should they need to make a complaint during the event.

382 That the premises licence holder shall have in place an arrangement (contract) with a reputable waste management company to manage the event site and externally affected areas for the duration of the event and post event clean up.

383 That the event will be a ticketed, 18+ music festival (Gala).

384 That no person under the age of 18 will be permitted to enter the event site for Gala.

385 That a challenge 25 Policy will be in force at all festival bars.

386 That the event will operate a 'No ID, No Entry' Policy.

387 That a child welfare and vulnerable person procedure will be in place and will be detailed in the ESMP. This will outline action to be taken in the event that under 18's attempt to gain entry to the event or are discovered within the event perimeter.

388 That children are to be supervised by an adult at all times. Parents/carers will be responsible for their children.

389 That any child under the age of 16 must be accompanied by an adult (over the age of 21).

- 390** That each adult will be allowed to be responsible for a maximum of three children (under 16).
- 391** That wristbands will be provided on entry to all children to allow parents/carers to write their phone number on the inside of the wristband.
- 392** That a dedicated lost children point will be set up and manned by DBS checked staff (minimum of two on duty).
- 393** That a challenge 25 policy will be in force at all festival bars.
- 394** That a child welfare and vulnerable person procedure will be in place and will be detailed in the ESMP.
- 395** That the organiser will be required to employ a noise control consultant who shall carry out a test of the noise sources prior to the event. The tests shall be conducted at the nearest residential premises.
- 396** That the organiser should ensure an officer from environmental protection team is invited to the proposed sound tests prior to the event (preferably one day before the event).
- 397** That the organiser shall ensure that all requests from the Council Officers are complied with.
- 398** That details of two contact telephone numbers including a mobile telephone number, permanently staffed during performances, are to be made available to council officers prior to the event(s).
- 399** That at least one week prior to the beginning of the event a leaflet drop is to be made to households in the immediate area. The leaflet is to include a timetable and description of each performance and the contact telephone numbers.
- 400** That the applicant should ensure that the predicted levels and proposed noise level limits are not exceeded during the event. These limits shall be subject to review during this event and feature events EPT are to receive a substantiated noise complaint if at any point during the event.
- 401** That regular checks are to be carried out at the nearest sound sensitive locations to the event (e.g. houses, residential homes, churches) to monitor the noise and ensure that the limit set is not exceeded.
- 402** That the volume of all sound equipment on site shall be the responsibility of the noise control consultant appointed by the event organiser.
- 403** That no additional sound equipment shall be used on site without the prior agreement of the council's environmental protection team and the appointed noise control consultant.
- 404** That the appointed noise control consultant shall continually monitor noise levels at the sound mixer position and instruct the sound engineer accordingly to ensure that the above noise limits are not exceeded. The Council shall have access to the results of the noise monitoring at any time.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 865977

Plan No. V2

Plan Date 27/03/2019

NOTICE OF DECISION

LICENSING SUB-COMMITTEE –27 MAY 2021

SECTION 17 LICENSING ACT 2003: GALA FESTIVAL, PECKHAM RYE PARK, PECKHAM RYE, LONDON SE15 3JA

1. Decision

That the application made by We are the Fair Limited for a time limited premises licence, under Section 17 of the Licensing Act 2003 in respect of the premises known as is GALA Festival, Peckham Rye Park, Peckham Rye, London SE15 3JA be granted as follows:

The time limited premises licence shall have effect on a maximum of three event days per year (those event days being a Friday, Saturday, Sunday or Bank Holiday Monday), between 1 July 2021 and 31 December 2025, to facilitate a music festival known as the 'GALA Festival' for the following licensable activities:

- The provision of plays, films, live music, recorded music, performance of dance, anything similar to live music, recorded music or performances of dance:
 - Friday and Saturday: 11:00 to 22:30
 - Sunday (prior to a bank holiday Monday): 11:00 to 22:30
 - Sunday: 11:00 to 22:00
 - Monday (bank holidays only): 11:00 to 22:00
- The sale of alcohol for consumption on the premises:
 - Friday and Saturday: 11:00 to 22:00
 - Sunday: 11:00 to 22:00
 - Monday (bank holidays only): 11:00 to 21:30
- Opening hours of the premises:
 - Friday and Saturday: 11:00 to 23:00
 - Sunday (prior to a bank holiday Monday): 11:00 to 23:00
 - Sunday: 11:00 to 22:30
 - Monday (bank holidays only): 11:00 to 22:30
- To allow up to 9999 people to attend the premises at any one time.

2. Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, the conditions derived from the operating schedule highlighted in Section M of the application form and the conditions agreed with the licensing responsible authority during the conciliation process.

To Note:

- The applicant advised that they were committed to Southwark's statement of licensing policy in respect of single use plastics.

3. Reasons

This was an application made by We Are The Fair Limited for the grant of a time limited premises licence in respect of Peckham Rye Park, Peckham Rye, London SE15 3JA. The application is for a time limited premises licence to have effect on a maximum of 3 event days per year (those event days being a Friday, Saturday, Sunday or Bank Holiday Monday), between 1 July 2021 and 31 December 2025, to facilitate a music festival known as the GALA Festival, an independent South London festival celebrating club culture and the history of dance music. The application sought to allow up to 9999 people to attend the premises at any one time.

The licensing sub-committee heard from the solicitor for the applicants who advised that this was the third year of the GALA festival in Peckham Rye Park. The application was to cover a five year period and was not an attempt to circumvent the consultation process, but rather to save time and money.

If granted, there would 61 conditions attached to the licence. They advised that there were no outstanding objections from responsible authorities, which reflected the advice and objections made in previous applications.

During the three years the event had run, the applicants had increased the consultation with local residents, including 6083 leaflets dropped to local residents. The applicants were acutely conscious of the local residents in respect of potential noise complaints. They advised that they had engaged the services of a noise consultant who would monitor noise levels off the main festival site.

The applicants informed the sub-committee that during the 2019 event, between 35 and 45 noise complaints had been received. Residents were able to contact the noise consultant on a direct hotline (advertised both on the leaflets dropped on the festival website). The noise consultant would then attend the residents' addresses to test the noise levels to ensure that they did not exceed the levels agreed with the environmental protection team.

The festival had to be cancelled in 2020 due to COVID-19 and the applicants recognised the public's concern of potential transmission at large scale events. The applicants had engaged a public health consultant who sat on the steering group with the Department for Digital, Culture, Media and Sport (DCMS). A COVID-19 management plan was in place (but to be finalised) and if the rules relating to social distancing remained in place, the event would not proceed. All attendees would need to provide evidence of a negative COVID-19 test. The crew and contractors at the event

would be subject to more robust measures and face masks would be required for all close conduct work. The applicants advised that they would be guided by the test event that took place at Sefton Park in early May 2021.

The applicants were sympathetic to the objections raised by the other persons and cared about the park fabric, flora and fauna. The ecology survey they had undertaken had been widened to include birds and bats, which confirmed that the event would have no detrimental effect. Recognising Southwark's declaration of a climate emergency, the applicants confirmed that they were committed to not using single use plastics in accordance with Southwark's statement of licensing policy.

The licensing sub-committee noted the objections raised by three other persons, namely two individual residents and the Friends of Peckham Rye Park, who were not present.

After hearing from the applicant and considering the application together with the all of the supporting documentation and agreed conditions, the licensing sub-committee were satisfied to grant the application as requested.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4. Appeal rights

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) The licence ought not to be been granted; or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Governance.

Date: 27 May 2021

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

874366

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Gala Festival Peckham Rye Park Peckham Rye	
Ordnance survey map reference (if applicable): 534752175033	
Post town London	Post code SE15 3JA
Telephone number	

Where the licence is time limited the dates

01/07/2021 - 21/12/2025

Licensable activities authorised by the licence

Plays - Indoors and Outdoors
Films - Indoors and Outdoors
Live Music - Indoors and Outdoors
Recorded Music - Indoors and Outdoors
Performance of Dance - Indoors and Outdoors
Entertainment Similar to live/recorded music - Indoors and Outdoors
Sale by retail of alcohol to be consumed on premises

The opening hours of the premises. For any non standard timings see Annex 2

Monday 11:00 - 22:30
Friday 11:00 - 23:00
Saturday 11:00 - 23:00
Sunday 11:00 - 22:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Plays - Indoors and Outdoors

Monday 11:00 - 22:00
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Films - Indoors and Outdoors

Monday 11:00 - 22:00
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Live Music - Indoors and Outdoors

Monday 11:00 - 22:00
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Recorded Music - Indoors and Outdoors

Monday 11:00 - 22:00
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Performance of Dance - Indoors and Outdoors

Monday 11:00 - 22:00
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Entertainment Similar to live/recorded music - Indoors and Outdoors

Monday 11:00 - 22:00
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Sale by retail of alcohol to be consumed on premises

Monday 11:00 - 21:30
Friday 11:00 - 22:00
Saturday 11:00 - 22:00
Sunday 11:00 - 22:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

We Are The Fair Ltd
Smith Cooper
158 Edmund Street
Birmingham
B3 2HB

Registered number of holder, for example company number, charity number (where applicable)

09327525

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Robert James Dudley

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No.:

Authority:

Licence Issue date: 27/05/2021

Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be

a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day")

as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

340 This Licence will permit a maximum of 3 event days per year (Friday, Saturday, Sunday or Bank Holiday Monday only).

341 The exact date of each event will be agreed with the Local Authority and Safety Advisory Group (SAG) at least 12 weeks in advance.

342 Each and every event will be presented individually to the SAG.

4AC A Challenge 25 Policy will be in operation at all bars. Clear signage will be in place informing customers of this policy. The Designated Premises Supervisor (DPS) will ensure that all staff are briefed on the acceptable forms of ID.

343 Events will be categorised as either '18+ Only' or 'Family Friendly'.

344 Events categorised '18+ Only' will operate a 'No ID, No Entry' policy to guests, details of which will be included in the Event Safety Management Plan (ESMP). Challenge 25 will also be in operation at the entrance to the event.

345 Events categorised 'Family Friendly' will feature a comprehensive Child Welfare Policy which will be detailed in the ESMP.

346 Events will be ticketed and open to ticket holders only.

347 The event organisers shall have a means of counting in the people entering the event site to ensure that they are able to provide on request, the number of people on site at any point in time to authorised officers.

348 Locked amnesty bins shall be provided for the disposal of alcohol and other waste.

349 An event and site-specific Event Safety Management Plan will be developed and shared with the Licensing Authority and SAG.

350 The ESMP will include details on the following subjects:

- Event Risk Assessments, Event Schedule, Site Plan, Fire Risk Assessment, Security & Crowd Management Plan, Drugs Policy, Liquids Policy, Alcohol Management Plan, Traffic Management Plan, Egress Plan, Waste Management Plan, Medical Management Plan, Adverse Weather Plan, Crisis Communication Plan, Noise Management Plan, Sanitation Plan, Child Welfare/Vulnerable Persons Policy.

These documents will be 'living documents' which will be reviewed and revised in the planning phases of the events.

351 A suitable and experienced security and stewarding company will be appointed to ensure public safety and to prevent crime and disorder.

352 The ESMP Security & Crowd Management Plan (CMP) will outline the number, position and roles of the Security and Stewarding staff working at the event.

353 The CMP will outline the details of the level of search on entry to be implemented.

354 Searches will be carried out by SIA registered staff of the same sex.

355 The Drugs Policy will include New Psychoactive Substances (NPS) and No2/NOS/Nitrous Oxide. No2 will not be permitted on site and any found on entry will be confiscated.

- 356** Anyone found on entry with more than the agreed quantities for personal consumption (as outlined in the Drugs Policy) of controlled substances or NPS will be refused entry and the Police informed immediately.
- 357** Anyone found with an offensive weapon on entry will be refused admittance and the Police informed immediately.
- 358** Each bar on site shall have a dedicated bar manager or supervisor and team who shall be conversant with the requirements and responsibilities for the sale of alcohol and shall be given written designation of their responsibilities.
- 359** The DPS, or their authorised representative, shall brief all bar staff before each event. A record of this briefing shall be kept on site.
- 360** All drinks shall be sold in either opened cans, PET containers or decanted into polycarbonate vessels. No glass drinking vessels will be permitted into the public festival arena. Glass bottles will be retained behind bars for disposal.
- 361** An event and site-specific Risk Assessment and Fire Risk Assessment will be undertaken and implemented.
- 362** The Premises Licence Holder (PLH) shall carry out a suitable and sufficient Medical Risk Assessment as well as use the "purple guide" and HSG195 to determine the level of First Aid provision for the event, such that there is no undue demand on National Health Service resources.
- 363** All emergency exits, toilets and first aid posts shall be clearly indicated by means of signage, such that it is visible to attendees.
- 364** The appropriate type and number of fire-fighting equipment shall be provided throughout the site. Locations and numbers will be specified in the ESMP.
- 365** A queuing system will be designed and implemented at the main entrance to minimise waiting time whilst maintaining crowd safety
- 366** Crowd Management Stewards tasked with entry lane queue management will wear hi-visibility tabards
- 367** Loudhailers will be available to assist stewards in providing information to customers regarding delays and other pertinent information.
- 368** An agreed number of Stewards and Marshals will be deployed to manage the egress phase of the events. These Stewards and Marshals will wear hi-visibility tabards. The number, role and position of these staff will be detailed in the ESMP and relevant appendices.
- 369** The ESMP will consider any service disruptions to local rail services and any subsequent rail replacement bus services.
- 370** The ESMP will be submitted to the SAG for approval a minimum of 6 weeks prior to the event.
- 371** The Traffic Management Plan (TMP) will be developed following consultation with Southwark Highways and Parking departments as well as TfL. The TMP will be adhered to during the event.
- 372** No waste glass or similar items shall be disposed of ("bottling out") between the hours of 20:00 – 08:00.

373 The PLH will be required to employ a noise control consultant who shall produce a Noise Management Plan (NMP).

374 The Noise Management Consultant will carry out a test of the noise sources prior to the event. The tests shall be conducted at the nearest residential premises.

375 THE PLH will ensure an officer from Environmental Protection Team (EPT) is invited to the proposed sound tests prior to the event (preferably one day before the event).

376 The PLH shall ensure that all reasonable requests from the Council Officers are complied with.

304 The details of two contact telephone numbers, including a mobile telephone number, permanently staffed during performances, will be made available to council officers prior to the event(s).

377 At least one week prior to the beginning of the event, a leaflet drop is to be made to households in the immediate area. The leaflet is to include a timetable and description of each performance and the contact telephone numbers.

378 The PLH should ensure that the music noise level limits proposed in the noise management plan are not exceeded during the event. These limits shall be subject to review during this event and future events if EPT are to receive a substantiated noise complaint at any point during the event.

379 The PLH will ensure that regular checks are to be carried out at the nearest sound sensitive locations to the event (e.g. houses, residential homes, churches as described in the NMP) to monitor the noise and ensure that the limits agreed are not exceeded.

380 The volume of all sound equipment on site shall be the responsibility of the Noise Management Consultant appointed by the PLH.

381 No additional sound equipment shall be used on site without the prior agreement of the council's EPT and the appointed Noise Management Consultant.

382 The appointed Noise Management Consultant shall continually monitor noise levels at the sound mixer position and instruct the sound engineer accordingly to ensure that the above noise limits are not exceeded. The Council shall have access to the results of the noise monitoring at any time.

383 The PLH shall have in place an arrangement (contract) with a reputable Waste Management Company to manage the event site and externally affected areas for the duration of the event and a post event clean up.

384 For 18+ events the following shall also apply:

- The event will be a ticketed, 18+ music festival.
- No person under the age of 18 will be permitted to enter the event site.
- The event will operate a 'No ID, No Entry' Policy.
- A Challenge 25 policy will be in force at all festival bars.
- A Child Welfare and Vulnerable Person procedure will be in place and will be detailed in the ESMP. This will outline action to be taken in the event that under 18's attempt to gain entry to the event or are discovered within the event perimeter.

385 For events where persons under 18 years old shall be permitted ('family friendly') the following shall also apply:

- Children are to be supervised by an adult at all times. Parents/Carers will be responsible for their children.
- Any child under the age of 16 must be accompanied by an adult (over the age of 21).
- Each adult will be allowed to be responsible for a maximum of 3 children (U16).
- Wristbands will be provided on entry to all children to allow parents/carers to write their phone number on the inside of the wristband.
- A dedicated Lost Children point will be set up and manned by DBS checked staff (minimum of 2 on duty).
- A Challenge 25 policy will be in force at all festival bars.
- A Child Welfare and Vulnerable Person procedure will be in place and will be detailed in the ESMP.

114 Non-standard timings for regulated entertainment:

- The permitted hours shown regarding Mondays apply to Bank Holiday Mondays only.
- On Sundays preceding Bank Holiday Mondays regulated entertainment will cease at 22:30 hours.

113 Non-standard timings for the sale of alcohol:

- The permitted hours shown regarding Mondays apply to Bank Holiday Mondays only.

112 Non-standard opening times:

- The permitted hours shown regarding Mondays apply to Bank Holiday Mondays only.
- On Sundays preceding Bank Holiday Mondays the premises are permitted to be open until 23:00 hours.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 874366

Plan No. GALA festival 2021

Plan Date 12 March 2021