

31 May 2019 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks



Licensing Hearing

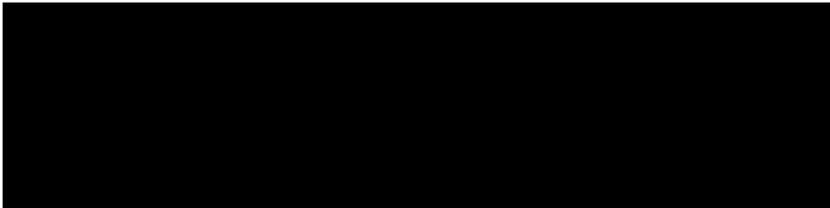
Supplementary Agenda 2

	Pages	Contact
3. Report to Licensing Sub-Committee following receipt of representations in relation to an application for a New Premises Licence made under The Licensing Act 2003 For the Food Fest LTD At Lullingstone Castle, Lullingstone Lane, Eynsford, Kent DA4 0JA -19/00660/LAPRE (Eynsford)	(Pages 1 - 44)	Jessica Foley Tel: 01732227480

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

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From: Event Notifications [Redacted]
Sent: 26 May 2019 22:58
To: Safety Advisory Group [Redacted]
Subject: Revised event management plan version 3
Importance: High

Dear All SAG Members,

Please kindly find attached the above documents with the following explanation:

Quote.

Please find attached version 3 of the event management plan with section numbers and page numbers added. On page 2 a section 2 has been added 'Contingency Planning'

I have also added Go-Coach Hire Ltd in the Contingency Planning section which will only go along the A225 and will not be going up the lanes to ensure there is no traffic congestion and that emergency services can get to the castle in case of an emergency.

I have added our traffic management plan for our traffic stewards and you can see the dots on the photo attached of where our traffic team will carefully situated for the 1st & 2nd June to help our guests.

I have also updated our management plan in regards to anyone under the age of 18 who is found is intoxicated to ensure our team handle this matter in the right way which will not involve the police.

Unquote.

Best wishes,

Anna Garanina
SAG Coordinator
Emergency Planning Department
Sevenoaks District Council | Council Offices | Argyle Road | Sevenoaks | Kent | TN13
1HG



Web:www.sevenoaks.gov.uk

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Event Management Plan

The Food Fest Event - 1st and 2nd June 2019 Lullingstone Castle, Eynsford.

This document is the backbone of our Event Management Plans and its purpose is to provide a general overview of all the considerations and detailed planning required staging the event.

As a standalone document it will contain all event details and will reference other documents that may be found as appendices. It is intended that it is a 'working document' that will evolve with ongoing liaison between the event organisers, the local licensing authority and other responsible authorities. The event organisers are an experienced team. They have successfully run the Food Fest for 4 years.

The event planning work is conducted to the highest standard to increase our contribution to arts and culture whilst minimising any adverse effects to local residents, public safety and the environment.

We believe good communication with stakeholders, such as local authorities and community groups, is vital to the success of any event and hope collaborative documents like this aid such communication.

The Food Fest has 3-year track record without any significant concern, site safety, public safety.

1. Event Summary

The event is a small scale, family friendly food fest, music and arts festival with a focus on supporting and raising money for Action for Children and Ellenor emerging artists, supporting local businesses, local musical talent, engaging the community in the arts, as well as giving people to access to enjoy the wonderful nature and landmark of the location as part of the great British festival experience.

The event programme consists of a range of food stalls, farmers market, small vintage funfair for children, arts and crafts, face painting, healing village, outdoor garden games. Live music provided by unsigned local acts, main bar with Kent produced beers and wines with music.

A small glamping area comprising of 10 bell tents will be set up solely for the Food Fest Team and family who are helping and working at this year's food fest, providing onsite management and security support throughout the 2-day event. No members of the public are staying overnight at Lullingstone Castle or its grounds.

The ticket cost is £15 for adults, £10 for children or £45 for a family ticket.

The Food Fest organisers have offered free tickets for the weekend for the tenants and their families for this year's food fest.

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The Food Fest, as in previous years is NOT a classic music festival with crowd pulling signed acts and weekend camping etc. The event is relatively small in comparison to other well branded festivals. It is set-up and marketed as a family friendly food and music festival community asset and fundraiser supporting Action for Children and Ellenor.

2. Contingency Planning

2.1 Medical Emergencies -See section 27 of this document and the Medevent Medical Services Ltd Risk and Resource Assessment Plan and Operational Medical Plan documents.

2.2 Fire Risk Assessment - A Fire Risk Assessment has been sent and signed off by Kent Fire and Rescue Service by Samantha Hill who is a Fire Safety Inspector. We have also submitted a fire route safety plan produced by a Fire Safety Consultant from MD Fire Safety. Our Traffic Management Team will ensure the roads are clear for any emergency vehicles if needed.

2.3 Shuttle Bus Breakdown – Go-Coach Hire Ltd will be providing the shuttle bus service, with a back-up vehicle on standby in case of mechanical problems.

2.4 Staff Levels– From previous experience of running food festivals the required staffing levels are known, however additional staff are available on a call-out arrangement as part of back up planning.

2.5 Traffic Control – see ‘Final Traffic Management Plan’ documents.

2.6 Security of the Site and Crowd Management – see TMS Protection Limited Crowd Management document.

3. The provision of regulated entertainment.

The provision of entertainment facilities. The supply of alcohol by retail, for consumption on site only. Guests will be subject to bag checks to prevent attendees bringing personal alcohol on site, as well as managing security threats.

4. Dates and Times of Production Build

Thursday 29th and 31st May 2019.

5. Gambling

No gambling is permitted at The Food Fest as this is a community family event.

6. Management Team

Event Directors - Clairey Hearnden and Jay Scott.

Site Safety Managers - Kingsley Pattenden, Jodie Sharp, Carlin Pattenden and Adam Dale.

Premises licence Manager - Josie Pyne

TMS Protect Security Ltd

7. Contractors and Suppliers

All contact with suppliers and contractors should be via the event Management Team.

Security and Crowd Management - TMS security Ltd

Medical and First Aid - Medevent Medical Services Ltd

Sound and Lighting - The Bandshop Ltd

Technical Power and Distribution - The Bandshop Ltd

Luxury toilets - Elegance Toilets Ltd

Insurance - 'Event Insurance Limited'. All event contractors will hold an insurance office of repute, public and employer's liability insurance for claims up to and including £5,000,000.

Audience Profile - The event is aimed at families and individuals of all ages and backgrounds. Using data from previous events and ticket sales to date, the Management Team expect the majority of attendees to be families with young children mainly from local surrounding communities. Most attendees return year after year, and many new attendees hear about the event via word of mouth from previous visitors to our Food Fests.

The audience at Food Fest has always been extremely amicable and compliant, with a friendly atmosphere onsite. The aim is to bring people together for a great cause supporting local food and produce, award winning gourmet food traders, unsigned local and UK music.

The Organisers over the past 4 years focused on building an event that occupied a niche that appeals to those that prefer a more intimate outdoor event, embraces local attractions, local unique gourmet food and local musical and artistic talent in a safe and family centric environment as opposed to the intensity and scale of traditional music focussed festivals.

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The Food Fest organisers are dedicated to the very highest quality production standards and have a 100% success rate with all previous local authorities and landowners.

All event safety, sanitary and security provisions will be planned to be suitable for this intended capacity.

Licensed Area Capacity For this event the number of attendees is to be limited by the License restrictions on capacity. Category Number Public 2500 including Performers, Staff and traders.

8. Car Park Capacity

There is ample space at the event site to accommodate guests in car park one and car park two. Parking will be managed by stewards to ensure available space is used effectively and that attendees only park in permitted locations. Further details are provided in the Traffic Plan document.

9. Park and Ride – FREE

We have secured a Park and Ride shuttle service at Anthony Roper Primary School Eynsford. This is a free parking option with shuttles running every 15 minutes.

This car park option has the capacity to hold 150 cars. With the assumption of 2.5 attendees per vehicle, 1500 attendees on site at peak times and 30% of attendees arriving by automobile, the total peak parking requirement would be 180 car parking spaces. Therefore 87% of car parking can be handled with this parking option.

10. Public On-site Car Parking – PAID

Public car parking will be managed using experienced Traffic Management staff and volunteers. We have the capacity of over 500 car parking spaces available but will look to limit the numbers to 200 spaces through pre-booked spaces spread between two parking areas (per day).

Attendees requiring onsite parking will be charged (£5) in advance for parking. This is in order to encourage attendees to utilise the Park and Ride scheme. Parking permits will be purchased via our online ticket box office.

With this process in place, we will be strongly limiting the volume of traffic to the site.

11. Temporary Demountable Structures

Temporary demountable structures will be used to house the venues, bar and food traders as well as some production facilities.

12. Erection and Maintenance of Structures

The responsibility for the safe erection and maintenance of structures rests with the contractor supplying the structure. They are expected to produce and work to their

own risk assessments and method statements and maintain their own liability insurance cover and MUTA documentation.

A representative from each contractor is required to remain on call throughout the event in order to deal with any instances of maintenance or respond to any prevailing weather conditions.

All documentation of this nature collated will be included in the appendices to this document.

Structural Safety and Wind Structural calculations relating to imposed loads from production infrastructure and wind loading will be obtained from contractors in advance of the event and a note made of the wind speeds at which action must be taken.

The production manager will monitor wind speeds throughout the event and ensure that any required action is taken should the prevailing, or forecasted conditions require.

Flame retardancy certificates will be obtained from contractors in advance of the event and be filed in this document.

13. Power Supply and Electrical Equipment

13.1 Generators - Generators will be installed and managed by an experienced electrical contractor. The generators will be carefully placed behind our main stage area and fenced off to the public. This area is not assessable to public at any time and will safe guarded for our artists and team.

13.2 - If diesel generators are used tanks will be double banded and a Diesel Spills Kit available at all times from the production office.

13.3 - Electrical Installations and Appliances Electrical installations will be managed and signed off by experienced electrical contractors with the relevant qualifications and will comply with all statutory provisions and will be of adequate capacity, reliability and durability in accordance with the requirements set out in the Electricity At Work Regulations (1989).

13.4 - All appliances brought on site are hired from reputable companies, from whom we can obtain PAT test certification. Any other appliances brought onto site will be PAT tested before by onsite electricians before their use is permitted. We will have a qualified PAT testing accredited person on site, to retest any equipment with outdated certification. All electrical equipment exposed to weather will be suitably waterproofed and fitted with circuit breakers. Cables will be flown or buried where necessary and cable ramps used.

13.5 - Site Lighting Site lighting will be positioned in suitable areas around the event site. Two sets of lighting will be maintained, one for general use and

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another for emergency use in the instance that the generator, electrical systems or general use lighting fail or have to be switched off. Most site lighting will only be used in an emergency, however, the areas listed below will be lit at all times after sundown: Toilets, Production area, Emergency Exits and Security positions.

13.6 - Additional fire points will be positioned around the campsite providing buckets of sand and water. These will be clearly signposted and easily accessible.

14. Fire Safety Checks

3 checks will be conducted at 0800, 1500 and 2000 of each event day including:
All exits and gateways are unlocked and clear
All exits are clearly signposted and illuminated
All exits lead to a place of safety, and that the place of safety is clear

15. Raising the Alarm

Upon spotting a fire, or being alerted by an attendee, any member of staff or security can communicate this to the production office via radio. The production office can then dispatch fully briefed security response teams to deal with the incident, telephone the fire brigade and begin a partial or full evacuation.

16. Fireworks and Sparklers

Attendees will not be allowed to bring fireworks or sparklers onsite. Any found during security searches will be disposed of.

17. Emergency Services Rendezvous Point

The emergency services rendezvous point is outside the main gates of the Gate House.

18. Provisions for Disabled People Disabled access toilets will be provided.

Routes through the event site will be made suitable for wheelchair users and those that have difficulty walking. Adequate signage will be used to assist those with impaired hearing and vision. Priority parking spaces will be made available to improve access to the event for disabled attendees.

19. Crowd Management

Crowd Management Planning and Implementation will be undertaken by TMS Protect Ltd. The Crowd Management plan details roles, responsibilities and methods for control and evacuation.

Audience Number Control Tickets will be majority sold by pre-sale. A small amount of tickets will be made available on the door for walk up attendees.

20. Police

We will ensure we liaise with all relevant police parties closely in the further planning of the event to ensure they are aware and in agreement with the Event Management Plans. Police presence at the event is always welcomed, though we feel that it is not necessarily required considering the private security arrangements we will have in place. The Food Fest has not required Police Presence in the past.

TMS Security team SIA Licensed security will be used in any positions where searching, refusal of entry, patrolling or intervention may be required and at the sites of all licensable activities. A detailed crowd management plan will be produced following a risk assessment by a security specialist contractor planning exact security team numbers and positions.

Stewards and volunteers will be used to assist with general information and monitoring of activity around the Lullingstone Castle site. This team will not replace or replicate the provisions of the SIA Licensed security team; their purpose is to provide information to festival goers and a large network of eyes and ears around the event site. Stewards and volunteers will be trained before the event commencement.

21. Security Searches

It is a condition of entry that each attendee is subject to a security search upon entry to the event site. Any contraband material found during searches will be confiscated and appropriate action will be taken by the security team. Contraband material includes drugs, weapons, glass bottles, fireworks, sparklers, excess alcohol, alcohol carried by under 18s, large sound systems, large gas canisters. There will be a locked amnesty bin on entry for voluntary disposal. There is a zero-tolerance policy to all these items.

22. Missing Persons or Property

Any lost property may be handed in to our ticket booth team any security or event staff; this will be dealt with by the welfare team, as can any reports of lost property. Property can be reclaimed at the event by direct description or afterwards via collection or post. Contact details for property reclaim will be clearly shown on the event website. Lost persons can also report to the welfare team, as can reports of missing persons. The Production Manager will then be informed. If the lost person is deemed to be in any way vulnerable, then only persons with a valid DBS check will be allowed to handle the issue. In most cases this would be any of the Welfare team, SIA team, First Aid team, or the event organisers.

Alcohol and our bar on site will be managed in accordance with The Licensing Act 2003 and all Mandatory Licensing Conditions will be met. The bars will stock a wide range of products, including many locally made 'craft' products such as ale, cider and wine. Extremely cheap and excessively strong drinks will not be available.

Anybody without valid identification will be refused an adult wristband. A further challenge will be made at the point of sale if there is any doubt about the attendees age.

23. Event Website and Social Media

The event website and social media channels will provide attendees with information relating to transport, terms and conditions of entry and general safety advice prior to and during the event.

24. Radio

All key staff will be issued with a radio. All event staff will be provided with a contact sheet prior to the event that will state which teams are using which frequencies and a list of key mobile phone numbers for use in case of radio failure.

PA Systems Information and emergency directions can be broadcast to the public using the PA systems available in each venue.

25. Loud Hailers

The security team will provide loud hailers for use during any partial or full evacuation, particularly in the campsite where there is no PA system.

26. Signage

All emergency exits will be clearly denoted using the standard form of white lettering on a green background, and suitably illuminated and displayed at height. Other points of interest will be clearly signposted such as the main entrance, first aid, and control point, as well as delivering safety advice.

27. Medical First Aid and Welfare

The provision of first aid during the event.

Our Paramedic and First Aid Team will be situated clearly in the main stage area and will be clearly signposted. This is situated very close to the main gate house so emergency services can get into our quickly and efficiently. In case of a child getting lost our security team and production team will ensure that this is clearly communicated over loudspeaker on main stage and our team will stay with the lost child until their parents are found and they are reunited with their child.

It will be planned and managed by a suitable specialist contractor, who is confirmed as Medevent Medical Services Ltd.

Our Paramedic team have a vulnerable referable policy which will be sent across shortly.

They will have direct radio contact to the production office and security team to request assistance in meeting the emergency vehicle and ensuring the ambulance can easily access the incident.

Our traffic team will then be messaged so they can direct the emergency services to where the incident has happened. Our site Directors and Site Managers will be radioed, and they will also be there to ensure the emergency is dealt this quickly.

The onsite medical team will be a paramedic and first two first aiders in any medical emergencies and will be responsible for telephoning for assistance from the local ambulance service if required. They will have direct radio contact to the production office and security team to request assistance in meeting the emergency vehicle and ensuring the ambulance can easily access the incident.

Nearest Hospitals - Nearest A & E Department for minor injuries is:

Sevenoaks Hospital
Hospital Road
Sevenoaks
TN13 3PG

Sevenoaks hospital is 5.3 miles away and approximately 9 minutes by vehicle.

Darenth Valley Hospital
Darenth Wood Road
Dartford Road
Dartford
DA2 8DA

Darenth Hospital is 7.5 miles away and approximately 16 minutes by vehicle.

Refuse and Recycling No glass will be allowed into the event. Additional measures will be taken to reduce the amount, and types of materials coming onto the event site. Concessions will be required to use compostable serving plates and cutlery which can be provided by the Food Fest Team.

Attendee Waste Bins will be provided across the event site for use by attendees.

Attendees will not be allowed to leave the event with any cups or plastic bottles, helping to reduce any litter dropped outside the event site. At the end of the event a full litter sweep will be conducted across the sections of the estate that have been used and immediate surrounding areas.

28. Concession and Production Waste

Larger industrial bins and liquid containers will be provided for the safe disposal of food waste and production waste such as grey water.

Waste Transfer Licence A copy of the waste disposal contractors Waste Transfer Licence will be made available to local authorities upon request.

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29. Water Supply

The Food Fest will be bringing in tested water supply for the event for our traders and our traders bring their own water to small events like this.

Handwashing Sanitising hand gel stations will be available in all toilet facilities. Concessions will be expected to maintain a handwashing station with hot running water for staff use.

30. Water and Sewerage

Grey wastewater from any hand washing, showers and concessions will be collected in containers and collected by a sewerage truck at the end of the event.

Elegance toilets will remove sewerage waste material.

31. Environmental Considerations

Environmental considerations make up two major factors when planning the show. Firstly, the health and welfare of the customers during the show regarding the dangers from the environment and secondly the impact of the festival to the area.

Fencing will be carefully placed to ensure public safety.

Notice to customers of Environmental risk Laminated posters will be erected pre-show to warn of the risks of any known.

32. Operational Preparation

Life buoys will be available by the lake and security will be briefed to be vigilant and made aware of these provisions at this area.

All fencing will be inspected as part of the fire walk around and any weak spots will be reclipped.

33. Environmental impact

Environmental impact is very important to the ethos of the festival and it is an area that the festival is working hard to improve on each year.

34. Waste Management Liquids on Site

All Traders will have a grey water facility for disposal of all liquid waste created by their operations.

All traders and bar staff will be fully briefed on proper disposal of liquid waste and the consequences of disregarding the briefing. Any trader or bar staff seen to be discarding of liquid waste anywhere other than in its proper place will be subject to a severe verbal warning and the trader will receive a red card and will not be allowed to resume trade until proper systems have been introduced to deal with liquid waste

appropriately. Consistent breach of rules will lead to bar staff being relieved of duty and traders escorted off site.

Human liquid waste will be dealt with in a similar manner so as not to pollute water courses and ecosystems. Adequate toilets will be provided.

35. Emissions

Electric appliances will be kept to a minimum and backstage signage will be erected to remind staff and crew to use as little energy as possible. Lights will be turned off in all daylight hours, unless required for artistic purposes. LED lights will be used where practical. No power is available for public use. All generators are eco/super silent, emissions will be logged post show and a strategy will be put in place to reduce the event's carbon footprint for the future.

Wind Safe working wind loads for each Temporary Demountable Structure will be provided by the supplying contractors to the production manager. If at any point the safe wind speed is likely to be exceeded the production manager will ensure appropriate action is taken. This could include evacuating and dismantling the structure if necessary.

36. Flooding and Wet Weather

Shelter for all attendees is available in various places across the site. The event is taking place on high ground, so the risk of large-scale flooding is minimal. In the event of localised flooding areas will be closed off. Signage will be available to warn of flooding and muddy areas.

Main ingress and egress routes, and key areas such as near to the toilets will be monitored and if necessary, made safe through the use of straw, woodchip or temporary pathway and trackway.

37. Extreme Heat and Cold

In the case of extreme heat (above 27 0C) staff will be briefed to verbally remind attendees of the need to keep hydrated, remain clothed and wear sunscreen.

Sunscreen will be available in the first aid tent and welfare tent for anyone without their own. In extreme cold (below 10 0C) staff will be briefed to verbally remind attendees of the need to keep warm.

Blankets will be available in the first aid tent for anyone who does not have enough clothing.

38. Concessions

There will be a number of concession facilities on the event site serving hot and cold food and drink to attendees and staff.

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Copies of food safety and hygiene certificates, gas safety certificates, public liability insurance and risk assessments will be retained by the event organisers and made available to local authorities.

39. Traffic and Transport

As this is a community event most families will walk, arrive by train or share taxis. To avoid any congestion, we have now secured parking at The Anthony Roper School. A Traffic Management Plan is attached.

40. Speed of Vehicles

A 5mph speed limit will be in action on site at all times during the event and our presence on site to prevent any accidents and/or collisions including cars and pedestrians attending the event. This will be signposted around the site and access routes. Traffic Signage The event will be signposted in the local area (exact positioning to TBC) via short leg temporary road signage.

41. Public Transport

We will encourage attendees to travel to the event by public transport if possible. A shuttle bus service powered by recycled will be running from Eynsford to the site. The timetable will be published nearer the time and will correspond with train times and planned engineering works.

We are running a shuttle bus from our car park and Eynsford Station to the venue to ensure there is no traffic congestion in Eynsford Village.

A number of local taxi providers will be approached prior to the event to ensure they are aware of the event timings and location. Their telephone numbers will be published on our website

42. Noise

A noise assessment and management plan will be produced in order to consider and reduce the nuisance effects of noise arising from the event, taking into account the size, type and direction of each Soundsystem.

The following conditions will be adhered to in managing noise created by the event: Between the hours of 11am and 9pm on the 1st June and 12pm until 6pm on the 2nd June.

We will employ a noise management engineer to be responsible for the regular monitoring and control of noise levels during the event. Records of monitoring and any action taken to will be maintained and made available to the local authority for inspection during the event. Records will be submitted to the local authority following the event.

43. Build and Break Procedures

Our main contractors will only be building main stage, small children's funfair and a marquee bar as this is a small boutique event.

44. Food Fest will be checking the following:

Risk Assessments, Method Statements, all relevant qualifications, documentation connected with specialist equipment (MUTA Marque, general equipment maintenance documentation MSDS sheets, PAT tests, Gas Safety Certificates, Ladder Tags) and insurance. All site crew working directly for The Food Fest will be again fully vetted by the Production Manager and all relevant qualifications will be examined and collated. At the start of each day, the crew will be fully briefed, there will be no lone working activities and all will be in radio communication for the duration of the working day

All personnel will be subjected to a thorough Site Induction on arrival until the first public access day. Personnel will then be required to sign an acknowledgement sheet which will be kept on file, the contents of which will make up an appendix in this document.

3 Emergency Procedures The production manager has overall responsibility for managing emergency situations. If the production manager is unavailable and cannot be called, then the head of security will assume their decision making responsibilities.

45. The Crowd Management Plan.

The Production manager will assist by coordinating other event staff and resources as needed. If required, the following statement will be read out by the production manager over the relevant PA systems. "Ladies and Gentlemen. Owing to an incident it has become necessary to evacuate this area (specify which area if needed).

Please leave via the exits (specify which exits if needed) and proceed to the (campsite/car park) where further information will be given.

46. Cancellation and Curtailment

The event organisers will make the final decision to cancel or curtail the event, after consultation with onsite teams, emergency services and local authorities.

Cancellation (Event not yet commenced) Following a decision to cancel the event the following will happen; the police and local authority will be informed of the decision, a written statement will be circulated via emails, event website, social media channels and the press, notices will be erected around the site, security will secure the site until after the due commencement time.

Following a decision to curtail the event, the Head of Security will be notified.

The police and local authority will be informed, the decision will be made by the food fest team and will communicate that event has to be cancelled. All food fest ticket

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holders will be contacted via email and will announce this across all our social media platforms, event website, social media channels and the press.

47. Cancellation of event.

If in case of severe weather conditions i.e. flooding and the event is unable to go ahead, we will email our ticket holders and list event as cancelled across all of our social media platforms i.e. Website, Facebook, Instagram and Twitter.

48. Bomb Threats

A bomb threat is usually in the form of verbal or written threat to detonate an explosive or incendiary device. The device may or may not actually exist. If it does not exist, then the motivations of the threat are more likely to be to induce a state of panic and confusion and to interrupt business operations. After any bomb threat is received a thorough inspection should be undertaken to establish the true motivations of the threat and establish whether an evacuation is necessary. The police should be informed of all bomb threats by the head of security. The head of security and production management team.

49. The Licensing Objectives Statement of Intentions

As organisers we intend to build on our success with other events, maximizing the positive benefits we offer to arts, culture and communities whilst minimising any disruption or disturbance.

To satisfy the four main licensing objectives we intend: To provide a safe, enjoyable, and successful event of leading standards. To provide a high standard of planning, organisation, and management. To listen and respond to the needs of local residents and communities. To work in partnership with Sevenoaks District Council, Police, Fire, and Ambulance services, and to involve the authorities in agreeing priorities and setting standards.

50. Prevention of Public Nuisance

The Food Fest Team, sound and security team will ensure that the sound and our guests are not a nuisance to the tenants of Lullingstone Castle and Eynsford community.

This is a family event and do expect any problems.

51. Event Sound

The event will meet the guidelines of the Noise Council Code of Practice on Environmental Noise Control at Concerts (1995). An event Noise Assessment and Noise Management Plan will be produced to ensure compliance with the guidance of the code.

52. Crowd Noise

Crowd noise is not expected to be a problem as this is a boutique family food and music festival raising money for two great causes. A noise assessment risk has been sent across to Sevenoaks Council by our professional sound team The Bandshop Ltd.

Posters will be displayed at the main exit asking attendees to leave quietly, stewards will amplify this message verbally.

53. Prevention of Crime and Drugs

We operate a strict zero tolerance policy on drug use and possession. All guests to the event will be searched upon entry, any drugs found will be confiscated, the offending patron detained, and the police informed.

54. Violence

Violence of any sort is not expected from our guest profile and is very much frowned upon in the ethos of the event. However, measures will be in place to prevent and/or deal with any incidents effectively. All guests will be searched on entry, any weapons found will be confiscated and the police called. Violent persons will not be admitted to the site. A licensed security team will be available for easy deployment to any incident on or off site and the police will be contacted.

Egress Dispersion The security team will carry out post event crowd dispersion. A dispersion plan will be available as part of the Crowd Management Plan.

55. Protection of Children from Harm

The Food Fest team, Right guard Security and our health and safety team will be ensuring any areas of danger are fenced off and monitored at all times.

56. Alcohol

All attendees will be searched upon entry and asked for identification. Any contraband material will be confiscated. Contraband material includes alcohol if the person carrying it cannot prove they are over the age of 18. It is a mandatory condition of entry that any under 18's who appear to be or are found to be intoxicated will be taken to the first aid point where they will be supervised by our paramedic team. Their parents or guardians will be contacted by our food fest team whilst the child is being monitored by our medical team.

56. Age Restrictions

For Entry Food Fest is a family event and therefore open to anyone of any age. Children aged 16 and under must be accompanied by an adult aged 21+ years at all times during the festival. Parents will not be allowed to drop children off and leave them for the day they must be paying guests at the event and remain with their

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children at all times. Those aged 17 and over may attend of their own accord but must wear an Under 18's wristband with the contact details of their parents or guardians. Children aged 5 and under can attend for free.

57. Lost Child

A lost child meeting point will be located at the back of the production stage area. Our food fest team and security team will ensure that our production team will announce a child is lost and the appropriate measure will be taken to ensure the child is reunited their parents.

58. Public Safety

The event management plans have been developed in accordance with the guidance given by the Event Safety Guide and are continually being developed as part of the consultation between with local authorities. All activities and installations necessary for the running of the event are fully risk assessed by the event organisers or the supplying contractors, and will meet any relevant regulations, standards and guidance.

The Lake at Lullingstone Castle will be guarded by TMS Protect Security Team and our Site Safety Team at all times.

Suitable safety barriers will be used in front of stages and to cordon off non-public areas, such as around generators, trip hazards and to form queue lanes.

59. Traffic Management Plan

Our traffic management plan is attached to this email, with a plan of Marshalls where they will be carefully situated and in contact radio contact to ensure there is no congestion.

Our shuttle bus service will be running every 15 minutes along the A225 to ensure the lanes are not congestion by the castle.

We have allocated 100 car parking space wither of the castle and our traffic marshals will be in radio contact to ensure there is no congestion by the castle or the lanes leading up to the castle.



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23 June 2019

MOST URGENT

**Mrs J Foley
Licensing Partnership
PO Box 182,
Sevenoaks
TN13 1GP**

Dear Jessica

Food Fest, Lullingstone Castle, Eynsford Kent
Hearing 31st May 2019-Food Fest LTD - 19/00660/LARPE

As you know we are objecting to the application for an alcohol and music license for The Food Fest on 1st and 2nd June 2019.

We have previously written to you individually expressing our concerns about the legality of the application, having regard to the uncertainty over precisely who is applying. The purpose of this letter is to put Sevenoaks District Council (SDC), as licensing authority, formally on notice as to exactly what those concerns are and the urgent action we may elect to take prior to the listed hearing.

1. The application was first lodged with the council on 21st February, and was stamped by Sevenoaks District Council (SDC) on 22nd February. You have advised us that that first application was incomplete and was subsequently withdrawn.
2. A second application was then validated and published [*on SDC's website*] on 10th April. Public notices were displayed on [*the premises*] 17th April, a week later than required (Reg 25 (Licensing Act 2003 (Premises Licences And Club Premises Certificates) Regulations 2005)(SI 2005/42). The application and notices all list the applicant as “The Food Fest Ltd”. This name appears once on the covering email of the published application, and four times on the extra form “Consent of individual to being specified as premises supervisor”. Pages 1-4 of the application were not published.
3. Food Fest Ltd is registered with Companies House under company number 08052777, with a registered office in Leeds, Yorkshire, and is listed as a ‘dormant’ company.

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4. We understand that a public notice was not published in a local newspaper at any time during the required period (see Reg 25(b)(ii), Premises Licences Etc. Regulations, as above).
5. Andrew Baker (AB) met with Janet from SDC Licensing on 25th April and expressed concern that the applicant, The Food Fest Ltd, appeared to be a dormant company. Jessica Foley (JF), Senior Licensing Officer at SDC emailed AB on 26th April to advise that “we have found the business on Companies House no: 09837484”. This company number relates to The Kent FoodFest Limited, a company name that has not been published at all during the application process and does not appear in the hearing bundle. AB replied to JF that he had been confused as the application had been made in the name of The Food Fest Limited. He requested a copy of the completed application form.
6. On 28th April Katarina Hudecova (KH) sent an email to JF asking for the Event Management Plan and advised that some information was missing from the application form, in particular boxes N and O specifying the hours which licensable activities were being applied for. An amended application was subsequently uploaded to the SDC website on 30th April with the hours in section O added in by hand. As before, the only applicant name mentioned on the amended application was “The Food Fest Limited” and the first four pages were not published. The amended application was listed on SDC website as being published on 26th February (which was patently incorrect).
7. On 9th May AB sent an email to JF pointing out the inconsistencies between the applicant’s name on the application and public notice and the number quoted in JF’s email, and stating that the notices should be withdrawn and redisplayed. Simon Giles (SG) also sent an email to JF on 10th May advising that there was an error with the applicant name and that this should render the application invalid. SG wrote a further email to JF on 16th May setting out the position more fully, and drawing JF’s attention to the need to act quickly in refusing the application in order to mitigate the negative effects of a last-minute cancellation of the event.
8. JF replied to SG on 17th May stating that “the company number is on the application form which means their identity is certain. This is the only company with a similar name at that registered address”. SG replied on 17th May requesting to see the pages of the application containing the company number as they had not been published online, and asking whether in the event that the licence was granted the licence would be issued to The Food Fest Limited as per the application, or whether the name on the licence would be changed to “The Kent FoodFest Limited”.

9. JF replied to SG on 20th May clarifying that if the licence was granted it would be to “the correct company name, as per the registered number”, and attaching the missing pages from the application form. The missing pages again state The Food Fest Limited as the applicant, however on page 4 of the application the name is quoted as “The Kent FoodFest Limited” with company number 09837484. In addition to being stated as the applicant on the public notice, the Food Fest Limited is stated as the applicant six times in total on the application form. It is both extraordinary and totally misleading to any interested parties that the Kent FoodFest Limited should be quoted along with the corresponding company number just once and on a page that was not published until long after the issue had been raised.
10. On 20th May, the Trading Name on SDC’s web portal was changed from The Food Fest Limited to Kent FoodFest Ltd (The), although the applicant name remains as The Food Fest Limited. This was the first mention of Kent FoodFest Ltd on SDC website or in any published materials.
11. As you will be aware, case law tells us that mistakes as to the description of an identifiable person can be corrected by the licensing authority. However, in cases where the publication of the application or the applications themselves are made in the names of a different person who is incorrectly identified, then that application is void *ab initio*, which cannot be corrected.
12. In R (*on the application of Essence Bars (London) Ltd t/a Essence*) v *Wimbledon Magistrates' Court and Royal Borough of Kingston upon Thames* [2016] EWCA Civ 63 the court considered the effect of a mistake made in the notice of appeal against the revocation of the club’s premises licence by the licensing authority. The question for the Court of Appeal was whether there was power to amend a notice of complaint in civil proceedings in the magistrates’ court by substituting the name of the company which, as premises licence holder, had standing to appeal, in the place of the name of another company which did not have such standing.
13. It was not suggested in argument that, if the mistake was one of identity, there was jurisdiction to correct the name. The submission was rather that the District Judge and the Judge in the Administrative Court erred in concluding that they were bound by the Divisional Court cases on the Magistrates’ Courts Act 1980, s 123 to conclude that this was a case of mistake of identity rather than a case of misdescription.
14. The court held (para 68) that where a name and a description are both used in a document that it was necessarily the former rather than the latter which identified the party in question, unless the maker of the mistake realised that the named person was not the person who satisfied the description.
15. We would argue that precisely the same principle applies here: the applicant is identified by the name used (The Food Fest Limited), rather than any company number which may have been latterly provided.

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16. In *Marco's* case (*Marco (Croydon Ltd) t/a A and J Bull Containers v Metropolitan Police* [1984] RTR 24, *R v Greater Manchester Justices, ex p Aldi GmbH and Co KG* (1994) 159 JP 717) the Divisional Court had allowed an appeal against conviction, holding that the prosecution, misled by the name on the skip, had issued the summons in the name of the wrong company, that is to say the wrong person, and there was no jurisdiction to amend the information. Cases where the proceedings concerned a natural person whose name was mistakenly stated rather than a company, but where the right person received the summons and was before the court, were distinguished. Those cases were stated to be ones in which the prosecutor correctly identified the intended defendant but misstated his name. Glidewell J said that in *Marco's* case the justices' had accurately stated the question of law, but did not apply it correctly.
17. More recently, in *Platinum Crown Investments Ltd v North East Essex Magistrates Court and (1) Colchester Borough Council (2) Cyril Thomas* [2017] EWHC 2761 (*Admin*) Treacy LJ and Dove J sitting in the Administrative Court considered a case of mistaken identification of a corporate entity and in which the principle was reviewed in a Case Stated (treated as a matter brought before the court by way of judicial review (para 21)), namely that where the wrong person had been summonsed, amendment was not permissible to substitute a different defendant, but where the prosecutor had merely mis-stated the name the amendment should be made (per the dicta of Glidewell J. in *Marco (Croydon) Ltd v Metropolitan Police* [1983] Crim LR 395).
18. In the court's decision Lord Justice Treacy suggested (emphasis added):
 31. ' .. *Essence Bars Ltd* was also concerned with the question of amendment under s.123. Although the court there was not dealing with a criminal matter but dealing with **an appeal to the Magistrates' Court pursuant to the Licensing Act 2003, Beatson LJ, giving the main judgment, did not consider that that made a material difference.**
 32. He reviewed the decisions in *Marco (Croydon) Ltd, Aldi* and *Sainsbury*. At para. 44 he said:

"44 Two points emerge from these cases. **The first is that an error as to the identity of the defendant named which impacts on the jurisdiction to hear or determine a case is irremediable in the absence of express and specific powers that provide a remedy.** The second is that, where there is a mistake as to identity, **section 123 is not to be construed broadly to enable an amendment substituting the person who should have been named in the information or summons for the person that was in fact named,** after the expiry of the relevant limitation period. In those cases it appeared that no one was misled by the error."

19. The following points are self-evident:

- (1) There are, as a question of fact, two entirely different and separate legal entities:
 - a. “The Food Fest Ltd”; and
 - b. “The Kent FoodFest Limited”
- (2) In all the public documents until 20 May, long after the time for representations had expired, the application was described as being made in the name of “The Food Fest Ltd”
- (3) The change of name of to a different company, on 20th May, “The Kent FoodFest Limited”, was a procedure for which there is no authority in the Licensing Act 2003 or its attendant regulations.
- (4) The identity of the applicant is a key and critical component of an application, potentially determining whether objections are raised in relation to an application by reason of the applicant’s legal standing (see s.16), past experience (or lack of), as well as issues relating to crime and disorder (see s.18).
- (5) It is neither possible nor lawful in any case to alter the identity of an applicant during the course of an application.

20. The signatories to this letter are, as you are of course aware, vehemently opposed to this application on a number of substantive grounds, which we were prepared to pursue at the hearing on 31 May. However, where, as we have been advised by Leading Counsel, the application is fundamentally and irremediably defective for the reasons stated, we believe it is our clear duty to make that fact known to all concerned at the earliest opportunity, so that cancellation of the prospective event (which, incredibly, has been widely publicised to take place the day after your sub-committee’s hearing!) can be arranged.

21. In the present case it is absolutely clear that the application was made in the name of the wrong person and as such cannot be corrected. It would therefore be unlawful for the application to be considered on 31st May, much less granted by the council, in the name of a company that has not complied with the procedures.

22. In addition, if the public notice was not published in a local newspaper, the application is also invalid and should be rejected for this reason alone.

23. It also cannot be said that SDC have not known about the invalidity of the application as, even ignoring that the application was apparently checked and validated on 10th April, the matter has been raised on several occasions since, and the consequences of not rejecting the application in a timely manner have been highlighted.

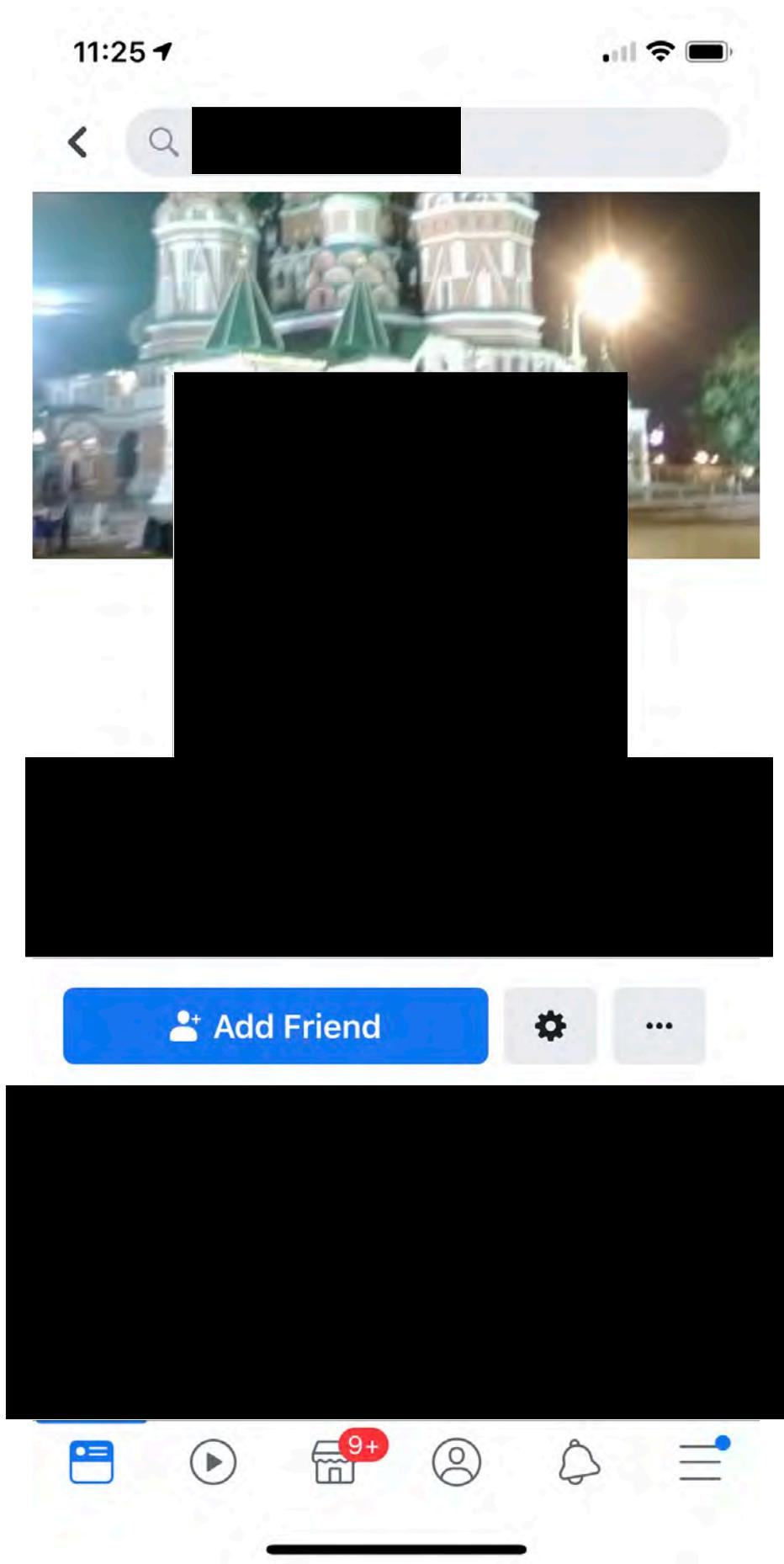
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Please can you confirm by return that the applicants will be notified that the hearing cannot go ahead on 31st May, failing which we will take further legal advice as to our remedies, which may include immediate injunctive relief in the High Court.

This letter will also be delivered by hand 23rd May 2019, we expect a response no later than 4pm, Friday 24th May 2019

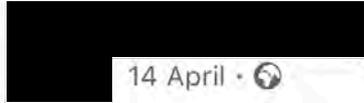
Yours sincerely

Simon and Elizabeth Giles – South Wing, Lullingstone Castle
Andrew Baker and Katarina Hudecova – White Passage, Lullingstone Castle
Richard and Valerie Wells – Lakeside, Lullingstone Castle
Jonathan and Sharon Ward – The Old Stables, Lullingstone Castle
Belinda Carrick and Andrew Perman – Moll Cob, Lullingstone Castle





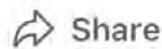
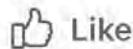
11:05



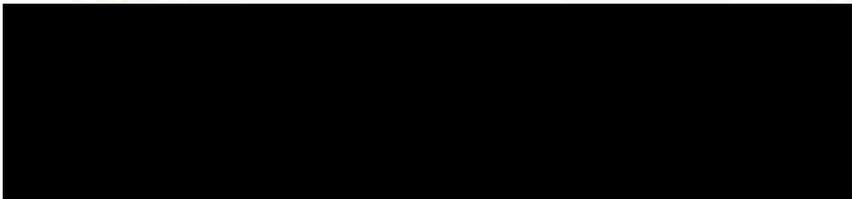
14 April



Today I went out with the Saturday Walkers Club London. And we started from Shoreham Kent. And approximately 11 of us turned up on the day. During the Walk. We went through Shoreham. Until we went through the Countryside. And we had to Walk along a Public Footpaths where the Golf Course is. Not only that. We went to Lullingston Castle. Not only that. We had a look around St Bololphs Church close to the Castle as well. Then 4 of us continued Walking. Then 2 people went Home early. Because 1 of them had to be in a Meeting. And 2. This Maturated Chinese Woman or Asian Woman was suffering with something. While me and this Maturated Woman stopped to have our packed Lunch outside a Church as soon as we got back to Shoreham. Then we continued Walking. But during the Walk. The instructions of where we were supposed to go were Quite confusing. But we tried our best. Then later on. We went through Otford. While my Mother calls me. Then we continue Walking. But the instructions were still confusing. So we Walked along the Road going back to Shoreham one more time. This time we went back to the Railway Station. This was after 16:00. And we caught the Train at 16:08.

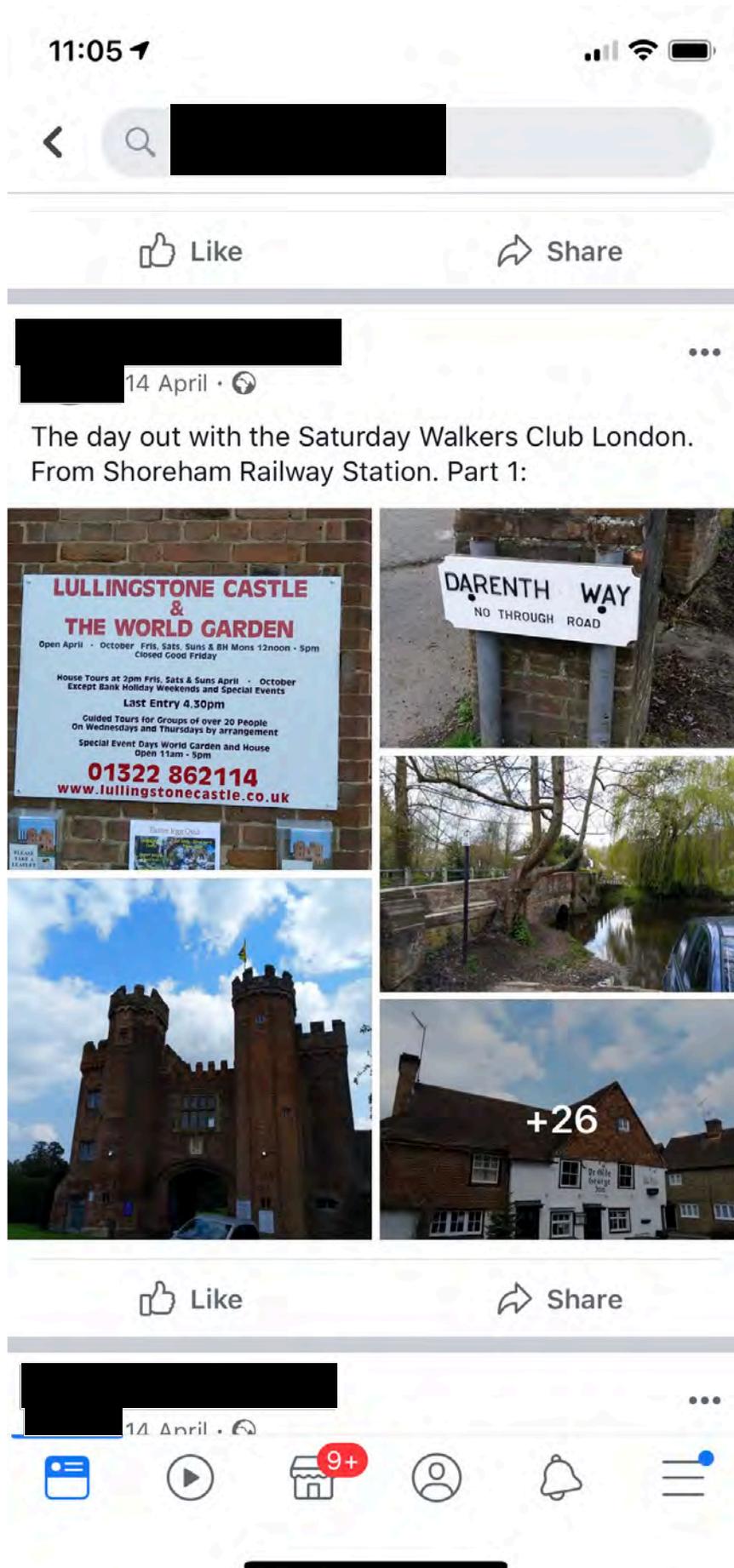


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14 APRIL

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12 April ·

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2

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invariably be of a very young age as this is a family event and in my opinion is a completely unacceptable risk. Again I am not aware of any risk assessment being carried out and supplied for scrutiny.

It has also been brought to my attention that the bus will stop at 4pm, the event finishes at 9pm. An obvious question is how will those that have parked in Eynsford or arrived by train get back to their cars/train? The only route is to walk along the A225.

In summary on this point, there is no mention in any plan I have been given/seen (including the traffic management plan) on how the traffic should be controlled on this section of road to facilitate the manoeuvring of this vehicle safely or to mitigate any of the risks posed to pedestrians and other road users. I have received nor seen any copy of any risk assessment concerning this and can only assume one has not been carried out, as such I do not believe that due diligence has been carried out either by the event planners or Sevenoaks Council on this.

I have also spoken to Kent Fire & Rescue who sent a fire engine from Sevenoaks to check on access for emergency vehicles but anything they recommend are only that, recommendations and they have no power of enforcement. As such they stated that they consider this to be an unsuitable venue but would have to deal with whatever arose as best they could.

Evacuation plan - a plan has been carried out though I do not believe that due care has been taken to look properly at the exit routes.

The first exit is through the gatehouse, this is residential and not sure if that has any bearing on it being a viable exit route.

The second is via the vehicular exit from the grounds which is through an automatic black wooden gate, this is not a pedestrian route and so does not have the necessary safety features on the gate mechanism required if it is used for pedestrian access for the public.

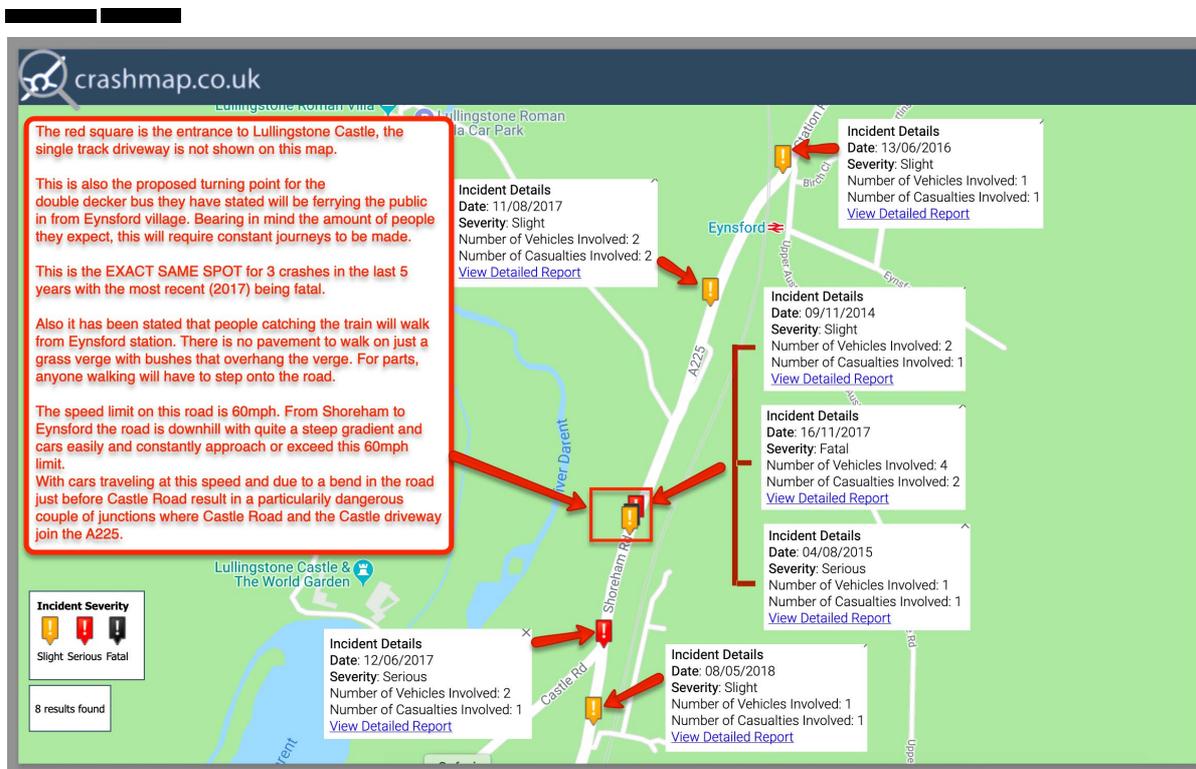
The third is the walkway bridge over the river, this is open on both sides with gaps large enough to fit a fully grown man through easily let alone a child. As such I believe that the bridge itself should have a risk assessment carried out on it and work carried out to minimise any risk, I am not aware of any such assessment having been carried out and have not seen it in any plan.

I have included the summary of crashes over the last few years, I have attached further photos regarding access and the siting of toilets in a second email as this one was getting a bit large.

Please can you acknowledge receipt of this email and the one following with further images.

Best wishes,

Andrew Perman



On 30 May 2019, at 11:44, Andrew Baker [redacted]

Sent from my iPad

Begin forwarded message:

From: David Lagzdins [redacted]
Date: 29 May 2019 at 21:24:28 BST
To: [redacted]
Subject: 19/00660/LAPRE - Lullingstone Castle Lullingstone Lane Eynsford Kent DA4 0JA

Dear Mr Baker

Thank you again for the letter received last week concerning the above licensing application. We thank you for bringing these issues to our attention.

We note your concerns that the licensing hearing should not go ahead. Below, we have endeavoured to consider carefully the issues which you have raised. We would draw your attention, in particular, to our response relating to the notice period.

Notice Period and Prejudice

You have raised a concern that the blue notices around the premises may not have been put up at the appropriate time. Given this concern

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we are asking and would welcome the parties to the hearing to make submissions as to:

- i. what evidence (or understanding) parties have as to when the notices were put up; and
- ii. what prejudice is likely to have or have not been experienced if the notices were not affixed on the correct date.

The Hearing would intend to consider this aspect as a preliminary matter and to consider whether it is appropriate for the application then to be considered itself.

We appreciate that some information has already been sent to the Council on this matter. However, we would ask that all parties be prepared to make submission on this issue.

In my telephone call with Mr Giles earlier he asked whether the notice requirements should be met absolutely, that is that any failure to abide by part of the notice requirements should make the application invalid. Our understanding (taking account of cases such as *R (Akin (trading as Efes Snooker Club)) v Stratford Magistrates' Court* [2014] EWHC 4633 (Admin) or *R v Secretary of State for the Home Department, Ex p Jeyanthan* [2000] 1 WLR 354) is that we must consider

1. Is the statutory requirement fulfilled if there has been substantial compliance with the requirement and, if so, has there been substantial compliance in the case in issue even though there has not been strict compliance? (The substantial compliance question.)
2. Is the non-compliance capable of being waived, and if so, has it, or can it and should it be waived in this particular case? (The discretionary question.)
3. If it is not capable of being waived or is not waived then what is the consequence of the non-compliance? (The consequences question.)

In this we are focussing on the issues of what the purpose of the notice was (i.e. to make the public aware of the application) and - if the requirements were not met - what prejudice has been suffered by this failure to meet the requirements.

Name of the Company

We understand that in several places on the application form and on the public notice the applicants stated an incorrect company name.

We consider that this was an error by the applicants. However, we also consider that as a Council we had reasonable certainty over the identity of the applicant. The application form stated a registered company number whose registered address matched the address submitted and who also had a director which matched the director stated on the form. We believe that the application was made by Kent Foodfest Limited (co. no. 09837484).

We note that each case cited on this issue related to interpretation of Section 123 of the Magistrates' Court Act 1980, which does not apply here. We also feel that there may have been some misunderstanding of paragraph 68 of the *Essence Bars* case (for which we would also direct you to paragraph 72 of that case). We do not believe this is a question of changing the applicant and we do not feel that the caselaw raised is directly analogous. In any event, we feel that the identity of the applicant has been and remains certain to the Council.

We acknowledge that the application form had not been published in full on our website. We apologise for that oversight. However, we have endeavoured to provide the information once requested.

Validation

As a point of information, we would like to clarify that the application in February was not withdrawn, but it was invalidated.

Publication in a Newspaper

The Council understands that the public notice was indeed published in a local newspaper. The Council did take a copy of this newspaper. However, further to our telephone call I am currently unable to provide the details of which newspaper this was and when. We will try to make this information available in time for the hearing.

We thank you again for bringing your concerns to our attention. Please feel free to get in touch if there are any issues arising from this email which I can assist with.

Regards

David Lagzdins
Senior Solicitor
Sevenoaks District Council | Council Offices | Argyle Road | Sevenoaks | Kent | TN13 1HG
Tel: 01732 227350
DX 30006 SEVENOAKS
Email: [REDACTED]
Online: www.sevenoaks.gov.uk

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<image001.jpg>



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From: [Andy](#)
To: [Democratic Services](#)
Cc: [Andrew Perman](#)
Subject: Fwd: 19/00660/LAPRE - Lullingstone Castle Lullingstone Lane Eynsford Kent DA4 0JA
Date: 30 May 2019 14:46:36
Attachments: [FoodFest A225 traffic concerns1.png](#)
[FoodFest A225 traffic concerns2.png](#)
[FoodFest A225 traffic concerns3.png](#)
[FoodFest A225 traffic concerns4.png](#)
[FoodFest A225 traffic concerns5.png](#)
[Toilets.png](#)
[Toilets1.png](#)

Hi Holly,

These are pictures that accompany my previous email. Both of these emails have already been sent to the following:



Best wishes

Andrew Perman



Begin forwarded message:

From: Andy [redacted]
Subject: Re: 19/00660/LAPRE - Lullingstone Castle Lullingstone Lane Eynsford Kent DA4 0JA
Date: 30 May 2019 at 13:31:40 BST

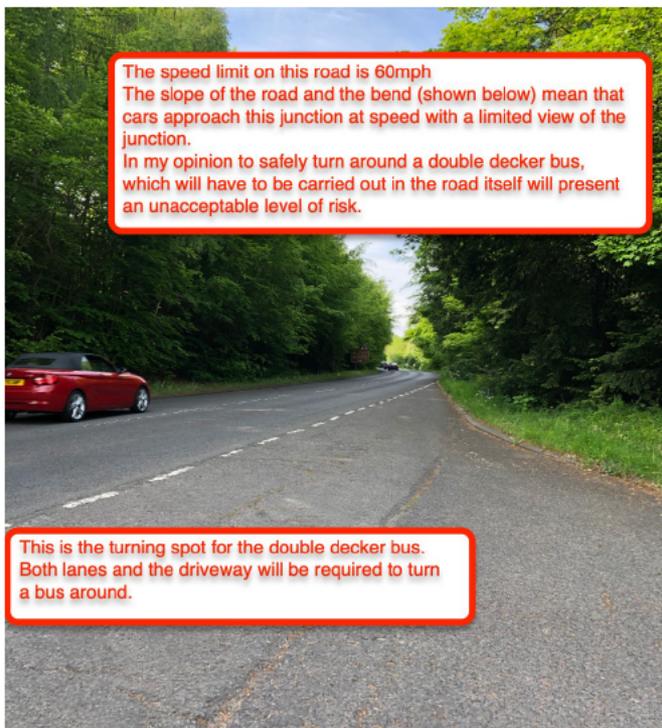


Hi David,

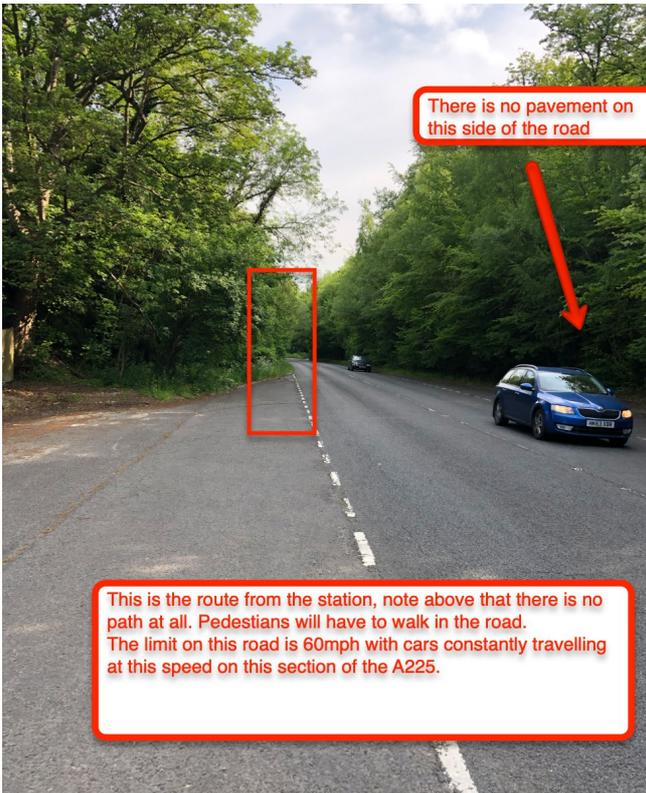
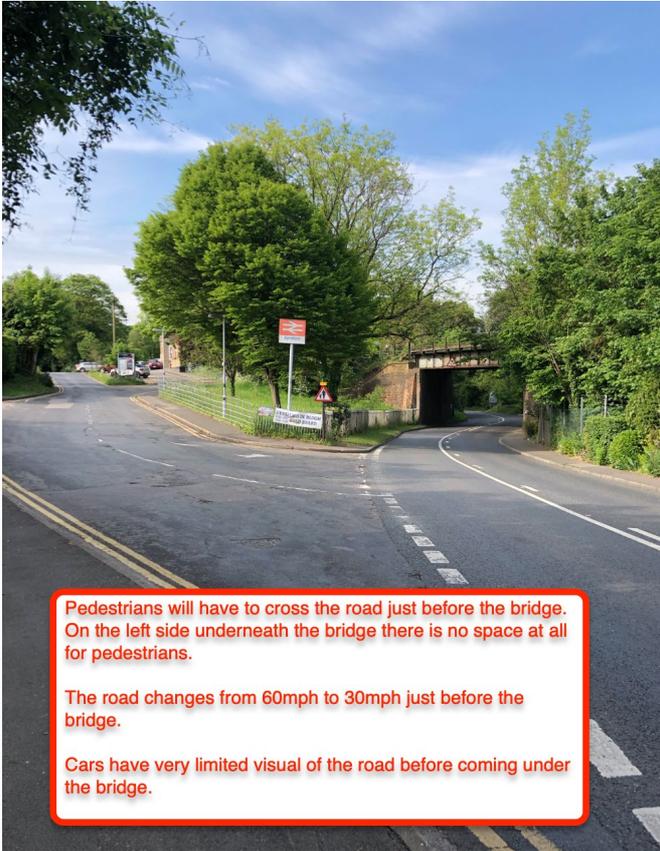
Please find further images attached following my earlier email. Please can you acknowledge receipt of this email.

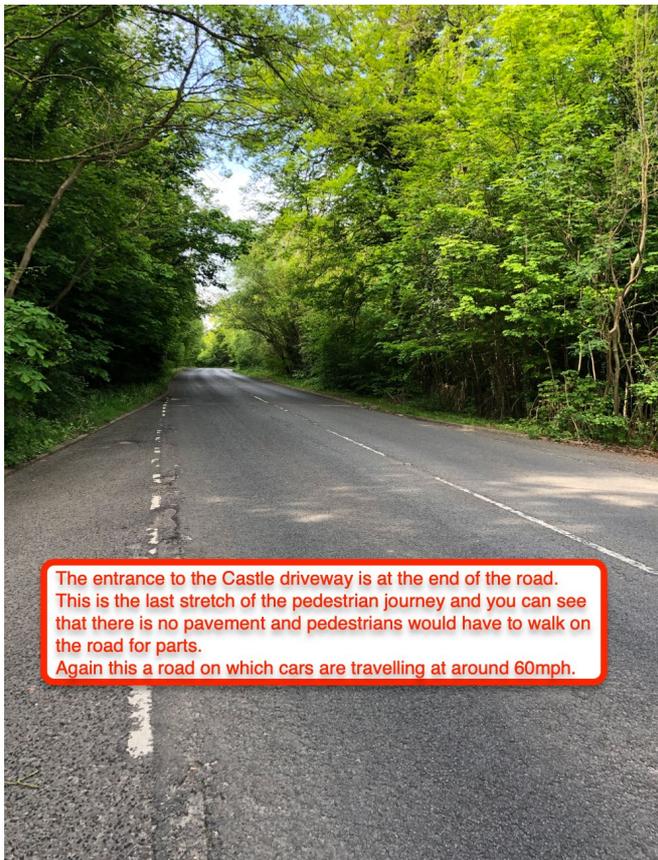
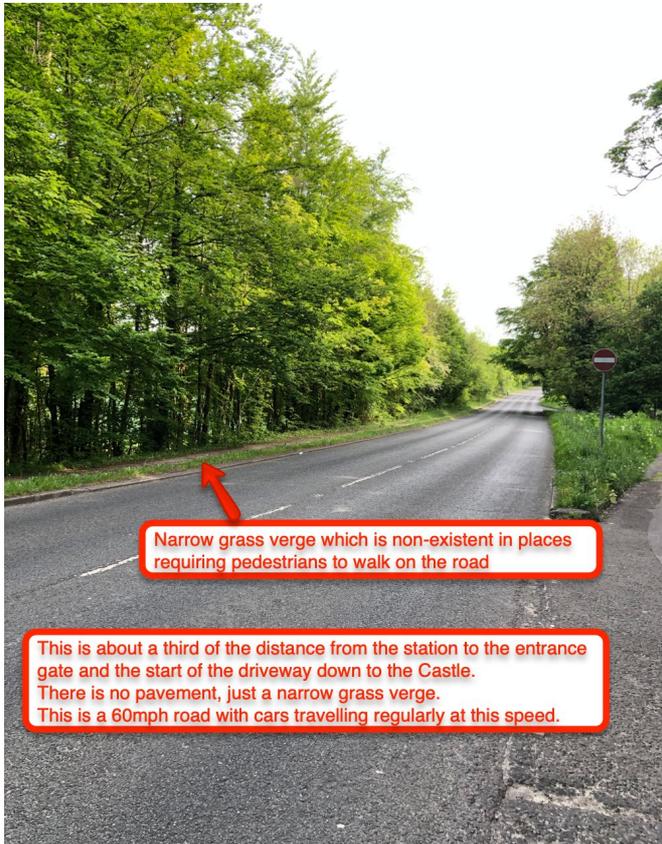
Best wishes

Andrew Perman



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