

Merton Council

Licensing Sub-Committee

30 January 2019

Supplementary Agenda 2

6 Further Additional Information

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- Additional information from Applicant
- Additional statement from Metropolitan Police
- Additional letter from Licensing Authority
- Additional information and 3 appendices from Environmental Health
- Correspondence – Registry Office
- Additional Comments – S Denne
- Additional Position Statement – K Skriczka
- Correspondence and additional information – Spackman
- Additional comments from various Interested Parties

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Additional Information submitted by Applicant

-----Original Message-----

From: Dudley Sessford
Sent: 25 January 2019 09:18
To: Sarah Tew
Subject: Manor House Care Home.

Hi Sarah.

Just a quick email to your company about my views towards the concert in the park last year. We at Manor House were very happy with the way that your company "We Are The Fair ." Organised the event .The position of our Residential Care Home is very close and lays right on the edge of the park . We would get the full noise of any event held in the park . So I'm very conscious about noise and safety We did not have any problems with the sounds that we were expecting from your weekend event. In fact during the afternoon there was about 8 residents enjoying there afternoon tea in the garden and I noticed several of them tapping there feet to the music .

We never had any problems with the youngsters walking to the park as the security was positioned in the areas that we experienced the year before . As toilets were positioned in perfect places .I'm very happy with what you said would happen 'did happen .

So a Big thank you to you

"Sarah"

And your company for putting on a secure and professionally Run concert . Looking forward to seeing all the happy faces as they pass by the Manor House this coming summer event .we are looking forward to the music..

With regards

Dudley Sessford . Proprietor

Eastern Electrics chose St Raphael's Hospice as the beneficiaries for donations given by guest list entrants. We are the local Hospice for Merton and Sutton and therefore were extremely grateful for the support from this local event. We support a large number of Morden residents who are struggling through a terminal illness. Our expert hospice care enables them to live life as independently as possible, maximising their quality of life, managing symptoms and receiving specialist support and advice. We were thrilled to receive £1,790 and were very pleased to show the organiser, Rob, around the Hospice building to show him just what a big impact these funds could make for our patients and their families. 80% of our care is also delivered in patients own homes and this incredible amount of money could pay for over 27 visits from our Clinical Nurse Specialists. Thank you Eastern Electrics for choosing St Raphael's, your local Hospice, to benefit from this fundraising. We hope to continue working with you in the future.

Emily Nicholls
Head of Donor Development



Caring for people in Merton and Sutton. Did you know that 80% of the money needed to run the hospice comes from fundraising, donations and legacies?

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Additional Comments received from Metropolitan Police

Dear Democratic Services,

I would like to add to my representations in relation to the Morden Park Licensing Application to be heard on Wednesday 30th January 2019. I apologise for the late submission.

With the Prevention of Crime and Disorder, and Public Safety in mind, I wish to express concerns about the inclusion of a Swimming Pool within the event plan.

The applicant provided a draft Swimming Pool Management Plan on 24th January 2019 and some examples of other "Pool Party" events. I am still unable to properly assess the risks relating to drowning due to alcohol/drug consumption, and sexual assaults as these do not appear to have been addressed in the management plan. I will ask the sub-committee not to allow the Swimming Pool element unless further reassurances, measures are put in place.

Regards

Russ

Russ STEVENS PC3852SW P191701

Merton Licensing | Wimbledon Police Station | Metropolitan Police Service

Metphone 733074 Telephone 020 8649 3074 Mobile 07387 257526

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The Licensing Officer
London Borough of Merton
Licensing Team
14th Floor Civic Centre
London Road
Morden
SM4 5DX

Licensing Section
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 3798
Fax: 020 8545 4025
Email: licensing@merton.gov.uk

My Ref :
Please Ask For: Barry Croft
Your Ref:

Date: 29 January 2019

Dear Sirs,

**Blue Fox Events Limited Morden Park London Road Morden London
SM4 5QU –New Premises Licence Application No. WK/201809200.**

Licensing Act 2003

Further to the Licensing Authorities letter of representation dated 6 December 2018, in connection with the above event and application for a premises licence, I write to set out some further conditions which we ask the Licensing Sub-Committee to consider.

Definitions:

Event The two day period in any calendar year to which the premises licence applies, being the Saturday and Sunday of either the last weekend in July or the first weekend in August

Event period: The period during which the public are allowed on the premises, being from [...] on the Saturday to [...] on the Sunday

- 1.** Each year, the Premises Licence holder will undertake a full and detailed consultation with each of the responsible authorities. This consultation will take place through a Multi-Agency Planning Group (Chaired by the Local Authority) in the lead up to, and during the event.
- 2.** Each year, at least 4 months prior to the commencement of the event, the Premises Licence holder will notify the Licensing Authority of the proposed dates for that year's events.

3. An initial Event Safety Management Plan (ESMP) (first draft) shall be made available to the Licensing Authority at least [...] days prior to the commencement of the event period that will include any additional information or improvements identified and agreed from the previous event's multi-agency debrief.
4. The ESMP shall contain detailed proposals for each event in policies and plans to promote all the licensing objectives of public safety, prevention of crime disorder, prevention of public nuisance, protection of children from harm. The EMP shall be made up of the following documentation:
 - 1) Alcohol Management Plan;
 - 2) Campsite Management Plan;
 - 3) Command, Control and Communications Plan;
 - 4) Crime Prevention/Reduction Plan;
 - 5) Crowd Dynamics Plan;
 - 6) Fire Safety Management Plan;
 - 7) Major Incident Plan;
 - 8) Medical and Welfare Plan;
 - 9) Noise Management Plan;
 - 10) Sanitary Facilities Plan;
 - 11) Security and Stewarding Operational Plan;
 - 12) Site Plan;
 - 13) Ticket and Entry Policy;
 - 14) Trader Information Management Plan;
 - 15) Traffic Management Plan;
 - 16) Venues Plan;
 - 17) Waste Management Plan;
 - 18) Water Supply Plan;
 - 19) Villages Proposal;
 - 20) Public Safety Management Plan; and
 - 21) Schedule of Key Dates.

5. A final ESMP shall be made available to the Licensing Authority and Responsible Authorities no less than 30 days before the start of the event period. The contents of the EMP shall be fully complied with each year which shall convert to a condition of the Licence on receipt of the approval in writing from the Licensing Authority.
6. No changes will be made to the ESMP without the prior written consent of the Licensing Authority within the 30 days prior to the event period.
7. The licence holder shall produce a public facing document based on the ESMP to ensure that local residents and others are kept informed. The public facing document shall be produced not later than 56 days before the start of each event period.
8. The Premises Licence holder will set up a publicised meeting each year with local residents prior to the first event date. This meeting will be to discuss plans for the Event and receive residents' feedback.
9. The Premises Licence holder will set up a publicised meeting each year with local residents after the final event date. This meeting will be to receive residents' feedback.
10. Capacity: Saturday: [...]
 Sunday: [...]
11. Duration of licence: 2 years
12. Following the circulation of the draft ESMP's, the premises licence holder, or an agent on behalf of and under the authority of the premises licence holder, shall consult with all responsible authorities and shall take due account of any representations made by a responsible authority regarding the content of the ESMP documents.

The Licensing Authority reserves the right to submit further supporting evidence in connection with this representation, and to assist in oral evidence to be given at any Licensing Sub-Committee hearing organised to determine this variation application.

Yours faithfully,



Barry Croft
Licensing Manager
Licensing Team
 Part of the Regulatory Services Partnership serving the
 London Borough of Merton and the London Borough of Richmond upon
 Thames.

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MEMORANDUM

To: Democratic Services

From: Andrew Pickup, Principal Environmental Health Practitioner

Tel: 020 8545 3887

Date: 29 January 2018

**LICENSING SUB COMMITTEE HEARING – 30 JANUARY 2019
BLUE BOX EVENTS LTD
EASTERN ELECTRICS, MORDEN PARK**

**ADDITIONAL INFORMATION FOR THE LICENSING HEARING FOR
EASTERN ELECTRICS**

I refer to my representation, dated 3rd December 2018 relating to the licence application to hold a dance music festival in Morden Park. My initial comments were based on the application submitted at the time which was a 3 day festival and up to 30,000 attendees. No details of noise control measures were submitted with the initial application.

The use of open space should be available to all including festival events bringing levels of diversity into the Borough of Merton, but this should still be subject to some limitations to provide a suitable degree of protection for residents who have likely lived in the area for some time who are not expecting to be unduly disrupted during their own leisure period.

Following the amendment to the application, which has resulted in a reduction of the duration of the festival it is likely there will be a lesser impact than the 3-day event. It seems appropriate to adjust the noise criteria slightly from those initially suggested whilst still providing a good degree of protection for residents in close proximity to Morden Park and further afield.

I have discussed the noise issues arising from last years' festival with the organisers and the level of complaints that had been received by the Council. We requested that a suitable and workable Noise Management Plan was produced prior to the sub-committee hearing. This has now been undertaken.

The Noise Management Plan is a working document that has a main objective about how and by who the noise is monitored and managed, together with how complaints are handled, recorded and actioned.

The noise management plan allows for flexibility in measurement locations and these will be agreed prior to the event and could be dependent of weather conditions but we would expect these to include locations close to residential properties.

The noise levels contained in the Noise Management Plan are lower than the previous event, which was an important factor to ensure a reduction in the impact the festival has on residents. The average target level is 65dB(A) when measured over a 15 minute period with a maximum of 70dB(A), and a low frequency target level of 85dB at 63Hz at which point further investigation is required and any possible action carried out to meet this level. Following the draft submission of the Noise Management Plan, which was reviewed, Environmental Health provided feedback requesting amendments and these have been included in the final version of the noise plan which is now acceptable to Environmental Health. The plan is attached as Appendix 1.

In summary, the plan largely incorporates the conditions outlined in my initial representation but allows some slight flexibility on noise levels given the reduced event duration.

Staff from Environmental Health would be present at the event to monitor compliance with the Noise Management Plan and undertaking noise assessments.

I would recommend that, if granted, the following conditions are placed on the licence;

- 1) The Noise Management Plan, which incorporates details of resources, monitoring strategy, noise levels, monitoring sites, sound attenuation at each 'venue', noise and sound system management together with Local Authority liaison and complaint handling shall be implemented and adhered to throughout the duration of the event.
- 2) Noise levels monitored should applied one metre from the façade of the nearest noise sensitive premises.
- 3) The organisers for the festival to take full responsibility for the setting up and management of the noise hotline which must be available throughout the event.
- 4) Amplified music for the event shall not be permitted outside the hours of 11:00 to 22:30 Saturday and 11:00 to 22:00 on Sunday with the exception of sound tests.

In addition and to provide some comparison or perspective on the levels, a few examples are provided on the chart in Appendix 2.

Appendix 3 shows noise limits at other festivals. The shows Morden Park having the lowest.

Andrew Pickup
Principal Environmental Health Practitioner

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Morden Park Eastern Electrics Event, 3rd-4th August 2019 **Noise Management Plan V4**

A. Objectives

- 1** Together with the organisers, Anderson Mitchell have produced this Noise Management Plan (NMP) which sets out the planned steps and measures that the organisers will take to manage noise from the event and its potential to cause disturbance.
- 2** The NMP needs to be considered together with details of the proposals contained within the operational plan. The NMP is a working document subject to change and amendment prior to the event to allow for changing circumstances and input from Merton Council Officers. All changes will be notified to Local Authority officers and issued as an amended NMP prior to the event. It is accepted that this document forms part of the licence proposal and that the organiser is therefore committed to implementing the NMP. Any changes will be minor and will not impact upon the licensing objectives. Wherever possible all such changes will be agreed with the appropriate Merton officers.
- 3** The primary objective is to monitor and manage the noise levels on and off-site to minimise disturbance to nearby residents and ensure that the noise conditions attached to the event's licence are complied with. This objective is assumed compatible with the need to ensure sufficiently high levels within the venues to ensure audience satisfaction.
- 4** The Anderson Mitchell Noise Team (AMNT) will pursue the primary objective by measuring noise levels on and off-site, sharing information with Merton officers, and effecting changes to on-site levels to ensure the primary objective is achieved.
- 5** Control will also be affected over additional noise sources eg traders.

B. Noise Management Resource-personnel and equipment

1 The organisers, We Are The Fair, have contracted Anderson Mitchell to provide the acoustic advice, monitoring and liaison role. There will be a team of 4 provided by Anderson Mitchell¹ for the duration of the event. Steve Anderson is the principal consultant who will manage the team and take the lead role in resolving any noise issues and liaising with the Licensing Authority.

Anderson Mitchell provides acoustic services to a variety of clients including other local authorities and festival/dance organisers. Steve is a qualified Environmental Health Officer and holds the Diploma of the Institute of Acoustics as well as Noise at Work and Environmental Noise competence certificates. The remaining staff will be Environmental Health Practitioners experienced in environmental noise assessments and events, Acoustic

¹ This NMP does not bind organiser to using Anderson Mitchell and the plan provides for other contractors of equivalent competences to be engaged.

Consultants, or event production staff/engineers familiar with events, stage PA equipment, and their management.

- 2** All sound level meters used for environmental monitoring will be integrating meters to Type 1 specification and subject to a current calibration. At least one of the meters will be capable of real time octave and one third octave band analysis.
- 3** Additional meters will be provided to monitor levels within the venues and may be installed for the duration of the show dependant upon security of location at "front of house" positions. It is intended to provide metering to the 4 largest venues.

C. Monitoring Strategy

- 1** The noise team will be on-site from 10.00 until 22.30 on the 3rd and 4th. One member of the noise team will be deployed for off-site monitoring. 2 staff will be mainly engaged in on-site venue level monitoring, with the 4th member available as a floating resource, to co-ordinate the exercise, conduct additional off-site measurements, investigate complaints or other problems, provide a contact point for Merton officers, check compliance with the miscellaneous noise conditions.
- 2** Short term Leqs will be measured off-site to ensure levels are controlled in the shortest possible time. Where the Music Noise Level (MNL) is measured at or in excess of the licence conditions as short term Leq then off-site measurements will be immediately relayed on-site in order that the stage levels are managed to ensure compliance in the shortest time possible.
- 3** Where such a potential breach situation is identified it will be necessary to ensure the on-site AMNT members are mobilised on site and the process will be managed to
 - a. identify the stage(s) requiring levels to be reduced or modified and
 - b. the guide stage level(s) reduced and new stage level(s) set.
- 4** The results of any action will be reviewed by the off-site monitoring consultant. From becoming aware of a potential breach or actual breach of the licence conditions there will be a target response time of 20 minutes to identify and modify source levels.
- 5** Details of any breach/infringement, cause and any remedial action taken shall be recorded and those records made available to officers from Merton upon request.
- 6** Amplified music shall not be permitted outside of the hours of 11.00 to 22.30 (22.00 on Sunday) on show days with the exception of sound test/checking which may be carried out on the day prior to the commencement of the event between the hours of 16.00 to 18.00, and on the show mornings between 09.30 and 10.45.
- 7** The control limits set on site shall ensure that a Target Music Noise Level (MNL) of 65dB LAeq (15mins), measured at the monitoring locations, shall be achieved. Where the Target MNL of 65dB LAeq (15mins) is exceeded then suitable and appropriate action shall be taken to meet this Target Level. An Absolute MNL of 70dB LAeq (15mins) measured at the monitoring locations shall not be exceeded.
- 8** Measurements will include octave and one third octave band measurements where useful in the identification of any intrusive frequency. In particular routine measurements will be made of 63 Hz octave band levels. Where the 63Hz octave band level exceeds 85dB then further analysis will be carried out to determine any particularly intrusive third octave frequencies that warrant control.

9 The on-site member(s) of the noise team will be primarily concerned with monitoring levels within the venues. This part of the exercise will provide quantitative information on levels to assist in the situation where they need to be reduced.

10 Fixed locations will be established within each venue at the front of house (FOH) sound/lighting engineer or other suitable position from which to take measurements and where practical a meter display system installed for the duration of the event.

D. Environmental Monitoring Sites

1 Actual sites will be finalised and mapped with the agreement of Merton officers to ensure complete consistency of measurements and observations. The monitoring of these sites will be determined prior to, and as the event progresses dependant upon weather conditions i.e. those locations with the most critical levels (in relation to the licensed levels) will be monitored more often than secondary sites where periodic checks will be made to validate this approach.

2 The selected monitoring sites are shown in plan at Appendix 1.

3 Whilst the monitoring/licence criteria will be as a 15 minute LAeq, routine off-site monitoring of MNLs will be over as short a period as possible commensurate with acquisition of accurate data. In this way a contemporaneous understanding of off-site levels can be achieved in order that swift response can be made on-site to venue levels to avoid a monitoring/licence criteria breach.

E. Sound attenuation works to Venues/PA orientation

1 The PA systems are generally orientated into the middle of the site to minimise impact on most sensitive off-site locations.

2 All main PA systems on site will be provided by RSH which allows for greater coordination and control.

3 The main PA to the venues will be flow or stage stacked and angled down into the audience area to minimise spill, and cardioid subs will be used generally in venues to reduce wasted sub energy. See Appendix 2 for details.

5 There will be a staggered shut down of venues from 30 minutes prior to end of show on both days. The current proposal is attached at Appendix 3 and will be assessed dynamically on-site for implementation.

F. Setting levels in each venue

1 Noise levels will be monitored continuously throughout the event at each venue. If any guide level reaches the control limits set, the sound engineer will be advised and where necessary required to reduce the levels. In addition to the control of the overall sound level, frequency adjustments can also be made to reduce the sound at certain low frequencies, often characterised outside as a 'Bass beat', and MC vocals channel.

3 The venue guide levels will be modified should that be necessary throughout the event in order to ensure satisfactory off-site environmental levels.

4 The organiser will leave some "headroom" early in the event to provide a safety margin to insure against the consequence of adverse climatic conditions developing later during

the event, and to be able to allow some upward movement of levels should that be necessary to maintain audience satisfaction.

5 Measurements within the venues will be made from fixed locations to provide representative levels against which changes can be made and measured. Fixed metering displays will be set as A weighted rolling 5 minute Leq to provide a reference point for sound engineers as well as a slow SPL. Meter levels will be logged.

6 A meeting with all the sound engineers before the start of the event will be arranged to brief everyone of the noise control and management process.

G. Sound Systems configuration and management

1 The PA systems for all of the main venues are provided by RSH and will be supervising the remainder. Once installed systems will be set up and supervised solely by RSH engineers to achieve levels as mentioned above.

2 During the event any engineers for individual acts will have only limited control over the system in their area. When the systems are set up the act engineers will only have access to adjust the frequency and mix. The overall levels in the venues will be supervised by RSH crew.

H. Management of other potential noise sources

1 Traders will not be permitted PA systems.

2 Compressed air horns will not be permitted on the site and will be removed by security on search entry.

I. Liaison with LA and complaint handling

1 The AMNT will be contactable by Merton officers via mobile phone as well as the Event Control line. The AMNT will operate from the Production Office.

2 The AMNT will report directly to the Event Manager Yasmin Galletti. Steve Anderson will be primarily responsible for liaison with Merton officers. It is suggested that this may be through both programmed meetings if requested by Merton, as well as ad-hoc issue based discussions as and when circumstances necessitate.

3 The AMNT will seek to work closely with Merton officers, agreeing any changes to off-site monitoring positions, sharing noise data observations and other information wherever possible. A role that the AMNT will fulfil is to ensure that Merton officer requests are translated into action by the appropriate personnel within the Morden Event Control. All requests relating to noise will be routed through the AMNT to ensure any noise issues are properly managed and dealt with as soon as possible.

4 Morden will establish a Noise Hotline for any complainants when music PA is being used. The number (**TBC**) will be widely distributed to local residents a letter-drop. The number will also be provided for Merton to have available via their out of hours service should they wish. Any complaints will be logged and kept available for inspection by Merton Officers.

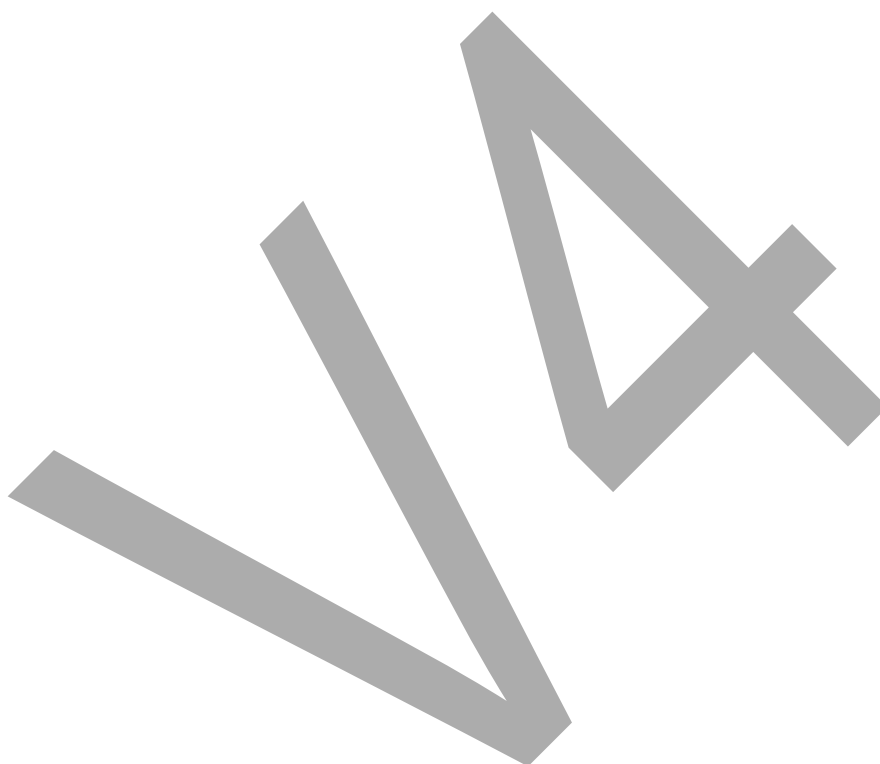
5 It is requested that in the event that Merton receive complaints directly via their out of hours service, then, in addition to any action which they may or may not take, any complaint will be relayed to the AMNT as soon as practical. Upon receipt AMNT will investigate where practical by directly relaying the matter to the off site team member. We

undertake to report back to Merton on any matters referred to the AMNT in terms of findings and action taken.

6 Merton officers will have access to any noise logs or measurements made during the event.

7 References to contact with Merton Officers during the event will be dependant upon Merton determining it that it wishes to attend the event and does not infer any commitment on the part of Merton Officers.

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Appendix 1- Monitoring locations



Appendix 2- PA description for main stages

Main Stage

Flown (higher than 2018) Array. Processed d&b J-Series Line Array, with cardioid J or B22 Centre Sub Array.

Big Top

Flown d&b V-Series Line Array, with delays, with cardioid V-Sub & J-Infra or B22 Centre Sub Array.

Switchyard

Flown d&b V-Series Line Array, with cardioid V-Sub & J-Infra or B22 Centre Sub Array.

Plant Room

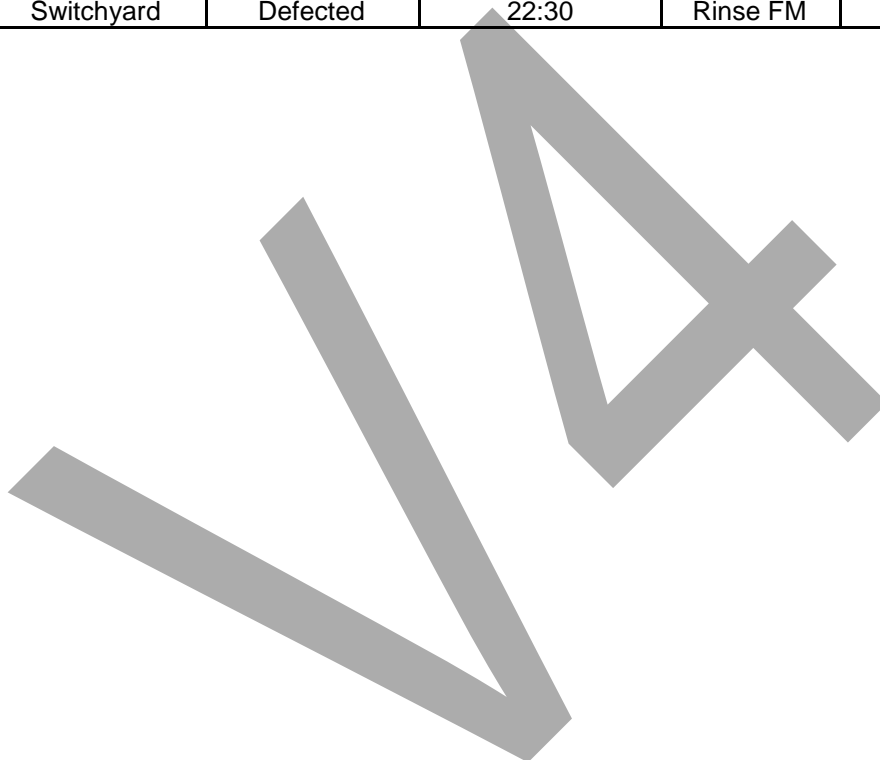
Ground stacked d&b V-Series Line Array, with delays, with cardioid V-Sub cabinets.

FutureEE

Ground stacked d&b V-Series Line Array, with delays, with cardioid V-Sub cabinets.

Appendix 3-Proposed stage close times

ARENA	SATURDAY BRAND	SATURDAY CLOSE	SUNDAY BRAND	SUNDAY CLOSE
Electric City	Tropical Tea Party	21:00	Croydub	21:30
Stretch Tent	FuturEE	21:15	Close	Close
Pool Stage	Ibiza Rocks	21:30	Kiss FM	21:15
Plant Room	Rinse	21:45	Matt Jam Lamont	21:30
Main Stage	Eastern Electrics	22:00	Eastern Electrics	22:00
Big Top	Skreamizm	22:15	RAM Records	22:00
VIP	Ministry of Sound	22:00 (music off) area open until 22:30	So Fresh So Clean	21:45
Switchyard	Defected	22:30	Rinse FM	21:00



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APPENDIX 2

Noise Comparison Chart.



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Appendix 3 – Noise Restrictions at other Festivals

Venue	Premises Licence Music Noise Condition	Low Frequency Music Noise Limits
Hyde Park (London)	75dB LAeq, 5 minutes 1m from the facade of any noise sensitive premises.	Additional Low Frequency and other conditions applied.
Victoria Park (London)	75dB LAeq, 5 minutes 1m from the facade of any noise sensitive premises.	Low frequency music noise limit was removed as a PL condition
Heaton Park (Manchester)	75dB LAeq, 15 minutes at designated locations	No low frequency limit
Queen Elizabeth Park (London)	75dB LAeq, 15 minutes at designated locations	No low frequency limit
Clapham Common (London)	75dB LAeq, 15 minutes at designated locations .	90dB LCeq, 15 minutes
Central East Park	75dB LAeq, 15 minutes 1m from the facade of any noise sensitive premises.	No known
Blackheath Common (London)	75dB LAeq, 15 minutes 1m from the facade of any noise sensitive premises.	90dB LCeq, 15 minutes
Brockwell Park	75dB LAeq, 15 minutes 1m from the facade of any noise sensitive premises	90dB LCeq, 15 minutes

Proposed:

Morden Park	Target value 65 LAeq (15 minutes) with absolute level 70 LAeq(15 minutes) 1m from the façade of any noise sensitive premises	Low Frequency at 63Hz of 85dB
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From: Sarah Tew
Sent: 24 January 2019 17:47
To: Sean Cunniffe
Cc: Amy Dumitrescu
Subject: RE: Eastern Electrics at Morden Park (WK/201809200)

Hi Sean,

Thank you for your reply. Sorry for the confusion, the ideal date as far as we are concerned is the first weekend in August. The last weekend in July/first weekend in August condition was suggested by Licensing and the Police (which we were happy to agree). However, as previously mentioned we have no intention to move the event to beyond the first weekend in August.

I hope this helps to clarify.

Best Wishes,

Sarah

Sarah Tew
ACCOUNT MANAGER
THE FAIR

From: Sean Cunniffe
Sent: 24 January 2019 17:54
To: Sarah Tew
Cc: Amy Dumitrescu
Subject: RE: Eastern Electrics at Morden Park (WK/201809200)

Hi Sarah – thank you for the update. I have seen all the recent compromises being offered as part of the revised application.

I have one remaining concern following the details passed to Democratic Services. At the meeting, after the 2017 event, I asked for flexibility in the proposed dates in future. This was primarily due to the Registry Office having a clear weekend in mid-August 2018. I was reliably informed that, due to the diary commitments of the artists, it was impossible to move from the first weekend in August. I now note that the application is asking for either this or the last week in July each year. This, if unchallenged, would potentially impact on two weekends that the Registry Office could not operate at full capacity. As you are aware couples often book in excess of 12 months prior to their wedding and the inability not to know a static weekend when the event is likely to be held would put off prospective couples on both dates.

Are the applicants willing to consider clarifying further and agreeing to the first weekend in August only? This would give us the much stability required.

Kind regards

Sean Cunniffe
Head of Customer Contact

From: Sarah Tew
Sent: 24 January 2019 16:00
To: Sean Cunniffe
Subject: Eastern Electrics at Morden Park (WK/201809200)

Dear Sean,

Thank you for your email outlining your objection to the licence application for Eastern Electrics at Morden Park (WK/201809200).

We have reviewed your comments regarding the addition of a Friday event, and we understand that the potential for a clash between a music event, and a death registration would be highly inappropriate. As a key stakeholder we are keen to continue work closely with yourself and your colleagues to ensure that we are able to prevent disruption to operations at the Registry Office.

Since we submitted the original application, we have since made several key changes, one of which being the removal of Friday events. I have attached a sample of a letter that we have sent to other residents and local stakeholders who have objected to the application.

Based on these modifications, I hope that you will be satisfied that the functions of the Registry Office may continue without interference, and based on this we would ask whether you are willing to withdraw your representation? If you still have further concerns I would be very happy to meet with you and discuss. Please let me know when would be convenient.

Best Wishes,

Sarah Tew
ACCOUNT MANAGER

THE FAIR

OBJECTION TO EASTERN ELECTRICS LICENCE APPLICATION

FURTHER COMMENTS IN RESPONSE TO THE APPLICANT'S AMENDMENTS TO THEIR APPLICATION

Ref: WK/201809200

I have read the Applicant's Statement and have the following comments to make. I shall respond to their points in turn, but would firstly like to point out that all the promises they made to improve after the 2017 festival were broken. Not only were there no improvements, but the 2018 festival actually had a far more detrimental impact on residents. I therefore have no faith that any of their promises will be met.

I now respond to each of their points in turn:-

1. Noise

They refer to the 2017 festival and the comparative lack of complaints. It is true that the noise was less of a problem in 2017, but a significant point that has been overlooked, is that the 2017 festival was on the Saturday only. People are far more likely to put up with something for just one day. Knowing that the noise will be repeated all over again the following day makes it far less tolerable and I have no doubt that complaints would have been much higher in 2017 if the duration had been both Saturday and Sunday.

Even if the noise is reduced, it doesn't alter the fact that the area is too densely residential and houses are far too close to the main stage. It is completely unacceptable to expect residents to put up with the noise and disruption for an entire weekend. The festival shouldn't take place in Morden Park at all, as it is an entirely unsuitable location for such an event.

2. Friday

I am pleased that the Friday element has been withdrawn, but see my comments above regarding the duration of the festival.

3. Sunday

No comment.

4. Licence Duration

Again I am pleased that the application has been amended to be time limited, but if we are unfortunate enough that the licence is granted, I would wish to see it re-applied for on a yearly basis as I don't trust the event organisers to adhere to their promises for improvement. They should prove themselves before they are given a two-year opportunity.

5. Capacities

The proposed increase to 29,999 on Saturday and 20,000 on Sunday in 2021 is ludicrous. The crowds were out of control in 2018, and I fail to see how they propose controlling a much larger crowd when they have already failed so

miserably last year. Again, this densely residential area is plainly unsuitable for such numbers.

6. Artists

No comment.

7. Response to Representations / Nuisance

a. Litter

This was a far worse problem than in 2017 and their previous promises on this problem were not met. I therefore have no faith in their further assurances.

b. Public Urination

No amount of toilets are going to be enough for such a huge crowd. Many of them arrive in Morden already intoxicated, needing toilets immediately. Intoxicated persons wishing to urinate are not going to queue; they will go wherever they can, as they did last year. I do not believe that all these extra toilets are going to solve the problem as it is impossible to provide enough toilets to eliminate the need to queue.

c. Nitrous Oxide Cannisters

No comment.

d. Lack of Visible Security / Police

Promises have been made before and not kept, so I have no confidence in these new promises.

e. Park out of use / Damages to Park

It is a public park and 17 days out of use is very inconvenient for park users! Their suggestion that it is not, smacks of arrogance and lack of respect for the residents.

f. Drug Dealing / Drug Use

I believe this problem will be impossible to control as the dealers will just move around to avoid detection. The size of the event will attract more drug dealers every year, and it is unacceptable to expect residents to put up with this undesirable element.

g. Egress / Traffic Management

The park entrance at the Beverley roundabout end of Lower Morden Lane was chaotic with cars dropping off and picking up. I witnessed some dangerous driving as those unfamiliar with the entrance were unsure where it was and dithered in the road, causing a bottleneck and several near misses. This road cannot cope with such a large amount of traffic.

The social responsibility incentive is all well and good and I'm sure that most of the festival goers are well behaved, but at the end of the day it is always the minority that ruin it for the rest. Even a small percentage of such a large crowd amounts to a significant number of people, and it is unfair to expect residents to put up with it.

8. Cooperation & Collaboration with Officers

The statement under this heading that "... both Licensing, MPS and Parks consider that there is a future for Eastern Electrics in Morden ..." fills me with dread. Please, please consider those of us who have to live on the edge of the Park! I note that those Councillors so keen to push it through live nowhere near the site. I would like to issue an open invitation to them to come and stay in my house, with their families, for the duration of the festival, and then tell me that those conditions are acceptable to endure.

9. Dialogue etc.

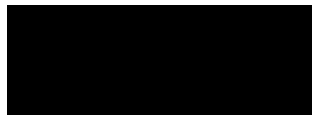
No comment.

10. Conclusion

I believe that the only reason the organisers are "hugely disappointed and sorry" about the 2018 event is because the results threaten their future at this location. They were not "hugely disappointed and sorry" when nobody could get through to their noise hotline, and indeed I never received a response from them to my complaint, which shows they actually didn't care at all. The Director didn't even bother to turn up to the recent community meeting. The lack of respect for residents is plain for all to see, not just from the event organisers, but from those Councillors who are attempting to force this through against the wishes of so many of their constituents, voters and tax payers.

I urge the panel to please take resident's concerns into account and stop this entirely inappropriate event altogether. The organisers had a chance to improve after the 2017 festival but they utterly failed to do so, and they should not be given another bite at the cherry.

Suzanne Denne



28 January 2019

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IN THE BOROUGH OF MERTON

BETWEEN:

BLUE FOX EVENTS LTD

Applicant

-and-

Mr & Mrs Skriczka

Respondent

UPDATED POSITION STATEMENT IN RESPONSE TO THE APPLICANT/ORGANISER'S
STATEMENT FOR THE HEARING IN FRONT OF THE SUB-LICENCING COMMITTEE ("THE
COMMITTEE") ON 30.01.19

Introduction

In regards to the supplementary agenda circulated on the 24th January we, Mr & Mrs. Skriczka, wish to respond and add on to our Position statement.

We speak as a local residents, parents and local community members. We have a 2 year old son who had been affected by the Eastern Electrics festival in 2018 in several ways: by hearing poor language, being unable to sleep and picking up nitrox oxide canister! We ourselves were also affected by the nuisance caused by this festival unable to sleep and unable to spend time in our own garden. We are expecting another baby and it is our duty to protect both our children, our family and but also our community from the nuisance that event of this size and style would cause.

1. Noise

I quote from the applicant's statement dated : *"On reflection we should have seen the bigger picture and made sure that the event did not unduly disturb neighbours."*

I would assume that a considerate and suitably qualified event organizer would consider the issue of noise disturbance to local residents in the first place! To consider the disturbing of local residents “on reflection” and only after receiving complaints points to inability to run such event.

By the applicant’s own admission, the sound system they used last year partially contributed to noise complaints. Exactly, partially. The noise will inevitably still be present and be a nuisance to properties adjacent to the park. Especially those properties within close proximity of the park.

The applicant further states that they “...feel confident that [their]our new proposals for noise management will ensure the successful longevity of the event, whilst reducing the impact of event sound levels on local residents”. This fails to quantify by how many decibels will the noise be reduced, what sound levels do they expect residents to experience nor does it reference any cases where the proposed measures, in equivalent location with equivalent problems, have been successful.

They also state that “...in 2018 we experienced an unprecedented level of hot, dry weather which may have also impacted on the number of complaints received. Planning for 2019 will take this into account.” The applicant does not elaborate on how will this be taken into account exactly. I seriously doubt they have any way of controlling the weather if they can’t even control the noise and litter produced by the event they put on.

The applicant further states that “The purpose of the hotline is to allow residents to call and inform us that they have a noise concern relating to the event. We can then arrange for the Noise Consultant to visit their address and take dB readings to ensure that we are compliant with the levels agreed with EHO and provide them with information regarding stage times etc.” I fail to see how allowing residents to call Eastern Electrics alleviates the suffering and distressed caused by loud noise produced by the festival heard in one’s own home? Therefore the noise hotline is absolute nonsense, all it does is allow people to complain, and get the noise levels tested. It doesn't deal with the actual problem of nuisance being experienced as no noise will be stopped or reduced.

This statement further points to the issue of the actually agreed decibel levels. It had been claimed decibels levels were adhered to in the 2018 event yet it still resulted in 400 complaints from local residents about noise. Clearly the decibel rating alone is not a sufficient measure to employ in this case considering the close proximity of the venue to residential dwellings.

It would also be important to know how many noise consultants the applicant intend to employ on any given day during the event. If 400 complaints are received during the event the applicant will need considerable number of noise consultants to satisfy their promise of sending them out to each resident to take decibel readings. During the 2018 event the noise nuisance was experienced as far as Mospur park and Worcester park which are both considerable distance away from Morden Park.

I also fail to see how “The letter [to residents which] will aim to manage the expectations of residents by informing them of key details regarding the event (timings, duration etc)’ will alleviate any suffering of the residents who are subjected to the noise and nuisance. What about those who for one reason or another can’t leave their homes or take these “event timings’ into consideration to alter their daily agenda? What about disabled people who are reliant on others to take them out, people who don’t have the financial means to go on “a forced vacation” during the vent or those with young children who can’t just head out for the night to avoid being disturbed till late hours? All these groups make up a large number of local residents in Morden.

2. Friday

While it might appear like a compromise had been reached by withdrawing the Friday event application I dare to speculate that this was from the start a strategy employed by the applicant to submit application more ambitious than what would be reasonably expected to be achieved in order to make it appear as reaching a compromise. Ultimately Saturday and Sunday is still whole weekend of nuisance and prolonged time of great inconvenience and disturbance to local residents.

Having the premises open to public till 23.30 on Saturday and 23.00 on Sunday will inevitably result to disturbance of at least additional hour on each day while the attendees leave the premises (as was the case during the 2018 event).

3. Sunday

It is pointless for the applicant to state that *"Sunday's event will operate on a smaller scale to Saturday"* and make references to the capacity numbers in 2018 and those planned for 2019 since the ultimate plan is to increase the Sunday capacity to 20,000 attendees by 2021 which is the capacity that was approved for the 2018 event for both days. As had been stated the 2018 event is the event that caused so much nuisance and resulted in large number of complaints.

4. License duration

Is it absurd that an applicant who have failed to run this event successfully and failed to prove the ability to do so should be granted a license for two or three years let alone one year. Even a one year license means that the festival still goes ahead and causes nuisance.

5. Capacities

Again it is unacceptable that the applicant should be allowed to gradually increase the capacity of the event without ever having proved that they are able to successfully run the event in the first place without causing nuisance to local residents. It is obvious from last year's event that they are not. I also note the applicant's comment that 17,000 was the previous maximum capacity that the festival had operated at in another location. I would like to stress that this 'another location' is Hatfield House, Great North Road, Hatfield, AL9 5NQ, United Kingdom. Hatfield House is not a Park in the middle of built up residential area but a mansion in a countryside setting. Furthermore Eastern Electrics was only ever ran as a one day event in this location limiting the disturbance caused to locals and the wildlife to one day only. To allow for this festival to be run in the middle of residential area, doubling its original duration and almost doubling its capacity (from 17,000 to 30,000) is absurd and unreasonable. For avoidance of any doubts please refer to the attachment illustrating the difference between those two locations (Hatfield House and Morden Park). Consider the number of residential dwellings in the close proximity of each venue.

6. Artists----

7. Response to Representations / Nuisance

a.---*

b.---*

c. Nitrous Oxide canisters

It is ridiculous to claim that *"It seems impossible these days to visit any area or locale without seeing these empty canisters in vast numbers."* The fact that something is a common occurrence does not make it acceptable. I can assure you that I have not once noticed these canisters in the streets surrounding my home until the arrival of Eastern Electrics. In fact I didn't even know what they were and had to research it after I prevented my 2 year old son putting one into his mouth after he picked it up on Ashridge way.

d.--*

e. Park out of use / Damages to Park -

The applicant states that *"The area the park occupied by the event (approx. 99,432m²) equates to approx. 18% of the overall total size of the park, meaning that a sizeable portion of the park still remains available for local residents to use."* That a *"sizeable portion of the park remains available for local residents to use"* is untrue as while the rest of the park might physically be accessible the noise pollution from the festival, the associated traffic and the vast amount of people arriving and leaving the festival renders the Park unsuitable for recreation. Most families are unlikely to visit the park during the festival due to the loud music being heard there and the fact that it's not a festival for young children (there is an age limit in place for attendees for this reason). In addition, the negative experiences (public urination, indecent clothing, drug dealing...) that local residents have had with some festival attendees will also contribute to the fact that many families will not use the park for the duration of the event. It might not be obvious to the applicant Morden Park is a great local resource and many people, not just locals, come and enjoy quiet time it offers to disconnect from a hectic modern life. This is the type of Park where people say hello to each other. Many people had chosen Morden to be their home due to its lovely green spaces, quietness and distance from the noise of the city.

To further state that *"The total amount of days on site (inclusive of build, live and break down) is 17. We do not feel that this therefore causes too much inconvenience for local park users."* is disrespectful to residents needs as elaborated on above and points to the fact that the applicant had made no effort to understand the locality in which they intend to organize the event. 17 days in peak summer holiday time is a very long time indeed to limit and disturb the use of one of the greatest resources Morden has for use of its residents.

The children's paddling pool and playground near the registry office is inside the Morden Park and its use will be affected by the noise pollution from the proposed festival site. As already stated in our Position statement we fail to see how simply *"advising organiser to move away from this style of music"* (as stated at the community meeting on 22nd November 2018) guarantees no poor language will be heard. . It is critically important to consider the psychological impact of such language on our children who might, again, hear profanity and vulgar language whilst playing in their local park or their own back garden.

Conclusion

I would like to conclude by saying that our baby will be a newborn at the proposed time of the festival. I will have no option but to be at home during the duration of the festival. Furthermore weekend is the only time we can be all together at our home as a family. Our son is always looking forward to spending

time with both of us and it is absolutely unacceptable that I should be subjected to listening to music in my own home and my own garden and subjected to the nuisance this festival clearly causes.

If I had a neighbor who would cause this amount of nuisance to me over a period of two days I would be able to call Environmental Health and the police to ask for help. So I am asking the committee for help now. Why should I have my and my family's home time and sleep disturbed by nuisance this festival clearly causes? Is someone else's enjoyment and profit valued above human freedoms and rights? Above community and people's mental health? Above the rights of children? How would you vote if your home was backing onto this park?

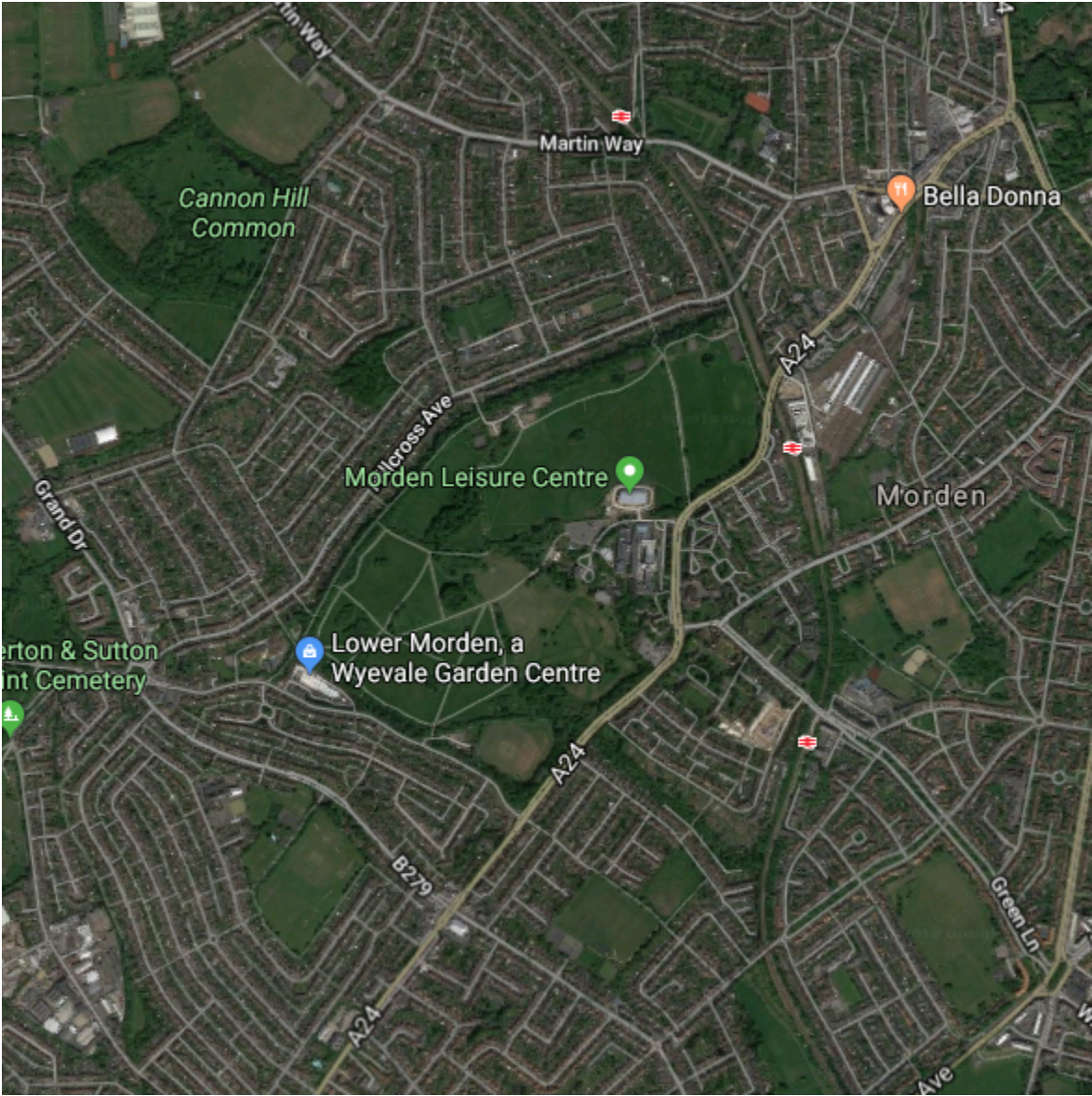
Mr and Mrs Skriczka, Hillcross residents

*some points were omitted from further discussion due to being addressed elsewhere previously and time constraints

Attachment 1 Hatfield house



Morden Park



(Source: google maps)

Dear Amy please read below email sent to our councillor's and our MP down further reply to Robert Dudley from EE about the plained festival in Morden Park. Please see our reply to Robert.

Regards

Trevor & Patricia Spackman

Sent from my Windows Phone

From: [Trevor Spackman](#)

Sent: 24/01/2019 18:43

To: [Councillor Stephen Alambritis](#); [siobhain](#); [Councillor Sally Kenny](#); [Councillor Mary Curtin](#); [Councillor Nick Draper](#)

Subject: FW: Eastern Electrics/ Blue Fox Events Limited - Application for a new Premises Licence - reference WK/201809200

We received a email from Robert Dudley amending the application for the licences please see below our reply.

Regards

Trevor & Patricia Spackman

Sent from my Windows Phone

From: [Trevor Spackman](#)

Sent: 24/01/2019 18:38

To: [community community](#)

Subject: RE: Eastern Electrics/ Blue Fox Events Limited - Application for a new Premises Licence - reference WK/201809200

Dear Robert,

Thankyou for your email,

There was a lot of promise's made last year that was not adhered to.it seems your offering more promise's to us residents that we know when the time comes mean nothing. There will still be unsociable, disgraceful, drunken behaviour. Which we have had to put up with for the last two years. 23000 people in a small residential area is far to much.Not forgetting using Morden park as a toilet, having sex in our woods, rubbish , canisters' foul language. When security was told about the above nothing was done.When residents tried to call the residents line no one answered the answer phone was full. The park was left in a terrible state. Also morden park is a conservation ares which is full of our lovely wild life. Last year you took a tree down full of owls, This festival must frighten our wild life to death.This is why we strongly oppose this we are not prepared to put up with this, we don't see why we should put up with such behaviour .

Regards

Trevor & Patricia Spackman

Sent from my Windows Phone

From: [community community](#)

Sent: 24/01/2019 14:27

To:

Subject: Eastern Electrics/ Blue Fox Events Limited - Application for a new Premises Licence - reference WK/201809200

Hello Trevor,

Please find attached a letter outlining our proposed amendments to the above mentioned Premises Licence Application.

Yours sincerely,
Robert Dudley

Dear Amy,
Would you please add this to oppose the licence for the EE festival. Thankyou.
Regards
Patricia Spackman



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Additional Comments received from Interested Parties

Hi Amy

I will not be able to attend the meeting.

I don't really have a case to put forward other than it seems music events need to be balanced in the context of raising additional revenue and of course a common sense approach to residents' genuine concerns.

It would be nice to have such events in the borough but like all events they must be properly organised and staffed.

Kind Regards

Rebecca Shingleton

I remain sceptical that this is a good thing to have.

The changes to the license compared to the original are useful but I still wonder whether they go far enough. Nothing has been said about security staff on the paths to Hillcross Avenue and I still don't think it reasonable to take over the local park which prevents it being used as normal and provides disruption and poor behaviour.

Ryan Taylor

Dear Amy,

Unfortunately I am unable to attend the hearing next week due to evening work commitments.

If possible, I would like to feed back a concern that a rolling 3-year licence would remove from residents the opportunity to raise concerns and objections to the event for the next 3 years. This would give the organisers and attendees very little incentive to take care in their behaviour for the next 2 years, safe in the knowledge that they already have the licence for the following year's event 'in the bag'. This does rather undermine the message of the posters encouraging attendees to respect the local community because the festival's future is at stake. I feel it would be much better for the licence to be subject to an annual review on a year-by-year basis, to prevent complacency on the part of the organisers.

Many thanks,

Dr Andrea Ruddick

I have read the revised application and remain opposed. To make a slight reduction in capacity and length shows a misunderstanding on the part of Eastern Electrics. The crux of the matter is that Morden Park is an unsuitable venue for their festivals, full stop. As the numerous objections submitted demonstrate, the kind of atmosphere created by the festivals - both within and without the arena - is fundamentally at odds with the quiet, family-oriented nature of the residential area in which the notably tranquil park is situated. I implore Eastern Electrics to use an alternative venue where attendees can enjoy themselves without impinging upon the well-being of local residents.

Dr Pippa Maslin

Additional Comments received from Interested Parties

Still horrified. The capacity is FAR too large. The noise is still unacceptable for a residential area. I am 2 roads away and my whole house vibrates. I will have no choice (at great expense and inconvenience as a disabled person), have to vacate my house during this event. There is still no transparent information regarding cost to the borough for clean up and policing against revenue. This is an event which should not take place in this location FULL STOP. I cant use public transport, do any shopping or peacefully enjoy my home as is my LEGAL RIGHT, if this goes ahead. Despite my attempts to directly contact organisers via facebook etc they ignore me. I am scared, annoyed and frustrated it is the case I'm being ignored

Johanna Cole