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# NOTICE OF MEETING

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## LICENSING SUB-COMMITTEE

**FRIDAY, 11 SEPTEMBER 2020 AT 10.00 AM**

### **VIRTUAL REMOTE MEETING - REMOTE**

Telephone enquiries to Democratic Services  
Email: [Democratic@Portsmouthcc.gov.uk](mailto:Democratic@Portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

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Committee Members Councillors Claire Udy (Chair), Scott Payter-Harris (Vice Chair), Dave Ashmore, Chris Attwell, Tom Coles, Jason Fazackarley, John Ferrett, George Fielding, Hannah Hockaday, Leo Madden, Lee Mason, Robert New, Benedict Swann, Linda Symes and Gerald Vernon-Jackson.

The panel today consists of: Councillors Claire Udy, Tom Coles and John Ferrett  
The reserve member is Councillor Fielding

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(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

## AGENDA

- 1 **Appointment of Chair**
- 2 **Declarations of Interest**
- 3 **Licensing Act 2003 - Temporary Event Notice - Consideration of Objection Notice - Clarence Pier Oktoberfest 2020 (3 weekend events)**  
(Pages 3 - 56)

The purpose of this report is for the Committee to consider an objection notice given by a relevant person namely the Chief Officer of Police and in respect of a Temporary Event Notice ("TEN") received by the licensing authority under our reference (20/02607/LATENS, 20/02608/LATENS and

20/02610/LATENS).

The committee is requested to determine the objection notice.

# Agenda Item 3

REPORT TO: LICENSING SUB-COMMITTEE 11<sup>th</sup> SEPTEMBER 2020

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: DEREK STONE

**Licensing Act 2003 - Temporary Event Notice - Consideration of Objection Notice - Clarence Pier Oktoberfest 2020 (3 weekend events)**

## 1. PURPOSE OF REPORT

The purpose of this report is for the Committee to consider an objection notice given by a relevant person<sup>1</sup> namely the Chief Officer of Police and in respect of three Temporary Event Notices ("TENs") received by the licensing authority under our reference (20/02607/LATENS, 20/02608/LATENS and 20/02610/LATENS).

## 2. THE PROPOSED PREMISES USER

The TENs have been given by:

**Name:** Jill Norman Billy Manning Limited

## 3. THE PREMISES AND PROPOSED PERMITTED TEMPORARY ACTIVITIES

The premises user proposes to carry on temporary licensable activities at the following premises:

**Name (if any) and address of premises (or part):** Clarence Pier

**Proposed licensable activities:**  
Oktoberfest 2020

**Proposed dates and timings:** -  
Staged over three weekends  
09/10/20, 16/10/20 and 27/10/20

A copy of the temporary event notices is attached as **appendix A**.

## 4. BACKGROUND INFORMATION

Three Temporary Event notices have been submitted by the applicant seeking to hold a German beer style event at Clarence Pier, Southsea.

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<sup>1</sup> A "relevant person" is now defined as either the Chief Officer of Police for the police area OR the local authority exercising the statutory functions in relation to minimising or preventing the risk of pollution of the environment or of harm to human health. Section 99A Licensing Act 2003 as amended by the Police Reform and Social Responsibility Act 2011 refers.

The applicant's intention is to operate a pre-booked, small 'Oktoberfest' event, encouraging increased trade during selected weekends in October and the October Holiday. Guests will be encouraged to pre-book to ensure no overcrowding, a simple selection of German Beers & associated authentic German Foods (Wurst, Pretzels etc). will be offered, alongside pre-recorded and live music on selected days.

The provisions relating to permitted temporary activities are contained within Part 5 of the Licensing Act 2003 ("the Act").

The Act has introduced a "light touch" system for ad hoc permitted temporary activities. This replaced the previous licensing arrangements under the Licensing Act 1964 for occasional licences and permissions.

A TEN is given by an individual aged 18 or over ("a premises user") and authorises the premises user to conduct one or more licensable activities at premises<sup>2</sup> for an event lasting no more than 168 hours (7 days). TENs can be used to authorise relatively small-scale ad hoc events, subject to certain mandatory restrictions which are:

- The number of times the "premises user" may give a TEN (**50 times a year for a personal licence holder and 5 times a year for a non personal licence holder**);
- The number of times a TEN may be given in respect of any particular premises (**15<sup>3</sup> times in a calendar year**) **but subject to a maximum aggregate duration of the periods covered by TENs at any individual premises (21 days)**;
- Minimum period of 24 hours between each TEN given by the same premises user (or an associate) for the same premises;
- The length of time a temporary event may last (**168 hours**); and
- The scale of the event in terms of the maximum number of people (including those organising or staff) present on the premises at any one time (**499 or less**).

The premises user must give the TEN to the licensing authority and also send a copy to the relevant persons no later than 10 working days before the day that the temporary event is intended to start (for a "standard" TEN, "late" TENs can be submitted but follow a different process that is not relevant to this hearing and therefore shall not be discussed). Upon receipt of a TEN, the licensing authority is required to issue an acknowledgement of the TEN. A prescribed fee is payable.

A purpose of the TEN notification process is to also to enable the licensing authority to check that the mandatory restrictions shown above are being observed and to intervene, by issue of a statutory counter notice, if they are not.

The Chief officer of Police or officers of the council exercising Environmental Health functions (the relevant persons) may intervene to prevent a proposed TEN event from taking place on any (or all) of the four licensing objectives. They have 3 working days following receipt of the TEN to give an objection notice if satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective and must give reasons to support any concerns.

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<sup>2</sup> Premises can include any place or a vehicle, vessel, moveable structure or area of open land

However, at any time before a hearing is held, the relevant person may, with the agreement of the premises user, modify the TEN to address any concerns. Once the TEN has been modified, the objection notice is treated as being withdrawn.

It is worth noting that a local authority has alternative powers under other legislation, for example, to deal with a statutory noise nuisance and may also require any premises user to comply with appropriate planning and/or other necessary building consents.

Further, section 161 of the act provides that a senior police officer may make an order closing individual premises covered by a premises licence or a TEN for up to 24 hours where he reasonably believes that:

- disorder is taking place; or
- is likely to take place imminently; or
- a nuisance is being caused by noise emanating from the premises.

Such orders may only be made where it is necessary in the interests of public safety or to prevent the nuisance caused by noise coming from the premises.

## **5. OBJECTION NOTICE**

The Chief Officer of Police has submitted an objection notice which is attached as **appendix B**.

## **6. POLICY AND STATUTORY CONSIDERATIONS**

When determining the objection notice and whether to issue a counter notice<sup>4</sup> the Committee must have regard to:

- The promotion of the licensing objectives;
- The Licensing Act 2003;
- The statutory guidance issued by the Secretary of State in accordance with section 182 of the Act; and
- The representations, including supporting information, presented by all the parties.
- The human rights of all the parties concerned to ensure both a fair and balanced hearing and to consider, if necessary, any public sector equality matters;

Any application will be considered on its individual merits. Equally, any person permitted by the Act to make relevant representations to the Committee will have those representations considered on their individual merit.

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<sup>3</sup> *Deregulation Act 2015 refers.*

<sup>4</sup> *There is no prescribed format for a counter notice issued under section 105(3) of the act. This could be a letter or formal notice from your reporting officer informing the premises user that the committee have concluded that, in the circumstances and having regard to the promotion of the licensing objectives, the event cannot go ahead.*

The Act does permit the licensing authority to attach conditions but only if a counter notice is **NOT** issued **and** provided that the premises concerned are already subject to either a premises licence or club premises certificate. Any proposed conditions must already apply to the parent licence and must not be inconsistent with the carrying out of the proposed activities under the auspices of the TEN. The committee will be advised of any pre-existing conditions if mindful of imposing any conditions in relation to the TEN.

Premises users are not required to be on the premises for the entire duration of the event, but they will remain liable to prosecution for certain offences that may be committed at the premises during the temporary event if the event is not adequately managed/supervised including the laws governing sales of alcohol to persons under 18 years.

Chapter 7 and paragraphs 7.1 to 7.40 of the updated Statutory Guidance issued by the Secretary of State are relevant to the consideration of TENS, and in particular:

#### **Para 7.6**

*"The police or EHA ("relevant persons" for the purposes of TENS) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. A relevant person may also intervene by agreeing a modification of the proposed arrangements directly with the TENS user (see paragraph 7.36). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENS would be exceeded (see paragraphs 7.15 - 7.22)".*

#### **Para 7.32**

*"The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives".*

#### **Para 7.34**

*"Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions where there is an existing premises licence or club premises certificate at the venue or issue a counter notice to prevent the event going ahead.....".*

After hearing the representations and having regard to the objection notice, the Committee must give the premises user a counter notice to prevent the TEN from taking place **if it considers it appropriate for the promotion** of one or more of the licensing objectives.

The licensing authority must subsequently take the following steps:

- a) in such cases where it decides not to give a counter notice, it must give the premises user and each relevant person a notice of the decision; and
- b) in any other case:
  - i) give the premises user the counter notice and a notice stating the reasons for its decision; and
  - ii) give each relevant person a copy of both of those notices.

## **7. APPEALS**

Schedule 5, part 3, of the Act sets out the appeal provisions in relation to the determination of an objection notice to a TEN submitted by a relevant person.

Should the Committee give a counter notice, the premises user may appeal against the decision to the Magistrates' Court.

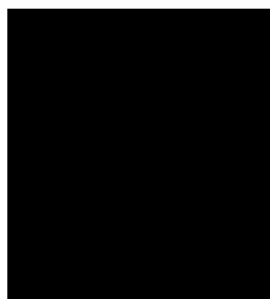
Should the Committee decide not to give a counter notice, the relevant person may appeal to the Magistrates' Court.

A copy of the current Statutory Guidance and the Act has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

## **8. APPENDICES**

- A.** Copy of the redacted Temporary Event Notices and plan (if available)
- B.** Copy of the objection notice submitted by the relevant person
- C.** Copy of the submitted risk assessment
- D.** Response on behalf of applicant to Police objection

**THE COMMITTEE IS REQUESTED TO DETERMINE THE OBJECTION NOTICE**



For Licensing Manager  
And on behalf of Head of Service

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\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 9**

**APPLICATION DETAILS** ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

Yes  No

Enter details of any previous names or maiden names

First name

Family name

\* Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

### Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="Clarence Pier"/>
Street	<input type="text"/>
District	<input type="text" value="Southsea"/>
City or town	<input type="text" value="Portsmouth"/>
County or administrative area	<input type="text" value="Hants"/>
Postcode	<input type="text" value="PO53AA"/>
Country	<input type="text" value="United Kingdom"/>

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="REDACTED"/>
Telephone number	<input type="text" value="REDACTED"/>
Other telephone number	<input type="text"/>

## Section 3 of 9

### THE PREMISES

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

\* Does the premises have an address?

Yes  No

Continued from previous page...

### Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name	<input type="text" value="Clarence Pier"/>
* Street	<input type="text" value="Clarence Parade"/>
District	<input type="text" value="Southsea"/>
* City or town	<input type="text" value="Portsmouth"/>
County or administrative area	<input type="text" value="Hants"/>
* Postcode	<input type="text" value="PO53AA"/>
* Country	<input type="text" value="United Kingdom"/>

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither  Premises licence  Club premises certificate

### Location Details

\* Provide further details about the location of the event

The event is held within the boundary of the Clarence Pier Amusement Park, specifically; within the footprint of the existing Solent Wheel, which is due to be removed prior to the start date of this event.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

See above.

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

The fabric of the premise is the existing concrete Clarence Pier deck, which will be added to by way of temporary socially-distanced marquee and outdoor seating area, along the north perimeter of the Amusement Park.

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

We intend to operate a well-managed, pre-booked, small 'Oktoberfest' event, encouraging increased trade during selected weekends in October and the October Holiday. Guests will be encouraged to pre-book to ensure no overcrowding, a simple selection of German Beers & associated authentic German Foods (Wurst, Pretzels etc). will be offered, alongside pre-recorded and live music on selected days. Statutory security & safety provisions will be in place throughout the event.

**Section 4 of 9**

**LICENSABLE ACTIVITIES**

State the licensable activities that you intend to carry on at the premises  
(see also [guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(See also [guidance on completing the form, note 7](#)).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also [guidance on completing the form, note 8](#)).

**Event Dates**

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also [guidance on completing the form, note 9](#))

Event start date  /  /   
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date  /  /   
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also [guidance on completing the form, note 10](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also [guidance on completing the form, note 11](#))

**Continued from previous page...**

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?  Yes  No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No



*Continued from previous page...*

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

1

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

**Section 8 of 9**

**ASSOCIATES AND BUSINESS COLLEAGUES** [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

**Continued from previous page...**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes  No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

**Section 9 of 9**

**CONDITION** [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

**DECLARATION** [\(See also guidance on completing the form, note 19\)](#)

- \* The information contained in this form is correct to the best of my knowledge and belief
- \* I understand that it is an offence:
  - \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
  - \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/portsmouth/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.



**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="Oktoberfest 2020 - Period 1"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

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\* required information

## Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Oktoberfest 2020 - Period 1

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

Jill

\* Family name

Norman

\* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

- Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is your business registered in the UK with Companies House?

- Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

[REDACTED]

Business name

Billy Manning Ltd

If your business is registered, use its registered name.

VAT number

GB

[REDACTED]

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 9**

**APPLICATION DETAILS** ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

Yes  No

Enter details of any previous names or maiden names

First name

Family name

\* Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

### Correspondence Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

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### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text" value="REDACTED"/>
Telephone number	<input type="text" value="REDACTED"/>
Other telephone number	<input type="text"/>

## Section 3 of 9

### THE PREMISES

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

\* Does the premises have an address?

Yes  No

Continued from previous page...

### Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

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County or administrative area	<input type="text" value="Hants"/>
* Postcode	<input type="text" value="PO53AA"/>
* Country	<input type="text" value="United Kingdom"/>

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither  Premises licence  Club premises certificate

### Location Details

\* Provide further details about the location of the event

The event is held within the boundary of the Clarence Pier Amusement Park, specifically; within the footprint of the existing Solent Wheel, which is due to be removed prior to the start date of this event.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

See above.

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

The fabric of the premise is the existing concrete Clarence Pier deck, which will be added to by way of temporary socially-distanced marquee and outdoor seating area, along the north perimeter of the Amusement Park.

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

We intend to operate a well-managed, pre-booked, small 'Oktoberfest' event, encouraging increased trade during selected weekends in October and the October Holiday. Guests will be encouraged to pre-book to ensure no overcrowding, a simple selection of German Beers & associated authentic German Foods (Wurst, Pretzels etc). will be offered, alongside pre-recorded and live music on selected days. Statutory security & safety provisions will be in place throughout the event.

**Section 4 of 9**

**LICENSABLE ACTIVITIES**

State the licensable activities that you intend to carry on at the premises  
(see also [guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(See also [guidance on completing the form, note 7](#)).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also [guidance on completing the form, note 8](#)).

**Event Dates**

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also [guidance on completing the form, note 9](#))

Event start date  /  /   
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date  /  /   
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also [guidance on completing the form, note 10](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also [guidance on completing the form, note 11](#))

**Continued from previous page...**

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?  Yes  No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No



*Continued from previous page...*

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

2

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

### Section 8 of 9

#### ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes  No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes  No

**Continued from previous page...**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes  No

a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

**Section 9 of 9**

**CONDITION** [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.  
This formality requires a fixed fee of £21

**DECLARATION** [\(See also guidance on completing the form, note 19\)](#)

- \* The information contained in this form is correct to the best of my knowledge and belief
  - \* I understand that it is an offence:
    - \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
    - \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:  
1. Save this form to your computer by clicking file/save as...  
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/portsmouth/apply-1> to upload this file and continue with your application.  
Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="Oktoberfest 2020 - Period 1"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

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\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 9**

**APPLICATION DETAILS** ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

Yes  No

Enter details of any previous names or maiden names

First name

Family name

\* Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

*Continued from previous page...*

### Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="Clarence Pier"/>
Street	<input type="text"/>
District	<input type="text" value="Southsea"/>
City or town	<input type="text" value="Portsmouth"/>
County or administrative area	<input type="text" value="Hants"/>
Postcode	<input type="text" value="PO53AA"/>
Country	<input type="text" value="United Kingdom"/>

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>

## Section 3 of 9

### THE PREMISES

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

\* Does the premises have an address?

- Yes  No

Continued from previous page...

**Address**

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes                       No

* Building number or name	Clarence Pier
* Street	Clarence Parade
District	Southsea
* City or town	Portsmouth
County or administrative area	Hants
* Postcode	PO53AA
* Country	United Kingdom

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither       Premises licence       Club premises certificate

**Location Details**

\* Provide further details about the location of the event

The event is held within the boundary of the Clarence Pier Amusement Park, specifically; within the footprint of the existing Solent Wheel, which is due to be removed prior to the start date of this event.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

See above.

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

The fabric of the premise is the existing concrete Clarence Pier deck, which will be added to by way of temporary socially-distanced marquee and outdoor seating area, along the north perimeter of the Amusement Park.

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

We intend to operate a well-managed, pre-booked, small 'Oktoberfest' event, encouraging increased trade during selected weekends in October and the October Holiday. Guests will be encouraged to pre-book to ensure no overcrowding, a simple selection of German Beers & associated authentic German Foods (Wurst, Pretzels etc). will be offered, alongside pre-recorded and live music on selected days. Statutory security & safety provisions will be in place throughout the event.



**Section 4 of 9**

**LICENSABLE ACTIVITIES**

State the licensable activities that you intend to carry on at the premises  
(see also [guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(See also [guidance on completing the form, note 7](#)).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also [guidance on completing the form, note 8](#)).

**Event Dates**

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also [guidance on completing the form, note 9](#))

Event start date       /  /   
    dd                    mm                    yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date             /  /   
    dd                    mm                    yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also [guidance on completing the form, note 10](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also [guidance on completing the form, note 11](#))

**Continued from previous page...**

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?  Yes  No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No

*Continued from previous page...*

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

## Section 8 of 9

### ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

**Section 9 of 9**

**CONDITION** [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.  
This formality requires a fixed fee of £21

**DECLARATION** [\(See also guidance on completing the form, note 19\)](#)

- \* The information contained in this form is correct to the best of my knowledge and belief
  - \* I understand that it is an offence:
    - \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
    - \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:  
1. Save this form to your computer by clicking file/save as...  
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/portsmouth/apply-1> to upload this file and continue with your application.  
Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="Oktoberfest 2020 - Period 3"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

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**Form for representations/objections  
from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

**Hampshire Constabulary is a responsible authority and wish to make a -objection- under the Licensing Act 2003, regarding the:**

<input type="checkbox"/>	1: New Premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	2: Variation of premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	3: Minor variation of premises licence/club prem certificate	Representation within 10 days
<input type="checkbox"/>	4: Variation of DPS	Object within 14 days
<input type="checkbox"/>	5: Transfer of premises licence	Object within 14 days
<input checked="" type="checkbox"/>	6: Standard temporary event notice	Object within 3 working days
<input type="checkbox"/>	7: Late temporary event notice	Object with 3 working days
<input type="checkbox"/>	8: Application for a personal licence	Object within 14 days
<input type="checkbox"/>	9: Provisional statement	Representation within 28 days
<input type="checkbox"/>	10: Ancillary sales notice	Object within 3 working days
<input type="checkbox"/>	11: Interim authority notice	Object within 2 working days

Name of Applicant:	Jill Norman
Name of Proposed DPS:	N/A

Details of relevant conviction ( Personal Licence Applications ONLY)

Postal address of premises:	Clarence Pier, Southsea
Postcode:	PO5 3AA

**Details of responsible authority applicant**

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	PC
Surname: Rackham	First Names: Peter
Current postal address :	Licensing Office Core 5 LGF Civic Offices Portsmouth
Postcode:	PO1 2AL
Daytime telephone number:	
E-mail address: <i>(optional)</i>	licensing@hampshire.pnn.police.uk

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

## Form for representations/objections from Hampshire Constabulary

This application to object relates to the following licensing objective(s)

- |    |                                      |                                     |  |
|----|--------------------------------------|-------------------------------------|--|
| 1) | The prevention of crime and disorder | <input checked="" type="checkbox"/> |  |
| 2) | Public safety                        | <input checked="" type="checkbox"/> | <i>Please select<br/>one or more<br/>boxes</i> |
| 3) | The prevention of public nuisance    | <input checked="" type="checkbox"/> |  |
| 4) | The protection of children from harm | <input checked="" type="checkbox"/> |  |

Please state the ground(s) for -objection-:

The applicant is seeking to utilise a TEN for 3 occasions between the hours of 12:00 - 22:00 hours over a weekend period. The TEN will allow 499 persons to consume alcohol, eat food and listen to live/recorded music during this time.

The event is being marketed as an "Oktoberfest" event. The draw to these events is an ability to attend. Consume large amounts of German beer/lagers and sing/dance to music be it traditional German oompa music or DJ based entertainment.

As such these events can pose a number of issues for the organiser around the promotion of all four licensing objectives. The issues include but are not limited to:

- Increase in drunkenness in the area through people sat consuming large amounts of alcohol
- Increase in violence in the area which is related to alcohol
- Increase in vulnerability as persons consume too much alcohol
- Persons likely to dance in the area and sing extremely loudly for the duration of the event

The Chief Officer of Police notes the TEN and has attempted to identify what measures the applicant proposes to implement in order to promote the licensing objectives and mitigate any risks accordingly.

Having looked at the TEN it is unclear from the application:

- How the applicant will manage the sale of alcohol responsibly preventing drunkenness and the sale of alcohol to children
- How the applicant will ensure that persons remaining on site will be kept safe through the use of stewards/SIA
- How the applicant will ensure that customers are safely ejected from the premises where they have consumed too much alcohol or become violent
- How the applicant will ensure that any customers who are taken unwell will be supported at the event
- How the applicant will manage the movement of customers (potentially up to 499) around the premises in a way which promotes social distancing
- How the applicant will manage the access and egress of customers attending the event safely and also in a way which promotes social distancing

The event is one which is likely to attract many people given the lack of events nationwide and will appeal to the public given the ability to consume alcohol and enjoy traditional German music along with more popular music. The country is also still within a Pandemic with many restrictions in place



**Form for representations/objections  
from Hampshire Constabulary**

which require careful management from event operators.

As such with the lack of information provided the Police are unable to assess the application suitably and cannot be assured that the event will be one which will promote all four of the licensing objectives.

**It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation**

Police recommendations (including any conditions)

The Police recommend that the TENS are not granted.

The Police also remind the reader that a TEN is not subject to any conditions which would ordinarily be placed on a premises licence. A TEN in this instance also cannot have conditions added to it by way of a committee hearing as there is no premises licence in place at the premises.

As such there is nothing which a committee can place onto the TEN to hold the operators accountable. Given the lack of clarity around what measures will be in place to promote the licensing objectives this does concern the Police a great deal.

As such the Police recommendation is that this TEN is not granted.

Signature of Officer Completing

Name	<u>PC Rackham</u>	Collar Number:	<u>21945</u>
Signature:	<u>P Rackham</u>	Date:	<u>31/08/2020</u>

Signature of Authorising Officer

Name	<u>PS Ainsworth</u>	Collar Number:	<u>1878</u>
Signature:	<u>J.Ainsworth</u>	Date:	<u>01/09/2020</u>

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# APPENDIX C



## Hazard Identification & Risk Assessment

Prepared for:  
**Billy Manning Limited**

DOCUMENT NO: 0044-HIRA-001



Revision History



Client: Billy Manning Limited.  
Project Name: Oktoberfest.  
Document Title: Hazard Identification and Risk Assessment.  
Document Number: 0044-HIRA-001.  
Revision: 2B.

Revision	Date	Description	Prepared By	Checked By	Approved By
1B	26/08/2020	First issue – submitted to client.	Steve Cook		

Record of Amendments			
Revision	Pages	Para.	Description of Changes
1B	All	All	Initial issue and client transmission.

Confidentiality
<p>The information contained within this document is provided for the sole use of Billy Manning Ltd, authorised clients and subcontractors. Printed copies of this document are considered as uncontrolled.</p>



**Billy Manning Limited: Oktoberfest  
Hazard Identification & Risk Assessment**

Doc: 0044-HIRA-001 Revision 2B.

Valid from: 26/08/2020 Page 3 of 8

Client Contact	John Thurston.	HIRA Title	Oktoberfest.
Risk Assessment No & Revision	0044-HIRA-001 Revision 1B.		
Risk Assessment Status	Submitted for client use.		
Comments	<p>This HIRA is a supplementary risk assessment, complimenting the clients own (unseen) risk assessments. The scope of this document relates only to the sale of alcohol at the event. Other hazards shall be identified and appropriate controls outlined within Billy Manning Limited's existing suite of risk assessments.</p> <p>The client shall review this document for suitability and adequacy, making any changes as required. There is no liability on the part of HSEQ-360.</p>		

**Hazard Identification Guidewords**

*Note. This list is not exhaustive and should not be considered as a full list of hazards*

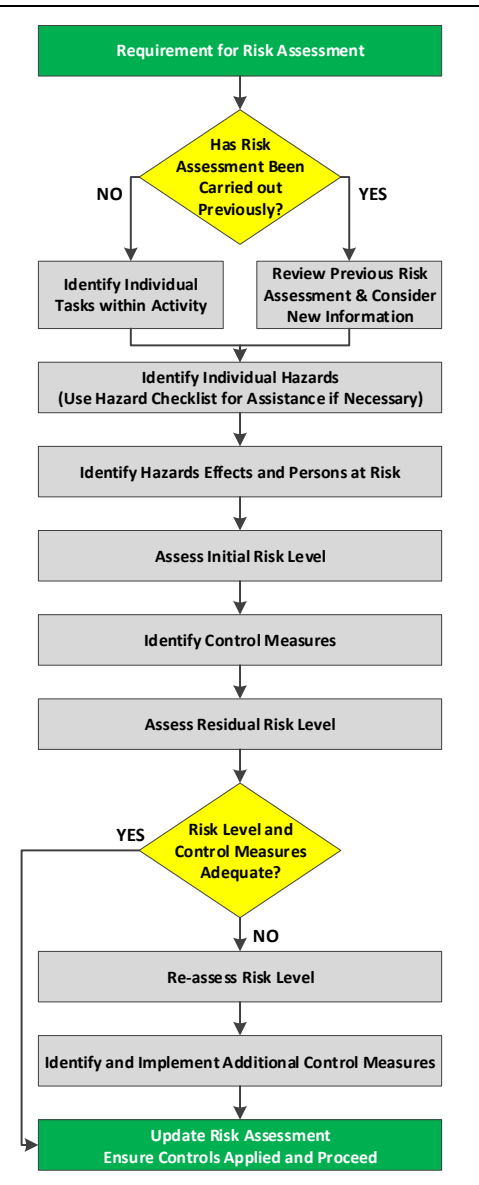
Access	Coordination	Explosion	Loss of Power	Power Isolation	Spillage
Adequate Equipment	Depth	Failure	Noise	Pressure	Stored Energy
Blow-On / Blow-Off	Discharge	Fire	Obstructed Vision	Reciprocating	Substances
Body Positioning	Disintegration	Flare / Heat Radiation	Other Operations	Recovery	Surge / Sway
Break / Fracture	Drive	Fumes / Vapour	Overflow	Redundancy	Temperature
Caught Between	Dropped	Heat / Hot Surface	Overload	Release	Tension
Certification	Ejection	Heavy	Overpressure	Rotation	Unauthorised
Chemicals	Electrical Equipment	Height	Particles	Rupture	Unfamiliar
Circulation	Electricity Supply	Impact	Pinch Point	Sharp Edges	Unguarded / Protected
Collision	Entanglement	Injury	Pitch / Roll / Heave	SIMOPS	Vehicles / Traffic
Communication	Environmental	Intake / Discharge	Pollution	Slip, Trip & Fall	Vibration
Confined Space	Ergonomics	Loss of Position	Poor Visibility / Lighting	Smoke	Weather

**Common Mitigating & Control Measures**

*Note. The following controls are commonly applied as mitigation measures on most tasks and activities*

Adequate Supervision	Approved Method Statement / Procedure	Site Induction Training	Task Familiarisation Training	Tool-Box Talks
----------------------	---------------------------------------	-------------------------	-------------------------------	----------------

PPE (Standard Items Only – Coveralls, Safety Boots, Safety Helmet, Safety Specs. All other PPE to be Specified to Suit the Task)





**Billy Manning Limited: Oktoberfest  
Hazard Identification & Risk Assessment**

Doc: 0044-HIRA-001 Revision 2B.

Valid from: 26/08/2020

Page 4 of 8

**RISK ASSESSMENT MATRIX**

SEVERITY CLASSIFICATION							PROBABILITY CLASSIFICATION				
							A	B	C	D	E
Level	Safety / Injury	Health	Pollution	Damage / Financial	Media	Highly Improbable	Improbable	Possible	Probable	Frequent	
						A possibility but extremely remote chance of occurrence.	Unlikely to occur (very infrequent) during the operation.	May occur (frequent) during the operation.	Is likely to occur often during the operation.	Is likely (common occurrence) to occur once or more during every operation.	
5	<b>Catastrophic</b>	Incident resulting in one or more fatalities.	Permanent or terminal health damage.	>100m <sup>3</sup>	£5M+	National press and TV	<b>MEDIUM</b>	<b>MEDIUM</b>	<b>HIGH</b>	<b>HIGH</b>	
4	<b>Major</b>	Serious injury or permanent disabilities.	Harmful effects (e.g. dangerous infections).	1-100m <sup>3</sup>	£1M-£5M	National press or regional TV	<b>LOW</b>	<b>MEDIUM</b>	<b>HIGH</b>	<b>HIGH</b>	
	<b>Serious</b>	Incident resulting in lost time incident.	Moderate effects (e.g. persistent dermatitis).	50Ltr-1m <sup>3</sup>	£100k-£1M	Regional or local TV	<b>LOW</b>	<b>LOW</b>	<b>MEDIUM</b>	<b>HIGH</b>	
	<b>Moderate</b>	Restricted working or external medical treatment.	Minor health effect (e.g. mild rash).	1-50Ltr	£10k-£100k	Local press coverage	<b>LOW</b>	<b>LOW</b>	<b>MEDIUM</b>	<b>MEDIUM</b>	
1	<b>Minor</b>	First aid injuries or below.	No adverse health effects.	<1Ltr	<£10k	No media coverage	<b>LOW</b>	<b>LOW</b>	<b>LOW</b>	<b>MEDIUM</b>	
RISK CLASSIFICATION											
<b>LOW</b>	Operations may proceed with care, and without identification of any further mitigating controls.			<b>MEDIUM</b>	Operation may proceed with caution, however further investigation into additional controls should be conducted to further reduce risk where possible.			<b>HIGH</b>	Operation must <b>NOT</b> proceed. Alternative methods / controls to conduct the task must be developed / sought.		
RISK ASSESSMENT HIERARCHY											
Status	Responsibility to Action	Attendees							Evidence Examples		
Level 1	Billy Manning Limited	Desktop review with key interested parties.							Signed Level 1 HIRA.		
Level 2	Billy Manning Limited	All key site personnel.							Signed Level 2 HIRA.		
Level 3	Billy Manning Limited	Personnel Involved in the planned operations.							Toolbox Talk Records / Checklists.		

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Task No	Activity & Persons at Risk	Potential Hazards	Hazard Effect / Consequences	Initial			Control and Mitigating Measures	Residual				Responsibility to Action
				S	P	R		S	P	R	ALARP	
1	<u>Activity</u> Sale of alcohol at Oktoberfest.  <u>Persons at risk</u> Patrons. Personnel. Third parties.	a) Increased trip likelihood. Includes cables, temporary structures, uneven ground conditions or low lighting levels.	Falls resulting in personal injuries, such as cuts, sprains, fractures and broken bones.	4	C	M	<ul style="list-style-type: none"> <li>All cables shall be covered by purpose-built cable runs.</li> <li>If overhead, cables shall be 'flown' as a sufficient height.</li> <li>Staff and patrons shall be made aware of specific hazards through administrative controls (signage).</li> <li>Marquee pegs shall be padded, with marquee guy wires to be made visible with hi-visibility tape or colours to alert people to their presence.</li> <li>Ground to be surveyed for level, with any holes appropriately filled.</li> <li>Lighting shall be augmented as required, at peak pedestrian routes.</li> </ul>	4	B	L	Yes	<ul style="list-style-type: none"> <li>Billy Manning Limited Management Team.</li> <li>Event supervision.</li> <li>Event personnel.</li> </ul>
		b) People movements during hours of darkness.	Injuries, for example arising from collisions.	3	C	M	<ul style="list-style-type: none"> <li>Temporary and adequate lighting to be installed in all areas used by attendees.</li> <li>Any dark or isolated areas shall be cordoned off to prevent entry.</li> </ul>	3	B	L	Yes	<ul style="list-style-type: none"> <li>Billy Manning Limited Management Team.</li> <li>Event supervision.</li> <li>Event personnel.</li> </ul>
		c) Glass.	Cuts.	3	C	M	<ul style="list-style-type: none"> <li>Drinks shall not be served in glass.</li> <li>Staff will be vigilant to patrons bring their own glass bottles to the event, and shall confiscate if witnessed.</li> <li>Any broken glass shall be immediately cleared by a member of staff.</li> </ul>	3	A	L	Yes	<ul style="list-style-type: none"> <li>Billy Manning Limited Management Team.</li> <li>Event supervision.</li> <li>Event personnel.</li> </ul>
		d) Verbal / physical assault.	Assault, distress and injury.	4	C	M	<ul style="list-style-type: none"> <li>Suitable numbers of competent event staff to be deployed.</li> <li>Staff to monitor guests for anti-social behaviour, and call on support as required, including from the police.</li> <li>A friendly and welcoming environment shall be created, with those intoxicated refused service.</li> </ul>	4	B	L	Yes	<ul style="list-style-type: none"> <li>Billy Manning Limited Management Team.</li> <li>Event supervision.</li> <li>Event personnel.</li> </ul>



**Billy Manning Limited: Oktoberfest  
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Task No	Activity & Persons at Risk	Potential Hazards	Hazard Effect / Consequences	Initial			Control and Mitigating Measures	Residual				Responsibility to Action
				S	P	R		S	P	R	ALARP	
		e) Alcohol / drug abuse.	Public order issues and injury.	4	C	M	<ul style="list-style-type: none"> <li>Suitable numbers of competent personnel (ride operators) shall be deployed to refuse anyone that is intoxicated to embark upon an amusement ride.</li> <li>Competent bar staff shall refuse service to those that appear intoxicated.</li> <li>A 'challenge 25' policy shall be enforced.</li> </ul>	4	B	L	Yes	<ul style="list-style-type: none"> <li>Billy Manning Limited Management Team.</li> <li>Event supervision.</li> <li>Event personnel.</li> </ul>
		f) Children.	Exposure to abusive / harmful patrons.	3	C	M	<ul style="list-style-type: none"> <li>No children permitted to evening openings.</li> <li>All children to be accompanied by an adult during daytime opening.</li> <li>Strict guidelines for alcohol sale (challenge 25), with staff to be vigilant to proxy sales.</li> </ul>	3	A	L	Yes	<ul style="list-style-type: none"> <li>Billy Manning Limited Management Team.</li> <li>Event supervision.</li> <li>Event personnel.</li> </ul>
		g) Collapse of marquee.	Risk of becoming unstable or of collapse, with the potential for serious / fatal injury.	5	C	H	<ul style="list-style-type: none"> <li>A temporary structure shall be erected by competent contractor.</li> <li>The structure shall be inspected and certified as fit for use by a competent person or authority.</li> <li>Entrance / exit shall be staffed at all times, with number of admissions monitored and capped.</li> </ul>	5	A	M	Yes	<ul style="list-style-type: none"> <li>Billy Manning Limited Management Team.</li> <li>Event supervision.</li> <li>Event personnel.</li> </ul>
Billy Manning Limited shall ensure that this document is subject to ongoing review, and is updated and disseminated as required.												

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**Billy Manning Limited: Oktoberfest**  
**Hazard Identification & Risk Assessment**

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Name	Company	Role	Signature	Date





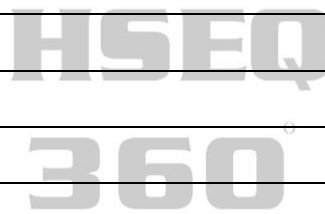
**Billy Manning Limited: Oktoberfest  
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This sheet is provided for recording the HIRA review with all personnel. Following the review all attendees should sign below to demonstrate receipt and understanding of the HIRA. Comments should be returned to the Project Manager.

Name	Company	Role	Signature	Date





**Institution of  
Occupational Safety and Health**

Incorporated by Royal Charter 2003

This is to certify that

**Steven Cook**

was admitted as a

**Chartered Member**

on

**26 November 2018**

Signed on behalf of the Council




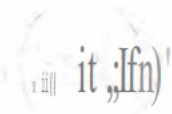
Chief Executive



President



Cert No. 



This certificate remains the property of the Institution of Occupational Safety and Health and should be returned if requested

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## APPENDIX D

PC Peter Rackham  
Core 5 LFG  
Civic Offices  
Portsmouth  
PO1 2AL

Mr John Henry Thurston  
Billy Manning Limited  
Clarence Pier  
Southsea  
Hants  
PO5 3AA

3<sup>rd</sup> September 2020

### **Response to Objections to TEN for 3 Periods 9<sup>th</sup> – 31<sup>st</sup> October 2020**

Dear PC Rackham,

I write to you in response to your objections received by email via Derek Stone of PCC on 1<sup>st</sup> September 2020. I am writing in my capacity as Events Director for Clarence Pier (Billy Manning Limited) and as well as the Managing Director of Blackstar Live LTD (Event Production Specialists). I write on behalf of the applicant and Personal Licence holder Mrs J Norman.

To add background: I am an experienced Event Director, with over 15 years of experience delivering safe and successful events, of all types and scales, indoor and outdoor, and all involving the retail sale of alcohol in a variety of legislative jurisdictions. Notable involvements include infrastructure design at Hyde Park Winter Wonderland 2011 - 2013, Event Direction for The Grosvenor House Hotel, Park Lane London on numerous occasions. The London Cabaret Club; Head of Event Production 2018 – 2020. I have been the Managing Director of Blackstar Live LTD since 2011 and preside over the design, planning, production and operation of over 75 projects per year, which are patronised by an estimated 750,000 guests and visitors. I have an impeccable record of compliance, safety and event delivery. I can provide examples and references should this be required

I am grateful for your statement of objections which has highlighted a number of areas which deserve greater clarification, explanation and review in some cases. This is a vital part of the event design process which leads to well-run events. Thank you.

From initial review of your objections, which are largely understandable, particularly from a better-safe-than-sorry point of view, it would seem that we have given the appearance of a large-scale drinking event, which is not the truthful reality. In fact, we seek only to add a small, family-based offering of alcohol, authentic German food, a friendly and safe atmosphere to the largely family visitors that we welcome here at Clarence Pier. A place for Mum's and Dad's to sit and to enjoy a different-to-usual atmosphere which pays tasteful homage to the

largest folk festival in the world; Oktoberfest, whilst younger members of the family enjoy the rides and attractions on the pier.

I will also formally address your concerns in the paragraph order in which they have been written in the free-text section of your document, in the absence of any numbering system.

Paragraph 1: (*Hours, Dates*)

Yes, the clarification of times and dates is correct. We have decided to reduce the capacity for the large indoor and outdoor seating areas to a maximum of 75 persons, a reduction of 424 from the original (erroneous) entry of 499. There is also no intention to perform live music. Pre-recorded only.

Paragraph 2: (*Oktoberfest...*)

We will market this event as 'Family Oktoberfest'. We will limit the purchase of alcohol to 4 x Pints of beer per person by way of a token-system issued on entry. We will not have live entertainment, or a DJ.

Paragraph 3: (*A number of issues...*)

- As attendees will not be permitted to consume more than 4 Pints of Lager, we do not believe that the area will see increased drunken-ness.
- As attendees will not be permitted to consume more than 4 Pints of Lager, we do not believe that the area will see increased violence which is related to alcohol.
- As attended will not be permitted to consume more than 4 Pints of Lager we do not believe that there will be an increase in vulnerability.
- As there is no live entertainment, no drinking games and no encouragement to do so, we do not believe that there will be any dancing, nor singing in the area.

Paragraph 4 & 5: (*Unclear areas...*)

- The applicant will limit the quantity of alcohol consumable by way of issuing a 4-token system on entry to each adult visitor. Once all 4 tokens have been spent the visitor will not be permitted to purchase any further alcohol. From our experience of successfully running similar family-events, most adults will only consume 1 or 2 pints of Lager. No unaccompanied children will be permitted in the seating areas, and a challenge-25 policy will be used and photographic ID will be required for age verification.
- We will employ the services of 2 x SIA Registered Door Supervisors at all times that the premises are open and the licence is in effect. These persons will be present to discourage any bad behaviour, to reinforce staff carrying out age and ID checking, and to prevent public disorder.

- SIA Door Supervisors in connection with the 4-Pint limit will disallow any person to over-consume alcohol. This will also reduce the likelihood of any violent behaviour. In the event that any person does become violent through alcohol consumption or otherwise, they will be escorted from the premises by the SIA Door Supervisors and will be encouraged to leave the area without causing any further disturbance.
- Now that the capacity of both the indoor and outdoor seating areas combined has been reduced to a maximum of 75 persons, this in conjunction with a one-way system enforced by hanging signage, floor markings, social-distancing reminder signage and verbal staff instructions will ensure that social distancing is maintained at all times. Furthermore, staff and Door Supervisors can remind and enforce social distancing rules should this become necessary.
- Clarence Pier has a large team of trained first-aiders, including the applicant herself: Mrs J Norman. At least 2 members of the team will be present on site whilst the event is in operation to ensure that any person taken unwell is adequately cared for. Tap water will be available and provided free-of-charge to any person that requests it.
- Further to the paragraph above the previous paragraph; a strict one-way system will be in operation, enforced by hanging signage, floor markings, social-distancing reminder signage and verbal staff instructions in addition to a separate entrance and exit door to ensure socially distanced access and egress.

Paragraph 6: *(Attracting many people...)*

- We believe that with the reduced capacity of 75 persons maximum, a strict 4-Pint Limit, and the ability to pre-purchase tickets with restricted numbers, that this event will in fact NOT attract large numbers of visitors. It will be marketed only locally, to a family demographic and as an additional activity to undertake whilst visiting the family-oriented rides and attractions at Clarence Pier. I (John Henry Thurston as the Event Director in conjunction with Mrs Jill Norman as the Managing Director) with am well placed and thoroughly experienced in the safe, successful and compliant delivery of Events. We are supported by an excellent, professional management team.

I hope that the above has gone all the way to assuring you that we seek only to operate a well-run, small scale family augmentation to the existing attractions here at Clarence Pier. We welcome any interested stakeholders to an on-site meeting to look over additional plans in more detail over a cup of tea should this be desirable. If there is any further documentation or clarification required then I am more than happy to provide this upon request.

With reference to the final paragraph on Police recommendations which reads:

*“The police also remind the reader that a TEN is not subject to any conditions which would ordinarily be placed on a premises licence ... As such there is nothing which a committee can place onto a TEN to hold the Operators accountable.”*

I would like to respond directly; In the absence of any instrument that a committee could place onto the TEN, there are two further items which are implied to be attached to any business activity carried on by myself or my colleagues; the first is past performance; we have excellent records of good and reputable business conduct, and I have an immaculate record of safe event delivery. The second is reputation of trustworthiness. If we say we are going to implement measures, we will implement them; irrespective of whether we can be held accountable for having implemented them or not. This is simply honest and good conduct, and it is who we are, as individuals, as business operators, and as long-standing members of our local community.

In light of the above, I would ask Hampshire Constabulary to reconsider their objection in its present form.

Sincerely,

John Henry Thurston  
Event Director – Clarence Pier & Blackstar Live LTD.

On behalf of

Mrs J Norman  
Managing Director  
Billy Manning Limited – Clarence Pier.