

APPENDIX 2

Representations made by Halton Borough Council Environmental Health, Building Control & Enforcement Division Halton Borough Council Environmental Health Building Control & Enforcement Division

Representation in respect of the licensing application for a premises license the Creamfields event to be held at Daresbury Estate Daresbury village Halton 23rd August 2008 –24th August 2008.

1.0 Introduction

1.1 The division has considered the application in respect of the prevention of public nuisance and public safety.

1.2 In consideration of the application and the elements that fall within the remit of the division, the division make representations in two areas namely disturbance from noise and health and safety issues. In both areas the division are recommending that conditions be placed on the license that will mitigate public nuisance and protect public safety.

2.0 Disturbance from noise and potential public nuisance

2.1 During the one day event in 2007 staff from the Council's Environmental Health Team monitored noise levels to ascertain compliance with licence conditions pertaining to noise. No breaches of licence conditions were observed or recorded, and it was considered that the conditions adequately controlled the noise given the nature of the event.

2.2 This year's event is extended over 2 days. After careful consideration of the detail it has been decided that Environmental Health will adopt a similar approach to previous years and request conditions to minimise disturbance from noise. The division would request that the following conditions be placed on the licence:

- A. All activities, structures, stages and facilities shall be positioned in accordance with the application plan. No changes shall be made to the plan without prior permission in writing from the Operational Director (Environment & Regulatory Services) or the Divisional Manager (Environmental Health, Building Control & Enforcement).
- B. The licensee shall appoint a suitably qualified and experienced Noise Control Consultant who shall be required to advise the Licensee on managing noise generated during the licensed events and to liaise with all relevant parties ie the Licensee, the Environmental Health officers of Halton Borough Council and Warrington Borough Council, Event Promoters, sound system suppliers, sound engineers and performers prior to and during the licensed event.
- C. The Music Noise Level (MNL) shall not exceed 65dBLAeq (15 min) 1 metre from the façade of any noise sensitive premises prior to 23:00 hours.

- D. After 23:00 hours music noise levels 10m from the mixer desk in each marquee including any concessionary (marquees) shall not exceed 95dB.
- E. The sound systems associated with each ride on the fairground shall not be operated after 23:00 hours
- F. Music noise levels from the main stage shall not exceed 98dBLAeq at a position 40 metres from the main speakers.
- G. The use of main stage shall finish at 23:00 hours.
- H. The licence holder shall ensure that the appointed Noise Control Consultant shall regularly undertake tests of noise levels at the sound mixer positions to ensure compliance with the Licence conditions. A written record of these assessments shall be kept and available to any Environmental Health Officer appointed or authorised by the Environmental Health, Building Control & Enforcement Division of Halton Borough Council upon request. This shall include any remedial action taken.
- I. The licence holder shall ensure that the appointed Noise Consultant shall carry out one or more noise propagation tests prior to the event. During the test, the sound system shall be configured and operated in a similar manner as that intended for the licensed events and shall utilize a sound source as similar as possible to that intended to be used during the licensed events. Any such test shall be carried out between 11:00 and 16:00 hours on the day prior to the event and after 10:00 hours on each day of the event. Halton Borough Council's Environmental Health Officers shall be informed of the tests at least one hour prior to commencement.
- J. The licence holder shall submit a noise management plans to the Divisional Manager (Environmental Health, Building Control & Enforcement) no later than 28 days before the commencement of the event.
- K. There shall be no construction of the set or any other structure associated with the event within the hours of 20.00 – 08.00 unless otherwise agreed in writing by the Divisional Manager (Environmental Health, Building Control & Enforcement).
- L. If, in the opinion of the Environmental Health Officer appointed or authorised by the Environmental Health, Building Control & Enforcement Division of Halton Borough Council or the Noise Control Consultant appointed in accordance with Condition B, that the noise levels become unacceptable and a significant disturbance is being, or is likely to be caused during the operation of the licence, and notwithstanding compliance with any other noise condition, the Licence holder shall take appropriate steps to avoid or abate any such disturbance as directed by such Environmental Health Officer or the appointed Noise Control Consultant .
- M. The Licensee shall ensure that the any sound system supplier, sound engineer, sound equipment operator or performer is informed of these noise conditions of licence and that they will be required to comply with any instructions given to them by the Licensee or the Licensees Noise Control Consultant.
- N. Provide an adequate number and type of toilet facilities for the number of people expected. Arrange for all the toilet facilities to be serviced regularly to keep them fully operational, clean and hygienic throughout the event. Provide directional signs to indicate the location of the toilets and provide adequate lighting where necessary

The reason for conditions A-N is the prevention of public nuisance.

3.0 Health and Safety Issues

Officers from the Environmental Health, Building Control & Enforcement Division of Halton BC will, with regards to health and safety, be observing their statutory powers in accordance with the Health & Safety at Work Act 1974.

The Division does not object in principle to the application on the basis of health and safety for which the Licence holder will be statutory responsible.

The event in 2006 did not result in any major contravention of the health & safety or food safety legislation but there were issues with regards to the details of transport arrangements inside the site and with the provision of a potable water supply to food concessions on the site.

In conclusion the division will not therefore be objecting to the application relating to licensing objective Public Safety on the basis of on site health and safety issues provided that the following conditions are placed on the Licence:

- I. All stage and tower structures shall be supplied by competent contractors who shall issue full structural plans and calculations to Halton's Borough Council Building Control Manager.
- II. All electrical installations shall be designed, installed and operated in accordance with current legislation specifically the Electricity at Work Regulations 1989; B.S. 7671:2001 as amended, B.S.5266: 1998 and IEE Guidance Note No 7 including all amendments, and HSE guidance NoteGS50The installation/s shall be inspected, tested and certified by competent person/s. Where more than one person is involved their responsibilities shall be clearly identified and agreed between relevant parties.
- III. The Licence holder shall ensure that a nominated council representative the Environmental Health Manager (Food and Health & Safety), the Divisional Manager (Environmental Health, Building Control & Enforcement) or the Principal Environmental Health Officer (Food Safety, Health & Safety) is kept informed of the progress of the notified at key stages, namely (i) of designated contractors on site to prepare for the event, (ii) start of event set up, (iii) final safety checks prior to opening, (iv) at any other key stages in the executing and operating of the event.
- IV. The Licence holder shall furnish the Environmental Health Manager (Food Health & Safety), the Divisional Manager (Environmental Health, Building Control & Enforcement) or the Principal Environmental Health Officer (Food, Health & Safety) with a list of all contractors who will be operating at the event at the earliest available time but within a minimum of 48 hours prior to the opening of the event to the public. In particular the list of food concessions should be reported to the Division a minimum of 3 weeks prior to the event.
- V. A representative of Halton Council's Environmental Health, Building Control & Enforcement Division shall be advised in reasonable time when the main arena is deemed by the Licence holder to be ready to be opened to the public.
- VI. The Licence holder shall advise the Environmental Health Manager (Food and Health & Safety), the Divisional Manager (Environmental Health, Building

- Control& Enforcement) or the Principal Environmental Health Officer (Food Safety, Health & Safety) a minimum of 48 hours prior to the event opening to the public, all activities to be carried out by sponsors with particular attention to those involving public participation.
- VII. The Licence holder shall ensure the Environmental Health Manager (Food and Health & Safety), the Divisional Manager (Environmental Health, Building Control& Enforcement) or the Principal Environmental Health Officer (Food Safety, Health & Safety) shall always have an up to date copy of the event risk assessment.
 - VIII. The event shall be managed and operated in accordance with the Health & Safety policy and procedures statement included in the application. The Division shall be kept informed by the Licence holder of all key activities relating to public safety. In particular, any activities that require specific individual risk assessments to ensure safe operation such as the use of lasers, strobes, pyrotechnics, bomb tanks, smoke machines and fireworks etc must be reported to the division with suitable supporting evidence within reasonable time, prior to the event.

The reason for conditions I – VIII is to protect public safety. With regard to condition III the information concerning food concessions is required in the interest of public safety as their presence may affect the circulation of people on site.

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