

REPRESENTATIONS LIST APPENDIX F

Application No: 052285

Application Date: 13 July 2021

Licence Type: Premises Licence WITH Alcohol

Licence No: N/A

Application Type: New Application

Premises: Ham Recreational Ground (The)
Port Royal, SIDMOUTH, Devon, EX10 8DB.

Applicant: Sidmouth Jazz & Blues Festival Limited

Person making Representation: Stephen Pemberton

Representation Accepted: Representation has been accepted

Reason:

Details:

OBJECTION:

To: EDDC Licensing Committee

Re: Proposed Sidmouth Jazz and Blues Festival, 2022.

PLEASE PRESENT THIS FULL WRITTEN OBJECTION TO ALL EDDC LICENSING COMMITTEE COUNCILLORS. - please CONFIRM that this has been done.

This is a representation against a premises licence under the Licensing Act 2003.
This links to ALL the Licensing Objectives:

- The Prevention of Crime and Disorder
- Public safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

and specifically to: Public Safety.

In SUMMARY these include:

- " Health and safety issues created by denied access to The Ham Path and Cycleway for the Public to, and from, the seafront and Town
- " Health and Safety issues for diversion over the unsafe, unsuitable, small bridge
- " Safety issues of funnelled, congested access through York Street and Mill street for pedestrians, cars and vans, those with mobility and disability and access issues
- " Health and Safety issues preventing those viewing the Festival from the new Alma Bridge and Zig-Zag path
- " Excessive, unsafe numbers of 2,000 attending, and diverted in and around the area
- " The consequences of these matters for the other Licensing Objectives

These matters have been forced through by the Sidmouth Town Council Town Clerk, Chairman and the Organiser.

The Sidmouth Town Clerk, the Chairman and Sidmouth Town Councillors have allowed The Ham path/cycleway to be closed to the public. This raises Safety issues and is excessive and above arrangements long established for the Sidmouth Folk Festival.

Sidmouth Town Council have provided no information to the Public about the Festival Site Plan, or it's consequences. This will cause great consternation when this is understood.

A second letter on this matter was sent to local residents. This had been the opportunity for Sidmouth Town Council and the Festival Organiser to be open and transparent with local residents and Sidmouth Town Residents about it's plans: it has failed again to do this.

Public Safety:

1: During the proposed Jazz and Blues Festival for 2022 the plan is for the path/cycleway to the Esplanade to be closed for the 7 day duration of the Festival.

The Festival proposes to fence off the path/cycleway and the whole of the grassed area of The Ham preventing public use for the set-up time, set-down time and the duration of the Festival.

This is a main public access artery from Sidmouth Town, Sidford, The Byes, to, and from the seafront and Town.

This is unknown to Sidmouth residents and will cause great consternation.

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The Ham path/cycleway has never been cut off from Public use in living memory.

2: Concerns are raised about access and mobility issues which will be caused for those who cannot easily be diverted.

The proposal is that they should go around and over the small, unsafe bridge, along the riverside path: this will include those who are frail, disabled, in wheelchairs or with motorised wheelchairs, as well as those cycling or walking to and from the seafront.

3: The small bridge to the riverside can be a dangerous hazard.

4: An excessive 2,000 people are expected to attend the proposed Jazz and Blues Festival on The Ham (1,000 more than the Folk Week Marquee accomodates). This is excessive.

This adds increased access and public safety issues to, and from, the Esplanade and Town.

5: Festival traffic, pedestrian and motorised traffic of all sorts will be channelled, dangerously, through York Street, Mill Street and around The Ham area itself.

The path, where it exists, takes one person. Wheelchairs and Motorised wheelchairs, prams, children and others will have to go in the road.

The roadway is mostly only wide enough for one car: this will cause extreme unsafe travel for everyone.

6: They also propose to have the Alma Bridge 'boarded off' to prevent viewing from the bridge and the zig-zag path creating Public Safety concerns.

The Broader Matters Needing Consideration:

1: There are clear knock-on effects of Public Safety concerns on all the other Objectives.

Public Nuisance is caused, which will be vented once this is understood by those affected. Potential Public Disorder is created through excessive numbers, and Protection of Harm to children created through excessive numbers and being channelled through York Street and Mill Street.

2: The handling of this Application and Objection Process by the EDDC Licensing Manager raises serious concerns for transparency and openness, and supporting the representation of Public concern.

The Application Notice asking for Objections is not easily seen by the Public-one was placed (out of the way?) in the corner of The Ham where few people go-; the Site Plan which shows the details of what is proposed, has to be requested, and has been difficult to obtain from EDDC Licensing (the Organiser said they weren't able to provide it to local residents- it is on one sheet of paper).

The view from the EDDC Licensing Manager is that it is up to the Organiser to decide where they put the Application Notice to inform the Public of their proposals. This does not support Public Information, knowledge or Right to Object.

Many Sidmouth residents are unaware that this is proposed and the difficulties it will cause to many in one year's time.

What is Required:

1: This needs to go back to the Organiser and Sidmouth Town Council to address the concerns they create.

2: The Licensing Committte need to set clear objectives to the Organiser and the Sidmouth Town Clerk and Chairman, setting out the clear responsibilities for Public Safety which both EDDC and Sidmouth Town Council have, and which they need 'to be seen' to uphold and protect.

3: The proposed Festival far exceeds the arrangements of the established Sidmouth Folk Festival.

The Folk Festival arrangements should be the maximum agreed for the proposed Festival.

Stephen Pemberton,

Address removed

August 9th 2021.

Evidence:

Suggestion:

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Person making Representation: Garland Pickard

Representation Accepted: Representation has been accepted

Reason:

Details:

I wish to object to the Application of a Jazz and Blues Festival in 2022. My first objection was turned down as it was considered to be too broad, so I now state that I wish to object on Safety issues. Certain members the Town Council have agreed with the Applicant on the majority of his wishes although I am lead to believe that few Councillors are aware of the full facts concerning this application. For the first time ever the Ham Path and Cycleway is shown on the Plan to be closed to members of the general public, and this is the nub of the situation, as because of this pedestrians wanting to go to the promenade will have to go by means of either going over the ' Bridge ' leading to Red Wall or by using the totally inadequate York Street. The surface of the bridge is in a deplorable state and too steep for those who are elderly, those pushing prams, wheelchair users and motorised buggy users: I use this path two or three times every day and have often chatted with those on motorised buggies who all tell me that they will go up over the bridge to get to the north end of the Ham Path but none would ever go down towards the river as it is too steep for them to safely use because if anything went wrong with their buggies they would be afraid of hitting the wall and railing, with the possibility in their minds of landing up in the river. So that will necessitate in them having to use York Street which is very narrow and two large cars have difficulty in passing without one having to mount the pavement; the pavement is also very narrow and two people cannot pass without one having to go into the road which is also used by lorries delivering to the rear of High Street shops. It is also too narrow for motorised buggies to use and they will be forced to use the road as well, as will parents pushing a pram with young children; this will be very dangerous and could easily lead to an accident, especially as it being summer with more than the usual amount of traffic using the road, and that is why normally you never see a pram being pushed either up or down York Street because these people go through the car park to use Ham Path but they will not be able to do this because both of Ham East car parks will be closed to members of the public to walk through. In order for the Applicant to take over all of the Ham there is no other alternative than members of the public using York Street: the leaders of the Town Council have either not thought this through or have decided that it is a risk worth taking. There will also be an unsafe number of people expected at the site as it will be double the number of the annual Folk Festival which caters for 1,000 people to be seated and this application is for 2,000 seated people, and as there will be two shows daily both morning and evening, will the organiser be expecting 2,000 attendees or perhaps 4,000 on a daily basis? This no one has been told and even 2,000 is far too many for a gathering in such a small residential area. This application is for the wrong area at the wrong time, as at this time of year the town is full anyway and it will be like trying to put a quart into a pint pot. No, the number should be halved to 1,000 maximum, as the Folk Festival has always been, or else have to take place in a different area, as in it's present form it is far too dangerous.

Garland Pickard

Evidence:

Suggestion:

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Person making Representation: Christopher HOLLAND, Sidmouth Town Council

Representation Accepted: Representation has been accepted

Reason: Supporting rep

Details: Sidmouth Town Council met last night and as Licensing Consultee considered the latest application and made the following comments:

50 Premises Licence Application 1 to 5 June 2022 - Sidmouth Jazz & Blues Festival at The Ham, Port Royal, Sidmouth, EX10 8DB

Members were asked to consider the Premises Licence Application for the Sidmouth Jazz & Blues Festival to be held on The Ham from 1 to 5 June 2022.

At the June 2021 meeting, the Council as Trustee, gave permission to Sidmouth Jazz & Blues Festival to use the Ham from 26 May to 9 June 2022, to include set up and take down days. The Licensing application made to East Devon District Council for the licensable activities (to which Sidmouth Town Council is a consultee) was in line with that permission.

RESOLVED: That Sidmouth Town Council supports the licence application for the Sidmouth Jazz & Blues Festival 1 to 5 June 2022, with the following additional comments:

" No single-use plastic glasses should be used during the festival. All glasses should be made of a reusable material or biodegradable.

" A Risk Assessment must be carried out for the proposed diversion route for the footpath closure.

" Sidmouth Town Council should continue discussions with the organiser in order to build a good working relationship and ensure that residents concerns are taken into consideration during the development of the festival.

Kind regards,

Chris

Christopher E Holland
Town Clerk

Evidence:

Suggestion:
