

# Response to the Senior Coroner in relation to the Regulation 28 report following the Licensing Committee meeting on 19<sup>th</sup> April 2021



Approved by Councillor [REDACTED] (Chair of the Licensing Committee)

I refer to your letter of 18<sup>th</sup> January 2021 and the enclosed Regulation 28 report dated 19<sup>th</sup> January 2021 relating to the death of Anya Lily Buckley. This is a response to the report provided on behalf of Leeds City Council (LCC) through its Licensing Committee.

The Matters of Concern raised by the Senior Coroner in the Regulation 28 report have been carefully considered by the Council.

## Background

Leeds City Council's Licensing Committee granted the premises licence to Festival Republic for the Leeds Festival at the Bramham Park site on 28<sup>th</sup> April 2006. Each year before the festival the Licensing Committee considers and agrees the Event Management Plan (EMP). Following the festival the Licensing Committee has a de-brief meeting including consideration of improvements for the following year.

The Safety Advisory Group (SAG) also provides advice in relation to the event. The SAG is made up of representatives from the local authority, emergency services, and other relevant bodies. They meet to review event applications and advise on public safety.

Festival Republic has worked with the Council and other stakeholders, including the Police, over the years to introduce and improve on welfare provision on site.

## The legal position

The licensing of festivals is dealt with by councils within a statutory framework. The Premises Licence for the festival was granted pursuant to the Licensing Act 2003. To limit the age range of attendees at a festival would require a condition to be attached to the licence. This could be by consent, or otherwise could arise from a review of the licence through application of a responsible authority. If a licence holder were to disagree with a condition there is a process to follow including a hearing, with a right of appeal to the Magistrates' Court.

It is to be noted that there is no national age restriction on those able to attend festivals; neither is there guidance suggesting age restrictions on festival goers.

The Council does not have a policy on restricting the age of festival goers and if it wanted to introduce such a policy for festivals, the policy would potentially need to be consulted on and approved as part of the Council's Statement of Licensing Policy by a meeting of full Council.

## Action taken in response to the Regulation 28 report

Upon receipt of the Regulation 28 report the Licensing Committee immediately set up a working group with key stakeholders, Festival Republic and the parent of Anya invited to take part.

Working group participants:

Five members of Licensing Committee (Cllrs [REDACTED] (chair), [REDACTED] and [REDACTED]);

Representatives of the following:

West Yorkshire Police;

West Yorkshire Ambulance Service;

LCC Safer Leeds – Chief Officer;

LCC Public Health;

LCC Childrens & Families;  
LCC Safety Advisory Group;  
LCC Emergency Planning;  
LCC Environmental Health / Health & Safety;  
LCC Elections & Regulatory Chief Officer (including oversight of Licensing, Environmental Health and Health & Safety);  
LCC Entertainment Licensing; and  
LCC Legal Services.

Meetings took place to discuss the regulation 28 report on the following dates:

Working Group: 9<sup>th</sup> February, 22<sup>nd</sup> February & 12<sup>th</sup> March 2021.

Licensing Committee: 2<sup>nd</sup> March, 6<sup>th</sup> April & 19<sup>th</sup> April 2021.

The parent of Anya, & Festival Republic attended a working group meeting and the Licensing Committee meeting of 6<sup>th</sup> April. A representative from the Loop also attended the Licensing Committee meeting on 6<sup>th</sup> April.

### **Outcomes from the Working Group and Licensing Committee meetings**

The Licensing Committee heard that young people often attend the Leeds Festival to celebrate after receiving examination results and that, provided appropriate safeguarding is in place, this can be an enjoyable experience for them.

The Licensing Committee recognised that Festival Republic have worked with LCC since they were first given the premises licence to hold the event. The Committee acknowledged that there were already a number of welfare provisions in place.

Additional measures requested by the parent of Anya and considered by the working group and Licensing Committee were:

- **Increased water on site.** The working group heard that Festival Republic ensure there are sufficient facilities on site. They provide water points throughout the site to the satisfaction of Environmental Health/Health & Safety and in addition drinking water is available free of charge from each bar. They have committed to review the drinking water facilities and enhance as necessary.
- **Increased medical facilities.** There was consideration of whether there should be additional medical centres to those already in place. Operationally there is one main and two supplemental sites with the ability to treat festival goers, including ambulance provision to take those further away to medical stations. Festival Republic said they will review this provision and increase in the camp sites as necessary. They have also committed to obtaining specialist medical advice to establish whether or not further facilities are required for the treatment of drug related admissions.
- **Increased education provision to young people about drug awareness.** Festival Republic explained what measures they have in place already, and confirmed they are committed to working closely with the Council's public health team to widen educational awareness.
- **The provision of voluntary testing of drugs on site.** Information from an organisation (The Loop) which provides this facility at some sites in the country was considered, though it was recognised that this may increase the risk of harm by creating a sense of false security. Part of the discussion was that such organisations may test drugs and be able to say what they are made up of, however they are unlikely to be able to say with any certainty what the impact of taking the drug might be on different people. Festival Republic were open to consider the use of such an organisation going forward if supported by LCC and the West Yorkshire Police. The working group heard that the Police do already carry out back-of-house drug testing.
- **Restricting the age of entry to 18-** see below.

Festival Republic have, in addition to the welfare provisions they already have in place, committed to:

- Joint partnership/working group with LCC Public Health, Forward Leeds and Reading counterparts;
- Review of educational and harm reduction messaging;
- Additional welfare facility within the arena and drugs advisory information points;
- Review of Safe Hub locations and signage to optimise usage;
- Review of the medical provision as referred to above; and
- Additional West Yorkshire Police covert officers to work with existing Festival Republic security teams.

### **Limiting the age range**

The parent of Anya argues that if the event had been restricted to 18, her daughter would not have attended. Also that those who attend who are under the age of 18 are children and vulnerable, and should be protected.

The Regulation 28 report suggests that children below 18 are not allowed into licensed premises. In fact the Licensing Act 2003 does not carry any age restrictions for young persons' entering licensed premises, but provides that they are not allowed to consume alcohol (subject to certain exceptions).

The Licensing Committee discussed whether the appropriate age limit should be 18 unless accompanied by an adult. They considered:

- As referred to above, there is no legislation or national guidance limiting the age range of attendees at festivals;
- Anya was with a group which included older adults, so such a condition may not have prevented her attendance;
- Festival Republic's view that it may cause young people to go elsewhere;
- Festival Republic's view that the consideration should be on improving the welfare provisions for all who attend;
- The detail of welfare and safety provisions already in place, including a host of information available via Festival Republic's social media, and their commitment to review and improve;
- There have been no adverse representations from any of the statutory responsible authorities as prescribed under the Licensing Act.

### **Decision of the Licensing Committee**

Having considered the issues raised at length the Licensing Committee determined that the Chair of the Licensing Committee should respond to the Senior Coroner on its behalf.

The following response is provided on behalf of the Licensing Committee.

The Licensing Committee:

- Expresses its sincere condolences to the family and loved ones of Anya following her tragic death;
- Expresses its thanks to all of the attendees at the working group and Licensing Committee meetings for the information provided, including Festival Republic and in particular the parent of Anya;
- Notes the current welfare and education provisions in place and notes the additional measures to be put in place by Festival Republic as outlined above;
- The Committee recognises that the issue is not as straightforward as indicating a restriction on age, as there is the national position to consider and festival age ranges are not restricted by legislation or

suggested by guidance. The Committee feels that this is an issue which is relevant to numerous festivals throughout the country;

- The Event Management Plan (EMP) will be carefully considered through the Safety Advisory Group process for all relevant agencies to be satisfied with the safeguarding, drug prevention and medical provisions at the Festival;
- Notes that Festival Republic, after discussion by the working group and Licensing Committee on how 16 and 17 year olds are already or could in future be identified on site, intend immediately to implement a system of wrist bands for 16 and 17 year olds so they can be identified more easily and quickly;
- The joint partnership /working group with LCC, Public Health, Forward Leeds and Reading counterparts to be provided with information on drug education in schools at a local and national level and to consider, if appropriate, if representations can be considered for this to be expanded on;
- A sub group of the Safety Advisory Group process, specific to the Leeds Festival, will be set up to consider education, welfare and safeguarding, and in particular:

For the protection of tickets holders in general:

- a. Whether anything more can be done by Festival Republic and with partner agencies to prevent drugs being taken onto the festival site.
- b. To consider whether front-of-house voluntary drug testing should be available in addition to the back of house testing carried out by West Yorkshire police.

For the purpose of protecting children from harm:

- c. In addition to the age verification and wristband system proposed for 2021 to identify attendees of 16 and 17yrs, to progress with Festival Republic being able to capture data provided at the point of sale of tickets to understand the demographic of attendees prior to each festival. For example, to include the age of the ticket purchaser and the age of the person for whom the ticket is intended.
  - d. Look at proposals to enhance the safety of minors at the festival.
  - e. To consider measures to prevent opportunities for child exploitation (for example in relation to drug sales or use) at the festival.
- Following the 2021 festival, the Safety Advisory Group process will be used to measure the effectiveness of additional welfare and safeguarding measures and future arrangements going forward, which could include, if necessary, consideration of an age restriction of attendees.