

**LICENSING SUB-COMMITTEE**

**27 March 2006**

Attendance:

Councillors:

Pines (Chairman)

Bennetts (Chairman for the meeting) (P)

Wagner (P)

Wright (P)

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1. **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED:

That in the absence of the Chairman (Councillor Pines), Councillor Bennetts be appointed Chairman for the meeting.

2. **HI FI SOUTH, THE BOWL, MATTERLEY ESTATE, WINCHESTER**  
(Report LR192 refers)

The Sub-Committee met to consider an application by Mr Melvin Benn of the Mean Fiddler Music Group for the grant of a Premises Licence under Section 17 of the Licensing Act 2003 for an area of open land situated at Matterley Estate, Winchester.

The Parties (in accordance with the Licensing Act 2003 (Hearings) Regulations 2005) present at the meeting were Mr Melvin Benn and Mr Ian Donaldson of the Mean Fiddler Music Group (applicants) and Mr Simon Taylor (legal representative). Acting Inspector Neil Jenkins and Sergeant Taylor from Hampshire Constabulary and Mrs Sue Blazdell, the Environment Protection Team Manager, were also present as Responsible Authorities. There were also ten members of the public present at the meeting.

The Licensing and Registration Manager presented the application as set out in the report. He explained that the application had been modified since it had been submitted and stated that with the Licensing Act 2003 now in force, a permanent Premises Licence was now required. He continued that although the event was similar to the previous Homelands events held at the site, that this year the event would run over two days and would include camping provision on site. The Licensing and Registration Manager added that the application included the sale of alcohol and late night refreshment on the campsites, as well as in the entertainment areas.

The Licensing and Registration Manager stated that 20 representations from local residents had been received, along with representations from the Director of Communities at Winchester City Council (the Environment Division) and the Police. He continued that agreements had been reached with all Responsible Authorities however and that as a result, these representations had been withdrawn. He added that live headline acts (which would take place on the outside stage) would now finish by 2300 hours and that all entertainment afterwards would take place inside the

marquees. He summarised that most representations from local residents had voiced concerns regarding public nuisance and the Traffic Management Plan.

Mr Taylor then spoke in support of the application. He explained that there had been several successful events held by the applicant in the past and that the proposed event was, in many ways, similar to previous Homelands events although Hi Fi South would run over two days and provide camping facilities. He outlined the timetable for the event as set out on page 2 of the report and explained that the anticipated number of persons on site had been based on previous experience. Mr Taylor continued that the organiser had many years of experience in camping festivals and explained that, as the leading promoter in the United Kingdom, Mean Fiddler were capable of running such an event. He added that although the application was for a permanent Premises Licence, Mean Fiddler would have to submit a new Event Management Plan before each event and only if this is agreed would the event be able to go ahead.

Mr Taylor then addressed the main concerns stated in the representations received from the Interested Parties, including the fear of the increase in crime, noise pollution and traffic disturbances. He stated that all issues raised had been examined and mechanisms put in place to deal with them, including liaisons with the Police and the Environment Division. He continued that on the issue of traffic the applicant accepted there would be a certain amount of disruption to journeys for local residents but that the Traffic Management Plan outlined measures to keep this disruption to a minimum where possible.

In response to a Members' question the Environment Protection Team Manager confirmed that since the event started in 1998 there were always Noise Officers on site throughout the event. She stated there was a noise complaint hotline which residents could call and that they would then receive the offer of an officer to come to their property as soon as possible to measure the noise emitting from the site. She continued that all officers were in radio communications with the site and that information could then be fed back straight away if the noise proved to be too loud. She added that the criteria her team worked to were based on the guidelines published by the World Health Organisation on what is considered to be reasonable. Responding to a Members' question, she confirmed that the levels set by the World Health Organisation took into account residents leaving their windows open for ventilation. The Environment Protection Team Manager also added that noise levels were now measured at one metre from the façade of the noise sensitive premises.

During discussion, a Member suggested that remote noise monitors be set up in surrounding areas which would enable central control to monitor the noise levels without the need for an officer to visit residents in the middle of the night. Mr Benn confirmed that the technology was available for this and that he was happy to comply with this request, despite the Environment Division not requesting this. In response, the Environment Protection Team Manager stated that as this was a new event the situation would have to be monitored and if there was an issue that it would be reviewed. It was agreed that an extra condition should be added to conditions under the Prevention of Public Nuisance relating to the possible implementation of remote noise monitors.

Acting Inspector Neil Jenkins from Hampshire Constabulary then spoke, explaining that Mean Fiddler paid for the extra policing needed for the event. Condition CD.1. was amended as agreed between the Police and applicant. Responding to a Members' question, he commented that he expected there to be a slight increase in the number of anticipated crimes but that these would all be on site and would not affect residents. He added that he had liaised with other forces in the country dealing with similar large camping events such as this and none had reported having detected any criminal activity outside the site. Acting Inspector Jenkins confirmed that all

criminal activity was monitored each year and that the number of drug related offences was falling year on year.

In response to a Member's question, Acting Inspector Jenkins stated that everyone entering the arena would be searched, and everyone entering the site would be liable to be searched. He also explained that although the drugs searching would be carried out by the Police, the security teams employed by Mean Fiddler would also carry out searches as part of the entry process to the site.

Acting Sergeant Taylor from the Roads Policing Unit at Hampshire Constabulary then explained the proposed Traffic Management Plan to the Committee. He reported that it would be very difficult and dangerous to allow the A31 exits to be left open, especially when considering the history of the road and the volume of traffic expected for the event. He stated that cross-overs and exits would therefore be closed for the entirety of the event but it might be possible for traffic to use the Ovington turning. This junction will be monitored and local traffic may use it at certain times. He then responded to a question from a Member regarding road closures in Chilcomb, stating that roads had been closed in the past to prevent revellers parking along the narrow country roads. He accepted, however, that there would be disruption to residents for the duration of the event and confirmed that further investigation into what other measures could be introduced would take place as part of the approval of the Traffic Management Plan. It was agreed that the conditions would be amended to reflect agreed changes to the plan.

Speaking against the application, Mrs Matthews from Itchen Valley Parish Council stated that there had not been proper notice of the event as set out in the relevant regulations. She stated that the regulations required notices to be placed every 50 metres along the perimeter of the premises where boundaries abut the highway. She continued that the Parish Council received several comments each year from residents about the noise levels throughout the event, but that many did not complain as they felt that nothing would be done about it. She added that although most residents could tolerate one night a year, extending the event to two nights was unacceptable, especially over a bank holiday weekend. She also commented that the reduction in the entertainment hours from 0600 to 0400 did not make a great difference to the amount of disturbance that residents would suffer and that the event did not benefit the community.

Mrs Matthews then stated that the road closures inconvenienced many residents, especially those who needed to travel to work on the Friday. She commented that journey times were significantly added to and requested that the road closures should not be brought into force until the Saturday of the event. She continued that life in the surrounding villages to the Matterley Estate was also affected each year and that local events were jeopardised.

In response, the Assistant City Secretary (Legal) stated that it was felt putting signs every 50 metres would not have been appropriate in this situation as the boundary was along a busy main road and they would not have been any more visible than the signs already erected. He added that notices had been placed at the main entrances to the site and that this, along with the advertisement in the press, had been deemed by the Licensing Authority to be satisfactory notice of the event. Mr Benn stated that no part of the site actually abutted the highway and that the closest part of the site to the A31 was at least 25 metres away from the road. Accordingly, the regulations had in fact been complied with.

Dr Silvester then spoke against the application, stating that he lived approximately 200 yards from the car park site at the estate. He commented that he had tolerated previous events as only one night's sleep was disturbed and added that the bass of

the music could be heard within his property. He continued that in a previous year he had complained about the noise and although the music had been turned down for a short period, it had been turned up again. He also reported that car radios had been turned up in the car parks after the entertainment had ceased which caused further disturbance and requested that this be monitored and dealt with as appropriate. Dr Silvester reiterated the concerns that Mrs Matthews had voiced and added that the flood lights used in the car parks often shone into his property, affecting sleep.

Mr Taylor responded, stating that the applicant agreed that the discomfort caused by lights shining into Dr Silvester's house was not acceptable and that the lights could be redirected to avoid this happening again. He also added that noise disturbance should be at a minimum as Mean Fiddler was complying with all the regulations governing the level of the sound at the event. Mr Benn confirmed that procedures were in place to ensure that no portable amplified high volume sound equipment could be brought onto the campsite and that vehicles suspected of containing such equipment would be searched. He added that there would be dedicated security staff on the campsites who would ensure compliance with this policy. It was agreed that condition PN.7. should be amended to include the use of amplified high volume portable equipment within the campsites and excessively loud car radios in the car parks.

Mrs Sparkes spoke against the application explaining that she lived opposite the car park entrance. She added to what had been discussed before, stating that her livestock was affected by the noise and disturbance every year and commented that due to the road closures she had to take annual leave as she worked nights and could not get to work. Mrs Sparkes continued that it was not only the disturbance of the actual event that had to be tolerated but also the setting up and dismantling of the site.

Mr Sparkes then spoke, stating that the majority of the large vehicles entering the site before the event would turn right from the A31 in front of his property and he felt that this could cause an accident. He added that pedestrians often left the site and there had been occasions in the past when revellers had attempted to enter his property.

In response to a Member's question, Mr Benn confirmed that there was minor impact to the surrounding areas during the set up and dismantling periods and that the increase in traffic was usually very minimal. He added that in relation to the issues surrounding traffic being directed into the site that he would ensure signs were placed at the exit advising lorry drivers to turn at the roundabout and double back. He also commented that contractors would be advised of this before the event. Mr Benn also offered the service of extra stewards to ensure that no pedestrians left through the car park exit, as well as increasing the provision of toilets in the car park.

Mr Windsor-Aubrey on behalf of The Upper Itchen Valley Society and Mr Springhall, a Parish Councillor from Bramdean and Hinton Ampner Parish Council, then spoke in turn against the application, reiterating local concerns regarding noise disturbance and public nuisance.

Mr Taylor then made his closing statement, commenting that a great deal of care had been taken to ensure that all issues were covered within the application and that extensive liaison with the Responsible Authorities had taken place. He added that the event had also been reduced from a proposed three day event to the two day event being applied for.

The Sub-Committee retired to deliberate in camera.

In his closing remarks, the Chairman stated that in reaching its decision, the Sub-Committee had given careful consideration to all the issues raised regarding the application, including those set out in the report and matters raised during the hearing. The Sub-Committee agreed to approve the application as set out in the report with the amendments as set out in the conditions which form an Appendix to these Minutes.

RESOLVED:

1. That delegated authority be granted to the City Secretary and Solicitor to make minor amendments to the conditions in consultation with the Chairman of the Sub-Committee.
2. That the application be granted subject to the conditions which form an Appendix to these Minutes, including the following:-
  - a) "Licence Holder" to be replaced with "Premises Licence Holder" throughout;
  - b) Condition M.3 – to be amended to read "...to carry out licensable security activities under the Private Security Industry Act 2000,...";
  - c) The Traffic Management Plan to ensure that road closures and inconveniences to local residents are minimised, and to consider provision preventing long vehicles from crossing the A31 central reservation;
  - d) Condition CD.1 to read "At least 28 days prior to each event, after consultation with Hampshire Constabulary, the Premises Licence Holder shall 1) agree with Hampshire Constabulary the need for Special Police Services for the event; and 2) request Special Police Services from Hampshire Constabulary if Special Police Services are required. The Premises Licence Holder and Hampshire Constabulary shall agree a Statement of Intent setting out their respective responsibilities for the event;
  - e) Condition PS.2 to include at the end "by the Premises Licence Holder";
  - f) Condition PN.7 to include a reference to vehicles in car parks and portable equipment in the campsites;
  - g) A further condition to be added required the provision of remote noise monitoring equipment as required by the Director of Communities, to be used by the Premises Licence Holder to ensure compliance with the noise conditions and allowing monitoring by the Licensing Authority;
  - h) Condition PCH.2 to include at the end "If a customer cannot unequivocally demonstrate that they are 18 years old and over they will not be served.

The meeting commenced at 9.30am and concluded at 1.40pm.

Chairman