

LICENSING SUB-COMMITTEE**6 May 2008**Attendance:

Councillors:

Mather (Chairman) (P)

Izard (P)

Read (P)

Others in attendance who did not address the meeting:

Councillor Verney

Officers in Attendance:

Mr H Bone (Head of Legal Services)

Ms S Blazdell (Environment Protection Team Manager)

Mr J Myall (Licensing and Registration Manager)

Miss C Stefanczuk (Assistant Licensing and Registration Officer)

1. **MATTERLEY BOWL, ALRESFORD ROAD, WINCHESTER**
(Report LR274 refers)

The Sub-Committee met to consider an application by Mr Paul Rooney and Mr Grant Smith for a new premises licence under Section 17 of the Licensing Act 2003 for the area of land known as the Bowl at Matterley Estate. The application was for the provision of regulated entertainment, late night refreshment and the supply of alcohol over the weekend of 8 August 2008 to 10 August 2008.

Present at the meeting were Mr Paul Rooney and Mr Grant Smith (Applicants). Mr Peveril Bruce (Landowner) and Mr Tim Pryor-Lettley (Employee) were in attendance to observe the meeting. Sergeant Neil Jenkins and Sergeant Kevan Sitch attended the meeting as representatives of Hampshire Constabulary. Councillor Neil Baxter also attended on behalf of Mrs Alison Matthews of The Upper Itchen Valley Society, the Interested Party that made representation, as she was not able to attend.

Miss Stefanczuk presented the application as set out in the Report. She explained that the event was to be run by the same organisers of Sanctuary Festival 07, which was held in the same location. A representation had been received from Hampshire Constabulary, but this was withdrawn as it was agreed with the applicants that the conditions imposed on the licence for 2007 be placed on this licence, with a minor amendment to the percentage volume of beer.

Miss Stefanczuk continued that one representation from an Interested Party (the Upper Itchen Valley Society) had also been received. Mrs Matthews, on behalf of the Society, had concerns mainly relating to the Public Nuisance licensing objective, including noise nuisance and litter.

Mr Rooney spoke in support of the application. He began by explaining that this was the second event by Slammin Vinyl at the Premises and that the 2007 event was considered very successful, despite the adverse weather conditions. Due to this, the 2008 event was moved to August, in the hope that the weather conditions would be

more suitable. Regarding the concerns raised by Mrs Matthews, the organisers had written to her, explaining how they intended to address these concerns and allay her fears. All issues were also addressed in the Event Management Plan for the weekend.

Responding to questions from the Committee, Mr Rooney confirmed that there would be strict control over the number of tickets sold, through their ticket office, and stated that the licence would only be for a maximum of 9,999 people. It was also confirmed by Sergeant Jenkins that discussions were shortly to take place with a view to agreeing that the emergency traffic diversion from the A31 via the B3047 would not be signposted until it was deemed necessary by the Police.

Councillor Baxter then spoke, representing The Upper Itchen Valley Society. He stated that there were always significant disturbances to local residents during events in the Bowl and that, as the event would be running over two days, the disturbance would be greater than usual. The traffic nuisance was also of great concern and inconvenience to residents, who would have to travel an extra five miles into Winchester if road closures were implemented. The final issue was over litter and Councillor Baxter impressed on the Sub-Committee that it was the wish of The Upper Itchen Valley Society that there be a proper clean-up exercise after the event of the surrounding area.

Ms Blazdell responded to questions from the Sub-Committee on Environmental Health issues, explaining that during the 2007 event, 14 complaints were received about noise, which was considered not a large amount for the scale of the event. The noise conditions attached to the licence had worked well. She also confirmed that the organisers appointed a well-known sound consultant to ensure that noise levels were adhered to. In 2007 the sound levels were reduced further following complaints from residents, proving that there was a good working relationship between the organisers and the Council.

Mr Rooney summarised, in response to the representations, by stating that they were keen to organise a successful event, through working closely with the responsible authorities, the licensing authority and local residents.

The Sub-Committee retired to deliberate in camera.

In her closing remarks, the Chairman stated that the Sub-Committee had carefully considered the application and the representations made by Interested Parties. It had taken into account the duties under the Crime and Disorder Act 1998, and the rights set out in the Human Rights Act 1998.

RESOLVED:

That the application be granted for the reasons set out below, subject to the following conditions:

Mandatory Conditions

Under the Licensing Act 2003, the following conditions must be imposed on the Premises Licence:-

1. No supply of alcohol may be made under the Premises Licence (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

3. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

Additional Conditions

Operating Hours

1. The hours the premises may be used for regulated entertainment shall be:

Recorded music

- (i) Friday 1400 to 0400 (outdoor stage 2230)
- (ii) Saturday 1100 to 0600 (outside stage 2300)

Provision of facilities for dancing

- (i) Friday 1400 to 0400
- (ii) Saturday 1100 to 0600

2. The hours the premises may be used the provision of late night refreshment shall be:

- (i) Friday 2300 to 0400
- (ii) Saturday 2300 to 0600

3. The hours the premises may be used for the sale of alcohol shall be:

- (i) Friday 1400 to 0300
- (ii) Saturday 1200 to 0500

4. The hours the premises may open for other than Licensable Activities shall be:

- (i) 1400 Friday through to 1200 Sunday

All Licensing Objectives

1. The Premises Licence Holder shall produce an Event Management Plan (EMP), including a Noise Management Plan and a Traffic Management Plan. The final *approved* version shall be submitted to the Licensing Authority no later than 28 days before the start of the event. The applicant shall comply with the approved EMP for the duration of the event.

Crime and Disorder

1. The Premises Licence Holder shall agree with Hampshire Constabulary no later than 28 days before the start of the event:

- a) the need for Special Police Services for the event, and
- b) request Special Police Services from Hampshire Constabulary if they are required. The Premises Licence Holder and Hampshire Constabulary shall agree a Statement of Intent setting out their respective responsibilities of the event.

2. A CCTV system with recording facilities shall be operated throughout the event. The recordings shall be retained for a period of 30 days and be made available upon request by the Police. Full details of the proposed system (including contractor, agreed positions, installation, operation, playback facilities and retention of data) shall be submitted to the Licensing Authority no later than 28 days prior to each event.

3. No licensable activities shall take place unless the Premises Licence Holder agrees with the Licensing Authority, no later than 28 days before the start of each event, the number of stewards required for the event. A schedule of stewards and security personnel shall be made available to the licensing authority no later than 24 hours before the start of licensable activities for the public, such schedule to include the following details: name, date of birth, reference number, location on site and whether or not SIA registered. The schedule shall list the position and numbers of all security and steward personnel on site. This shall include dedicated teams for the campsites, the arena, the big tops, the perimeter and the car parks. There shall be both static and mobile positions. All Security staff and stewards to wear clearly identifiable reflective jackets.

4. A perimeter fence shall be erected and patrolled by security to ensure that unauthorised access cannot be gained. This perimeter shall contain an agreed number of access/egress points which shall be manned by security or stewards.

5. Crime prevention advice shall be written in consultation with Hampshire Constabulary and displayed on signage around the site and on the Premises Licence Holder's website in advance of each event.

6. The campsites shall be patrolled by security and stewards. There shall be watch towers with CCTV cameras manned throughout the event. The watch towers must be manned by stewards throughout the time that the campfires are in use. The stewards on duty in the fire watch towers shall be issued with two way radios. There must also be suitable fire fighting equipment positioned adjacent to the tower readily available and clearly identified.

7. The Premises Licence Holder shall prepare a drugs policy for the event which shall be based on three core messages:

- Prevention
- Drug dealers and users
- Welfare and treatment

8. Random searching shall take place at all entrances to the campsites and the arena entrance for offensive weapons or drugs along with other items that are not allowed onsite. The seizure of any property shall be recorded and shall then be passed on to Hampshire Constabulary via security for evidential purposes where appropriate. Searching of persons shall be carried out by members of the same gender. The ticket conditions shall indicate that searching will be carried out and there shall be signage with this message at all entrances.

9. There shall be a suitable receptacle for the safe retention of illegal substances and Hampshire Constabulary shall be informed so that appropriate disposal can be arranged.

10. All reasonable steps shall be taken to ensure that no glasses or bottles are allowed inside the arena. Bottle banks shall be located at the arena entrance and plastic containers shall be available for decanting facilities.

11. There will be no irresponsible drink discounting with no beers sold above 5.5% alcohol by volume.

Public Safety

1. The Premises Licence Holder shall carry out a Fire Safety campaign warning of the dangers of fires with particular reference to gas cylinder safety. Infrastructure and accumulated litter shall be removed from scenes of potential disorder if appropriate. Small campfires that are not doing any harm or causing any damage may be allowed by the Premises Licence Holder.

2. The Premises Licence Holder shall appoint an Event Safety Coordinator. The role of the Event Safety Coordinator shall consist of the following:

- (i) Liaison with lead subcontractors and any self-employed persons to be employed at the venue and ascertain their competence;
- (ii) assistance in the inspection of the venue before and during the event;
- (iii) assistance in the inspection of all structures and electrical services;
- (iv) checking and obtaining all relevant certification, safety policies etc.;
- (v) advising of any unsafe work or inappropriate systems of work or unsafe equipment observed and,
- (vi) assisting in the stopping of unsafe work or inappropriate systems of work or the use of unsafe equipment.

This person shall have no other duties or responsibilities.

3. The Premises Licence Holder shall install an appropriate number of exit gates positioned evenly around the entertainment arena. These shall be alphabetically signed to the front and rear and shall be lit. Each gate shall be manned throughout the time that the public are in the arena.

4. The Premises Licence Holder shall formulate a major incident plan for each event. This shall be inserted into the Event Management Plan.

5. The Premises Licence Holder shall provide a final, approved site plan no later than 28 days prior to the event.

6. No more than 9999 persons shall be allowed to be on the premises.

Public Nuisance

1. The Premises Licence Holder shall employ a team of suitably qualified Noise Consultants to monitor on site and off site noise.

2. Noise levels from the event shall not exceed the following:

(i) Between the hours of 12 noon and 2300 noise levels from the event will not exceed 55dB $L_{Aeq (5mins)}$ and between the hours of 2300 and 0800 on the following day, noise levels will not exceed 45dB $L_{Aeq (5mins)}$ as measured at a distance of 1m from the façade of any noise sensitive dwellings.

(ii) In addition in the frequency range of 63 and 125 Hz noise levels will not exceed 65dB (L) as measured at 1m from the facade of any noise sensitive dwelling.

3. A noise hotline shall be installed which will be manned throughout the event. This number will be circulated to the local authority and parish councils. All calls to the hotline will be logged and actioned.

4. The sound systems of the principal stages shall be available for testing by the Licensing Authority at least 24 hours before each event. All testing of amplified equipment before each event shall be agreed with the Licensing Authority.

5. The Premises Licence Holder shall ensure that the Licensing Authority officers who require unrestricted access to the sound mixing positions and backstage areas of the stages for the purpose of sound level measurements and communication with the mixing engineer(s) shall be issued with the correct event accreditation.

6. The Premises Licence Holder shall provide sound level monitoring equipment to IEC Type 1 Standard at all stage sound mixing positions. The sound level equipment shall be set up so as to display $L_{Aeq (1min)}$ and the positioning of the equipment shall be in agreement with, and approved by the Licensing Authority.

7. Agreed levels shall be set prior to the event during the sound test in agreement with the Licensing Authority. These levels shall only be altered by agreement with the Licensing Authority.

8. The Premises Licence Holder shall have full control over all amplified noise sources on site (including vehicles in the car parks and portable equipment in the campsites) and shall arrange for any noise sources to be reduced or eliminated.

9. The Premises Licence Holder shall submit a plan to the Licensing Authority showing the layout of all stage loudspeakers and mixing desks. This shall include a schedule of the amplification equipment and shall include any sponsor activities no later than 21 days prior to each event.

10. Security personnel shall ensure that unauthorised amplification equipment is not brought onto the site. Any unauthorised equipment shall be confiscated and returned post event.

11. Any outdoor stage shall finish at 2300 on each event day.

12. Any rehearsals or sound checks shall take place between of 1000 and 1800 unless agreed by the Licensing Authority.

Protection of Children

1. The Premises Licence Holder shall ensure that no person under the age of 18 years shall be admitted to the premises.

Reason for Decision: The Sub-Committee considered that the conditions attached to the licence will address the licensing objective of preventing public nuisance and was further reassured that there were no representations made by the Environmental Protection Team Manager.

The meeting commenced at 2.30pm and concluded at 3.30pm.

Chairman