



**Part A.****1. Application****Applicant:** SD Events Limited**Premises:** Matterley Basin

- 1.1 This application is for a Premises Licence to be granted under section 17 of the Licensing Act 2003.
- 1.2 The purpose of the application is to provide regulated entertainment by way of live and recorded music in an entertainment area during the Moto Cross GP to be held at Matterley Estate between 22 and 25 August 2013.
- 1.3 The proposed hours of operation were originally 0800 to 2300 each day on Thursday 22 to Saturday 24 August, and 0800 to 1830 on Sunday 25 August 2013.
- 1.4 The live music would commence from 1000 and the recorded music from 0800.
- 1.5 The applicant has now modified these hours to 1800 to 2300 on the Friday and Saturday only, and removed the requirement for entertainment on the Thursday and Sunday.
- 1.6 The musical entertainment is proposed to be provided from a stage provided by the manufacturers of Monster Energy Drink.
- 1.7 This application is for a maximum of 4,999 persons.
- 1.8 No representations were received from any of the responsible authorities, however a noise condition suggested by the Head of Environmental Protection was agreed with the applicant.
- 1.9 Two representations were received from other persons, relating to the public nuisance objective.
- 1.10 The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.

**Designated Premises Supervisor****Not applicable****Steps to promote the Licensing Objectives**

Please see Section Q Appendix 1

**Relevant Representations**

**2. Responsible Authorities**

All of the Responsible Authorities have been served with a copy of the application. The representations received are as follows:

**Head of Environmental Protection**

No representations received.

**Hampshire Constabulary**

No representations received.

**Hampshire Fire and Rescue Service**

No representations received.

**Child Protection Team**

No representations received.

**Head of Building Control**

No representations received.

**Head of Safety Standards**

No representations received.

**Public Health Manager**

No representations received.

**Licensing Authority**

No representations received.

**3. Interested Parties**

Mr &			5 Windemere			
Mrs	F	Barker	Gardens	Alresford	Winchester	SO24 9NL
Mr	MJ	Beer	1 Hockley Cottages	Cheriton	Winchester	SO24 0NU

#### **4. Observations**

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Sub-Committee is also obliged to have regard to the National Guidance and the Council's Licensing Policy.

The Sub-Committee must have regard to all of the representations.

The Sub-Committee must take such of the following steps it considers necessary to promote the Licensing Objectives:

1. Grant the licence subject to conditions in accordance with the operating schedule (modified to such extent as the authority considers necessary for the promotion of the licensing objectives) and the mandatory conditions;
2. exclude from the scope of the licence any of the licensable activities to which the application relates;
3. refuse to specify a person in the licence as the premises supervisor;
4. reject the application.

#### **Terminal hours**

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours and take such steps as it considers necessary to promote the Licensing Objectives.

(Licensing Policy Part 4, A8)

#### **Licensing Objectives.**

##### Crime and Disorder

The Sub-Committee should consider any necessary conditions to prevent crime and public disorder relating to the premises having regard to the operating schedule.

(Licensing Policy 1.6, 2.11, 2.17)

### Public Safety

The Sub-Committee should consider any necessary conditions relating to public safety having regard to the operating schedule.

(Licensing Policy Part 4, B3, B4)

### Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise pollution from the premises having regard to the observations of the persons making representations and the operating schedule.

(Licensing Policy Part 4, Section C)

### Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the Operating Schedule.

(Licensing Policy Part 4, D6, D7)

### **Human Rights**

It is considered that Articles 6 (right to a fair trial) 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceable enjoyment of possessions) may be relevant. As there is a right of appeal to the Magistrates' Court, it is considered that there would be no infringement of Article 6. Article 8 is relevant, insofar as the nearby residents could claim that this right would be infringed by disturbance from customers. This should be balanced against the applicants' right to use of their premises under Article 1 of the First Protocol. Interference with these rights is permitted, where this interference is lawful, necessary in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

## 5. Conditions

### Mandatory Conditions

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

### Possible Conditions

If the application is granted, the Sub-Committee may wish to consider the following conditions to reflect the Operating Schedule:

#### Operating Hours

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

Live Music and Recorded Music

- (i) **Friday 23 and Saturday 24 August 2014  
1800 to 2300 each day**

### All Licensing Objectives

- 1 The stage area and public area shall be patrolled by SIA licensed security staff.
- 2 The premises licence holder shall provide details of the Monster stage no later than seven days prior to the start of the event and provide full structural details. The structure shall comply fully with the design criteria before the public are admitted on to this area of the site.
- 3 Subject to the operational hours within this licence, noise levels shall comply with the following:
  - a. Between the hours of 1800 and 2300, noise levels from the event shall not exceed 55dB  $L_{Aeq(5\text{ mins})}$ , as measured at a distance of 1m from the façade of any noise sensitive dwellings.
  - b. Between the hours of 1800 and 2300, noise levels in the octave band frequency range with centre points of 63 and 125Hz shall not exceed 65dB (L)  $(5\text{ mins})$  as measured at a distance of 1m from the

façade of any noise sensitive dwelling.

2. A Noise Management Plan shall be submitted to the Licensing Authority at least 14 days prior to the event.
3. The Premises Licence Holder shall appoint a competent noise consultant to monitor and record on site and off site noise to ensure compliance with items 1 and 2 above.



## **6. Other Considerations**

### **Corporate Strategy (Relevance To:)**

This report covers issues which affect the principles of Active Communities and a Prosperous Economy.

### **Resource Implications**

A licence fee of £100 has been received. It is anticipated that an appropriate level of officer attendance will cost in the region of £400.

### **Appendices**

1. Application by SD Events Ltd
2. Representations by Interested Parties
3. Map of premises location.



# Winchester

City Council

## Application for a premises licence to be granted under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We SD EVENTS LTD

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Matterley Estate, Ovington Down, Ovington, Hampshire OS plot serial number 03666900 grid ref: 4544.00m 1284.00m			
Post town	Alrésford	Postcode	SO24 0HY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 0-4300

#### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |

- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

**Please tick yes**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - (a) statutory function or
  - (b) a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name SD Events Ltd.
Address MX House, Waltham Business Park, Swanmore, Hants, SO32 2SA
Registered number (where applicable) 0732986
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01489890901
E-mail address (optional) info@yamaha-mx.co.uk

Part 3 - Operating Schedule

DD MM YYYY  
2008020103

When do you want the premises licence to start?

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD MM YYYY  
2008020103

Please give a general description of the premises (please read guidance note 1)  
 The proposed premises shall consist of an open field being one small part of the event site of the 2013 British Motocross Grand Prix. The designated area shall be open to passing pedestrian traffic in daytime use but become part of a restricted area (visitors who are camping) in the evenings.  
 The area will house a Monster Energy Music Stage  
 In the evenings restricted access will be maintained by use of pit style load barrier crowd control panels and SIA security. This "stage" is a purpose built artic trailer that opens out into a stage, it will be level and secure on the ground. It will be placed part-way down the gentle grass slope allowing casual viewing from members of the public standing or sitting on the grass slope allowing the feel of a natural amphitheatre. The various fairground attractions, catering units and bars will not be positioned in close proximity. ( The bar shall be run under TEN agreements as previous years).  
 The bar will be set approximately 50m away from the stage and will only form a point of sale facility as will any catering units.  
 As there were under 4,000 individuals camping in previous years it is understood than no more than 3,000 visitors maximum will ever be in this area at anyone peak time. In 2011 the evenings saw visitor numbers of around 1,000 so an estimate of 3,000 will more than cover this area.  
 The proposed licensed area shall be 6,125m<sup>2</sup>

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) Evening entertainment music to keep the public in a controlled environment and to avoid disruption in the campsite (as seen if no evening entertainment exists).		
Mon					
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed					
Thurs	10.00	18.30	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
	19.30	23.00			
Fri	10.00	18.30			
	19.30	23.00			
Sat	10.00	18.30			
	19.00	23.00			
Sun	10.00	18.30			

F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) Evening entertainment music to keep the public in a controlled environment and to avoid disruption in the campsite (as seen if no evening entertainment exists)		
Mon					
Tue			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed					
Thurs	08:00	18:30	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
	19:30	23:00			
Fri	08:00	18:30			
	19:30	23:00			
Sat	08:00	18:30			
	19:30	23:00			
Sun	08:00	18:30			
	19:30	23:00			

## **M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

The stage may be used for public safety announcements as well as visual entertainment for the patrons. Its primary role is to provide a focus for the overnight campers who have in previous years looked for and asked for some form of entertainment.

**b) The prevention of crime and disorder**

The provision of an entertainment stage is part of an overall scheme to limit public order offences and dissuade petty criminal activity around the campsite. It was felt at the 2011 event that because there was nothing for patrons to do in the evening that they created their own entertainment which was challenging to control. The stage will provide a simple but effective distraction and focus in the evenings drawing potential trouble away from other areas of the event site.

**c) Public safety**

Areas of potential disruption around the more party-intent campers have caused issues for fellow patrons in the past. Being that the main potential for unruly behaviour is at nightfall it is felt that providing a focus for the crowds (that may have been bored in the past) will allow a more productive policing of the areas as the vast majority of the party-intent campers will remain in this stage area. The stage area and audience viewing area will be protected and patrolled by SIA security, there will also be a Police presence and a first aid point within the licenced area. The public will be searched for alcohol and other restricted items before they are allowed to enter the arena. The bar will operate a challenge "under 25" policy.

**d) The prevention of public nuisance**

The music entertainment will keep overnight campers under control, there will be an operative from the Matterley estate who will patrol the known noise sensitive areas and he will monitor the sound more based on what sounds acceptable as well as recording an hourly noise meter reading. He will be in direct contact with the security office based within the entertainment area, who will inform the technician to turn the music down, also to prevent going outside the accepted hours, SD Events will stop the music down at 11pm after slowly winding down from 10.45pm, the bar will remain open till 12 mid-night so as not to cause a rush to the campsite in a big crowd. The whole licenced area will be surrounded by heras fencing and security will be on patrol and also as the licenced area closes the security will move with the campers, into the camping area for the whole night ensuring the campers are not too noisy.

**e) The protection of children from harm**

The music and performers will be family orientated, and the monster band/girls have performed at similar events throughout the UK. Monsters are very corporate on protecting their brand name so all performances have to be controlled. As the security office is located in the entertainment area security would be alert to respond to any lost children. A PA system would be used to quickly alert the public and also there are tower lights in the area that can be turned on to floodlight the area if needed. The bar staff and security are alert to watch out for any potential under age drinkers.



**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures (please read guidance note 10)**

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

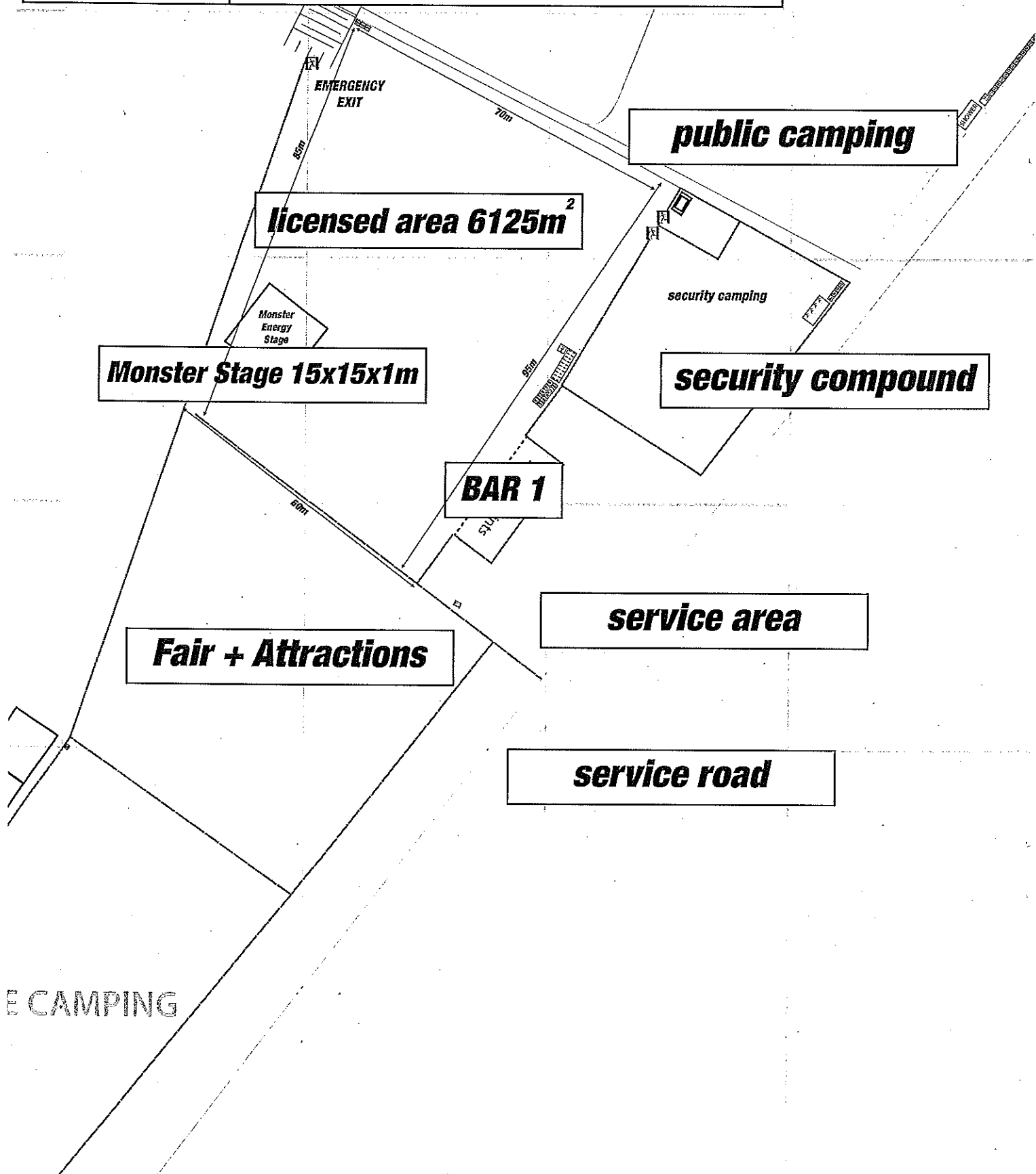
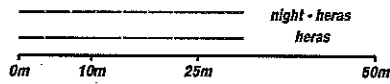
Signature	
Date	14.06.13
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)**


Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



E CAMPING



5 Windermere Gardens  
Alresford  
Hampshire  
SO24 9NL

e-mail: 

Licensing Section  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

20<sup>th</sup> July 2013

Dear Sir

**Objection to the application from SD Events Ltd for a Premises Licence for Matterley Basin, Alresford Road, Ovington, Hampshire.**

I wish to oppose the granting of this licence in relation to the Prevention Of Public Nuisance Licensing Objective.

As I understand it, the permitted noise levels will be the same as those in place for the Boomtown Festivals which take place in the Matterley Bowl - noise levels which have consistently resulted in very high numbers of complaints from residents (78 last year).

Thus, whatever the current intentions of the organisers, **THE LICENCE WOULD ALLOW THEM TO GENERATE THE SAME LEVELS OF MUSIC NOISE AS BOOMTOWN.**

This would be permitted for **FIFTEEN** hours a day for **FOUR** days - just **ELEVEN** days after the **FOUR** days of this year's Boomtown Festival.

Residents would therefore suffer **8 DAYS** of very loud music noise in August. Surely this is too much and cannot be allowed.

I ask that this application be rejected.

Yours faithfully

F J Barker

1 Hockley Cottages  
Cheriton  
Alresford  
Hampshire  
SO24 0nu

e-mail: 

Licensing Section  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

21<sup>st</sup> July 2013

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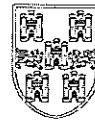
I ask that this application be rejected.

Yours faithfully

Michael J Beer

# Appendix 3

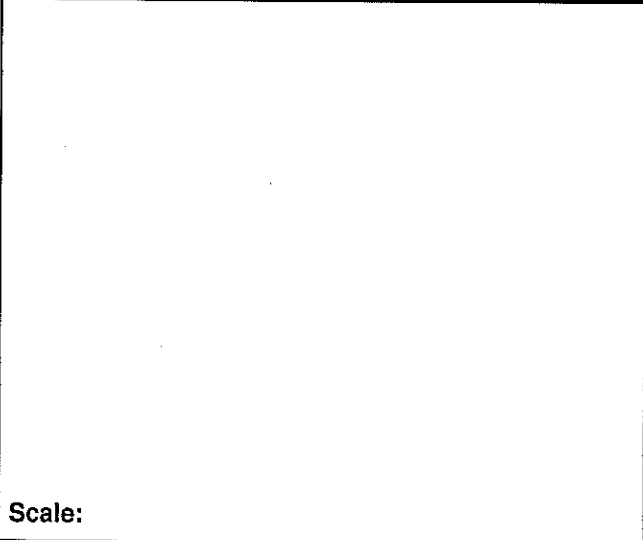
SD Events Ltd



**Winchester**  
City Council



### Legend



Km 0.5 1 1.5 2



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<b>Organisation</b>	Winchester City Council
<b>Department</b>	Head of Licensing
<b>Comments</b>	Moto X Premises Licence
<b>Date</b>	01 August 2013
<b>SLA Number</b>	100019531