

**LICENSING SUB-COMMITTEE****24 April 2007****Attendance:**

Councillors:

Mather (Chairman)

Howell (P)

Pearce (P)

**Others in Attendance who did not address the meeting:**

Councillor Baxter

**Officers in Attendance:**

Mr J Myall: Licensing and Registration Manager

Ms C Stefanczuk: Assistant Licensing and Registration Officer

Mrs C Tetstall: Licensing Solicitor

Mrs A Toms: Environmental Health Officer

Mr G Walsgrove: Building Control Officer

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**1. SLAMMIN' VINYL, MATTERLEY BOWL, WINCHESTER**

(Report LR219 refers)

The Sub-Committee met to consider an application by Mr Smith 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 Smith and Mr A de la Haye (the event co-ordinator). PC Way and PC Miller from Hampshire Constabulary, Mrs Toms (Environmental Health) and Mr Walsgrove (Building Control) were also present as representatives of the Responsible Authorities. Mrs Matthews was present as a representative of an Interested Party, Itchen Valley Parish Council.

Mr Myall presented the application as set out in the Report. During his presentation, he advised the Sub-Committee of a number of errors in the introductory part of the Report which were noted by Members:

Page 2: representations *had* been received by the Director of Communities and Hampshire Constabulary.

Page 6: Operating Hours – 2. The hours the premises may be used for the provision of late night refreshment shall be:

- (i) Friday 29 June 2007 2300 (not 1900) to 0200
- (ii) Saturday 30 June 2007 2300 (not 1400) to 0600

The application was for a one-off event over the weekend of 29 June - 1 July to allow recorded music, late night refreshment and the sale of alcohol. It was proposed that the event would be held at The Bowl, Matterley Farm, Winchester where previous events included Creamfields, Homelands and Hi-Fi South Festivals.

The applicant had proposed five tents and an outdoor stage of music, each of which would provide a different kind of music. There would also be sales stalls, food outlets, bars and a camping area (located at the southern end of the Bowl), all of which were within the licensed area.

During questions to Mr Myall, Members noted that the proposed restrictions to the sale of alcohol, as set out in the Report, included the bars located in the camping areas.

Mr A de la Haye (the event co-ordinator) and Mr G Smith (applicant) spoke in support of the application.

Mr de la Haye explained that the event aimed to provide safe entertainment for young people from the south and south west with the least possible impact on the local community. He had over 20 years' experience of organising similar events and had worked with the Council and the local community (through the Parish Council) from an early stage on this application. He added that the concerns raised at these previous meetings had, where possible, been addressed in the draft Event Management Plan.

In responding to question from the Sub-Committee, Mr de la Haye confirmed that the applicant accepted the conditions as set out in the Report. He also confirmed that there would be no outdoor entertainment beyond 2300 hours.

In reply to a Member's question, Mr de la Haye stated that the on-site security would prohibit visitors from starting open fires, although smaller barbeques would be permitted.

Mrs Toms addressed the Sub-Committee as a representative of one of the responsible authorities, the Environmental Health Team. She explained that the noise and frequency levels would be limited by the conditions set out in the Report. She added that Environmental Health officers would monitor these levels throughout the event both on site and at noise sensitive properties. In addition to these measures, the applicant proposed to employ noise specialists to monitor and control levels and to conduct checks prior to the event.

Mrs Toms also explained that the conditions prohibited unauthorised amplified music on the site and that this would be enforced by the applicant's security staff.

The Sub-Committee noted that the Event Management Plan would be submitted to the Responsible Authorities for approval 28 days before the event. Prior to this, the applicant agreed to involve the Responsible Authorities in the preparation of the draft Plan. It was hoped that this involvement would help the applicant produce a better Plan within an acceptable timeframe. Mrs Toms added that she expected the Plan to include details on the collection and disposal of waste, an on-site travel plan, lighting plan, sanitary facilities, medical arrangements and crowd management.

PC Way addressed the Sub-Committee as a representative of one of the Responsible Authorities, the Police. She explained that the only areas of concern the Police had regarding the application related to the proposed fencing, measures to minimise glass on site and to control the event's policy to admit over-18s only.

The Police had expressed an initial preference that the event's perimeter fencing be constructed from Steelshield fencing as their experience of previous events on the site had demonstrated that the Heras fencing proposed by the applicant could be easily breached. During discussion, Mr de la Haye explained that the applicant proposed to install heavy duty, anti climb style Heras fencing which had performed well at other events and that, in addition to this, the perimeter would be patrolled by security staff.

The Sub-Committee therefore noted that this issue would be further negotiated between the applicant and the Police, but that the final decision on the type of fencing would be made by the Police and included in the Event Management Plan.

Members discussed the difficulties that arose from the Motocross event held at the site in 2006 and Mr de la Haye explained that it was unfair to compare this with the application as they had significantly different customer profiles and management.

In response to the Sub-Committee's concerns regarding the protection of children, Mr de la Haye explained that the show had been advertised as an over-18s only event and that this would be enforced by security staff at the entrance and, if any under 18s slipped through this check, by Security Industry Authority qualified security staff within the site. Under-18s would be escorted to a welfare area to await collection by their responsible guardians.

PC Way had highlighted the need for the applicant to determine at an early stage the level of Police services required at the event to enable the Police to organise suitable work rotas to cover the show and other duties around the county. Mr de la Haye anticipated that a minimal Police cover would be required, as most of the Police's duties would be undertaken by the applicant's own security.

Following the advertisement of the application in the Hampshire Chronicle newspaper and on public notices around the site, representations had been received from Itchen Valley Parish Council and Beauworth Parish Meeting. They had raised concerns regarding public nuisance, noise, light pollution, litter, traffic and provision of toilets and these were set out in greater detail in the Report.

Mrs Matthews (Itchen Valley Parish Council) spoke against the application as an Interested Party. In summary, she commented on the disruption the event was likely to cause local residents and businesses based on the experience of previous events at the Bowl.

Mrs Matthews explained that some of the attendees of previous events had used residents' gardens as toilets and Mrs Toms explained that, although the applicant anticipated an audience of 12,500, the event would require the appropriate facilities for the 15,000 sought in the application.

Mrs Matthews also commented on the traffic problems that had arisen from previous events. She requested that the smaller roads leading to Easton and other nearby villages be closed to prevent parking from the event blocking these roads to emergency vehicles. The Sub-Committee noted that the Traffic Management Plan would be based on that used for the previous Homelands Festivals and this included the closure of these roads and that there was sufficient time to organise the necessary traffic management orders. The Sub-Committee also noted the applicant's willingness to consult with the local community on the detail of the Traffic Management Plan and that the Cheesefoot Head car park would be closed during the event.

Mr Myall added that there was no incentive for visitors to park anywhere other than in one of the 3-4,000 parking spaces provided on site. He also explained that the bus and taxi drop off and collection point would be on the junction of the A272.

Mrs Matthews requested that the u-turn gaps in the A31 remain open during the weekend of the event. She explained that this was a significant inconvenience to residents and businesses from the northern side of the A31 travelling south, as they had to travel an additional eight miles to Alresford before they were able to turn around. In response, PC Miller explained that, given the anticipated increase of traffic over the weekend of the event, it was potentially dangerous to allow vehicles (especially large lorries) to utilise the gaps in the A31.

At other events held at the Bowl, the Police had signposted the B3047 as an alternative route for motorists and Mrs Matthews explained that local residents considered this unnecessary and a further blight to the Itchen Abbas Fate, which was scheduled to be held the same weekend as Slammin' Vinyl.

Finally, Mrs Matthews commented on the noise from the event which she stated, depending on the direction on the wind, would disturb local residents.

During discussion, Mrs Toms agreed to contact Mrs Matthews with the Hotline Telephone Number (that would deal with noise complaints about the event from residents) before the Parish Council magazine publication deadline of 12 May.

In his concluding remarks to the Sub-Committee, Mr de la Haye underlined the applicant's willingness to work with the Council to minimise the impact of the event and that the applicant hoped that the event would be a success that could be repeated in future years.

The Sub-Committee retired to deliberate in camera.

In her closing remarks, the Chairman stated that the Sub-Committee had carefully considered the application, the representations made by Responsible Authorities and 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.

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:

That the application be granted subject to the conditions as set out below, with additional conditions and amendments highlighted in bold italics.

Mandatory Conditions

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

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

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

#### Operating Hours

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

Recorded Music and Provision of Facilities for Dancing. (indoors and outdoors).

(i) Friday 29 June 2007 1900 to 0200

(ii) Saturday 30 June 2007 2300 to 0600

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

(i) Friday 29 June 2007 **2300** to 0200

(ii) Saturday 30 June 2007 **2300** to 0600

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

(i) Friday 29 June 2007 1700 to 0100

(ii) Saturday 30 June 2007 1200 to 0400

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

(i) Friday 29 June 2007 1400 to 0200

(ii) Saturday 30 June 2007 1200 to 0600

#### 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

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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

9. 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.

10. 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.

11. 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.

12. There will no irresponsible drink discounting with no beers sold above 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.***

### **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 vent. 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 LAeq,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.

The meeting commenced at 9.30am and concluded at 11.20am.

Chairman