

LICENSING SUB – COMMITTEE

10 April 2017

Report of the Head of Environmental Health and Licensing

Contact Officer: Justine Allingham. Tel No: 01962 848 179.
Email: jallingham@winchester.gov.uk

Application: Review of Premises Licence

Premises: Wickham Folk Festival Sites, Blind Lane, Wickham, Fareham

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Part A.**1. Application**

Applicant: Mr Philip Tidridge on behalf of Environmental Health

Premises: Wickham Folk Festival Sites, Blind Lane, Wickham, Fareham

- 1.1 An application to review the premises licence for Wickham Folk Festival Sites PREM 638 has been submitted by Mr Philip Tidridge, on behalf of Winchester City Council Environmental Health (a responsible authority), under section 51 of the Licensing Act 2003. The application was received on 20 February 2017 (Appendix 1).
- 1.2 The review application relates to the prevention of public nuisance licensing objectives following noise monitoring visits carried out near the premises in 2016.
- 1.3 A copy of the application was sent to the other responsible authorities and to the licence holders.
- 1.4 Notices of the review were displayed around the perimeter of the premises for a minimum of 28 days starting 20 February 2017. A copy of the notice was also displayed at the City Offices and on the Council's website.
- 1.5 Wickham Folk Festival Site is a field authorised under a premises licence for plays, films, live and recorded music, performances of dance and anything of a similar description. The premises licence also authorises late night refreshment and supply of alcohol for both on and off the premises.
- 1.6 The premises licence authorises an annual music festival for a maximum of four days. The event is usually held in August each year.
- 1.7 Mr Richard Davey has held the premises licence since 24 May 2013.
- 1.8 On Friday 5 August 2016 Environmental Protection conducted noise monitoring in line with the current premises licence conditions of monitoring 1m from the façade of any noise sensitive dwelling.
- 1.9 The monitoring during the event showed that the licence holder did not comply with condition PN1 of the premises licence. However, it is considered that due to the close proximity of one particular property, it was not possible to comply with this condition at this location. In view of this, a review of the premises licence has been sought.
- 1.10 The premises licence has two conditions relating public nuisance which are:-

- a. Condition PN1: Between the hours of 11:00 and 23:15 noise levels from the event shall not exceed 65dB $L_{Aeq (5mins)}$ and between the hours of 23:15 and 01:00 on the following day, noise levels shall not exceed 45dB $L_{Aeq (5mins)}$ as measured at a distance of 1m from the façade of any noise sensitive dwellings.
 - b. Condition PN2: The Premises Licence Holder shall ensure that the Event Organiser submits a Noise Management Plan at least 60 days prior to each event.
- 1.11 No representations were received from any other Responsible Authority or members of the public.
- 1.12 Notices of the hearing were sent to all parties on 28 March 2017.

Current Designated Premises Supervisor

Mr Richard Davey (since 24 May 2013)

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:

Environmental Health

Applicant.

Hampshire Constabulary

No representations received.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Building Control

No representations received.

Head of Safety Standards

No representations received.

Public Health Manager

No representations received.

Licensing Authority

No representations received.

3. **Representations from Other Persons**

None.

4. Observations

- 4.1 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
- 4.2 In making its decision, the Sub-Committee is also obliged to have regard to the National Guidance and the Council's Licensing Policy.
- 4.3 The Sub-Committee must have regard to all of the representations.
- 4.4 The licensing authority must, having regard to the application and any relevant representations, take such steps shown below as it considers necessary for the promotion of the licensing objectives:-
- a) Modify the conditions attached to the licence either permanently or for a period not exceeding three months.
 - b) Exclude a licensable activity either permanently or for a period not exceeding three months.
 - c) Remove the Designated Premises Supervisor.
 - d) Suspend the licence for a period not exceeding three months.
 - e) Revoke the licence.
- 4.5 If the Sub-Committee decides that none of the above measures are appropriate, it may take no action.

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, appropriate 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

The Mandatory Conditions are imposed on a premises licence in any case.

Mandatory Conditions

Where the Licence Authorises Supply of Alcohol:

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.

Where the Licence requires Door Supervision:

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

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

– effective from 1 October 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014
– effective from 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula- $P = D + (D \times V)$ where-
 - (i) **P** is the permitted price,
 - (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the

permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Possible Conditions

The Sub-Committee may wish to consider whether any further conditions are necessary to promote the prevention of public nuisance licensing objective, in the light of the application and the representation by Environmental Protection.

Proposed conditions by Environmental Health:

PN1 – Between the hours of 11:00 and 23:00 noise levels from music shall not exceed 70dB LAeq (15 minutes) and between the hours of 23:00 and 01:00 on the following day shall not exceed 45dB LAeq (15 minutes). All noise levels from music shall be measured in free field conditions, in the absence of other significant local noise sources, at locations to be agreed in writing with the Licensing Authority no later than 28 days in advance of the event.

PN2 – The Premises Licence Holder shall produce an initial Noise Management and Community Liaison Plan (NMP) at least 60 days prior to the commencement of the event. The final NMP shall be submitted to the Licensing Authority for agreement no later than 28 days prior to the commencement of the event. No alteration to the NMP after this date shall be made by the Premises Licence Holder except with the written consent of the Licensing Authority.

PN3 – The final NMP shall contain the methodology which shall be employed to control the sound produced on the premises, in order to comply with the premises licence. The NMP must include all of the arrangements for preventing public nuisance and consultation with the local community and shall include:

- a) An inventory and details of the location of all sound systems to be used on the site.
- b) Management command and communication structure/methods for ensuring that permitted sound system output and finish times are not exceeded.
- c) Publication and dissemination of information to the public and arrangements for provision and staffing of a hotline number for dealing with complaints.
- d) Action to be taken by the Event Organiser following complaints, which shall be logged and made available to the Licensing Authority upon request.

PN4 – The Premises Licence Holder shall ensure compliance with all aspects of the Noise Management and Community Liaison Plan.

PN5 – At least 7 days prior to an event the Premises Licence Holder shall provide to the Licensing Authority a telephone contact number for the Premises Licence Holder or a nominated representative during the course of an event.

PN6 – The Premises Licence Holder shall appoint a competent noise consultant to monitor and record on site and off site noise throughout the event, to ensure compliance with noise levels. All monitoring undertaken shall be logged and made available to the Licensing Authority upon request.

6. Other Considerations

Community Strategy and Portfolio Plans (Relevance To:)

This report covers issues which affect the Outcomes of High Quality Environment, Active Communities and Prosperous Economy.

There is no direct link to Portfolio Plans as the requirements under the Licensing Act 2003 are statutory functions.

Resource Implications

No fee is applicable for this application. In regulating the activities it is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by Mr Philip Tidridge on behalf of Environmental Health
2. Current premises licence (redacted) and plan
3. Map of premises location



Winchester

City Council

Application for the review of a premises licence or club premises certificate 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 PHILIP TIDRIDGE

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Wickham Folk Festival Sites, Blind Lane, Wickham, Hampshire	
Post town Fareham	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known) Mr Richard Davey
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Number of premises licence or club premises certificate (if known) PREM638

Part 2 - Applicant details

I am

Please tick yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev) Please tick yes

Surname	First names
<input type="text"/>	<input type="text"/>

I am 18 years old or over Please tick yes

Current postal address if different from premises address	<input type="text"/>
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Post town	<input type="text"/>	Post Code	<input type="text"/>
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Daytime contact telephone number	<input type="text"/>
---	----------------------

E-mail address (optional)	<input type="text"/>
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(B) DETAILS OF OTHER APPLICANT

Name and address
<input type="text"/>
Telephone number (if any)
<input type="text"/>
E-mail address (optional)
<input type="text"/>

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Environmental Health & Licensing, City Offices, Colebrook Street, Winchester, Hampshire, SO23 9LJ
Telephone number (if any) 01962 848519
E-mail address (optional) ptidridge@winchester.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Monitoring performed during the 2016 Wickham Festival event showed that it did not comply with condition PN1 of PREM638. However, having reviewed this condition it is considered that there are issues with the enforcement of this condition.

It is therefore considered necessary to review this licence to ensure the public nuisance conditions are fit for purpose in the prevention of public nuisance for any future events.

Please provide as much information as possible to support the application
(please read guidance note 3)

Noise monitoring was performed by Winchester City Council (Phil Tidridge and Karen Harris) on the evening of Friday 05 August. The licensing requirement is to perform monitoring 1m from the façade of any noise sensitive dwelling. This in itself can be problematic as it requires permission to enter private premises in order to perform such monitoring.

Permission was granted to perform monitoring at North Oaks, Pricketts Hill, being the closest domestic premises to the main stage on the Wickham Festival site. Recordings taken at this location exceeded the premises licence level of 65dB LAeq(5mins), set in PN1. It was considered that the close proximity of this one property means compliance with this noise level was not possible, without significantly affecting the quality of the performance. It was observed that the PA system started to dominate the main speaker system at around 68dB LAeq(5mins).

No exceedances of the noise levels required in PN1 were measured elsewhere.

However in assessing this non-compliance the following had to be considered:

1. The residents of North Oaks, although present, did not want to register a complaint regarding the event.
2. To monitor at 1 m from domestic facades requires the event organiser to potentially trespass in order to perform such monitoring.
3. The level of complaint regarding the event was minimal (complaints from 2 premises). Monitoring performed elsewhere during the event, including at one of the properties from which complaints were received, were all found to be compliant with PN1

It is recommended that the licence is altered in order to better reflect the above considerations and ensure the objective to prevent public nuisance can be achieved in a practical and enforceable manner. This review also allows public nuisance conditions to be replaced with conditions that have been revised based on recent experiences at other venues.

These changes have already been discussed in principle with the Premises Licence Holder.

These allow for slightly higher noise levels at agree locations but with a completion time pulled back from 23:15 to 23:00. In addition this now adds certainty to the noise levels condition by agreeing to fixed monitoring locations (this is now used at Boomtown for example). Other new conditions primarily formalises agreements already in place for the festival.

Recommended changes

Delete PN1 and PN2 and replace with the following conditions:

PN1 - Between the hours of 11:00 and 23:00 noise levels from music shall not exceed 70dB LAeq (15 minutes) and between the hours of 23:00 and 01:00 on the following day shall not exceed 45dB LAeq (15 minutes). All noise levels from music shall be measured in free field conditions, in the absence of other significant local

noise sources, at locations to be agreed in writing with the Licensing Authority no later than 28 days in advance of the event.

PN2 - The Premises Licence Holder shall produce an initial Noise Management and Community Liaison Plan (NMP) at least 60 days prior to the commencement of the event. The final NMP shall be submitted to the Licensing Authority for agreement no later than 28 days prior to the commencement of the event. No alteration to the NMP after this date shall be made by the Premises Licence Holder except with the written consent of the Licensing Authority.

PN3 -The final NMP shall contain the methodology which shall be employed to control sound produced on the premises, in order to comply with the premises licence. The NMP must include all of the arrangements for preventing public nuisance and consultation with the local community and shall include:

- a. An inventory and location of all sound systems to be used on the site.
- b. Management command and communication structure /methods for ensuring that permitted sound system output and finish times are not exceeded.
- c. Publication and dissemination of information to the public and arrangements for provision and staffing of a hotline number for dealing with complaints.
- d. Action to be taken by the Event Organiser following complaints, which shall be logged and made available to the Licensing Authority upon request.

PN 4 - The Premises Licence Holder shall ensure compliance with all aspects of the Noise Management and Community Liaison Plan.

PN 5 - At least 7 days prior to an event the Premises Licence Holder shall provide to the Licensing Authority a telephone number for contacting the Premises Licence Holder or a nominated representative during the course of an event.

PN 6 - The Premises Licence Holder shall appoint a competent noise consultant to monitor and record on site and off site noise throughout the event, to ensure compliance with noise levels. All monitoring performed shall be logged and made available to the Licensing Authority upon request.

Have you made an application for review relating to the premises before?

Please tick yes

If yes please state the date of that application

Day Month Year

1	1	1	1	1	1	1	1
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If you have made representations before relating to the premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

..... 20/02/17

Capacity

..... Environmental Health (Applicant)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Premises Licence

Premises Licence Number

PREM638

14/01057/LAPRMV

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Wickham Folk Festival Sites
Blind Lane
Wickham
Hampshire

Telephone number

Where the licence is time limited the dates

Four days per year

Times the licence authorises the carrying out of licensable activities

- a) Plays
- b) Films
- e) Live Music
- f) Recorded Music
- g) Performances of Dance
- h) Anything of similar description to Live Music, Recorded Music or Performance of Dance

- Indoors and Outdoors

- (i) **Thursday** 1700 to 0100
- (ii) **Friday to Sunday** 1100 to 0100 each day

l) Late Night Refreshment

- (i) **Thursday to Sunday** 2300 to 0100 each day

J) Supply of Alcohol

(i) Thursday 1600 to 0100

(ii) Friday to Sunday 1100 to 0100 each day

The opening hours of the premises

n/a

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Richard Davey
42 Metheun Street
Southampton
SO14 6FR

Registered number of holder, for example company number, charity number (where applicable)

n/a

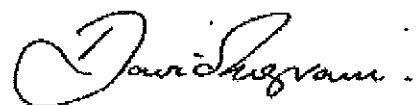
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Richard Davey
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number 2005/00546/02SPEC

Licensing Authority Southampton City Council



Head of Environmental Health & Licensing

Annex 1 – Mandatory conditions

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.
4. No film shall be exhibited unless it has received a U, PG, 12, 15 or 18 certificate from the British Board of Film Classification, or it is a current newsreel which has not been submitted to the British Board of Film Classification. The admission of children shall be restricted in accordance with the recommendations of the British Board of Film Classification.
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
9. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
10. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

11. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

(i) **P** is the permitted price,

(ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

- A1. The Premises Licence Holder shall ensure that the Event Organiser submits an initial Event Management Plan including site plan (to Ordinance Survey standard) to the Licensing Authority at least 60 days prior to each event.
- A2. The Premises Licence Holder shall ensure that the Event Organiser submits a final version of the Event Management Plan including site plan (to Ordinance Survey standard) at least 28 days before each event.
- A3. Implementation of Event Management Plan – The arrangements (as detailed in the final accepted Event Management Plan) for protecting public safety, preventing crime and disorder, protecting children and preventing public nuisance shall be fully implemented prior to and during the event.
- A4. The deadlines for submission of Event Management Plans in A1 and A2 may be altered in writing by the Head of Licensing following written request by the Licensee.
- A5. This Premises Licence is for a maximum capacity of 7,000 persons.

Public Nuisance

- PN1. Between the hours of 11:00 and 23:15 noise levels from the event shall not exceed 65dB $L_{Aeq(5mins)}$ and between the hours of 23:15 and 01:00 on the following day, noise levels shall not exceed 45dB $L_{Aeq(5mins)}$ as measured at a distance of 1m from the façade of any noise sensitive dwellings.
- PN2. The Premises Licence Holder shall ensure that the Event Organiser submits a Noise Management Plan at least 60 days prior to each event.

Protection of Children

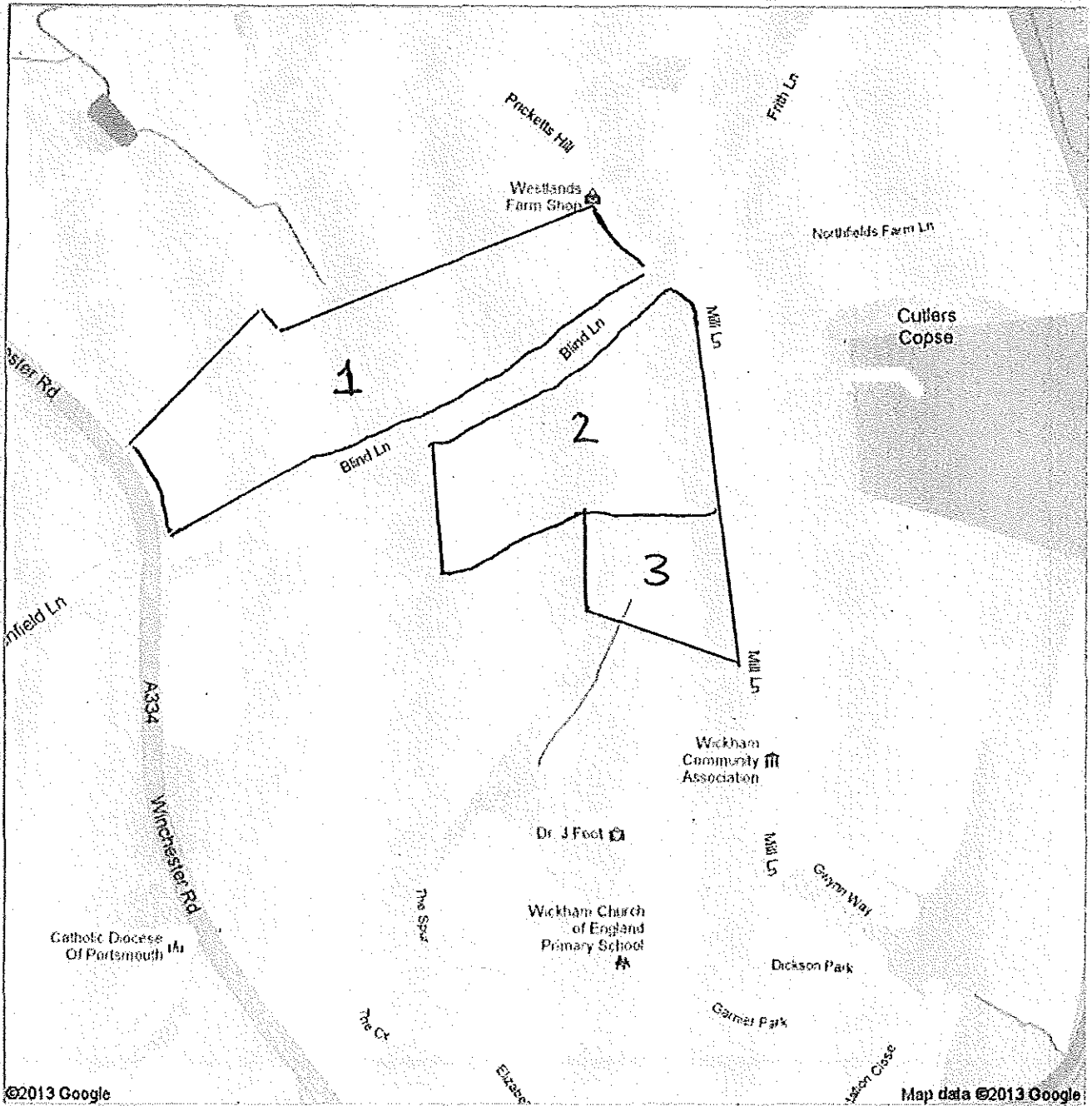
- PC1. The holder of the premises licence shall ensure that every individual who appears to be under 21 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority - passport, photo driving licence or PASS accredited photo ID - proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
- PC2. No persons under the age of 16 years of age shall be permitted onto the premises unless accompanied by an adult.

Annex 3 – Conditions attached after a hearing by the licensing authority

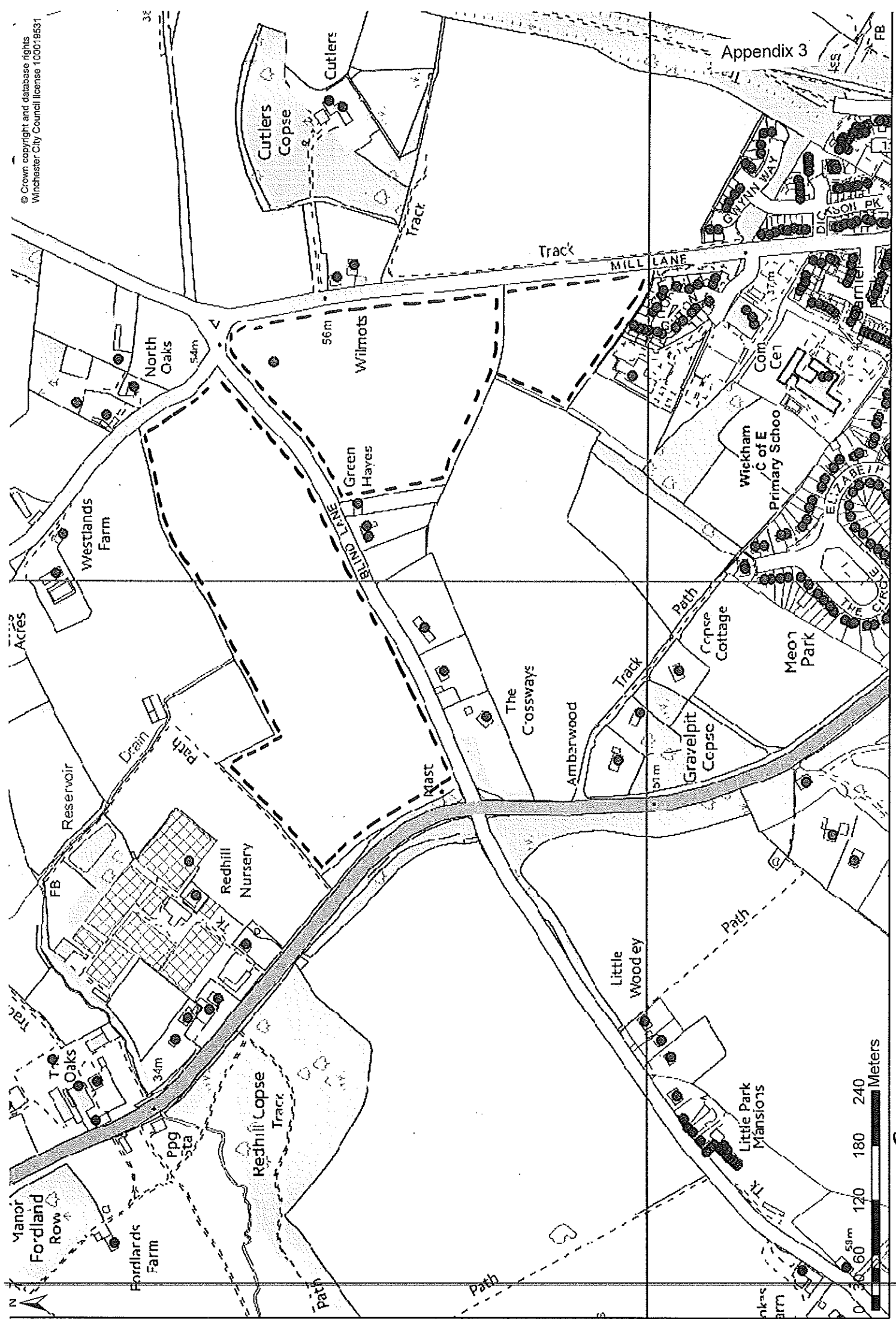
n/a

Annex 4 – Plans

See attached



3 FARMERS FIELDS AS HIGHLIGHTED,



--- Premises Boundary

