

LICENSING SUB-COMMITTEE

Monday, 20 January 2020

Attendance:

Councillors

Mather (Chairperson)

Bentote

Laming

Officers in attendance:

Miss B Appletree – Licensing Officer

Ms C Tetstall –Licensing Solicitor

Others in attendance who addressed the meeting:

Councillors Porter and Power

Others in attendance who did not address the meeting:

Councillors Gordon-Smith and Gottlieb

Audio recording of the meeting

A full audio recording of this meeting is available via this link:

[Full audio recording](#)

In addition, a link to an individual item's audio recording is also available under each of the respective minute headings below.

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1. **NEW PREMISES LICENCE - THE GRANGE, GRANGE PARK, NORTHINGTON, HAMPSHIRE, SO24 9TG (LR530)**
[\(Report LR530 refers and full audio recording\)](#)

The Chairperson welcomed all those present to the meeting:

Representing the Applicant – (Brand Events TM Ltd)

- Neil Levene
- Cheryl Carroll

Responsible Authorities

- Abigail Toms on behalf of Environmental Health, Winchester City Council

Interested Parties

- Councillor Jackie Porter
- Councillor Margot Power
- John Mitchell (representing Northington Parish Council)
- Mike Bounds
- Steve Richards

The Licensing Officer introduced the report which set out the details of the application. In summary, she explained that the application was for a New Premises Licence under Section 17 of the Licensing Act 2003 for The Grange, Grange Park, Northington, Hampshire, SO24 9TG.

The Licensing Officer explained that the application proposed regulated entertainment, late night refreshment and the supply of alcohol and was to permit licensable activities, limited to a period of three consecutive days per calendar year (Friday, Saturday and Sunday, or a Saturday, Sunday and Bank Holiday Monday) in either July or August for a food festival with entertainment for a total of 12,000 people in the first year, and 19,999 people in subsequent years, as set out in Appendix 1 to the report.

The Committee was advised that Hampshire Constabulary had made a representation against the application with regard to the prevention of crime and disorder, public safety and the protection of children from harm licensing objectives. During the consultation period, a number of conditions had been agreed between Hampshire Constabulary and the applicant, and the representation was subsequently withdrawn.

Furthermore, Winchester City Council's Environmental Health team had also made a representation against this application with regard to the prevention of public nuisance licensing objective. During the consultation period a number of conditions had been agreed between Environmental Health and the applicant, and their representation had also been withdrawn. The Environmental Protection Manager, Winchester City Council was in attendance to address any points of clarification. The conditions agreed by both parties with the applicant were set out in Section 5 of the report

In addition, representations had been received from ten Other Persons, raising objection to the application, primarily in relation to the prevention of public nuisance licensing objective. These representations were set out in full in Appendix 2 to the report.

The Licensing Officer drew Members' attention to the map set out on page 71 of the report which outlined the address locations of those Other Persons who had made representations in relation to the premises. In addition, supporting information has been submitted by the applicant that had been made available

within the statutory timescale for consideration, this was set out in Appendices 5 and 6.

The Sub-Committee were advised that several of the representations received made reference to how the application would negatively impact on traffic in the local area. Members were reminded that this was not a material consideration under the Licensing regime and was dealt with by the Police and the Highways Authority under separate legislation.

In conclusion, the Licensing Officer stated that if the Sub-Committee were minded to approve the application, there were conditions to consider, as set out in Section 5 of the report, including those conditions agreed by the responsible authorities and the applicant (set out in italics) which the Sub-Committee could reword as appropriate to promote the licensing objectives.

At the invitation of the Chairman, Mr Levene, speaking on behalf of the applicant, addressed the Sub-Committee and outlined the background and experience of the applicant in running large scale events and provided full details of the event (ChefStock - a national fine dining event) taking place over a three day weekend period including music and entertainment (no live music beyond 2300 hours). It was emphasised that the applicant's priority was to promote the licensing objectives of this application. Mr Levene also outlined a number of points that he felt dealt with the concerns that had been raised within the representations from interested parties

In summary, Mr Levene explained that if the event was successful, the applicants would seek to return to host further yearly events. He emphasised that experts had been engaged on all aspects of the event, including health and safety, emergency procedures, crowd management, counter terrorism and design, in line with the safety management plan and also in relation to noise management and traffic management to take on board the specific concerns of residents and ensure compliance with the conditions agreed.

Mr Levene clarified that the safety management plan was to be prepared in consultation with the Safety Advisory Group (SAG) where any further amendments could be made prior to approval.

In respect of the capacity numbers, initially it had been agreed to run the event with a reduced number of 12,000 people in the first year, this figure included traders, performers and staff, resulting in approximately 8,000 to 9,000 ticketed visitors. Future event numbers had been proposed at 19,999 people but there was uncertainty that the event would reach this figure at this stage, although he stated the venue could adequately accommodate this. In addition, Mr Levene confirmed that a robust alcohol management policy was in place, to ensure that any bar operating at the event only had trained personal licence holder and trained staff in place.

In conclusion, Mr Levene stated that letters had been issued to residents advising that the application was in place and that meetings could be facilitated if necessary to address any concerns. Mr Levene clarified that the detailed event plans would be made available 90 days prior to the event to the event

safety group, who were experts in the operation of events and could propose any changes to the plan that may be required at this time.

Members of the Sub-Committee asked Mr Levene for clarity regarding:

- Operating hours
- Proposed ticket prices and visitor numbers
- Noise levels and the nature of the recorded music
- The provision of late night refreshments
- Base level limits.
- Stages locations
- Traffic volumes, routes and management
- Public transport options and promotion
- Layout of the event

The Environmental Protection Manager, Winchester City Council, addressed the Sub-Committee. In summary, she advised that this was a different scale of an event to the Boomtown festival. Conditions had been agreed with the applicant allowing for live music to finish at 2300 hours, with an additional half an hour for any over runs at which stage the event would move to the inside of the site. The Environmental Protection Manager clarified the noise levels set during the day at a 15 minute 'average' level that should not exceed 65dB, taken from the Code of Practice on environmental noise national guidance.

The Sub-Committee's attention was drawn to an omission in the report that Environmental Health had agreed a change to the operating hours for recorded music with the applicant that this would now cease at 0100 and not 0200 as stated on page 15 of the report.

The Environmental Protection Manager stated, that if minded to grant the application and the applicant was in agreement, the Sub-Committee could decide to impose an addition to condition PN6 to control bass levels, to state that, between the hours of 1100 and 0100, noise levels from music shall not exceed 65db ($L_{eq, 15 \text{ minutes}}$) in the octave bands with a centre frequency of 63Hz and 125 Hz and could also consider an additional condition to limit the size of the festival area.

In response, Mr Levene stated that, in principle, he did not have an issue with these additional conditions suggested.

The Chairperson then invited any interested parties to address the Committee. All the points raised were answered by the Licensing Officer and Mr Levene accordingly.

Councillor Jackie Porter addressed the Sub-Committee and referred to matters of public nuisance due to the event covering a period of potentially three days for up to 20,000 people. She stated that Northington and Swarraton were quiet, tranquil areas and highlighted the importance of receptor site qualities so the effect on sites in the surrounding area were understood due to sound travelling and the impact of one or more events occurring at the same time resulting in a detrimental impact to the health of residents. In addition, Councillor Porter made

reference to safety concerns from the traffic on the B3046, in the absence of the traffic management plan, the lack of public transport in this area and suggested that drug mitigation be considered. In conclusion, Councillor Porter stated that the advertisement of the application over the Christmas period was unfortunate as she suggested that not all Parish Council's would have been aware of this application. If granted, Councillor Porter considered that a Community Stakeholder Group to be established to ensure that all stakeholders were assured prior to the first event, followed by a wash up meeting once this had taken place.

Councillor Margot Power addressed the Sub-Committee and raised concern that it would not be possible to search every person or vehicle that enters the site for alcohol due to the size of the perimeter of the site (as set out in condition CD3)., She supported the addition to PN6 to control bass levels, and suggested that the provision of noise monitoring equipment be supplied, particularly if concerns were expressed following the first event. Councillor Power also made reference to the high volume of traffic that would be using the B3046 which was not fit for larger vehicles, and the absence of the traffic management plan.

John Mitchell (representing Northington Parish Council) addressed the Sub-Committee and referred Members to his representation shown on page 59 of the officer's report which referred to concerns regarding the large number of participants, the long hours of licensed activity, traffic control, setting up, public safety and crime and disorder. In addition, Mr Mitchell considered that there had been no substantive consultation with residents to allow for a full and proper response to the application. In conclusion, he suggested that if the Sub-Committee were minded to grant the licence that this be for no more than 5,000 participants and be subject to a thorough review after the first year.

Mike Bounds addressed the Sub-Committee and referred Members to his written representation on page 63 of the officer's report. He made specific reference to the expected volume of traffic, the existing traffic issues for those accessing the site and the noise impact for residents.

Steve Richards addressed the Sub-Committee and referred Members to his representation on pages 56 of the officer's report. He made specific references to site access and traffic volumes the impact of intrusive noise disturbance to local residents and the accuracy of the maps submitted by the applicant, as set out in Appendix 6 of the report.

The Sub-Committee retired to deliberate in private.

In her closing remarks, the Chairperson stated that the Sub-Committee had carefully considered the application, the representations made by local residents, Councillors and the Parish Councils regarding traffic, noise and other matters and the Applicant's evidence received. 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 concluded that the application should be granted, with the conditions set out in pages 15 to 19 of the report, with the following amendments and additions:

1. The operating hours, as set out in 1. Recorded Music on page 15 should be Friday to Monday 1100 to **0100 hours**'.
2. An additional condition A10, that the applicant shall liaise with local Parish Councils to set up Community Stakeholder Group meetings for the discussion of issues.
3. An addition to condition PN6, that between the hours of 1100 and 0100, noise levels from music shall not exceed 65db ($L_{eq, 15 \text{ minutes}}$) in the octave bands with a centre frequency of 63Hz and 125 Hz.
4. An additional condition PN8, that all music stages shall be sited within the area outlined in blue on the proposed festival site plan, as set out on page 51 of the report.

The Chairman thanked all those present for attending the meeting and explained to all parties that they would be formally notified of the decision in writing in due course and of their right to appeal to the Magistrates' Court within 21 days from the date of notification of the decision.

RESOLVED:

1. That the application be granted, subject to the conditions set out on pages 15 to 19 of the report, and the amended and additional conditions, as set out in 1 to 4 above, for the following reasons:

REASON

The Sub-Committee considered that the proposed conditions as amended, would minimise the potential for public nuisance. The Sub-Committee recognised that its role was to promote the four licensing objectives and considered that the proposed conditions strike a balance between the rights of the landowner to use the land for the event and the impact of the event on those that live and work in the area.

The meeting commenced at 10am and concluded at 12:20pm.

Chairperson

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