

LICENSING SUB – COMMITTEE

30 July 2019

Report of the Service Lead for Public Protection

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Application: New Premises Licence

Premises: Boomtown
Matterley Bowl
Alresford Road
Winchester
Hampshire

Part A. Report

- 1 Application**
- 2 Responsible Authorities**
- 3 Other Representations**
- 4 Observations**
- 5 Conditions**
- 6 Other Considerations**

Part B. Appendices

- Appendix 1 Application and proposed conditions**
- Appendix 2 Current Premises Licence and Conditions (PREM741)**
- Appendix 3 Representations from Other Persons**
- Appendix 4 Other Appendices**

Part A.

1. Application

Applicant: Boomtown Festival UK Limited

Premises: Boomtown, Matterley Bowl, Alresford Road, Winchester

1.1 This report is to consider an application made under Section 17 of the Licensing Act 2003 for a new premises licence for the area of land known as Matterley Bowl and surrounding land, which is used to hold the event “Boomtown” annually.

1.2 Boomtown Festival UK Limited (the Applicant) currently holds a Premises Licence for Boomtown, granted on 26 January 2018 (PREM 741). The current Premises Licence, including hours and conditions, is shown in Appendix 2.

1.3 The application seeks to provide the following licensable activities:

- (i) For a maximum of 75,999 persons, subject to completion of a satisfactory 2019 festival, that has been determined as such by the police silver commander for the event (following input from the Licensing Act listed responsible authorities and Boomtown Festival (“BTF”) at (or shortly after) a safety advisory group debrief.

At least 6,000 of these must be staff, artists and their bona fide guests in accordance with the breakdown at Appendix A [of the application] attached. 1000 additional tickets to the event may be provided to local residents on Sunday.

- (ii) For a maximum period of six consecutive days from Wednesday to Monday on one occasion in a calendar year. Public access on Wednesday shall to be limited to 27,500.

- (iii) the crew bar is authorised for the sale of alcohol only to crew members and not more than 12 bona fide guests of senior crew managers at any one time for 24 hours per day for the period commencing twenty one days before the start of the public event and ending fourteen days after the end of the public event.

- (iv) **Plays and Films*** (indoors and outdoors) Wednesday 1100 to 2300, Thursday 1000 to 0000 and Friday 1000 to 0400 Monday.

- (v) **Live music and Recorded Music*** (indoors and outdoors) Wednesday 1100 to 2300, Thursday 1000 to 0000, Friday and Saturday 1000 to 0400 the next day and Sunday 1000 to 0000.

* proposed condition PN17 refers:-

PN17 Between the hours of 00:00 and 04:00 on a Monday morning, regulated entertainment shall be limited to the following:

- a) The playing of recorded music only in the format of a 'silent disco', defined as being 'the playing of recorded music with or without a DJ, in such a way that it shall only be heard through headsets worn by persons present'.*
- b) The playing of a film provided that no noise shall be heard at the boundary of the licensed area.*
- c) No other form of regulated entertainment shall be permitted.*

(vi) **Performance of Dance** (indoors and outdoors) Wednesday 1100 to 2300, Thursday 1000 to 0000 and Friday to Sunday 1000 to 0400 the next day.

(vii) **Late Night Refreshment** (indoors and outdoors) Wednesday to Sunday 2300 to 0500 the next day.

(viii) **Supply of alcohol**** (for consumption on and off the premises) Monday to Sunday 0000 to 0000. Sale of alcohol to the public Wednesday to Monday only. Crew bar only, for 21 days before commencement of the event and 14 days after the event

**proposed condition A2 refers:-

A2. The premises licence shall authorise the licensable activities:-

- a) for the public for a maximum period of six consecutive days from Wednesday to Monday on one occasion in a calendar year. Public access on Wednesday to be limited to 27,500.*
- b) the crew bar is authorised for the sale of alcohol only to crew members and not more than 12 bona fide guests of senior crew managers at any one time for 24 hours per day for the period commencing twenty one days before the start of the public event and ending fourteen days after the end of the public event.*

- 1.4 The applicant has provided a list of proposed conditions which are similar to that of PREM 741. These are listed in Appendix 1.
- 1.5 This application does not seek to increase the noise levels. However, Environmental Health have agreed with the applicant to amend condition PN11(b) to the following:

PN11(b) Friday and Saturday – 65dB $L_{eq(15mins)}$ between 1000 and 2100; 68 dB $L_{eq(15mins)}$ between 2100 and 2300; and 65dB $L_{eq(15 mins)}$ between 2300 and 0400 (the morning following).

- 1.6 Should this application be granted, the current Premises Licence PREM741 will be surrendered.

- 1.7 The premises is situated within the South Downs National Park (SDNP). See paragraphs 4.5 and 4.6 below.
- 1.8 The proposed Designated Premises Supervisor (DPS) is Christopher Rutherford, one of the directors and founders of Boomtown.
- 1.9 Notice of the application was displayed outside of the premises for a period of 28 days until 2 July 2019, and advertised in the Hampshire Chronicle on 6 June 2019.
- 1.10 Notices of the hearing were sent to all Parties on 15 July 2019.

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

Environmental Health has agreed with the applicant an amendment to condition PN11(b) as detailed in paragraph 1.5 above.

Hampshire Constabulary

Hampshire Constabulary has agreed with the applicant an amendment to condition A1 as detailed in paragraph 1.3(i) above.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Building Control

No representations received.

Head of Trading Standards

No representations received.

Public Health Manager

No representations received.

Home Office

No representations received.

Licensing Authority

No representations received.

South Downs National Park Authority (“SDNP”) (as Planning Authority)

No representations received.

3. Representations from Other Persons

20 valid representations were received from Other Persons (members of the public, parish councils, elected members and other interested organisations); 18 objections and two in support. Copies of the representations can be found in Appendix 3.

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

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

4.5 The Sub-Committee must have regard to the SDNP purposes when considering applications to ensure they are respected. The purposes are:-

- (a) Purpose 1 – to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
- (b) Purpose 2 – to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

4.6 If there is a conflict between the SDNP purposes, Purpose 1 must have priority.

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 appropriate to promote the Licensing Objectives.

(Licensing Policy Part 4, A8)

Licensing Objectives

Crime and Disorder

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

(Licensing Policy 1.9, 2.11, 2.17 and Part 4 Section A)

Public Safety

The Sub-Committee should consider any appropriate conditions relating to public safety on the premises having regard to the operating schedule and the representations.

(Licensing Policy Part 4, B2, B3)

Public Nuisance

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

(Licensing Policy Part 4, Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children relating to the premises having regard to the operating schedule and the representations.

(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, 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

Mandatory Conditions

If the Sub-Committee grants the application, the following Mandatory Conditions must be applied to the Premises Licence:

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.

Door Supervision:

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

Exhibition of Films:

Admission of children to the exhibition of any film is restricted in accordance with:

- (1) Where the film classification body is specified in the licence, unless subsection (2)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (2) Where:
 - (a) the film classification body is not specified in the licence; or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question;admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section: 'children' means persons aged under 18; and 'film classification body' means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 9(c 39) (authority to determine suitability of video works for classification).

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 times 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 carried 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: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml;
 - (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 consider making changes to the conditions or adding additional conditions where they consider it is appropriate for the promotion of the licensing objectives.

The proposed re-wording of conditions A1 and PN11(b), agreed between the Applicant and the appropriate Responsible Authorities, can be found in bold italics below.

Operating Hours

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

Plays and Films* (indoors and outdoors)

- (i) Wednesday 1100 to 2300
- (ii) Thursday 1000 to 0000
- (iii) Friday 1000 to 0400 Monday

Live music and Recorded Music* (indoors and outdoors)

- (i) Wednesday 1100 to 2300
- (ii) Thursday 1000 to 0000
- (iii) Friday and Saturday 1000 to 0400 the next day
- (iv) Sunday 1000 to 0000.

* proposed condition PN17 refers:-

PN17 Between the hours of 00:00 and 04:00 on a Monday morning, regulated entertainment shall be limited to the following:

- a) The playing of recorded music only in the format of a 'silent disco', defined as being 'the playing of recorded music with or without a DJ, In such a way that it shall only be heard through headsets worn by persons present'.*
- b) The playing of a film provided that no noise shall be heard at the boundary of the licensed area.*
- c) No other form of regulated entertainment shall be permitted.*

Performance of Dance (indoors and outdoors)

- (i) Wednesday 1100 to 2300
- (ii) Thursday 1000 to 0000
- (iii) Friday to Sunday 1000 to 0400 the next day

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

Late Night Refreshment (indoors and outdoors)

(i) Wednesday to Sunday 2300 to 0500 the next day

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

Supply of alcohol** (for consumption on and off the premises)

- (i) Monday to Sunday 0000 to 0000
- (ii) Sale of alcohol to the public Wednesday to Monday only.
- (iii) Crew bar only, for 21 days before commencement of the event and 14 days after the event

**proposed condition A2 refers:-

*A2. The premises licence shall authorise the licensable activities:-
a) for the public for a maximum period of six consecutive days from Wednesday to Monday on one occasion in a calendar year. Public access on Wednesday to be limited to 27,500.*

b) the crew bar is authorised for the sale of alcohol only to crew members and not more than 12 bona fide guests of senior crew managers at any one time for 24 hours per day for the period commencing twenty one days before the start of the public event and ending fourteen days after the end of the public event.

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

- (i) Wednesday 0000 to Monday 1700 inclusive.

General – all four licensing objectives

A1. This licence shall authorise the relevant licensable activities for a maximum of 75,999 persons, subject to completion of a satisfactory 2019 festival, that has been determined as such by the police silver commander for the event (following input from the Licensing Act listed responsible authorities and BTF at (or shortly after) the safety advisory debrief.

At least 6,000 of these must be staff, artists and their bona fide guests in accordance with the breakdown at Appendix A attached.
1000 additional tickets to the event may be provided to local residents on Sunday.

A2. The premises licence shall authorise the licensable activities:-
a) for the public for a maximum period of six consecutive days from Wednesday to Monday on one occasion in a calendar year. Public access on Wednesday to be limited to 27,500.
b) the crew bar is authorised for the sale of alcohol only to crew members and not more than 12 bona fide guests of senior crew managers at any one time for 24 hours per day for the period

commencing twenty one days before the start of the public event and ending fourteen days after the end of the public event.

- A3. The Premises Licence Holder shall give notice to the Licensing Authority and Hampshire Constabulary of the dates of the event no later than six months before the start of the event.
- A4. The Premises Licence Holder shall produce and submit to the Licensing Authority an initial event management plan (EMP) at least 120 days prior to the commencement of the event.
- A5. The final EMP shall be supplied to the Licensing Authority no later than 28 days prior to each event. No alteration to the EMP shall be made after this date by the Premises Licence Holder except with the written consent of the Licensing Authority.
- A6. A schedule of stewards and security personnel shall be made available to the Licensing Authority and Hampshire Constabulary no later than 28 days before the start of licensable activities for the public. Such a schedule shall include name, date and place of birth and, if applicable, SIA number. No amendments to the schedule shall be made after this date except by agreement with the Hampshire Constabulary and with the written consent of the Licensing Authority.
- A7. The 'Event Director' or his nominated deputy shall be available on site at all times that the licensed site is open to ticket holders.
- A8. This Licence shall come into effect upon the surrender of Prem 741.

The Prevention of Crime and Disorder

- CD1. The Premises Licence Holder shall agree with the Licensing Authority in consultation with Hampshire Constabulary the number of police officers required at each event, no later than 56 days prior to the start of the event. No licensable activities shall take place unless suitable arrangements are in place to secure the provision of such numbers of police officers.
- CD2. A secure perimeter fence shall be erected around the site of -the event, prior to the start of the event, and patrolled by security. The type of fence shall be agreed with the Licensing Authority no later than 120 days before the event.
- CD3. Crime and Drugs Management Plan
 - 1) The Premises Licence Holder (PLH) shall submit a written Crime and Drugs Management Plan (CDMP) for approval by Hampshire Constabulary (HC) no less than 135 days prior to the commencement of each event.

- 2) The CDMP shall have two primary constituent elements: 1) Drugs and prohibited substances and 2) Other Crime.
- 3) The CDMP in so far as it relates to drugs shall address how the PLH will seek to minimise the use, consumption and supply of illegal drugs and banned psychoactive substances and in particular will address the following matters:
 - a) A rigorous searching regime which is designed to prevent illegal drugs and banned psychoactive substances being brought into the licensed premises;
 - b) The ejection of all persons found attempting to enter the event in possession of illegal drugs or banned psychoactive substances;
 - c) How the PLH will deal with persons found in possession of illegal drugs and banned psychoactive substances within the licensed premises;
 - d) The manner in which the PLH will deal with any persons found in possession of such quantities of illegal drugs or banned psychoactive substances that there are reasonable grounds to believe that they intend to supply those illegal drugs or psychoactive substances, to include:
 - i) The seizure of the illegal drugs/banned psychoactive substances and the manner in which they will be labelled, retained and passed to the police for evidential purposes;
 - ii) The detention of the persons found in possession of such illegal drugs and or banned psychoactive substances.
 - e) The number and role of drug expert witnesses who will be present at all gates leading into the festival at any time when searching is taking place, to provide advice regarding substances found (whether it appears to be an illegal drug or banned psychoactive substance), the volume found (whether the volume is such that it is likely to amount to possession with intent to supply), the labelling and retention of any seized substances and the continuity of evidence.
- 4) The CDMP in so far as it relates to non-drug related crime shall address the measures which the PLH will employ to deal with other potential crime at the festival, in particular: -
 - a) Acquisitive crime (thefts);
 - b) Violence against the person (including a rigorous searching regime which shall be designed to prevent offensive weapons being brought into the licensed premises);
 - c) The protection of young and vulnerable people.
- 5) The CDMP shall address how the PLH will communicate crime prevention messaging to the public, in particular messaging regarding the searching regime and the ejections policy referred to at (paragraphs 1(a) to (d) above).

- 6) The provisions of the final CDMP shall be treated as though they are conditions on the face of the premises licence.

Timings

- 7) Following submission of the initial CDMP to HC in accordance with paragraph (1) above, the PLH shall meet with HC to consider the CDMP.
- 8) The PLH shall submit a revised CDMP (adopting such amendments that will have been agreed through the course of the event planning), to HC no less than 70 days prior to the start of each event for agreement by HC.
- 9) Once the CDMP has been approved by HC, there shall be no alteration to the CDMP except with the prior written consent of the Police Commander for the event.
- 10) The PLH shall provide a written "readiness report" in writing to the HC no less than 14 days before the event, with a further update provided no less than 7 days before the event. These reports shall address whether the PLH has the human and technical resources in place to deliver the Event Management Plan (EMP), CDMP and Security Plan.

De-Brief

- 11) The PLH shall subsequently formally meet with the Hampshire Constabulary within 70 days of the conclusion of the event to debrief the CDMP and agree the key outcomes and statistics that will be recorded in a written development document which will shape the CDMP for the next event.

Security Plan

- 12) The PLH shall submit an initial written Security Plan to HC no less than 85 days prior to the commencement of each event. It shall be a confidential plan to be shared with HC as to the measures the PLH will take to safeguard the safety and security of the public.
- 13) Following submission of the initial Security Plan to HC in accordance with paragraph (1) above, the PLH shall meet with HC to consider the CDMP.
- 14) Once the Security Plan has been approved by HC, there shall be no alteration to the Security Plan except with the prior written consent of the Police Commander for the event.
- 15) The provisions of the final Security Plan shall be treated as though they are conditions on the face of the premises licence.

Mental Health Safeguarding

- 16) The PLH shall submit an initial written Mental Health Safeguarding plan to all responsible authorities with responsibility for health and to HC no less than 85 days prior to the commencement of each event. This plan shall be produced as part of the EMP. It shall be a confidential plan to be shared with the relevant responsible authorities and HC, and shall deal with the measures the PLH will take to safeguard the mental health of persons attending the festival, in particular how the PLH will deal with members of the public who are suffering from psychotic episodes, and the training which security staff will receive to train them to deal with such persons.
 - 17) Once the Mental Health Safeguarding Plan has been approved by the relevant responsible authorities and HC, there shall be no alteration to the Mental Health Safeguarding Plan except with the prior written consent of the relevant responsible authorities and the Police Silver Commander for the event.
 - 18) The provisions of the final Mental Health Safeguarding Plan shall be treated as though they are conditions on the face of the premises licence.
- CD4. The premises licence holder shall appoint a competent crime prevention manager. Their role shall be to facilitate communication between the event organisers, the appointed security contractors and the police and to ensure compliance of CMP and SMP.
- CD5. The campsites, car park and event arena shall be patrolled by security and stewards.
- CD6. No glass containers or bottles shall be allowed inside the event site, with the exception of approved event traders or specific restaurant areas. Bottle banks shall be located at the event site entrances to facilitate disposal.
- CD7. Save for specific restaurant areas approved by the Police in writing, all sales of alcohol and other drinks shall be provided in polycarbonate or similar non glass drinking vessels. All glass bottled drinks shall be decanted at point of sale.
- CD8. A Personal Licence Holder shall be present at each bar throughout any event when alcohol is being supplied under the Premises Licence. The Premises Licence Holder shall produce details of the Personal Licence Holders to the Licensing Authority and Hampshire Constabulary no later than 28 days prior to the commencement of the event. .

Public Safety

- PS1. The Premises Licence Holder shall ensure that farm animals are removed from the arena and the campsite at least 21 days prior to the start of any event. This shall not extend to the area used for car parking.
- PS2. No animals, other than guide dogs, assistance dogs and dogs from enforcement agencies are to be allowed onto the site unless agreed in writing with the licensing authority at least 28 days before the commencement of the event.
- PS3. There shall not be any activity which involves body piercing or tattooing carried out on the site.
- PS4. No legal highs shall be allowed on site, these to include any gas canisters used for that purpose.

The Prevention of Public Nuisance

- PN1. From 12 noon on the Wednesday preceding the event until 6pm on the Monday following the event a regular transfer bus will be available to transfer customers between Winchester Train Station and the event site. A transfer policy will be drawn up and circulated to officers no less than 28 days before the event. This policy will articulate the volume and frequency of transfers.
- PN2. At least 30% of all public tickets, will only be permitted to access the site by coach (whether public transport or coach transfers from local train stations).
- PN3. The premises licence holder will promote public transportation as the preferred access and egress from the event site. A policy to articulate this activity will be drawn up and circulated to officers no less than 56 days before the event but both the website, the tickets and all significant promotional activity will promote public transportation.
- PN4. The Premises Licence Holder shall produce a Traffic Management Plan (TMP). The final TMP shall be submitted to the Licensing Authority no later than 28 days before the start of the event. No alteration to the TMP shall be made after this date by the Premises Licence Holder except with the written consent of the Licensing Authority.
- PN5. The Premises Licence Holder shall produce an initial Noise Management and Community Liaison Plan (NMP) at least 56 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.

- PN6. 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 of all sound systems to be used on the site.
 - b) A schedule of contact details for those who are responsible for the sound systems.
 - c) A list of stages and cinemas together with sound power output details, a schedule of their location, orientation, and shut down times and their maximum audience capacity.
 - d) Maximum permitted sound power output details for traders.
 - e) Management command and communication structure /methods for ensuring that permitted sound system output and finish times are not exceeded.
 - f) Publication and dissemination of information to the public and arrangements for provision and staffing of a hotline number for dealing with complaints.
 - g) Action to be taken by the Event Organiser following complaints.
- PN7. The Premises Licence Holder shall ensure compliance with all aspects of the Noise Management and Community Liaison Plan.
- PN8. At least 21 days prior to an event the Premises Licence Holder shall provide to the licensing authority a telephone number for contacting the licence holder or a nominated representative during the course of an event.
- PN9. The Premises Licence Holder shall produce and make available a Public Information Document with details of arrangements for the event based on the EMP and NMP that might affect the local community. The contents of the document and required distribution list are to be agreed with the Licensing Authority at least 28 days in advance of each event. The final agreed Public Information Document shall be distributed to recipients as agreed at least 21 days prior to the event. The document shall also be advertised in the Local paper at least 10 days in advance of each event.
- PN10. Between the hours of 1000 and 2300 on Thursday, Friday, Saturday and Sunday, noise levels from the event shall not exceed 55dB LAeq(15 mins) and between the hours of 2300 and 0400 noise levels shall not exceed 45dB LAeq (15 mins).
- PN11. Noise levels from music in the octave band frequency ranges with a centre frequency of 63 Hz and 125 Hz shall not exceed at the monitoring locations:
Wednesday – As per condition PN21;
(a) Thursday – 65dB Leq (15mins) between 1000 and 0000;

- (b) **Friday and Saturday – 65dB $L_{eq(15mins)}$ between 1000 and 2100; 68 dB $L_{eq(15mins)}$ between 2100 and 2300; and 65dB $L_{eq(15 mins)}$ between 2300 and 0400 (the morning following).**
- (c) Sunday – 65 dB $L_{eq(15mins)}$ between 1000 and 0000.

PN12. All noise levels from music shall be measured as above in free field conditions and in the absence of 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.

PN13. The sound systems of the principal stages shall be tested to ensure compliance with above levels prior to the commencement of the event. The Licensing Authority shall be notified no less than 24 hours in advance of such testing being undertaken.

PN14. The Premises Licence Holder shall appoint a competent noise consultant to monitor and record on site and off site noise, to ensure compliance with noise levels.

PN15. The Premises Licence Holder shall not permit amplification equipment to be brought onto the site unless:

- a) it is for use as part of regulated entertainment.
- b) It is for the use of authorised traders for the sole purpose of providing 'incidental' or background music to their stall or fairground attraction.

PN16. The Premises Licence Holder shall ensure that a deployment of security personnel shall patrol the site for the duration of the event to monitor for unlicensed events taking place or about to take place, and:

- a) Upon discovery of such activities or equipment not as described in Condition PN15, arrangements shall be made for the amplification equipment to be confiscated immediately or, if not possible, at the earliest reasonable opportunity.
- b) Arrangements shall be made for confiscation of equipment in the case of traders where, in the opinion of the Licensing Authority, a noise nuisance is being or likely to be caused.

PN17. Between the hours of 00:00 and 04:00 on a Monday morning, regulated entertainment shall be limited to the following:

- a) The playing of recorded music only in the format of a 'silent disco', defined as being 'the playing of recorded music with or without a DJ, in such a way that it shall only be heard through headsets worn by persons present'.
- b) The playing of a film provided that no noise shall be heard at the boundary of the licensed area.
- c) No other form of regulated entertainment shall be permitted.

PN18. There will be no stages in areas labelled B and C on the plan attached at Appendix B [the Plan].

- PN19. There will be no regulated entertainment in area D on the Plan except in the crew bar.
- PN20. Regulated entertainment shall be permitted on Wednesday between 11:00 and 23:00.
- PN21. Regulated entertainment on Wednesday shall be inaudible at the monitoring locations.
- PN22. The Premises Licence Holder shall submit a post event Noise evaluation report to the Licensing Authority no more than 28 days after the end of the event. This shall include:
- a) The event complaint log including names, addresses, dates, times and details of complaint and action, taken in response to each;
 - b) The event noise log, including dates, times, locations of noise monitoring, to include noise readings made in accordance with the noise criteria in PN10 and PN11);
 - c) An explanation for any breaches of licensing conditions and any action that was taken to avoid breaching the noise criteria detailed in PN10 and 11.
 - d) A summary of what action can be taken to improve noise control and management, if appropriate.

The Protection of Children from Harm

- CH1. The Premises Licence Holder shall prominently display notices at the point of sale of alcohol that state 'It is an offence to purchase or attempt to purchase alcohol if you are under the age of 18 -Section 149 Licensing Act 2003'.
- CH2. The Premises Licence Holder shall operate a 'Challenge 25' scheme with signage being displayed in all locations relevant to the sale of alcohol.
- CH3. The Premises Licence Holder shall provide suitable training or instruction to all staff engaged in the sale of alcohol in relation to the prevention of sales to persons under the age of 18 years and to persons who are drunk. A written record shall be made of such training and be made available to the Licensing Authority or Hampshire Constabulary upon request.
- CH4. No person under the age of 18 may serve alcohol.
- CH5. Soft drinks and free drinking water shall be available on site as an alternative to alcohol.
- CH6. No person under the age of 18 shall be permitted on the premises unless accompanied by an adult.
- CH7. Any site and/or event staff having responsibility for the welfare of children on site shall be DBS checked (Disclosure and Barring Service)

and their name date and place of birth made available to Hampshire Constabulary 28 days prior to the event taking place. The EMP shall include a plan to deal with all such lost and/or found children.

6. Other Considerations

Council Strategy Outcome (Relevance To:)

This report relates to the fourth Strategic Outcome; 'Improving the quality of the District's environment' by working with partners and using powers available to us to make Winchester a safe and pleasant place to live, work and visit.

Resource Implications

The statutory application fee of £315 has been received together with an additional fee of £48,000 based on the capacity. An annual fee of £24,295 will be payable. This is expected to cover the cost of administration, officer attendance at the Safety Advisory Group meetings and site visits prior to and during the event to check compliance.

Appendices

1. Application and proposed conditions by Boomtown Festival UK Limited.
2. Current Premises Licence and Conditions (PREM741)
3. Representations by other persons
4. Map of premises location.