

South Somerset District Council

Minutes of a special meeting of the **Licensing Committee** held on **Thursday 27th March 2008** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(10.00 a.m. – 11.45 a.m.)

Present:

Members: Nigel Mermagen (In the Chair)

Simon Bending	Peter Roake
John Vincent Chainey	Keith Ronaldson
Tony Fife	Linda Vijeh
John Hann	Martin Wale
Roy Mills	Lucy Wallace

Officers:

Julia Bradburn	Principal Licensing Officer (present for Agenda Item 6 only)
Lynda Creek	Legal Representative
Angela Cox	Committee Administrator
Vicky Dawson	Environmental Protection
Anita Legg	Licensing Officer

31. Committee Agreement to hear application (Agenda Item 1)

The Committee agreed to hear the application.

32. Apologies for absence (Agenda Item 2)

Apologies for absence were submitted on behalf of Councillors David Bulmer, Alan Smith and David Recardo.

33. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

34. Procedure to be followed (Agenda Item 4)

The Committee noted the agreed procedure to be followed when considering Licensing Applications.

35. Representation following the Application for a New Premises Licence for Bearley Farm, Tintinhull (Agenda Item 5)

In accordance with the agreed procedure the Chairman introduced the members of the Committee and the officers present. All parties confirmed that they had received the necessary documents relating to the application.

The Licensing Officer then presented her report including a summary of the representations made by the Responsible Bodies and Interested Parties. She confirmed that the advertisement notices at the site and in the local press had been displayed correctly and, following a negotiation meeting, held on 18th March, all the responsible

Authorities, (namely the Police Authority and Environmental Protection Service) had withdrawn their representations as a result of the voluntary conditions which had been offered by the applicant.

The Licensing Officer said there had been representations from 5 interested parties, (local neighbours), 4 of whom had attended a negotiation meeting with the applicant to deal with the concerns raised in the representations. As a result, two of the interested parties had withdrawn their representations as a result of the voluntary conditions offered by the applicant. This left three relevant representations to be considered by the Licensing Committee. A further informal meeting had been arranged for 15th May at the Crown and Victoria public house in Tintinhull with the site security staff, licensing officers, the police, the applicants and local residents to help alleviate any remaining concerns about the festival.

The Chairman asked the officer from the Environmental Protection Service to explain to the Committee the arrangements made to ensure noise nuisance was minimised.

The Environmental Protection Officer confirmed that the off-site noise level had been set at 45dB_{L_{Aeq}} over a 10-minute period, which was the same as the previous year. She also confirmed that the applicants would again be employing their own noise team on the site and they had been swift to intervene when noise levels exceed limits the previous year. She said wind could carry noise in different directions from the site or it could drown out the noise of the festival, depending upon its strength.

It was noted that no Interested Parties were present at the meeting and so the Chairman invited the applicant to address the committee.

Mr D Hurring, the applicant, noted that the Interested Parties had verbally agreed the withdrawal of their objections at the negotiation meeting of 18th March as a result of voluntary conditions offered by him; he was still willing for these conditions to be part of the licence. He said there would be a core of 70 paid professional stewards who would be placed in key areas around the site together with volunteer stewards. All would receive thorough training, particularly on the different types of passes used at the entrance gates.

Members of the Committee were then asked if there were any points they wished clarified. In response to questions from members, the applicant confirmed the following:

- A robust computerised ticketing system was to be used which would produce an accurate audit trail.
- Maximum capacity at the site would be 9,999 people.
- The originally proposed DPS (Designated Premises Supervisor) had been replaced at the request of the Police.
- The gap in the A303 road would be closed with a concrete barrier to prevent any access to the site from a westerly direction. Emergency vehicles had a separate entrance.

The Chairman then asked the applicant and Licensing Officer to withdraw whilst the Committee considered its decision on the application with the Clerk and Legal representative present.

When the meeting was reconvened with all parties present the Chairman asked the legal representative to give a summary of the advice that had been given during the private session. In summary this was:

- That as the other representations had been withdrawn, the Committee could only consider the remaining ones which concerned access arrangements for the residents of Bearley Lane.
- That the interested parties, (local neighbours), had verbally withdrawn their representations to the Licence at the mediation meeting on 18th March but that this had not been confirmed in writing.
- That the applicant had agreed to his volunteered conditions being attached to the Licence.

Having considered the legal advice given, the Committee **RESOLVED** to GRANT the application for a premises licence for land at Bearley Farm, Tintinhull, for the Festival Life Sunrise Celebration under section 18 of the Licensing Act 2003 subject to the following conditions to promote the licensing objectives of the prevention of crime and disorder/promotion of public safety/the prevention of public nuisance and the protection of children from harm.

1. The days and hours for the sale by retail of alcohol shall be as set out in the Operating Schedule as amended, for the relevant bars in the amended Operating Schedule.
2. The days and hours for the provision of regulated entertainment shall be as set out in the amended Operating Schedule.
3. The days and hours for the provision of late night refreshment shall be as set out in the amended Operating Schedule.

In addition to the above, the remaining matters detailed in the applicant's Operating Schedule, as amended, the relevant mandatory conditions under the Licensing Act 2003 and the voluntary conditions agreed during negotiations will form part of the licence to be issued.

These conditions will be formulated by the Licensing Officers in consultation with the Legal Officer so as to be consistent with the amended Operating Schedule and will form part of the Licence.

All parties are reminded that there is a right of appeal against the decision of the Licensing Authority. Such an appeal is to be made within 21 days of the date of receipt of the formal Notice of Determination, and should be made to the South Somerset Magistrates' Court.

36. Licensing Update (Agenda Item 6)

The Principal Licensing Officer advised the Committee that:-

- A multi-agency professional approach had been taken to enforcement action at a licensed premises in Chard.
 - Risk rating inspections of all licensed premises were ongoing.
 - She had been elected to the Board of STARC (Somerset Tackling Alcohol and Related Crime).
 - She would be facilitating a two-week Licensing Training course at Bournemouth University in September. If members would like to attend any of the sessions, they would be welcome. Please notify the Principal Licensing Officer in advance.
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37. Date of next meeting

Members noted that the next meeting of the Licensing Committee would take place on Tuesday 3rd June 2008 at 10.00 a.m. in the Main Committee Room, Brympton Way, Yeovil.

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Chairman