

South Somerset District Council

Minutes of a meeting of the **Licensing Sub Committee** held at the **Council Chamber, Council Offices, Brympton Way, Yeovil on Monday 16 January 2023.**

(10.00 - 10.56 am)

Present:

Members:

Martin Wale
Wes Read

William Wallace

Also Present:

Ray Buckler

Officers:

Rachel Lloyd
Ann Chislett
Paul Huntington
Angela Cox
Jo Boucher

Specialist (Licensing)
Specialist (Legal)
Specialist (Compliance & Enforcement)
Specialist (Democratic Services)
Case Officer (Strategy & Support Services)

Note: All decisions were approved without dissent unless shown otherwise.

19. Declarations of Interests (Agenda Item 1)

Councillor Martin Wale, Wes Read and William Wallace declared personal interests as either serving of past County Councillors as Somerset County Council leased Dillington House as a training venue.

20. Procedure to be followed when considering licensing applications under the Licensing Act 2003 (Agenda Item 2)

The Licensing Sub-Committee noted the procedure to be followed when considering Licensing Applications under the Licensing Act 2003. The Chairman introduced the members of the Sub-Committee and the Officers present at the hearing.

The Chairman confirmed that the Officer's report relating to the case, the procedure to be adopted during the hearing and the documents which the authority is required to provide under the Regulations had been received by all Parties in advance of the meeting.

The Specialist - Licensing confirmed that representations from the police and environmental health (relating to noise) had been withdrawn as conditions had been agreed with the applicant. One outstanding representation relating to noise from the event the previous year was not withdrawn and although the resident who submitted the representation was unable to attend the hearing in person, they had asked that their representation be read out.

21. Representation following the Application for a New Premises Licence at Dillington Park, Ilminster TA19 9EQ (Agenda Item 3)

The Specialist – Licensing informed members that an application had been received from Shindig Productions Ltd, for a time limited premises licence to be granted under the Licensing Act 2003 at Dillington Park, Ilminster TA19 9EQ. The application was for a 3 year licence for an event to be held annually covering a maximum five day period between the 1st May and the 2nd June each year from 2023 to 2025. She outlined the list of events applied for, including plays, films, live and recorded music (indoor and outdoor), performance of dance, late night refreshment and the supply of alcohol. The event would cease at 3.00am each day. She confirmed that the statutory notices had been displayed at the site and in a local newspaper and that both the police and environmental health officers had withdrawn their objection to the application subject to conditions attached to the licence.

The solicitor for the applicant addressed the Sub-Committee in support of the application and informed members that the licence application was for 3 years. He noted their last application had been in 2020 but the event had not proceeded that year due to Covid restrictions. The event had taken place in 2022 with only one objection received. He drew attention to the ecological and sustainable ethos of the event, the engagement with consultees resulting in the withdrawal of objections from the police and environmental health officers, the noise management plan, their community engagement event and the access to tickets for local residents. He also noted that they had reached out to the resident in Ilminster on two occasions to attempt to resolve their complaint with no response from them.

Councillor Ray Buckler said he had spoken to his local residents regarding the previous event in 2022 and he was pleased to support the application. He felt the event had been well managed and was a cultural benefit to the local area. He noted the discounted tickets available to local residents, the charitable donation made by the event to the local church and the commercial opportunities for local businesses.

The Specialist – Licensing then read out the representation made by a local resident:

“Dillington is an unsuitable location for a music festival. Due to the close proximity of housing there has to be better venues on the Blackdown Hills away from such large towns as Ilminster. Due to the lie of the land with Ilminster being up the

sides of a valley. Sound travels from one side to the other and the sound seems to amplify as it hits the opposite side of the hill. This gets worse if the wind is blowing the noise in a southerly direction for noise coming from Dillington towards my house. Last year when the festival was held I am presuming that some sort of noise control measures were already in place. However I was still woken at 1.00am with the noise so loud the walls of my house were vibrating. This lasted until 3.00am. I get up for work at 6.00am. Dillington house and estate is an unsuitable location for a music festival unless all music stops or it becomes a silent disco at 12 midnight”

The Specialist – Compliance and Enforcement confirmed that the noise conditions attached to the proposed licence were proportionate and reasonable. He confirmed that officers would be checking noise levels during the event and he was encouraged by the applicant’s long-term commitment to comply with the proposed conditions.

In response to questions from members, it was confirmed that:-

- There would be no fireworks, drones or laser shows at the event.
- The list of 122 conditions of the licence had been circulated to the Committee members by email the previous week.
- The likelihood of causing walls to vibrate due to noise was not possible if the conditions of the licence were complied with although there would be some audibility off the site.

All parties confirmed that they were satisfied with the conduct of the hearing.

Members of the Licensing Sub-Committee, the Specialist - Legal and the Specialist - Democratic Services, attending in an advisory capacity only, remained in the meeting and all other officers and applicants withdrew to allow the members of the Sub-Committee to consider their decision in private.

Members of the Sub-Committee considered their decision in private session and were mindful of the advice given to them by the Legal Specialist.

On reconvening, the Chairman informed those present at the hearing of the decision of the Licensing Sub-Committee:

The Licensing Sub-Committee resolved to GRANT the application for a premises licence for land at Dillington Park, Ilminster, Somerset, for Shindig Productions Ltd under section 18 of the Licensing Act 2003 subject to the 122 conditions previously agreed.

In considering this application, the Licensing Sub Committee noted that there were no objections by the Responsible Authorities, there was local council support for the event, local businesses would benefit from increased business, the management of the event in 2022 had been good and there and only been one local objection.

All parties were reminded that there was a right of appeal against the decision of the Licensing Authority. Such an appeal was 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.

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Chairman

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Date