

**MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 28 July 2010 at 10.00 am**

**Present:** Councillor JW Hope MBE (Chairman)

**Councillors:** PGH Cutter and SPA Daniels

**11. ELECTION OF CHAIRMAN**

Councillor JW Hope MBE was elected as Chairman for the Regulatory Sub-Committee hearing.

**12. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Brig. P Jones CBE.

**13. NAMED SUBSTITUTES (IF ANY)**

Councillor SPA Daniels attended the meeting as a substitute member for Councillor Brig P Jones CBE.

**14. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**15. OCCASIONAL PREMISES LICENCE 'WYESIDE MUSIC FESTIVAL, WERGINS BRIDGE FIELDS, SUTTON ST NICHOLAS, HEREFORD.'** (Pages 1 - 4)

The Sub-Committee were required to hear and determine an opposed application for a new premises licence for Wyeside Music Festival. The Chairman introduced the Sub-Committee and Officers and confirmed that all Members had received the background papers. He then asked any interested parties attending the hearing to make themselves known. The following attendees were noted:

- Mr A Trezins (Environmental Protection Manager)
- Mr J Mooney (West Mercia Police Licensing Officer)
- Mr S Symonds (Applicant)
- Mr M Winnell (Parish Council)

The Licensing Officer presented his report to the Sub-Committee and confirmed that the applicant had agreed to all of the conditions recommended by West Mercia Police Authority and the Environmental Health Officer.

Mr Mooney, representing West Mercia Police advised Members of the conditions that had been agreed with the applicant. In response to a question from Mr Winnell he stated that the conditions would be enforced by the Council. Mr Mooney added that there had been a meeting of the safety advisory group where a number of issues had been discussed with the applicant.

The Environmental Health Officer advised Members of the agreed conditions which helped to address the concerns raised by local residents who had made representations in respect of the application.

In accordance with the Licensing Act 2003 Regulations for Hearings, Mr Winnell, representing Sutton St. Nicholas Parish Council, spoke in objection to the application.

In response to a point raised by Mr Winnell in respect of the access to the site, the Licensing Officer confirmed that the access was shown as 10.5 metres wide on the site plan and therefore the actual access would have to be the same size.

In accordance with the Licensing Act 2003, Regulations for Hearings, Mr Symonds, the applicant, spoke in support of his application.

In response to questions from Members, Mr Symonds advised that:

- the event had not previously been closed down due to operating past its permitted hours,
- he was happy to reduce the hours if Members felt that it was necessary,
- the late night refreshment applied for was to facilitate people camping on the site,
- Midland Traffic Management would be managing the traffic,
- the clean up operation would take place on Sunday and Monday once the event had finished,
- and that the Police had recommended a staggered time for the different stages.

The Sub-Committee retired to make their decision. The Senior Litigator and the Democratic Services Officer retired with them to offer legal and procedural advice.

The Chairman read out the attached decision.

**RESOLVED:**

**That the application for a new premise licence in respect of Wyeside Music Festival 2010 be granted subject to the amended hours and conditions outlined in the attached decision notice.**

The meeting ended at 11.50 am

**CHAIRMAN**



**HEREFORDSHIRE COUNCIL**

**REGULATORY COMMITTEE DECISION NOTICE  
(THE LICENSING ACT 2003)**

<b>PREMISES</b>	Wyese Music Festival 2010
<b>APPLICANT'S NAME</b>	Mr S Symonds
<b>APPLICATION TYPE</b>	New Premises Licence
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor PGH Cutter Councillor SPA Daniels
<b>DATE OF MEETING</b>	28 July 2010

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision the Members heard from Mr Symonds, the applicant, together with PC Mooney and Mr Trezins, the Environmental Protection Manager. They also heard a representation from Mr Winnell representing the views of the Parish Council and a local resident

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted subject** to the conditions appearing below. In reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 and the Council's Licensing Policy. The Members imposed conditions in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

**HOURS OF LICENSABLE ACTIVITY**

	<b>Live Music, Dance (E,G)</b>	<b>Recorded Music (F)</b>	<b>Prov of facilities for making music, dancing (or similar)(I,J,K)</b>	<b>Sale of Alcohol (M)</b>	<b>Open to the public (O)</b>
Friday	1700 - 2400	1700 - 2400	1700 - 2400	1700 - 2330	1700 - 2400
Saturday	1100 - 0100*	1100 - 2400	1100 - 0100	1100 - 0030	1000 - 0100

**\* Live music to cease on main stages at 2400 & acoustic stages at 0100**

**HEREFORDSHIRE COUNCIL****REGULATORY COMMITTEE DECISION NOTICE  
(THE LICENSING ACT 2003)****CONDITIONS**

The application was granted in respect of the hours of operation of the licensable activities described in the box above together with the following conditions

- The mandatory conditions of The Licensing Act 2003.
- All conditions proposed by the applicant under section p of the application form.

**GENERAL CONDITION**

- Any remaining licensing issues will be finalised to the satisfaction of the licensing authority no later than 7 days prior to the commencement of the event.

**PREVENTION OF CRIME AND DISORDER**

- The provision of a traffic management plan.
- Provision of SIA licensed security staff on a risk assessed basis.
- Provision of safety stewards on a risk assessed basis.
- Provision of CRB checked staff at the lost/found child point.
- Suitable and sufficient RV point for all emergency services.
- Suitable and sufficient operating schedule with roles and responsibilities clearly defined.

**PREVENTION OF PUBLIC NUISANCE**

- A noise management plan as approved by Herefordshire Council's Environmental Protection Team is provided 21 days prior to the event. The licensee must comply with this noise management plan.
- The noise levels (LAeq 15 min) when measured at designated monitoring points must not exceed 65dbA between 0900 and 2300 and shall not exceed the background level (L90 5 min) by more than 10dbA between 2300 and 0200.

**PUBLIC SAFETY**

- All electrical installations and equipment are to be provided in accordance with the advice and guidance outlined in the Event Safety Guide [ISBN 0 7178 2453 6]
- On completion of electrical installations on the site, and prior to commencement of the event, a competent person must sign-off all electrical installations as safe. A current inspection certificate shall be held for all electrical installations in accordance with British Standards.

**HEREFORDSHIRE COUNCIL****REGULATORY COMMITTEE DECISION NOTICE  
(THE LICENSING ACT 2003)**

- A satisfactory completion certificate must be provided by a competent person prior to the start of the event for all temporary demountable structures which are sufficient in nature to pose a danger to persons if they collapsed.
- A sufficient number of marshals/security staff must be provided in all entertainment areas to the satisfaction of Environmental Health.
- All marshals/security staff must be fit to carry out their allocated duties, aged 18 years or over and must not consume or be under the influence of alcohol or other drugs.
- All marshals/security staff must be trained, briefed and equipped (including appropriate PPE) to a standard that reflects their responsibilities.
- All marshals/security staff must to be readily identifiable by the wearing of distinctive tabards (or similar).
- Free and unrestricted access to drinking water shall be provided at all times and without charge.
- Adequate levels of illumination shall be provided throughout the site for the duration of the event.
- A capacity limit for the marquee and the site in general will be calculated by the applicant and submitted to environmental health for approval.

**INFORMATIVE NOTES**

- The Committee note the comments raised in respect of the access to the site with regard to the public safety licensing objective. Further discussions are required between the licensing authority and the applicant in respect of this matter.

**APPEAL INFORMATION**

Under Schedule 5 Section 2, the applicant or any party making representation may appeal against the decision. Section 9 states that such an appeal must be made to the Magistrates Court within a period of 21 days from the date that the applicant is notified in writing of the decision. Should you wish to appeal this decision then it is recommended that you obtain your own legal advice or contact the Magistrates Court at Bath Street, Hereford.

