

AGENDA

Regulatory Sub Committee

Date: **Wednesday 28 July 2010**

Time: **10.00 am**

Place: **The Council Chamber, Brockington, 35 Hafod Road,
Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

Ricky Clarke, Democratic Services Officer

Tel: 01432 261885

Email: rclarke@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Ricky Clarke, Democratic Services Officer on 01432 261885 or e-mail rclarke@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

Membership

Councillor PGH Cutter
Councillor JW Hope MBE
Councillor Brig P Jones CBE

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

AGENDA

	Pages
<p>1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.</p>	
<p>2. APOLOGIES FOR ABSENCE To receive apologies for absence.</p>	
<p>3. NAMED SUBSTITUTES (IF ANY) To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.</p>	
<p>4. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
<p>5. OCCASIONAL PREMISES LICENCE 'WYESIDE MUSIC FESTIVAL, WERGINS BRIDGE FIELDS, SUTTON ST NICHOLAS, HEREFORD.' To consider an application for a grant of an occasional premises licence in respect of the Wyeside Music Festival 2010, Wergins Bridge Fields (Grid Ref: so 52827/44579), Sutton St Nicholas, Hereford.</p>	1 - 6
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The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Public Transport Links

- Public transport access can be gained to Brockington via the service runs approximately every 20 minutes from the City bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Vineyard Road near to its junction with Old Eign Hill. The return journey can be made from the same bus stop.

HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

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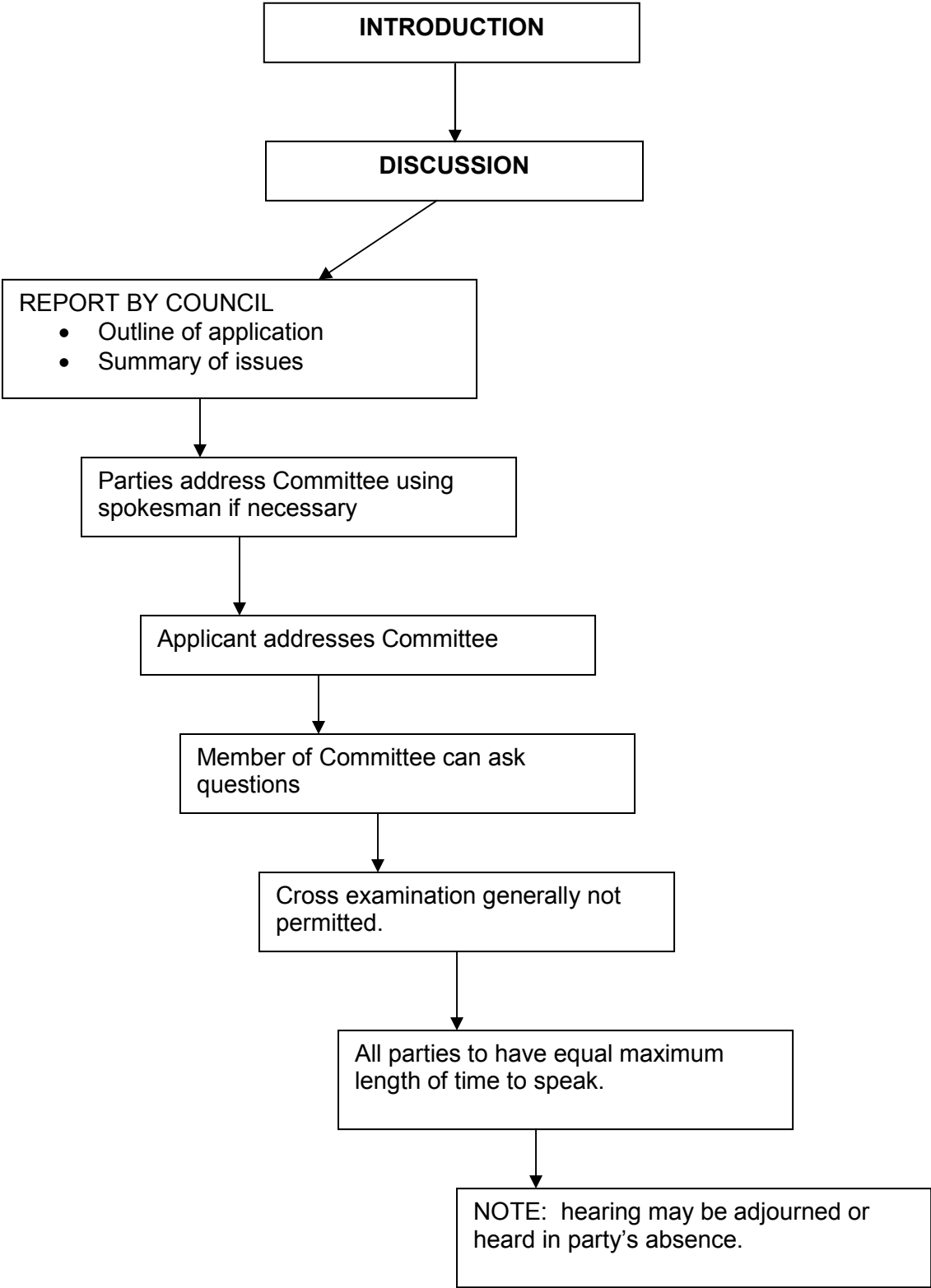
Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.



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LICENCING HEARING FLOW CHART



MEETING:	REGULATORY SUB-COMMITTEE
DATE:	28 JULY 2010
TITLE OF REPORT:	APPLICATION FOR GRANT OF AN OCCASIONAL PREMISES LICENCE WYESIDE MUSIC FESTIVAL 2010, WERGINS BRIDGE FIELDS (GRID REF: SO 52827/44579), SUTTON ST NICHOLAS, HEREFORD. - LICENSING ACT 2003
PORTFOLIO AREA:	ASSISTANT DIRECTOR (EHTS) PUBLIC HEALTH DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Sutton Walls

Purpose

To consider an application for a grant of an occasional premises licence in respect of the Wyese Music Festival 2010, Wergins Bridge Fields (Grid Ref: so 52827/44579), Sutton St Nicholas, Hereford.

Key Decision

This is not a Key Decision.

Recommendation

THAT Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- The steps that are necessary to promote the licensing objectives,
- The representations (including supporting information) presented by all parties,
- The guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.

Key Points Summary

- 2 public representations against the application
- 2 Environmental Health representations
- 1 Police representation

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

Options

- 1 a) Grant the Licence consistent with the operating schedule and the mandatory conditions set out in the Licensing Act 2003,
- b) Grant the Licence subject to modified conditions to that of the operating schedule where the committee considers it necessary for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
- c) To exclude from the scope of the licence any of the licensable activities to which the application relates,
- d) To refuse to specify a person in the licence as the premises supervisor;
- e) To reject the application.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Introduction and Background

3 Background Information

Applicant	Mr S Symonds 4 Lichfield Avenue, Hereford. HR1 2RH	
Solicitor	N/A	
Type of application: New Premises	Date received: 9/6/10	28 Days consultation 6/7/10

Licence Application

- 4 The application is for a grant of a premises licence; this has received 5 representations and is bought before the committee for determination. The application is for a grant of an occasional premises licence for 20 August 2010 until 22 August 2010.

Summary of Application

- 5 The application is for live music, recorded music, performances of dance, provision of facilities for making music & dancing, late night refreshment and the supply of alcohol.

The following hours have been applied for (all outdoors) in respect of: -

Live music, performance of dance, provision of facilities for making music & dancing;

Friday 17:00 to 00:00
Saturday 11:00 to 02:00

Recorded music;

Friday 17:00 to 00:00
Saturday 11:00 to 00:00

Late night refreshment;

Friday 17:00 to 02:00
Saturday 11:00 to 02:00

Supply of alcohol (on premises);

Friday 17:00 to 23:30
Saturday 11:00 to 01:30

The premises to be open to the public:-

Friday 17:00 to 00:00
Saturday 11:00 to 02:00

Summary of Representations

- 6 Copies of the representations can be found within the background papers.
- 7 The Licensing Section received one representation from the Parish Council and ten representations from local residents; of these ten, nine were found not to be relevant representations, as they either failed to address one of the four Licensing Objectives or failed to show any 'real' evidence to support the comment made.
- 8 The accepted Parish Council representation and the one accepted local resident representation contained other comments which were not relevant. Therefore these have been removed leaving only those comments which form a relevant representation under the Act.
- 9 The Interested Parties representation address the licensing objectives of: -
Prevention of Public Nuisance.
- 10 Representations were also received from the Police and from two Environmental Health Officers, each representing either the Commercial (health & safety) or the Pollution (noise) team.

Key Considerations

- 11 To consider what action should be taken, if any, to promote the four licensing objectives in accordance with the recommendation.

Community Impact

- 12 The granting of the licence as applied for may have some impact on the Community.

Legal Implications

- 13 The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
- 14 The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.
- 15 In this case it was summed up that: -

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

- 16 Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.
- 17 This judgement is further supported in the case of *The Queen on the Application of Bristol Council v Bristol Magistrates' Court*, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:
'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.
- 18 It was further said in this case that the Licensing Authority have a duty:
'to translate the proposals contained in the operating schedule to promote the licence objectives into clear and understandable conditions'.
- 19 It was also said that;
"For some premises, it is entirely possible that no measures will be needed to promote one or more of the licensing objectives, for example, because they are adequately dealt with by other existing legislation."
- 20 The Committee are also reminded that they should only hear representations which address one of the four licensing objectives and that any representation can only be made by a person who lives or has a business interest within the vicinity of the premises.
- 21 It is possible for the Committee to hear from any person, providing that they are representing a person who has made relevant representation and that the Licensing Authority have been notified prior to the hearing of that fact.
- 22 Failure to follow any of the above could leave the Licensing Authority open to a Judicial Review.
- 21 Schedule 5 gives a right of appeal to: -

Rejection of applications relating to premises licences

1. Where a licensing authority—

- (a) rejects an application to vary the premises licence under section 18,
 - (b) rejects (in whole or in part) an application to vary a premises licence under section 35,
 - (c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or
 - (d) rejects an application to transfer a premises licence under section 44,
- the applicant may appeal against the decision.

Decision to grant premises licence or impose conditions etc.

2. (1) This paragraph applies where a licensing authority grants a premises licence under section 18.
- (2) The holder of the licence may appeal against any decision—
 - (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
 - (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).
- (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that the licence ought not to have been granted, or
 - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,he may appeal against the decision.
- (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).

22 Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

Consultees

- 23 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 24 A copy of the application was served on the responsible authorities. This was backed up by an email sent to them by the Licensing Authority.
- 25 The notice of application was displayed on the premises prior to the start of the consultation period and for a period of 28 days. In addition, notice of the application was required to be published in a local newspaper. This notice has been seen and was correct.
- 26 The applicant has produced a copy of that advertisement. Whilst this covers the main application, there is no reference to the provision of late night refreshment and likewise the site notice failed to advertise this activity.

Appendices

- 27
 - a. Copy of Application
 - b. Representation – Police
 - c. Representation – EHO Pollution
 - d. Representation – EHO Commercial
 - e. Representation – Parish Council
 - f. Representation – Local Resident

Background Papers

Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.

[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that
your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/we STEPHEN SYMONDS apply for a premises licence under section 17 of
(Insert name(s) of applicant)
the Licensing Act 2003 for the premises described in Part 1 below (the premises)
and I/we are making this application to you as the relevant licensing authority in
accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
WEGGINS BRIDGE FIELDS SO 52827/44579	
Post town	Post code
HEREFORD	

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
- i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick
✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS.

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
2	0	08
2	0	10

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
2	2	08
2	0	10

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

THE FIELDS JUST BEFORE WERLINS BRIDGE ON THE OUTSKIRTS OF SUTTON ST NICHOLAS WILL BE USED FOR A FAMILY COMMUNITY EVENT THERE WILL BE A SMALL FAIR, ATTRACTIONS AND MARQUEES WITH DISPLAY ACTIVITIES IN, THERE WILL BE A LARGE OPEN AIR STAGE AND 2 SMALLER ONES IN 2 MARQUEES, CRAFT STALLS AND FOOD OUTLETS WE BE LOCAL AND ARE ALL OUT-SOURCED TO PROFESSIONAL ORGANISATIONS,

THE OPENING HOURS WILL BE FROM 17:00 hrs - 02:00hrs ON FRIDAY 20th AUGUST AND FROM 10:00 hrs - 02:00 hrs ON SUNDAY 22nd AUGUST. CAMPING, WILL BE AVAILIBLE FOR THE WEEKEND AND A BUS SHUTTLE HAS BEEN ARRANGED FROM THE VENUE TO HEREFORD.

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
2	0	08
2	0	10

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
2	2	08
2	0	10

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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THE OPENING HOURS WILL BE FROM 16:00 hrs - 24:00hrs ON FRIDAY 20th AUGUST AND FROM 10:00 hrs - 02:00 hrs ON SUNDAY 22nd AUGUST. CAMPING, WILL BE AVAILABLE FOR THE WEEKEND AND A BUS SHUTTLE HAS BEEN ARRANGED FROM THE VENUE TO HEREFORD.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y](please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read guidance note 3)
Tue					
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Thur					
Fri					Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>	
Mon			Please give further details here (please read guidance note 3) WE WILL HAVE AMPLIFIED LIVE MUSIC. AS BANDS WILL BE PLAYING ON THE MAIN STAGE AND THE SMALLER STAGES IN THE MARQUEES	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri	17.00	24.00				
Sat	① 11.00	00.30		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) ① MAIN STAGE ② ALDUSTIL STAGE IN MARQUEE		
	② 11.00	02.00				
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) AMPLIFIED RECORDED MUSIC ON THE MAIN STAGE AND THE SMALLER STAGES IN THE MARQUEES	Both	
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri	17.00	24.00			
Sat	11.00	24.00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>	
Mon			Please give further details here (please read guidance note 3) <i>DEMONSTRATIONS BY LOCAL DANCE GROUPS</i>	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4) <i>N/A</i>		
Thur						
Fri	<i>17.00</i>	<i>24.00</i>				
Sat	<i>11.00</i>	<i>02.00</i>		Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) <i>N/A.</i>		
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor		
Day	Start	Finish		Outdoor		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed						
Thur				State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri						

Sat			<p>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Sun			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing <i>WE WILL BE SUPPLYING THE SOUND AND LIGHTING EQUIPMENT FOR THE BANDS</i>							
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td>✓</td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors	✓	Both	
Indoors										
Outdoors	✓									
Both										
Day	Start	Finish								
Mon			Please give further details here (please read guidance note 3) <i>BEHIND THE STAGES THERE WILL BE A GREEN ROOM TO STORE EQUIPMENT AND FOR CHANGING, ALSO SELF CONTAINED TOILET AND FREE WATER.</i>							
Tue										
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4) 							
Thur			N/A							
Fri	17:00	24:00	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)							
Sat	1. 11:00	00:30	1. MAIN STAGE 2. ACOUSTIC STAGE IN MARQUEE.							
	2. 11:00	02:00								
Sun										

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)						
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Outdoors	✓								
Both									
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing <i>WE WILL HAVE DANCE WORKSHOP AND WE WILL BE PROVIDING CHANGING ROOMS TOILETS AND FREE WATER.</i>						

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur			
Fri	17.00	24.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	11.00	02.00	
Sun			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing <i>FAIR RIDES, A PANIC CIRCUS DRUM AND DANCE WORK SHOPS, FOOD OUTLETS AND STALLS.</i>	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor
Mon				Outdoor <input checked="" type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri	17.00	24.00		
Sat	11.00	24.00	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
	11.00	02.00		
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<p>Please give further details here (please read guidance note 3)</p> <p><i>WE WILL BE SUPPLYING LATE NIGHT FOOD & REFRESHMENTS FOR THE CAMPERS</i></p> <p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</p> <p><i>N/A</i></p> <p>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</p> <p><i>N/A.</i></p>	Both	<input checked="" type="checkbox"/>
Tue					
Wed					
Thur					
Fri	17.00	02.00			
Sat	11.00	02.00			
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
Mon			<p>State any seasonal variations for the supply of alcohol (please read guidance note 4)</p> <p><i>N/A</i></p> <p>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p><i>N/A.</i></p>	Both	
Tue					
Wed					
Thur					
Fri	17.00	11.30			
Sat	11.00	01.30			
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) <i>WE WILL BE SUPPLYING LATE NIGHT FOOD & REFRESHMENTS FOR THE CAMPERS</i>		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4) <i>N/A</i>		
Thur					
Fri	<i>17.00</i>	<i>24.00</i>	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) <i>N/A.</i>		
Sat	<i>11.00</i>	<i>02.00</i>			
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
				Both	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4) <i>N/A</i>		
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) <i>N/A.</i>		
Fri	<i>17.00</i>	<i>11.30</i>			
Sat	<i>11.00</i>	<i>01.30</i>			

Sun				N/A.
-----	--	--	--	------

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name SIÂN AITKINS

Address THE RECTORY
TARRINGTON, HEREFORDSHIRE

Postcode HRI 4EU

Personal Licence number (if known) 545

Issuing licensing authority (if known) HEREFORD.

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri	17.00	24.00	
Sat	10.00	02.00	
Sun			

Sun			N/A.
-----	--	--	------

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name..... SIAN AITKINS

Address..... THE RECTORY

TARRINGTON, HEREFORDSHIRE

Postcode..... HR1 4EU

Personal Licence number(if known) 545

Issuing licensing authority (if known)..... HEREFORD.

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur			
Fri	16.00	24.00	
Sat	10.00	02.00.	
Sun			

P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

[Empty box for response to question a)

b) The prevention of crime and disorder

PAGE 27 EVENT MANUAL

c) Public safety

PAGE 29 EVENT MANUAL

d) The prevention of public nuisance

PAGE 28 EVENT MANUAL

e) The protection of children from harm

PAGE 26 EVENT MANUAL

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature 

Date 3/6/10

Capacity NIECEE / PRODUCE M.A.C.A.

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Protection of Children from harm

- No unsupervised children allowed onto the site under the age of twelve.
- Proven methods shall be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other products, which is illegal to sell to children. The bar will employ a mandatory proof of age scheme for anyone purchasing alcohol.
- All drinks will be served in plastic glasses.
- We will supply a baby changing area with hot and cold water.
- We will supply a Lost Child Point.
- All staff will have instructions to supply a Taxi for intoxicated parents with children and make sure they leave safely.
- The police will be notified and asked to attend because there will children under the age of 18.
- All staff will have mandatory training.
- All workshop staff will have to provide proof of their public liability insurance.
- Most of our staff are employed by Hereford Council, Amey Wye Valley services and the Sea Cadet Corps so therefore all have had up to date CRB checks, but no staff will be left in sole charge of a child.

Prevention of crime and disorder

- We will supply high level lighting on all walk ways.
- We will have security and stewards on the marquees with bars in them also patrolling the event and on the main gate.
- The security will control the drunken, abusive and violent behaviour people by escorting them off the site.
- To stop underage drinking a mandatory proof of age scheme will be in operation.
- Anyone found drug dealing or taking drugs will be reported to the police.
- Anyone seen leaving with a drink will be asked to finish it before leaving the site or dispose of it in the bin.
- The individual licensees will be in charge of their own alcohol security.
- All our security will have radio link up with each other and to the festival Management Team.
- We will not allow any drink promotions on site at all.
- Crime prevention notices will be installed around the site and at the main gate.
- Our security will search for weapons and drugs on entry to the site with means of a metal detector and have provision of a secure deposit box for confiscated items.

Prevention of nuisance

- The sound will be monitored every hour.
- The entire exit will have stewards on them to keep the noise down from people leaving.
- We will have portable toilets installed around the site.
- We have invited Blue line taxis to supply a number of taxis at the pickup point, and supply a shuttle bus service from the venue to Hereford.
- We have supplied a car park to stop parking in the street.
- The music on the stag will finish at midnight but the bar will be open until 02:00am this will stagger leaving times.
- We will clean and remove the rubbish off the site with the aid of a skip hire, and some equipment and personnel donated by Amey Wye valley ltd.
- Our stewards will be out along the road at closing time to ask people to politely keep quiet and to keep moving.
- There will be no drinking outside the main gate.
- Our team will walk the road checking and clearing up rubbish after the festival has closed, so that in the morning the main road will be tidy.
- We will make sure all our high level lighting will not be facing any houses.

Public safety

- All the stewards and security will know the location of, and how to use the fire extinguishers.
- The festival is a short drive from the city centre; the telephone number of blue line will be displayed and are giving 10% off for festival users there will also be a shuttle bus service from the venue to Hereford.
- We will supply private toilets and changing rooms for the performers which will be corded off from the general public.
- We will account for the capacity by using a counter.
- Door supervisors and security will be at the stage and in the drinking areas at all times.
- No one will be allowed to bring Alcohol and bottles onto the site.
- All staff will have training before the event, and will wear high visible vests.
- We will have the Red Cross first aid qualified members on site.
- Our Management team will be in the control room at all times to give instruction over the radio.
- The performers will have their own area for storage and changing, there will also be crowd barriers in front of the stage.
- There will be free water at the site office for anyone requiring it.
- Emergency exits from the festival will be signed and a poster put up on the notice board on entry to the event.

MEMORANDUM

To : JANET PRICE, LICENSING OFFICER, LICENSING SECTION,
ENVIRONMENTAL HEALTH AND TRADING STANDARDS

From : JANE COXWELL, COMMERCIAL SECTION, ENVIRONMENTAL HEALTH
AND TRADING STANDARDS

Tel : 0075 My Ref : 057974/
Date : 23.6.10 Your : 057974/
Ref

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE**

Having assessed the application for Wyese Music Festival 2010, Wergins Bridge Fields, SO 52827/44579, Sutton St Nicholas I would like to make the following representation:

PUBLIC SAFETY - Representation	Industry Guidance
<p><u>Electrical Installations</u> 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].</p> <p>On completion of electrical installations on the site, and prior to commencement of the event, a competent person shall sign-off all electrical installations as safe. A current inspection certificate shall be held for all electrical installations in accordance with current British Standards.</p> <p><u>Demountable Structures</u> A satisfactory completion certificate shall 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,</p> <p><u>Marshalls/Security</u> A sufficient number of marshalls/security staff shall be provided in all entertainment areas to the satisfaction of Environmental Health.</p> <p>All marshalls/security shall be fit to carry out their allocated duties, aged 18 years or over and shall not consume or be under the influence of alcohol or other drugs.</p> <p>All marshalls/security must be trained, briefed and equipped (including appropriate PPE) to a standard that reflects their responsibilities.</p> <p>All marshalls/security are to be readily identifiable by the wearing of distinctive tabards (or similar).</p> <p><u>Lighting</u> Adequate levels of illumination shall be provided throughout the site for the duration of the event.</p> <p><u>Water Supplies</u> Free and unrestricted access to drinking water shall be provided at all times and without charge.</p>	

Capacity

A capacity limit for the marquee and the site in general will be calculated by the applicant and submitted to environmental health for approval.

REFERENCES

The Event Safety Guide (Purple Guide) – A guide to health, safety and welfare at music and similar events. Health and Safety Executive, 2002. [ISBN 0 7178 2453 6].

JANE COXWELL

**ENVIRONMENTAL HEALTH OFFICER - COMMERCIAL
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

MEMORANDUM

To : JANET PRICE, LICENSING SECTION, ENVIRONMENTAL HEALTH AND TRADING STANDARDS

From : RICHARD ROBERTS - ENVIRONMENTAL HEALTH OFFICER, ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Tel : 01432 261668 My Ref :
Date : 06.07.10 Your Ref : JEP/OPR01439

**LICENSING ACT 2003
NOTIFICATION OF APPLICATION FOR GRANT/VARIATION OF PREMISES LICENCE
WYESIDE MUSIC FESTIVAL 20TH AND 21ST AUGUST 2010**

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
<p>PREVENTION OF PUBLIC NUISANCE I am concerned about the lack of content in the event management plan as regards noise controls. I would therefore recommend that a condition is imposed requiring that:- 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 the noise management plan. The noise levels (LAeq 15 min) when measured at designated monitoring points must not exceed 65dbA premises between 0900 and 2300 and shall not exceed the background level (L90 5min) by more than 10dbA between 2300 and 0200 .</p>	

REFERENCES

**A. TREZINS
ENVIRONMENTAL PROTECTION MANAGER
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

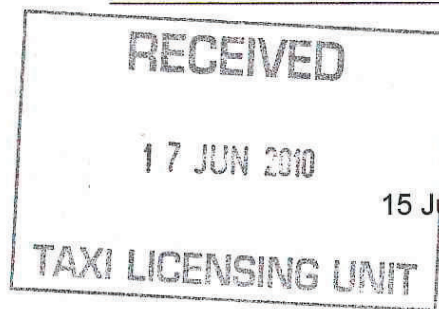
Licensing Department
Hereford Police Station
Bath Street
HEREFORD
HR1 2HT
Direct Dial 01432 364552



West Mercia
POLICE



SERVING - PROTECTING - MAKING THE DIFFERENCE



15 June 2010

Our Ref:
Your Ref:

Herefordshire Council Licensing Section
The County Office
PO Box 233
Bath Street
HEREFORD
HR1 2ZF

Dear Sir / Madam

REF: Wyeside 2010
APPLICATION FOR PREMISE LICENCE
LICENSING ACT 2003

I refer to the above mentioned application made pursuant to the Licensing Act 2003, and received by the West Mercia Police on the 08 June 2010. You will recall I have already sent a letter to yourselves dated 11 June 2010 with observations

The application is to authorise the licensable activities of the sale of alcohol, regulated entertainment and late night refreshment.

I wish to make the following relevant representations for the purpose of Section 35 of the act.

In order to promote the licensing objectives and in particular with a view to preventing crime and disorder, I would seek the Licensing Authority to impose the following conditions.

- The provision of a traffic management plan.
- Provision of SIA licensed security staff on a risk assessed bases
- Provision of safety stewards on a risk assessed bases
- 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



These are the minimum conditions the West Mercia Police would wish to see on any licence issued in accordance with this application.

The West Mercia Police are aware that the premise is located in a mixture of residential and commercial properties, and that the provision of regulated entertainment and the hours it is authorised, could have an impact on the licensing objective of the prevention of public nuisance

It is the view of the West Mercia Police, that this area of concern is best addressed by the relevant responsible authority, the environmental health department.



J. MOONEY PC 1349
Police Licensing Officer

Licensing Department
Hereford Police Station
Bath Street
Hereford HR1 2HT



Tel 0300 333 3000 ext 68552
Direct Dial 01432 364552
E-mail james.mooney@westmercia.pnn.police.uk

11 June 2010

Our Ref:
Your Ref:

Herefordshire Council Licensing Department
PO Box 233
Council Offices
Bath Street
Hereford. HR1 2ZF



Dear Sir or Madam:

Ref – WYESIDE 2010.
APPLICATION FOR PREMISES LICENCE
LICENSING ACT 2003

I refer to the above mentioned application made pursuant to the Licensing Act 2003, received by West Mercia Police on 08 June 2010.

This is an application which was previous submitted for a similar event. At this time West Mercia Police submitted observations in a letter to you dated 19 April 2010. This event did not go ahead as certain conditions of the Licensing Act 2003 were not complied with.

At this stage I will not be making any relevant representations for the purpose of Sec 35 of the Licensing Act 2003 as it is expected that a SAG meeting will be arranged to discuss this application.

I have reviewed the Event Manual submitted by the applicant with the application and have the following observations to make.

It is clear that the following observations are those covered in the West Mercia Police letter dated 19 April 2010, and that some of these issues raised at that time have not been addressed.

The event manual at section 1.3.2 needs clarity with regards to where the 'RV' point would be in the event of the police attending an emergency situation. An 'RV' point is needed away from the main stage area – where it is likely large numbers will be in attendance, likely to be very noisy and likely difficulty will occur for emergency staff and vehicles to get to – and at a location more suitable where matters can be properly assessed. Whilst the manual names two persons who are responsible for contacting the emergency services, their role in the event manual needs to be added at this point for clarity and better understanding.



Section 2.3 covers the issues of security and stewards. Clarity is given with regards to the role and responsibility of a festival steward. Clarity is required with regards to the role and responsibility of the festival security and that those who are performing this role are SIA registered. In addition it is West Mercia Police view that actual numbers used for the event for both stewards and security are produced in the event manual.

Section 2.4 covers traffic management. The issue of what actual signs are to be used and a schedule of where they will be used are not covered. In addition West Mercia Police would wish to see in the event manual some indication of how many cars can be accommodated in the designated parking area, taking into account it is not mentioned how many are expected to attend. West Mercia Police is of the view that a separate traffic management plan will give greater clarity and understanding.

Pages 21 and 22 covers the issue of 'lost or found child', as previously stated West Mercia Police would like the lost child point staffed by persons who are CRB checked. Whilst page 27 'Protection from Children from Harm' briefly mentions those on site being employed by other organisations and therefore will have up to date CRB checks, it is West Mercia Polices view that this is insufficient and actual clarity that those who will staff the lost child point are current CRB checked is required. This information needs to be included with this section.

Lastly page 14 of the actual application lists the four licensing objectives and gives indication where they can be found and answered in the event manual. The page numbers given do not match up to those in the event manual.

If you have any questions or concerns in respect of the observations and points made please make contact on 01432 364552.



J Mooney PC 1349
Police Licensing Officer

TO:

Sutton St Nicholas
HEREFORD

2nd July 2010

The Licensing Department
Herefordshire Council
The County Offices
Bath Street
HEREFORD HR1 2HQ

Dear Sir

**PROPOSED MUSIC FESTIVAL SUTTON ST NICHOLAS 20th to 22nd August
2010**

Previous Breaches

In the past the festival has been stopped on at least two occasions, once because the festival over-ran by at least half an hour. When Hawkwind played, the festival had to be closed down well after 12.30 a.m. when the entertainment licence had expired at midnight. There is no guarantee that future events will be any better controlled.



Freens Court Farm
Sutton St Nicholas
Herefordshire
HR1 3AY

1st July 2010

Herefordshire Council
Licensing Section
Bath Street
Hereford
HR1 2HQ

Dear Sirs

Proposed Wyese Festival - Representations from Sutton St Nicholas Parish Council

The organisers of the Wyese Festival attended Parish Council meetings on 6th April and 21st June 2010 and presented their proposals in outline to a combined audience of about 90 people. They described their intention to provide security, stewarding and other facilities in accordance with an appropriate Code of Practice. They answered questions from Parish Councillors and members of the public.

The Parish Council Clerk has inspected the licence application at the Bath Street Offices.

The following comments are the representations of the Parish Council, in respect of the Events Licence application.

- There is no description of what action will be taken if the agreed levels are exceeded. The organisers have said that they will “pull the plug” but the Parish Council is aware of complaints in previous years when this has not happened.