

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 20 April 2011 at 7.00 pm

Present: Councillor JW Hope MBE (Chairman)

Councillors: PGH Cutter and Brig P Jones CBE

78. ELECTION OF CHAIRMAN

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

79. APOLOGIES FOR ABSENCE

No apologies for absence were received.

80. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

81. DECLARATIONS OF INTEREST

There were no declarations of interest made.

82. PRELIMINARY POINTS TO CONSIDER REGARDING 'BIG CHILL FESTIVAL, EASTNOR CASTLE, DEER PARK, LEDBURY, HR8 1RQ.'

Mr Simon Taylor, the applicant's legal advisor, addressed the sub committee and advised that the plan submitted with the application was the same plan as submitted for the 2010 event. He added that this plan was subject to change through guidance offered at meetings with the police and the licensing authority and that the final details would be confirmed in the event management plan.

In response to concerns in respect of the advertisement, Mr Taylor confirmed that there had been an error in the original draft but that this had been addressed and a second advertisement had been submitted. He drew Members' attention to the case of RV Soneji, a 2005 House of Lords case which supported his view that the sub committee did have the power to determine the application.

The Regulatory sub committee found that the statutory requirements incumbent upon the applicants had been complied with notwithstanding certain shortcomings in the accepted procedures. It therefore decided that the committee had the power to determine the application and permitted it to proceed accordingly. The committee impressed upon the applicants the need to adhere strictly to the advertisement procedures in the future.

RESOLVED

That the sub-committee finds that the statutory requirements have been complied with and therefore the Licensing Authority has the power to determine the application.

83. APPLICATION FOR A NEW PREMISES LICENCE 'BIG CHILL FESTIVAL, EASTNOR CASTLE, DEER PARK, LEDBURY, HR8 1RQ.' (Pages 1 - 12)

The Regulatory Sub Committee was convened in order to determine an application for a new premises licence in respect of The Big Chill Festival, Eastnor Castle, deer Park, Ledbury, HR8 1RQ. The application was submitted in accordance with Section 51 of the Licensing Act 2003.

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. He advised them of the hearing procedures and asked if any party required an extension to the 10 minute time limit for public speaking. The applicant's legal advisor requested an extension to the time limit. The Chairman accepted this request and extended the time limit to 15 minutes, he also advised all of the other parties present that they were also permitted 15 minutes to make their submissions.

The Licensing Officer presented the report and advised Members of two amendments to the report. The first amendment related to the omission of the sale/supply of alcohol on Thursdays from the report (page 8, paragraph 7) and the second was that Birtsmorton Parish Council had been listed under paragraph 8 of the report instead of Castlemorton Parish Council.

The Acting Principal Lawyer advised the sub committee that the responsible authorities had now withdrawn their representations as conditions had been agreed with the applicant.

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005, Mr Bartlett, representing Castlemorton Parish Council addressed the sub committee. Although he did not object to the festival itself he did raise concerns regarding the extension of the licensable hours; the permitted noise levels; and the permanent nature of the licence.

Mrs Davies, representing Colwall Parish Council, also addressed the sub committee and reiterated the concerns raised by the previous speaker. She also stated that the festival had previously been held in 5 different locations and organised by 2 different companies. She felt that the permanent licence was unacceptable and also raised concerns regarding the length of the licence (5 days). She also felt that the licence would benefit from similar conditions and terminal hours to those imposed on the Glastonbury festival.

In response to the previous points the Acting Principal Lawyer confirmed that the sub committee had a number of options as outlined in the Committee report however they did not have the option to grant a temporary licence.

The Chairman invited five local residents who had made representations in respect of the application to address the sub committee. He requested that they avoid repetition in their statements.

Mr Davis addressed the sub committee in respect of noise concerns on the site. He noted that there had been a significant increase in the permitted noise levels in relation to the previous festival and that the 'noisy' period of the festival had seen a 33% increase. He felt that between the hours of 2300 and 0900 the festival should not be audible to neighbouring residents and therefore requested that the music in outside areas should cease at 0030 at the latest. He also requested that permitted noise levels be set at the same level as previous events.

Mrs Doswell, also speaking on behalf of Mr Doswell, advised the sub committee that she was objecting to the grant of the application based on previous experience of noise disturbance in Colwall as a result of the festival. She noted the conditions and terminal hours applied to the Glastonbury licence and requested that Herefordshire Council take a similar stance with the Big Chill. She also had concerns regarding the sound monitoring and felt that all aspects of noise should be monitored by the local authority in

the interests of transparency. She also noted that a public meeting was held at the conclusion of the Glastonbury Festival and that a similar meeting would be beneficial for the Big Chill.

Mr Moreton addressed the sub committee and urged them to reject the application outright. He felt that the local residents and the tranquil and rural surroundings should be protected. He gave details of the noise complaints that he had made over the previous years and voiced his concerns that the telephone hotline for noise complaints was operated by the festival organisers and not the licensing authority. He also felt that if the licence was granted a terminal hour of 0030 should be enforced.

The final local resident to address the sub committee was Dr Cole. He advised Members that although he lived 5 miles away from the site in West Malvern he had still suffered as a result of noise disturbance caused by the festival. He confirmed that music on the site could still be heard at 0400 and that after contacting the Council's environmental health team he was advised that this was as a result of the wind direction. He requested that all appropriate data including wind direction should be taken into account when calculating maximum noise levels. He added that in his opinion a terminal hour of 0300 on Monday morning was unfair to the local residents.

The Environmental Protection Manager advised the sub committee that he was contacted in October 2010 in order to discuss noise control for the festival. He noted the proposed reductions in noise levels on the site throughout the night and requested that the level be lowered from 45db to 40db at 0200 instead of 0300 as suggested by the applicant. He advised the local residents that in his opinion the agreed conditions would address all of the concerns raised.

In response to a question the Environmental Protection Manager advised that there had been a change in monitoring noise levels for the 2011 event and that levels based on background noise had been replaced by absolute noise levels. He explained that the issue with levels based on background noise was that background noise levels could change and that readings would have to be taken at the same point. The absolute noise levels gave the licensing authority the option to monitor sound levels at any location. He also stated that in previous years the background noise levels had been monitored at a level higher than the conditioned levels, the example of Valentines Cottage was given where the conditions limited noise at the location to 43dB although the ambient noise levels without music were as high as 60dB. He confirmed that he had been in communication with an environmental health officer from Mendip Hills District Council, which regulated the Glastonbury Festival, and that the proposed noise conditions had been designed to be consistent.

In response to an additional question he also confirmed that noise levels had been devised in accordance with figures from the world health organisation. He added that the requirement for doors and windows to be shut came from the noise act and not from the licensing act.

In response to a further question from the applicant's legal advisor, the Environmental Protection Manager confirmed that there had been 7 noise complaints for the 2010 festival, with two of the complaints coming from the same dwelling.

Mr Taylor, the applicant's legal advisor, addressed the sub committee in support of the application. Initially he addressed the issue regarding the nature of the licence and advised all parties present that the licence could be reviewed at any stage if there were valid concerns. He added that it would also be automatically revoked as a result of insolvency. He went on to address the protections offered to the local residents through the agreed conditions as well as confirming that an event management plan would have to be agreed with the Licensing Authority annually. In respect of the duration of the

festival, he confirmed that Wednesday was not licensed for entertainment and was purely for people to have the option of arriving at the festival early as well as addressing the traffic concerns that had been mentioned. Finally Mr Taylor addressed the noise concerns. He confirmed that absolute noise levels were more effective than levels based on background noise as these were not enforceable. He confirmed that at 0200 the festival should be inaudible to the local residents.

Mr Benn, the applicant, addressed the sub committee in support of his application. He stated that he also held the licence for the Glastonbury Festival and that the last stage at Glastonbury closed at 0600, despite the main stage closing earlier. He advised all parties present that he was keen to work with the local residents and the licensing authority in order to address any concerns.

In response to a question regarding the monitoring of noise, Mr Benn confirmed that the local residents were able to view the data on the festival site by pre-arranged appointment.

The Regulatory Services Manager confirmed that the licensing authority had monitored noise levels around the site as part of a joint initiative with the applicants in the past and that this had proved successful. He also added that it was his intention to continue this for 2011.

The Environmental protection Manager reiterated his earlier comments regarding the absolute noise levels. He confirmed that it would be much easier for these levels to be monitored. The Regulatory Services Manager advised the local residents that there was a budget in place for the monitoring of sound levels at the Big Chill.

In response to a question from Councillor PGH Cutter, the applicant advised that he was happy for the main stage to close at midnight. He added that the other stages would have a phased closing schedule throughout the night.

The Sub-Committee retired to make their decision, the Acting Principal Lawyer and the Democratic Services Officer also retired to assist them with procedural matters.

At the conclusion of the meeting the Acting Principal Lawyer read out the sub committee's decision. The sub committee felt that the application as applied for should be granted but requested that the following additional conditions be attached to the licence in order to address the concerns of the local residents.

- 1 The main stage shall cease all licensable activities at midnight on Sunday night / Monday morning.
- 2 Within 3 months of the last day of the festival the premises licence holder shall hold a public meeting to allow members of the public to discuss that year's event. Such meetings shall be notified to the Licensing Officer for Herefordshire Council and the following Parish / Town Council Eastnor and Donnington, Castlemorton, Birtsmorton, Wellington Heath, Colwall, Bosbury and Coddington, and Ledbury and will be forwarded to any person who has made a complaint to the premises licence holder's noise hotline, police or local authority in relation to noise.

RESOLVED

That the application for a new premises licence in respect of The Big Chill be approved subject to the conditions detailed in the attached decision notice.

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

PREMISES	The Big Chill
APPLICANT'S NAME	Mr Melvin John Benn
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor PGH Cutter Councillor Brigadier P Jones CBE
DATE OF MEETING	20 April 2011

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 Taylor, the applicant's legal advisor; Mr Benn, the applicant; Mr Bartlett, representing Castlemorton Parish Council; Mrs Davies, representing Colwall parish Council as well as Mrs Doswell, Mr Davis, Mr Morton, Mr Doswell, and Dr Cole, local residents who had submitted representations in respect of the application.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted with immediate effect 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

	Plays[A], Films[B], Live Music [E], Recorded Music[F], Performance of Dance[G], Anything Similar to E,F,G[H], Prov. of Facilities for Making Music & Dancing or Similar [I, J & K]	Indoor Sporting Events[C], Boxing or Wrestling[D]	Late Night Refreshment[L]	Supply of Alcohol[M]	Open to the Public[O]
Wednesday	N/A	N/A	2300 - 0000	1400 - 0000	1400 - 0000
Thursday	1200 - 0000	1700 - 0130	0000 - 0500 2300 - 0000	0000 - 0500 1100 - 0000	All Day
Friday	0000 - 0500 0900 - 0000	1700 - 0130	0000 - 0500 2300 - 0000	0000 - 0500 1100 - 0000	All Day
Saturday	0000 - 0500 0900 - 0000	1700 - 0130	0000 - 0500 2300 - 0000	0000 - 0500 1100 - 0000	All Day
Sunday	0000 - 0500 0900 - 0000	1700 - 0130	0000 - 0500 2300 - 0000	0000 - 0500 1100 - 0000	All Day
Monday	0000 - 0300	N/A	0000 - 0300	0000 - 0300	0000 - 1600

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

The Committee made its decision for the following reasons and gives notice of the same in accordance with Section 23(2) of the Licensing Act 2003 :-

1. Licensing conditions were agreed between the Applicant, the police and the Council prior to the meeting. These, together with 2 further conditions ordered by the Committee were considered suitable and sufficient to satisfy the licensing objectives.
2. The relevant representations related exclusively to noise. The Committee found the evidence of the Council's Environmental Health Officer (Pollution) persuasive and considered that the hours applied for were acceptable when considered in the context of the measureable noise levels agreed. The Committee took careful note of the phased reduction of noise levels during the early hours of each morning and were of the opinion that persons living in the vicinity of the Festival would be adequately protected from unacceptable disturbance as a result.

CONDITIONS**GENERAL**

1. The Premises Licence only permits one event per year ('the Festival') to take place on the premises.
2. The dates of the Festival will be notified to the Safety Advisory Group at least six months prior to the Festival or such lesser period as is agreed by the Safety Advisory Group.
3. The Festival will take place over the first or second weekend in August each year subject to unforeseen circumstances (force majeure). In the case of force majeure, dates between 1 June and 1 September must be agreed with the Safety Advisory Group.
4. The Premises Licence Holder or a nominated deputy (in writing) must be on these licensed premises and available to the Responsible Authorities and the Licensing Authority at all times when Licensable activities are taking place.
5. Details of the Premises Licence Holder or his deputy who is on duty when licensable activities are undertaken shall be recorded, on these premises, at the time. These records shall be made available to the Licensing Authority or a Responsible Authority on demand. Such record shall be kept for a period of 12 months after the end of licensable activities. This information post event must be provided to the Licensing Authority or a Responsible Authority within 24 hours of the request.
6. The name and contact details of the Premises Licence Holder's deputy(s) will be provided to the Safety Advisory Group in writing no later than 7 days prior to the festival each year.
7. At all times there shall be one personal licence holder on these premises for each 2 bars which are open for the sale and supply of alcohol.
8. A schedule will be provided of details of the personal licence holder who is on duty and their areas of responsibilities when licensable activities are undertaken on these premises at that

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

time. This will be made available to the Licensing Authority and or other responsible authority during the period of the event on demand. Such record shall be kept for a period of 12 months after the end of licensable activities. This information must be provided to the Licensing Authority or a Responsible Authority within 24 hours of the request.

9. The names and contact details of the personal licence holders will be provided to the Safety Advisory Group no later than 7 days prior to the festival each year.
10. The draft of the Event Management Plan (EMP) will be produced 3 months prior to the first day of the Festival each year and will be submitted to the Licensing Authority and all the members of the Safety Advisory Group (SAG). Following consultation with the SAG, the Licensing Authority shall notify the premises licence holder in writing that the draft EMP is acceptable or unacceptable within one calendar month of receipt. Where notification is not received the draft EMP shall be deemed by the Premise Licence Holder to be agreed. The festival shall not take place until the draft Event Management Plan has been agreed by the Licensing Authority in consultation with the SAG. Once agreed no change shall be made to the draft EMP without the agreement of the Licensing Authority.
11. The final EMP will be submitted to the Licensing Authority and all the Safety Advisory Group at least 14 days prior to the first day of the Festival each year. No further changes shall take place to this document without the agreement of the SAG.
12. Each year, an EMP and updates must be provided to the Safety Advisory Group at the same time as they are provided to the responsible authorities and Licensing Authority. The EMP will be a working document providing details of how the Festival is to be conducted and how safety issues, identified in the event risk assessment, are to be addressed. The EMP will include an event risk assessment and provide specific details on the following areas:
 - Health and Safety Responsibilities
 - Venue and Site Design
 - Fire Safety
 - Major Incident Planning (Emergency planning)
 - Communication
 - Crowd Management (including steward and security numbers and their roles)
 - Transport
 - Management Structures
 - Barriers
 - Electrical Installations and Lighting
 - Food and Alcohol
 - Water
 - Merchandising and Special Licensing
 - Amusements,
 - Attractions and Promotional displays
 - Sanitary Facilities
 - Waste Management
 - Sound: Noise and Vibration
 - Special Effects, Fireworks and Pyrotechnics
 - Camping
 - Facilities for People with disabilities

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

- Medical, Ambulance and First Aid Management
- Information and Welfare
- Children - including Lost Children's Policy
- Performers
- TV and Media

13. Each year the Festival must take place in accordance with the Final agreed EMP produced for the Festival following approval by the Licensing Authority.
14. Prior to each Festival a Table Top Exercise shall take place involving the Premises Licence Holder or nominated deputy together with staff nominated by him and the Safety Advisory Group. Such exercise shall take place within the two weeks prior to the first day of the Festival or a greater period if agreed by the Safety Advisor Group.

THE PREVENTION OF CRIME AND DISORDER

15. The Premises Licence Holder or nominated representative (in writing) will meet with the on duty operational commander at least once a day during the Festival each year.
16. West Mercia Police and the Premises Licence Holder will agree 28 days prior to the first day of the Festival all issues they required to be reported immediately to them during the duration of the event. This agreement will be provided to the Licensing Authority at least 14 days prior to the first day of the Festival
17. A special policing services request will be made by the Premises Licence Holder to West Mercia Police, this will be submitted at least 3 months prior to the first day of the Festival. From 2012 and subsequent years, this request will be submitted at least 5 months prior to the first day of the Festival.

Security and Stewards

18. A Security Control will be provided on site which will house the CCTV cameras and operator.

Numbers of Personnel

19. A written schedule shall be provided, 3 months prior to the start of the event, of the number and position of SIA Security personnel to be employed on site by hour of day, during the period the premises is licensed for licensable activities. Such schedule must be agreed by the event operational commander of West Mercia Police at least 14 days prior to the first day of the festival
20. A written schedule shall be provided, 3 months prior to the start of the event. of the number and position of personnel to be employed as Stewards on site by hour of day during the period the premises is licensed for licensable activities Such schedule must be agreed by the event operational commander of West Mercia Police at least 14 days prior to the first day of the festival.
21. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers. The register shall be made available on demand for inspection by Police, Licensing Authority or an authorised officer of the Security Industries Authority.

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

22. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, external perimeter fire exits (if not staffed by stewards or SIA staff) and public camping areas.

Additionally the Premises Licence Holder will have in place at least one SIA door staff member who will wear and operate 'body worn video' camera or a hand held digital recording camera. They will be located as a default at each licensed bar area during licensable hours where static cameras do not provide cover. They will have the capacity to deploy to any incidents at other locations where required, but must return to their default position afterwards. Camera operators will be trained in use of the equipment and record incidents where they feel appropriate. The only exception for use of these cameras will be in the area of the 'guest/artists' bars which have restricted and controlled access.

Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format disc to the Police on the direction from the operational commander during the duration of the event or from any other member of West Mercia Police post event or the Local Authority on demand.

The Recording equipment and discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.

23. Representatives of all security and steward firms will meet with the Security Co-ordinator on site at least once daily throughout the Festival.
24. No person under the age of 18 years will be employed as stewarding personnel.
25. No person under the age of 21 years will be employed as SIA badged staff.
26. No security staff or stewards are to consume or be under the influence of alcohol or drugs whilst working. They shall be fit to carry out the duties required of them.

Security Uniforms and Security Logs

27. All security and stewarding personnel will be readily identifiable by means of a tabard bearing a job title and a conspicuous unique personal identification number. This identification number will be displayed prominently on the front and rear and will be at least 30mm high and the width of the written number shall be at least 10 mm.

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

28. The details of the uniform(s) to be worn by the security and stewarding personnel will be provided 3 months prior to the first day of the Festival and approval of West Mercia Police be given within 14 days of receiving the information.
29. No person shall perform the role of stewarding personnel without wearing a tabard.
30. No person shall perform the role of security personnel (apart from a plain clothed team) without wearing a tabard. All plain clothes security personnel shall carry an identity badge issued by the Festival Republic confirming that they are security personnel which shall be produced to a member of the Licensing Authority or Police on demand.
31. West Mercia Police will be informed of onsite security and steward briefings and may attend if they wish.
32. An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Licensing Authority or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (h) any visit by a relevant authority or emergency service
33. Secure and safe systems are to be in place for the storage of items seized. These systems are to include secure methods of storing any drugs or weapons seized or found and procedures for handing the items over to the responsible authority where required. In addition records of seizure are to be kept in the incident book and made available to the Licensing Authority on demand or to the police on authority of the operational commander during the duration of the event or to any authorised person of West Mercia Police post event

Transport

34. A Traffic Management Plan (TMP) will be drawn up for the Festival each year and will be provided to relevant agencies no later than 28 days prior to the festival. Such plan shall be agreed by the Safety Advisory Group. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the 'load in and load out as well as for the Festival itself. The TMP will include arrangements for vehicle routes, emergency service routes, public transport, shuttle buses, taxis, pedestrian issues, a dispersal policy, car parking and a traffic signage plan. In addition it will ensure that sufficient trained marshals are available for the management of public transport (for hire or reward) on site and in particular private hire or licensed taxis.

THE PROTECTION OF CHILDREN FROM HARM**Under 16s**

35. Any unaccompanied person under the age of 16 years found on the Licensed Premises will be accompanied to the Welfare Tent. This task will be undertaken by at least 2 members of staff.

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

36. No unaccompanied person under the age of 16 years shall be permitted on the Licensed Premises.

Criminal Records Bureau (CRB) Check

37. Any personnel whose role involves the looking after of children or vulnerable adults shall have a current CRB (dated within the 9 month period proceeding the first day of the Festival).
38. No person shall be involved in this role unless the CRB shows 'None Recorded' against the following categories:
- Police Record of Convictions, Cautions, Reprimands and Warning
 - Information from the list held under Section 142 of the Education Act 2002
 - ISA Children's Barred List Information
 - ISA Vulnerable Adults Barred List Information
 - Other relevant information disclosed at the Chief Police Officer(s) discretion
39. The name, date of birth and address together with a copy of the CRB shall be supplied to the Licensing Authority 2 weeks prior to the first day of the festival.

Lost Children Policy

40. The goal of the Lost Children Policy is to reunite each lost child with its parents or guardians. However if there is any evidence or suspicion of abuse or neglect of children, then this must be reported to the appropriate authority.

Age Verification

41. The premises shall operate a Challenge 21 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least once every 5 metres behind any bar advertising the scheme operated.
42. In conjunction with point (41) above, proof of the attainment of 21 years of age will be required through production of an approved national identity photo identity card, full or provisional photo card driving licence, or by a photo passport prior to any alcohol sale taking place or entry to age restricted areas.
43. Bar staff must ask for proof of age ID whenever the customer appears to be under 18. If there is any doubt as to the age of the customer they will be refused service.
44. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed stating that: It is an offence to purchase or attempt to purchase alcohol if you are under the age of 18 - Section 149 Licensing Act 2003.
45. A register of refusals will be kept by each bar with the names of people who have been unable to provide required Identification to prove their age. These records will be collected on a daily basis by the Designated Premises Supervisor and made available to the Licensing Authority on request.
46. The Designated Premises Supervisor will brief bar security staff in the arena and the campsites bars that they should take reasonable steps to monitor the final destination of the

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

drinks and where it would appear that supply is being made to a person under the age of 18 years take steps to prevent the consumption by that person.

47. No bar servers will be under 18.
48. The Designated Premises Supervisor, the bar manager and other bar supervisors will monitor the performance of the serving staff to ensure adherence to the licensing laws.
49. Any underage persons who are found arriving at or on the Licensed Premises with alcohol will have the alcohol confiscated by security.
50. A selection of soft drinks will be available to buy, along with an ample supply of free drinking water at clearly signed locations throughout the Licensed Premises.
51. Each bar will be run by a bar manager and this person under the direction of the Designated Premises Supervisor will be fully in control of the sale of alcohol from that bar.
52. All staff shall be trained prior to undertaking any sale of alcohol on the premises. The training shall included:
 - Drugs Awareness
 - Conflict resolution
 - Selling to under age person
 - Selling to drunks

Such training will be recorded and records shall be kept at the premises which will be produced to an authorised officer the licensing authority or the police on demand.

PUBLIC SAFETY**Event Safety Coordinator**

53. The Premises Licence Holder will appoint an Event Safety Co-ordinator who will be able to authorise and supervise safety measures.
54. The Event Safety Co-ordinator will be responsible for:
 - Monitoring of contractors
 - Liaison with contractors
 - Checking of method statements and risk assessments
 - Preparation and monitoring of site rules
 - Safety inspections and audits
 - Collection and checking of completion certificates
 - Communication of safety information to contractors and employees
 - Monitoring and coordinating safety performance
 - Coordinating safety in response to a Major Incident
 - Liaison with nominated officers from Herefordshire Council.
55. The name and contact details of the Event Safety Co-ordinator will be supplied via the Safety Advisory Group no later than 14 days prior to the start of each Festival.

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

Responsible Authorities Office

56. The premises Licence Holder will provide a portacabin where one person from each of the Responsible Authorities will be offered a place to maintain a presence on the Licensed Premises.

Electrical wiring and distribution systems

57. Temporary electrical wiring and distribution systems shall be signed off by a competent person prior to any licensable activity taking place at the premises. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority. The sign off certificates shall be available for inspection in the Licence Compliance Office located on the licensed premises.
58. Any additional electrical work required after the event has commenced shall be signed off by a competent person. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority. The sign off certificates shall be available for inspection in the Licence Compliance Office located on the licensed premises.

Structures

59. The Premises Licence Holder will ensure that all temporary structures and any other elements of infrastructure or artistic installation have been inspected and signed off as being safe prior to the commencement of its use.
60. A copy of each safety sign off certificate shall be kept at the Licence Compliance Office and shall be made immediately available to an authorised local authority officer.
61. The maximum permitted numbers in each enclosed structure where regulated entertainment activities are to be provided will be submitted and agreed by the Responsible Authorities prior to the commencement of each Festival.
62. The premises licence holder must submit arrangements to the satisfaction of the Responsible Authorities on how such maximum occupancy capacities will be managed.
63. All enclosed structures that the public have entry to will have designated entry/exit points. The numbers of these entry/exit points will be determined by the occupancy capacity and will be listed in the Tent Exit Calculation document submitted in the EMP.

In this licence "enclosed structures" are classed as a structure whether tented or not, which has less than 25% of its sides open to the atmosphere (excluding entrances and exits) and which are accessible to the public when regulated entertainment is provided.

Special Effects

64. The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke/foam producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. A detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the above equipment is to be used.

Lanterns

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

65. Paper lanterns will not be sold on site and will be listed within the ticketing terms and conditions as items that may not be brought to the venue.

Sanitary Facilities

66. A Sanitation Management Strategy will be provided to the satisfaction of Herefordshire Council's Environmental and Trading Standards Service at least 60 days prior to commencement of each Festival. Once agreed, the strategy will be implemented throughout the Festival.

Water

67. A Water Management Strategy for the provision of drinking water will be provided to the satisfaction of Herefordshire Council's Environmental and Trading Standards Service at least 60 days prior to commencement of each Festival. Once agreed, the strategy will be followed throughout the Festival. No significant changes will be made without consultation with Herefordshire Council.

THE PREVENTION OF PUBLIC NUISANCE**Noise**

68. A Noise Management strategy as approved by Herefordshire Council must be provided at least 60 days before the commencement of each Festival. The Premise Licence Holder must comply with the Noise Management Strategy.
69. The Noise Levels (NL) from the event must not exceed the following noise levels when measured in a free field position (defined as 3.5 metres from any reflecting surface other than the ground at a height of 1.2 to 1.5 metres).

Thursday to Sunday

Between 09.00 -00.00 (midnight)	LAeq, 5 minutes 55dB
Between 00:00 (midnight) -02:00	LAeq, 5 minutes 45dB
Between 02:00 -05.00	LAeq, 5 minutes 40dB

Monday

00:00 midnight -02:00	LAeq, 5 minutes 45dB
02:00 -03:00	LAeq, 5 minutes 40dB

70. In addition between 02:00 and 09:00 Thursday to Sunday and 02:00 and 03:00 on Monday 'noise' from the festival should not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In these conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernable' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed site'.
71. NLs are to be checked at the intervals as agreed within the Noise Management Strategy at the following locations:
- Clenchers Mill Lan, Eastnor
 - Valentines Cottage, Hollybush
 - Caves Folly Nursery, Colwall

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

- Hancocks Lane, Little Malvern
- Rose Mead, Evendine
- Or at any other location notified by Herefordshire Council to the premise licence holder or his deputy.

72. Any testing of sound equipment will not take place before 09.00hrs and will last for no more than 2 hours on anyone day.
73. The Noise Consultant shall be available for daily meetings with EHO Officers from Herefordshire Council.
74. The Premises License Holder will maintain a noise log and this will be kept in the Licensing Compliance Office and will be available at all times for inspection by Herefordshire Council.
75. A noise hotline will be installed and publicised so that local residents can report any noise issues directly to the Festival. All calls will be logged by time, location and contact number and address will be requested. The log will be kept in the Licensing Compliance Office.
76. All calls to the hotline regarding noise will be reported immediately to the on duty representative from the local authority. The log will be available at all times for inspection in the Licence Compliance Office. The noise hotline number will be operational throughout the hours of regulated entertainment.

Liaison with Local Residents and Local Businesses

77. The premise licence holder or his deputy will communicate with the local Parish Councils of Eastnor and Donnington, Castlemorton, Birtsmorton, Wellington Heath, Colwall, Bosbury & Coddington and Ledbury Town Council (and any other parish council added by the Licensing Authority and notified to the premise licence holder in writing) at least 2 months prior to the start of the festival and within 2 months of the last day of the festival.

CONDITIONS ATTACHED TO THE LICENCE BY THE REGULATORY SUB-COMMITTEE

78. The main stage shall cease all licensable activities at midnight on Sunday night / Monday morning.
79. Within 3 months of the last day of the festival the premises licence holder shall hold a public meeting to allow members of the public to discuss that year's event. Such meetings shall be notified to the Licensing Officer for Herefordshire Council and the following Parish / Town Council Eastnor and Donnington, Castlemorton, Birtsmorton, Wellington Heath, Colwall, Bosbury and Coddington, and Ledbury and will be forwarded to any person who has made a complaint to the premises licence holder's noise hotline, police or local authority in relation to noise.

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.

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

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.