

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

<b>PREMISES</b>	The Jamstand
<b>APPLICANT'S NAME</b>	Mr J Baldus
<b>APPLICATION TYPE</b>	New (Limited Time) Premises Licence
<b>PANEL MEMBERS</b>	Councillor P Jones CBE (Chairman) Councillor JW Hope MBE Councillor A Seldon
<b>DATE OF MEETING</b>	5 August 2009

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 the applicant and his supporters, together with one of the interested parties who had made a representation 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 subject** to the conditions appearing below. In reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 and the Council's Licensing Policy. The Members imposed conditions in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

**HOURS OF LICENSABLE ACTIVITY**

	<b>Live/Recorded Music, Dance (E,F,G)</b>	<b>Prov. of Facilities for Making Music / Dancing (E,F,G)</b>	<b>Sale of Alcohol (M)</b>	<b>Open to the public (O)</b>
Monday				
Tuesday				
Wednesday				
Thursday				
Friday	1330 - 2400	1330 - 2400	1200 - 2300	1200 - 0100
Saturday	1200 - 2400	1200 - 2400	1200 - 2300	1100 - 0100
Sunday				

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

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

**PREVENTION OF CRIME AND DISORDER**

- The licence holder provides no less than 12 SIA registered security staff on the premises site to monitor the suitability of those entering and to prevent numbers exceeding the limits set, by way of the licence, the fire risk assessment, and event risk assessment.
- The licence holder to submit a schedule of the times, locations, roles and responsibilities of the SIA registered staff deployed on site, based on the risk assessment.
- The licence holder to submit a schedule of the times, locations, roles and responsibilities of the stewards deployed on site, based on the risk assessment.
- The licence holder subject to any requirement outlined in the Event Management Plan, make provision for sufficient police officers to be on the site, in agreement with the West Mercia Police, and that the cost of these officers is borne by the licence holder.
- The overall number of stewards for the event shall be no less than 27.
- Adequate communications between stewards and organising staff be in place at all times.

**PREVENTION OF PUBLIC NUISANCE**

- The extended finished time for music on Saturday 8th August 2009 until 01.00. will, in my opinion, increase the potential for complaints from members of the public from noise sensitive dwellings. The finish time on Friday 7th August 2009 of 24.00 is adequate. The Saturday finish time for music should therefore be limited to 24.00 the same as the Friday night.
- The policies and procedures contained within the Event Management Plan and operating schedule must be affectively implemented.
- Noise levels arising from the event, when measured at the nearest noise sensitive dwellings shall be as follows:

## HEREFORDSHIRE COUNCIL

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

Between 13.30 and 23.00 hours live music and recorded music noise levels (LAeq) must not exceed the background noise level (LA90) by more than 15 dB.

Between the hours of 23.00 and 24.00 live music and recorded music noise levels (LAeq) shall not exceed the background noise level (LA90) by more than 10 dB.

- The Licensee must provide an information leaflet drop to nearby residents informing that of the nature and duration of the event and a contact telephone number for reporting complaints and emergency situations during the event.
- The Licensee must immediately comply with any requests to reduce or adjust noise levels made by an office of the Council or the Police.
- All rubbish must be stored in appropriate containers. Such containers must be sufficient in number and suitably located around the site.
- No waste must be burnt on site before, during, or after the festival. All waste produced from the site must be collected and disposed of by a licensed authorised waste company.
- A suitably and sufficient number of closets, urinals and disabled toilets, shall be provided in accordance with the recommendations found in the "Event Safety Guide" ISBN0717824536.
- All sanitary conveniences and facilities must be regularly maintained, repaired and serviced using suitable experienced, competent workers, throughout the licensed event, to ensure that they are kept safe, clean and hygienic. Arrangements must be made for the rapid clearance of any blockages and for the emptying of waste tanks as necessary.

#### **PUBLIC SAFETY**

- The Event shall take place in accordance with the Event Management Plan produced for the Event and agreed with the Responsible Authorities. No significant alterations to the site layout or entertainment activities provided on the site that could affect the organizers ability to fulfil the four licensing objectives must be made without prior notification to and approval by the responsible authorities.
- All electrical installations and equipment are to be provided in accordance with the advice and guidance outlined in the Event Safety Guide [ISBN 0 7178 2453 6].
- On completion of electrical installations on the site, and prior to commencement of the event, a competent person must sign-off all electrical installations as safe.

## HEREFORDSHIRE COUNCIL

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

- A satisfactory completion certificate must be provided by a competent person for all temporary demountable structures in the entertainment area prior to the start of the event.
- The maximum permitted numbers, in all tented structures where regulated entertainment is provided, must be agreed by Environmental Health prior to first use.
- Suitable means of regulating the number of persons present, in the tented structures at any time when used for entertainment, must be included in the Event Management Plan to the satisfaction of Environmental Health.
- The licensee must nominate a person to manage each tented area whilst open to the public and that person shall, on request of an authorised officer, demonstrate the means of regulating numbers.
- A sufficient number of stewards must be provided in all entertainment areas to the satisfaction of Environmental Health.
- All stewards must be fit to carry out their allocated duties, aged 18 years or over and must not consume or be under the influence of alcohol or other drugs.
- All stewards must be trained, briefed and equipped (including appropriate PPE) to a standard that reflects their responsibilities.
- All stewards must to be readily identifiable by the wearing of distinctive tabards (or similar).

#### **PROTECTION OF CHILDREN FROM HARM**

- The policies and procedures contained within the Event Operating Schedule must be effectively implemented.
- Proven methods must be employed by the prevention of unlawful supply, consumption and use of alcohol, drugs and other products which is illegal to sell to children.
- No person of the age of 18 years old must be allowed to serve alcohol within the premises without the written permission of the Council.
- Staff must ensure sight of evidence of age from any person appearing to those engaged of selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol.
- Staff engaged at the information point or the lost/found child point are CRB checked.

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- The provisions of the supplied Event Management Plan and the Risk Assessment remain unaltered.

**APPEAL INFORMATION**

Under Schedule 5 Section 2, the applicant or any party making representation may appeal against the decision. Section 9 states that such an appeal must be made to the Magistrates Court within a period of 21 days from the date that the applicant is notified in writing of the decision.

Should you wish to appeal this decision then it is recommended that you obtain your own legal advice or contact the Magistrates Court at Bath Street, Hereford.