

PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPENING HOURS FOR AN APPLICATION FOR THE BIG CHILL FESTIVAL ON 30TH JULY 2004 – 1ST AUGUST 2004 AT EASTNOR DEER PARK, EASTNOR CASTLE DEER PARK, EASTNOR, NR LEDBURY

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

Ledbury

Purpose

1. To determine whether to grant a finishing time later than the current policy of 0100 hours Monday to Saturday and 2230 on Sundays for an occasional public entertainment.

Background

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- (a) Securing the safety of everyone present: this includes fire safety and some health and safety matters
- (b) Securing adequate access to the premises in emergencies
- (c) Ensuring adequate sanitary arrangements in the premises and
- (d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held.

The Authority may:-

- (a) Make the variation specified in the application
- (b) Make such variations as they think fit, including subject to the four categories above. Impose terms, conditions or other restrictions other than those specified or
- (c) Refuse the application

Conditions

3. Amongst the various Conditions and Regulation there are specific ones which related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for public entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 0100 (Monday to Saturday)	In respect of premises that <u>do not</u> have the benefit of a liquor licence under the Licensing Act 1964
1100 until 2230 Sundays	All types of premises but in respect of musical entertainment only

The application for deviation from policy

4. Katrina Larkin on behalf of Chillfest Ltd requests a variation of the licence conditions to extend the opening entertainment hours from 0100 to 0200 on Friday 30th July 2004 and Saturday 1st August 2004 and from 2230 to 0100 on Sunday 2nd August 2004. The intended venue for this event is marquees in the Deer Park of Eastnor Castle Nr Ledbury with 27,000 tickets available.

Issues

5. The main cause for concern to the Police and ourselves is the potential for disturbance to others. The 0100 hours finishing time is a policy designed to limit the intrusive effects of events and has worked well over the years supported by and with the co-operation of the police.
6. This is a one off event, we have no problem with granting a licence until 0100 hours, whether this event should be allowed to finish later than 0100 is a matter for consideration

Further information on the subject of this report is available from Suzanne Laughland, Acting Licensing Manager on (01432) 261675

7. The Council in the past has dealt with such applications for deviation from policy and to allow many of them to terminate at times later than the 0100 hours but impose special conditions designed to minimise the chances of nuisance occurring. (The special conditions imposed can be found in appendix 1)
8. The Police have been consulted. Formal comments are awaited.
9. The Fire Brigade has been consulted. Formal comments are awaited.
10. Environmental Health have been consulted and will be reported at Committee

Options

- to grant the extended hours
- to grant the extended hours and impose conditions
- to refuse the extended hours
- or come to some other conclusion