

LICENSING PANEL

WEDNESDAY, 2 JULY 2014

PRESENT:- Councillors Derique Montaut, Eric Shaw and Vera Tomlinson.

1. Appointment of Chair

Resolved – That Councillor Derique Montaut chair this meeting of the Panel.
(Councillor Montaut took the Chair.)

2. Minutes

Resolved – That the minutes of the meeting held on 10th April 2014, be confirmed and signed as a correct record.

3. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

4. Licensing Act 2003 - Temporary Event Notice - Consideration of an Objection Notice in respect of Warren Farm, Liddington, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application for a Temporary Event Notice for Warren Farm, Liddington, Swindon, (b) written representations from Wiltshire Police and the Council's Environmental Health Department in respect of the application, (c) oral submissions from the Police and the Council's Environmental Health Department in respect of their written submissions, (d) oral submissions received from Mr Mark Liddington (applicant) in support of the application (e) questions from Members to the applicant, Police and Public Health representatives and answers received, and (f) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Licensing Policy.

After considering: -

1. The application for a Temporary Event Notice; and
2. Representations and material put forward on behalf of the Objectors;

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of public nuisance
- ii. Public Safety

The Panel determined that it would not to issue a counter notice and granted the Temporary Event Notice subject to the following conditions being applied:

- (1) Annexe 2 of the Premises Licence - Conditions 2, 4 and 7.

Reasons

(i) That the conditions set out, and transferred from the existing Premises Licence, were relevant and proportionate to an event of the size being proposed.

(ii) The conditions as applied to the existing Premises Licence had proven to be effective in the maintenance of the Licensing Objectives.

(2) Annexe 3 of the Premises Licence – Conditions 1, 2, 3 4, 13, 15, 19 and 20.

Reasons

(i) That the conditions set out, and transferred from the existing Premises Licence, were relevant and proportionate to an event of the size being proposed.

(ii) The conditions as applied to the existing Premises Licence had proven to be effective in the maintenance of the Licensing Objectives.

(3) The following amended conditions in Annexe 3 of the Premises Licence:

(a) Condition 7 be applied and amended to read: “The licence holder shall provide contact details of the person responsible for managing noise at the event to the manager of the Environmental Enforcement Team not less than 24 hours prior to the start of the event.

Reason

The Panel determined that it would be overly onerous to condition the appointment of a noise control consultant for an event of the size proposed.

(b) Condition 8. The person responsible for managing noise at the event shall be on site for the duration of the period of amplified music during the festival and shall liaise between all parties including the licence holder, promoter, sound system provider, sound engineer and the licensing authority on all matters relating to noise control. Noise data from all monitoring positions shall be submitted to the Environmental Enforcement Manager [or his or her successor] upon request.

Reason

The Panel determined that it would be overly onerous to condition the appointment of a noise control consultant for an event of the size proposed.