

LICENSING ACT 2003 SUB-COMMITTEE 1

24 MAY 2019

Present:

Councillors Keeling, Nutley and Rollason

Officers in Attendance:

Andrea Furness, Licensing Manager

Marie Downey, Solicitor

Trish Corns, Democratic Services Officer

1. ELECTION OF CHAIRMAN

Resolved

That Councillor Rollason be appointed Chairman for the meeting.

2. MINUTES

The Minutes of the meetings held on 15 March and 23 April 2019 were confirmed as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST

There were no declarations of Interest.

4. APPLICATION FOR A NEW PREMISES LICENCE SNOOKYFEST, WARREN FARM, WARREN ROAD, DAWLISH WARREN

4.1 Introductions

The Chairman introduced the Members of the Sub Committee, Legal Adviser, Licensing Officer, Democratic Services Officer and explained their respective roles.

The Chairman advised that the Sub Committee would take into account the merits of the application against the four licensing objectives: the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, in addition to the Home Office Guidance and the Council's Licensing Policy.

4.2 Procedure to be Followed

The Legal Adviser referred to the procedure to be followed for the Hearing and those present wishing to make verbal submissions. There had been no requests

from any other party to speak at the hearing. The procedure was as previously circulated to all interested parties with the Notice of Hearing. All parties had been sent an agenda.

4.3 The Council's Licensing Manager's Report

The Sub-Committee considered a new premises licence for Snookyfest, Warren Farm, Warren Road, Dawlish Warren. Details of the licence was set out in the report circulated with the agenda and is for the provision of the supply of alcohol and late night refreshment and the playing of live music.

The annual event has been held since 2017 with a premises licence.

The hearing date has been extended under Regulation 11 of the Licensing Act 2003 (Hearings) Regulation 2005, due to the local elections being held following which members of the new Licensing Sub Committees were duly appointed.

The Council had received one letter of objection on the grounds of public nuisance. The objector was not present at the Hearing.

4.4 Address by the Applicant's representatives

The applicant was represented by Mr Huw Matthews, Mr Tom Matthews & Mr Rob Coleman.

Mr Matthews submitted that the applicant had bought sound monitoring equipment, which had not been available for the previous two year's events. It was also stated that the road where the objector resides was outside the area who had previously been informed of the event and given contact details should they have any issues. Residents of this road would now receive this information. Regular readings would be taken at various locations around the site, in addition to the readings which would be taken by the Council's Environmental Health Officers.

In response to questions the applicant's representatives advised that the capacity was 3,000 including staff. There was usually 1500 to 2000 people, including staff, at any one event. It would be a ticketed event and tickets would be available to purchase in advance and on the gate. Entrance would be controlled on a count clicker system. Wrist bands would be provided to all accessing the site. The access would have two lanes, one for pre -paid tickets and the second for those paying on the gate. The public liability insurance was for £5 million. Additional barriers from previous years would be in place and marshals would manage the access queues. Medical vehicles and a medical tent, in addition to first aid staff would be provided. Barriers would be split to allow rapid access and egress of medical vehicles in an emergency. The site is farmland so disabled people did not usually attend the festival. However the site is level and suitable for wheelchair users if present.

The Licensing Officer confirmed that Environmental Health would be carrying out monitoring of this event.

4.5 Decision

“We have carefully considered all the written material and also the oral submissions on behalf of the Interested Parties and Applicant. The Council’s Licensing Policy states that terminal hours will normally be approved when the applicant can show that the proposal would not adversely affect the licensing objectives, unless after hearing relevant representations, the Council believes it appropriate, reasonable and proportionate to restrict the hours required. We do not consider that it is appropriate, reasonable and proportionate to restrict the hours, because we have not seen any evidence which would support doing so.

We are satisfied that the applicant company is experienced and responsible and we are satisfied, on the balance of probability, that the event will not cause an unreasonable nuisance to local residents. In the circumstances we grant this application as detailed in the report.”

Should there be problems associated with the event the Council’s Environmental and Safety Department has powers under the Environmental Protection Act 1990 to take action against statutory noise nuisances.

CLLR DAVE ROLLASON
Chairman