

TEIGNBRIDGE DISTRICT COUNCIL

LICENSING ACT 2003 SUB-COMMITTEE

CHAIRMAN: Cllr Edward Hockin

DATE: 23 April 2019

REPORT OF: Licensing Manager

SUBJECT: Application for a New Premises Licence – Virgo Festival, Great Fulford, Dunsford, Exeter, EX6 7AJ

PART I

RECOMMENDATION

That the Licensing Act 2003 Sub-Committee consider this application.

PART I

1. THE APPLICATION

Applicant: Virgo Festival Limited

Premises: Great Fulford, Dunsford, Exeter, EX6 7AJ

The application is for a Premises Licence to be granted under the Licensing Act 2003 is to allow the live music, recorded music, performance of dance, late night refreshment and supply of alcohol.

The operating schedule shows:-

Hours Premises Open to the Public:

Thursday 23 May 2019	12 Noon to 3am
Friday 24 May 2019	11am to 5am
Saturday 25 May 2019	11am to 5am
Sunday 26 May 2019	11am to 4am
Monday 27 May 2019	8am to 12 Noon.

Relevant licensable activities:

- Supply of alcohol.
- Provision of regulated entertainment: live and recorded music and performance of dance.
- Provision of late night refreshment.

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Hours of licensable activities:

Performance of Live Music (Indoors)	-	Thursday	12 Noon to 3am
		Friday	11am to 5am
		Saturday	11am to 5am
		Sunday	11am to 4am
Playing of Recorded Music (Indoors and Outdoors)	-	Thursday	12 Noon to 3am
		Friday	11am to 5am
		Saturday	11am to 5am
		Sunday	11am to 4am
Performance of Dance (Outdoors)	-	Thursday	12 Noon to 3am
		Friday	11am to 5am
		Saturday	11am to 5am
		Sunday	11am to 4am
Late Night Refreshment (Outdoors)	-	Thursday	11pm to 3am
		Friday	11pm to 5am
		Saturday	11pm to 5am
		Sunday	11pm to 4am
Supply of Alcohol (On the premises)	-	Thursday	12 Noon to 2.30am
		Friday	10am to 4.30am
		Saturday	10am to 4.30am
		Sunday	10am to 3.30am

Designated premises supervisor: **Benjamin Leigh**

Supply of alcohol is for consumption on the premises.

Steps to promote licensing objectives:

- General
 - Work in partnership with Teignbridge District Council (TDC), Licensing & Environmental Health Departments, the police, Ambulance and Devon and Somerset Fire and Rescue Service;
 - Comply with recognised safety standards, to provide a safe, enjoyable event; ensuring the health, safety and well-being of the public as well as all event personnel, volunteers, contractors and participants;
 - Provide a high standard of planning, organisation and management;
 - Listen and respond to the needs of the community and residents of the local area.
- The prevention of crime and disorder

There will be a combination of 13 SIA licensed security personnel and stewards on duty at the event. Security will be supplied by Event Safety Alliance, and stewards are all volunteers who will be trained and briefed on their responsibilities ahead of their shifts. SIA security will be deployed at the event to manage all entrances and exit points, the car park, at set locations throughout the event and in restricted areas such as backstage. The security team will be present from the time the access to the site opens until the event closes, to ensure stringent entry procedures are maintained, crowd management processes are enacted and that the safety and integrity of the public, as well as that of working

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personnel and equipment are protected. Security will also be in charge of managing and briefing our steward team.

- Public safety

- Procedures will be in place to ensure public safety is met at all times. Constant clear communication between all relevant Personnel through the use of radios will be in place, and all relevant personnel will be briefed and trained in using the equipment.
- Our security team will be on duty at all times during the premises period to monitor public safety.
- There will be a Medical Centre with supplies and equipment, an operational and clinical lead plus a team of registered nurses. They will also have an emergency ambulance and an operational ambulance crew. Accidents will be recorded and reported to relevant authorities.
- Fire protection for the event is in line with the recommended guidelines. The fire brigade will be kept updated with the event plan and in previous years the fire department has inspected the site with the event organisers, and the necessary safety measures have been reflected in our event plan and risk assessments.
- Potential hazards will be identified and included in our risk assessments, and appropriate action will be taken to ensure do not remain a risk to the public. In previous years we have had many departments of Teignbridge District Council inspect the site and highlight any potential risks. These have been identified in our risk assessments and control measures described to overcome these risks. Risk assessments are completed with the guidance and assistance of the council.

- The prevention of public nuisance

- Noise management strategies will be implemented by the engineers to ensure that the event causes minimal noise disturbance to the residents local to the event site. Structures will be put in place to reduce sound pollution, ensuring that any noise at the event is monitored and managed accordingly at all times, with the least amount of complaints.
- Event organisers visit the local residents regularly to keep them informed of the event before and after the show, inviting them to the event and collecting feedback and dealing with complaints before, during and after the event.
- The waste management and recycling service will be provided by Essential
- Recycling. Recycling separation systems will be set up across the site and in the production area, with recycling pens and a waste sorting and storage area.
- Essential Recycling will offer pre-festival communication with traders with the aim of limiting waste production and increasing recycling, and they will manage their own team and our volunteer team of litter pickers.
- Lighting will be supplied by a qualified contractor, ensuring that light pollution is kept to a minimum.

- The protection of children from harm

This is an over 18s event. No children will be present.

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Conditions Agreed – Environmental Health (if any)

Noise management conditions, to be followed when events occur at Fulford House.

Fulford House conditions.

1. The hours of the event and periods sound emanates from the site needs to be confirmed as acceptable by the land owner.
2. During and following the event the sound level monitoring results to be available to be assessed by Teignbridge Environmental Health.
3. If complaints are received and justified by Teignbridge Council Officer the amplified sound will be stopped, site sound levels reassessed and will not to be restarted until the noise impact is reduced and agreed with Teignbridge Council Officer.
4. A noise consultant shall monitor noise levels at the sound mixer position and designated monitoring points, at the facade of noise sensitive properties or sites where complaints have been received throughout the event. Off-site monitoring at noise sensitive locations as agreed with TDC. 15 minute measurements will be taken and off site sound level assessments taken hourly while sound systems are in use.

Additional information – discussed with applicant.

- ***(facade measurements come out 2-3 dB higher than measurements taken at free-field locations representative of the facade due to facade reflections)***
5. An event noise management contact phone number (or another agreed suitable method if there is no phone signal) will be provided to the public and out of hours safety services.
 6. Licensee shall insure that the promoter, sound system supplier and all individual sound engineers are informed of the sound control limits and to follow any instructions from the noise consultant or Teignbridge Council Officer regarding noise level.
 7. The controlled level at the mixer position shall be adequate to ensure that the noise level at any noise sensitive premises shall not exceed 65dBa Laeq over a 15minute period 10:00am – 00:00hrs and 00:00 – 04:00hrs the sound from the event will not exceed 10dBa LAeq 5min above the background sound level La90 at the identified receivers adjacent to the perimeter of the estate / event site (roadway surrounding the site). Particular attention will be made to prevent noise impact at Greenlane Farm, Dunsford, Exeter, EX6 7AN 400m from the venue, noise barriers and sound stage will need to be set with this in mind.

Background sound level provided by TDC, 25db L90 15min level was previously taken between 00:00 and 03:00am. Sound / music / noise from the event after 00:00 will not exceed 35db Laeq and bass tones will be attenuated.

Additional information – discussed and agreed with applicant.

- ***As we have discussed on the phone the sound level conditions stand, but as part of the sound propagation tests and site monitoring program, the background sound level shall be checked and confirmed with TDC Environmental Health department prior to any increase of on site event sound level over the current stated levels in the TDC condition 7.***
8. A sound propagation test shall be undertaken prior to the event in order to set controlled limits at the sound mixer position of each of the sound systems.
 9. Sound from the event 4:00am – 10:00am will be inaudible / not distinguishable.
Note: Distinguishable: This relates to the ability to recognise a noise disturbance that is not in character with the area. This may not be the predominant acoustic feature above

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background noise levels, but would be an identifiable feature of the environment. If the song / track / beat can be relatively easily identified, and the location of that noise source is known due to the volume, then it is likely that it will be clearly distinguishable and in breach of this condition.

10. Details to be provided showing what barriers / acoustic treatment will be used at each of the stages / sound sources. Specific plans and designs are to be provided for any sound sources operating after 23.00 and tested, signed off by the acoustic engineer and TDC officer as part of the propagation test. Information to be received by Teignbridge Environmental Health before 1st May 2018. (Focus the sound on the crowd, prevent noise bleed between the systems and prevent / reduce impact at noise sensitive premises).
11. No unauthorised sound systems - All sound sources to be highlighted to the site acoustic control team and under their management.

Identification of the nearest noise sensitive premises

Property location	Direction from festival site	Distance from Site (closest source)
Park Gate Cottage, Dunsford, Exeter, EX67DN	South	650m
Brook Cottage, Dunsford, Exeter, EX67BG	East	1000m
Moor Farm, Dunsford, Exeter, EX67DP	South East	1200m
Roundhill Farm, Dunsford, Exeter, EX67AN	North West	1400m
Greenlane Farm, Dunsford, Exeter, EX67AN	North	400m
Middletown Farm, Tedburn St Mary, Exeter, EX66DT	North East	1500m

Additional information – discussed and agreed with applicant.

- ***Property locations maybe added to this list following complaints during the event and addresses highlighted due to other activities at Fulford House.***
- ***our appointed noise consultant and Noise Management Officer is working on calculated noise propagation predictions in the form of visual projections plotted on a map. These will be made for our benefit in order to ensure we can carry out the Noise Management Plan successfully. But we will also make them available for TDC to look at should they need more proof of the attention that is being paid to noise at the event.***

Additional information was provided by and discussed with

Noise consultant -

Sound engineer -

Event manager –

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RELEVANT REPRESENTATIONS

Responsible authorities:

Police – no representation received.

Environmental Health Officer – no objection as conditions agreed.

Fire Officer – no objection.

Planning Officer – no objection

Child Protection Agency - no representation received.

Weights & Measures – no representation received.

Interested parties:

A representation was received on the grounds of Public Nuisance.

Note: Relevant extracts from D.C.M.S. Guidance and the Council's own Licensing Policy are attached at the end of the report to assist members consider these representations.

Andrea Furness
Licensing Manager

Wards affected	<i>Teign Valley</i>
Contact for any more information	<i>Andrea Furness - 5545</i>
Background Papers (For Part I reports only)	<i>Licensing Act 2003 Section 182 Guidance for Police and Licensing Authorities and Statement of Licensing Policy</i>
Key Decision	<i>No</i>
In Forward Plan	<i>No</i>
Community Impact Assessment attached:	<i>No</i>
Appendices	<i>Appendix A – National Guidance Appendix B – Licensing Policy</i>