

 Licensing & Regulatory Committee 15 March 2016		Agenda Item No. 3
Title	Application for a premises licence under the Licensing Act 2003 for Farm Fest Budbrooke	
For further information about this report please contact	Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality and Sustainability Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		
Head of Service	2.3.2016	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	2.3.2016	Moira-Ann Grainger
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps - None		

1. SUMMARY

- 1.1 Warwick District Council Licensing Authority has received a valid application for a premises licence from Mr Jamie Walker.
- 1.2 Representations have been received in relation to this application for the consideration of the panel in the determination of the application.

2. RECOMMENDATION

- 2.1 Members are asked to consider the information contained in this report and decide whether the application for a premises licence for Farm Fest Budbrooke, Warwick, should be approved and, if so, whether the licence should be subject to any conditions.

3. THE APPLICATION

- 3.1 Mr Walker applied for a premises licence on 19 January 2016. The application is for a site located in Budbrooke and if granted will permit licensable activities for one weekend per year. The licensable activities requested are set out in the table below:

	*Live Music, Recorded Music and Performance of Dance (All indoors and outdoors)	Sale of alcohol for consumption on the premises	Opening Hours
Friday and Saturday	11:00 to 23:00	11:00 to 23:00	10:00 to 23:00
Sunday	11:00 to 16:00	11:00 to 16:00	10:00 to 16:30

*Live Music will be played to an audience at the festival. Music will be provided in both amplified and unamplified form; amplified music will be predominantly from a main stage area, with unamplified music being provided from a separate area within the event area.

Recorded music may be played during times where live music acts change over, this will only be for short periods of time and will not be a predominant part of the festival.

The applicant may at some time in the future have dance displays, either to accompany music or as a stand-alone act.

- 3.2 An operating schedule which has been submitted by the applicant and will form part of any licence issued has been supplied as follows:

General

To ensure the licence objectives are promoted the following will be implemented by competent and where required, qualified persons;

Event Safety.

Site Management.

Fire & Safety Control.

Configuration and control of sound systems.

Management of Car Parking.

Provision & Maintenance of water supplies.

Management of welfare & provision of information.

Provision & maintenance of toilet facilities.
Collection & removal of litter & other waste.
Proposals for musical & ancillary entertainments.
Proposal for concessionary activities including food, stalls, mobiles, bars and other non-food sales.
Alcohol management policy.
Event safety policy & risk assessment.
Site Safety rules.
Electrical installations.
Temporary structures & safety barriers.
Incident, contingency, evacuation & emergency plans.
Crowd management, stewarding & security plans, including ejection policy.
Medical, ambulance & first aid plans, including details of medical provision.
Traffic management.
Child Welfare policy.
Ticket supplies to event visitors.
Entry procedure to prevent entry to the event other than by presentation of a valid ticket.
Effective queue management to avoid disorder, excessive noise, discomfort and inconvenience.
Effective procedure for the control of lost and found property on site.
Effective procedures for the control and minimisation of offences of theft on and in the vicinity of the site throughout the duration of the event.
Effective procedures for the reporting of any detected offences during the event to the relevant authorities.
Effective maintenance, storage and where appropriate the disclosure of records relating to staff identity and training, particularly those involved with the sale of alcohol and security staff.
Effective procedures for patrolling the site and monitoring the event to control crowds, disorder, visitor safety, excessive noise, offences, substance misuse and other incidents of note.
Lighting arrangements including proposals for the provision of appropriate and effective lighting throughout the event site.

The prevention of crime and disorder

All officers of the responsible authorities in the course of their duty will be given unhindered access to all parts of the licensed premises at all times.

A minimum of twelve weeks prior to the event, we will hold a SAG to inform the responsible authorities of our outlined plans and address any concerns or questions which may arise.

We will give the right for Warwickshire Police, or a reasonable authority to call an emergency event meeting with an hours notice at any point during the event, as a result of any serious incident, or due to the receipt of intelligence that may lead to a serious incident, crime or disorder. Warwickshire Police or the responsible authority will have the right to deem which roles within the event management team attend the meeting.

If requested by any of the responsible authorities, we will hold a meeting with all responsible authorities who accept the invitation to attend within 8 weeks of the event to discuss any issues or matters which may have arisen.

No licensable activity will take place without the DPS being present on site or contactable by telephone or electronic means at short notice. A responsible senior member of the event management team who is a personal licence holder and authorised to deputise for the DPS will be on site at all times that the DPS is absent from the site.

We will be able to demonstrate in writing, upon request, at any reasonable time that we are satisfied all staff and contractors have been formally trained in relation to the following -

Prevention of underage sales

Recognition and prevention of drunkenness

Drug awareness

Conflict management

Crime prevention

There will be at least one PLH on site and responsible for each structure which is utilised for the sale of alcohol.

Public Safety

A security policy will be submitted to the SAG for approval and thereafter implemented at all times. This policy may change from time to time by written agreement with the SAG.

The security policy will set out our proposed methods for -

Checking the age of visitors consuming/buying alcohol

Toilet checks

Ejecting visitors from the event

Dealing with persons who are injured or unwell

Dealing with vulnerable visitors

Monitoring intoxication levels of visitors on site

Recording details of incidents on site

Carrying out searches of persons or places

Detaining persons believed to have committed offences, until the relevant authorities arrive

Detaining items seized in searches and handing items over to a responsible authority

All SIA registered security staff engaged at the premises will be provided by an SIA ACS approved security company.

A register shall be maintained of all security staff containing the following details -

Full name/date of birth

Security company

Role

SIA badge number

All security staff engaged at the event, with the exception of those working undercover, shall wear high-visibility jackets at all times that they are on duty and will have their SIA badge held in a clear arm sleeve. This will help to ensure that they are clearly and easily identifiable at all times.

The numbers of security employed, and the times they will be working shall be proposed to Warwickshire Police, a minimum of four weeks prior to the event.

This proposal will also include the register of details of security staff as mentioned above.

We will produce a drugs policy, which will be submitted to the SAG.

This policy will be adhered to at all times during the event. The policy may be changed with approval of the SAG. The policy will include the following requirements -

Persons suspected of selling, carrying or consuming drugs are not to be permitted access to the event.

Persons suspected of selling drugs on the premises are to be immediately ejected.

The Licensee, DPS and all staff working on site are to have a zero tolerance policy regarding the use of drugs on site.

Effective procedure for the management, storage and hand-over to the police of any drugs seized or found on the premises.

A protocol agreed with Warwickshire Police determining the circumstances of the notification of the police concerning any drug find or seizure.

Displaying of prominent signage indicating to visitors that the organisers have a zero tolerance policy on the use of drugs on the premises.

A drugs amnesty procedure.

An effective procedure for regular checks and recording of any locations on site where drug taking and/or supplying is likely or suspected.

All tickets for the event will clearly display that all visitors are subject to search as a condition of entry.

Incident Handling - There will be bound books, held at the central office on the premises, under the responsibility of the designated security manager for the purposes of recording incidents that take place on site. All incidents including violence, drugs, disorder, weapons, illness requiring medical attention and ejections from site will be recorded as soon as is practical in the incident book. The incident book will be made available for inspection to an officer of a reasonable authority upon request.

We will produce a policy for the preservation of a crime or incident scene, which would be agreed with Warwickshire Police and implemented throughout the event. The policy will detail methods of moving visitors away from the scene of an incident, scene preservation, scene handover and reporting to the police or other authority.

All drinks will be served in plastic bottles, polycarbonate glassware, collapsible cups or cans.

We will produce a detailed site plan to the SAG which will contain the following information -

- Information points for visitors
- Emergency exits
- Emergency vehicle access points
- First aid and visitor welfare points
- Fire safety posts

We will produce an attendance and capacity policy, which will be adhered to at all times. The policy will be submitted to the SAG and will set out proposed methods for -

- Effective procedures on how attendance will be measured and monitored
- Effective procedures on how advance ticket sales will be monitored and controlled
- Overall event capacity
- Individual capacity limits of any on site structures and how limits will be monitored and controlled.

We will produce a communication policy, which will be adhered to at all times. The policy will be submitted to the SAG and will set out proposed methods for -

- Effective radio procedures
- Effective communication chain procedures
- Effective procedures for communication facilities between on-site agencies, public and private sector.

Allocation of radios and ratio to security, first aid, management team, staff etc.

The prevention of public nuisance

We will provide a detailed traffic management plan, which will deal with the arrival and departure of vehicles.

We will make provisions to ensure that visitors to the event can safely leave the premises, this will include adequate lighting around the site and in the vicinity of the event area.

We will submit a dispersal policy to the SAG, which will include a plan and deployment strategy, providing numbers and positions of security staff and marshals/stewards both on and off site tasked with moving visitors away from the site quickly and quietly and with minimum disturbance to local residents. Clear and legible notices will be displayed on exit points requesting visitors to respect local residents and leave quickly and quietly.

We will take responsibility of clearing litter from the site, footpaths and roads in the immediate vicinity of the site after the event has taken place.

We will comply with any reasonable requirements as to noise made during the event by the appropriate authority.

During the event we shall -

Monitor on-site music levels at regular periods.

Document the levels, to demonstrate our compliance of local authority limits.

Make the results of noise level testing available to the local authority, if requested after the event.

Agree with the local authority the monitoring equipment, methodology and location of the testing equipment prior to the event.

Comply with all reasonable requests by local authorities to reduce music levels in order to achieve or maintain appropriate conditions.

The protection of children from harm

The event is to be aimed at a family based audience, and because of this security staff will not be required to verify the age of visitors before granting entry to the event. There will however be a strict age policy concerning age restricted products, which will be submitted to the SAG and adhered to at all times. This policy will include -

Effective procedures for implementing a challenge 25 policy

Effective procedures to ensure all staff are adequately trained and competent with age verification

Effective procedures on dealing with/seizure of fake/false ID

Effective procedures for refusals registers to be maintained

Effective procedures to ensure security staff/stewards remain vigilant at all times with regards to the inebriation of any underage individuals and how to deal with any such incidents

We will submit a lost children policy to the SAG. This will contain -

Positions of lost children point(s)

Procedure of reuniting children with parents

The requirement of at least one DBS checked adult to be available to attend to lost children during the event

- 3.3 The applicant has submitted additional documentation in relation to their application. This is attached as appendix 1.
- 3.4 Representations have been received from Budbrooke Parish Council, attached as appendix 2, and three local residents attached as appendices 3 to 5.
- 3.5 A representation was received from Environmental Health, however conditions were agreed with the applicant and the representation was subsequently withdrawn. The conditions agreed will be added to any premises licence granted and are as follows:
1. The event organiser or nominated person will employ a noise control consultant who shall carry out a sound test of the sound sources prior to the event. The sound test should be conducted from the nearest residential premises.

2. Details of two contact telephone numbers permanently available during the event are to be provided to the local authorities environmental health service at least one week prior to the event.
3. At least one week prior to the event a leaflet drop shall be made to household in the immediate area as agreed with the local authorities environmental health service. The leaflet is to include a description of each performance and contact telephone numbers in the event of any complaints.
4. The event organiser shall conform with the Noise Council's (1995) Code of Practice on Environmental Noise Control at Concerts at all times unless explicitly agreed in writing with the local authorities environmental health service.
5. Between the hours of 09:00 and 23:00, music noise levels shall not exceed 65dB(A) L_{Aeq} over a 15 minute period when measured at (or calculated to) one metre from the façade of any noise sensitive premises.
6. The event organiser or nominated person shall carry out regular checks at the nearest noise sensitive locations throughout the event to monitor the noise and ensure that the specified music noise levels are not exceeded.
7. The appointed noise control consultant shall continually monitor noise levels at the sound mixer position and advise the sound engineer accordingly to ensure that the noise limits are not exceeded. The local authority shall have access to the results of the noise monitoring at any time.
8. The event organiser or nominated person shall agree the location and orientation of the stage and sound system with the local authorities environmental health service at least six weeks prior to the event.
9. No more than one event shall be held per calendar year and no event shall last more than one day unless explicitly agreed in writing with the local authorities environmental health service.

3.6 No representations have been received from:

- Warwickshire Police
- Fire Authority
- Enforcement Agency for Health and Safety.
- The Licensing Authority
- Authority Responsible for Planning
- National Health Service/Public Health
- Body responsible for the protection of children from harm
- Warwickshire County Council (Weights and Measures)

3.7 There are currently no licensable activities taking place at the premises and therefore there is no evidence in relation to licensing which can be detailed in the report.

3.8 A map of the event area provided by the applicant is attached as appendix 6.

4. POLICY FRAMEWORK

- 4.1 When considering the application the panel must give appropriate weight to:-
- a) The representations received.
 - b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
 - c) The Council's Licensing Policy Statement (attached as appendix 7)
 - d) The Licensing Objectives, which are:-
 - i) The Prevention of Crime and Disorder.
 - ii) Public Safety.
 - iii) The Prevention of Public Nuisance.
 - iv) The Protection of Children from Harm.

However, it should only consider those licensing objectives which have been referred to in the representations received.

- 4.2 The Council's Licensing Policy Statement provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure the promotion of the four licensing objectives. Each application will be judged on its own merits.
- 4.3 Details of the procedure adopted by the Licensing Committee for Panel Hearings have been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.

5. BUDGETARY FRAMEWORK

- 5.1 There would be costs associated with any appeal against the decision as set out in 6.1 below.

6. RISKS

- 6.1 Any decision made by the Panel may be appealed against at a Magistrates Court within 21 days of the decision. There would be costs associated with responding to an appeal and the Council could be ordered to pay the Appellants costs if it is deemed to have behaved unreasonably.