



Melton
Borough
Council

Licensing Sub-Committee

Date 8th JULY 2019

Report of: Assistant Director for Strategic
Planning and Regulatory
Services

LICENSING ACT 2003: APPLICATION FOR PREMISES LICENCE

SET IT OFF LIMITED, TEAMWORK'S KARTING, LANGAR AIRFIELD, HARBY ROAD,
LANGAR NG13 9HY

1.0 Summary:

1.1 The purpose of this report is to set out the background to an application for a new premises licence in respect of an annual Music festival under the Licensing Act 2003, and request the Sub-Committee make a determination following receipt of relevant representations during the statutory consultation period.

2.0 Recommendations

2.1 **It is recommended that the Sub-Committee determine this application for a Premises Licence having regard to all the information provided by the applicant, the representations received and taking into account the Council's Statement of Licensing Policy and any associated guidance.**

3.0 Report Detail

3.1 On 11th April 2019 an application for a new premises licence from Set It Off Limited, for a Music Festival for up to 9.999 people at Teamwork's karting, Langar Airfield, Harby Road, Langar NG13 9HY was submitted to Melton Borough Council with the required fee. The original application was served upon the responsible authorities (**Appendix A**). The application was accompanied by an Event Management Plan (**Appendix B**) and site plan (**Appendix B19** revised plan received on 28.06.19).

3.2 The Applicant seeks to host a music festival on a Saturday night, the first being on 26th November 2019 with the intention of it being an annual event. Consultation took place on 11th May 2019 and was further extended due to insufficient 'Blue Notice' signage not complying to the regulations to cease on 30th May 2019.

3.3 During this period, 10 representations were received by Melton Borough Council (Appendix D). Representations were received from:

D1 – Leicestershire Police

D1(a) Leicestershire Police – Officer statement (received 14.06.19)

D1(b) Leicestershire Police – Photographs (received 14.06.19)
D2 – Nottinghamshire Fire & Rescue
D3 – Melton Borough Council Environmental Health
D4 – Member of the public
D5 – Member of the public
D6 – Member of the public
D7 – Member of the public
D8 – Member of the public
D9 – Member of the public
D10 – Nottingham County Council & Leicestershire County Council Highways

3.4 A Licensing Sub-committee meeting was initially scheduled for 19th June 2019 but was adjourned following a request from the Applicant's solicitor for a short adjournment of 3 weeks. The adjournment was granted in accordance with the legislation.

3.5 Additional information to support the representation submitted by the police was received on 14th June 2019 and served on the applicant's solicitor on 26th June 2019. This is included at Appendix D1(a) and D1(b) of this report.

3.6 Additional information to support the application was received from the Applicant's Solicitors on 28th June 2019 and is contained in Appendix B

3.7 A summary of the points raised in the representations received have been provided in section 3.10 of this report.

The Legislation:

3.8 The Licensing Act 2003 states:

Where relevant representations are made, the authority must—

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary

3.9 The Act contains four Licensing Objectives which underpin Licensing Act considerations and they must be the overriding consideration in any decisions that are made in relation to this licensing application, namely:

- Promotion of Public Safety
- Prevention of Crime & Disorder
- Prevention of Public Nuisance
- Protection of Children from Harm

3.10 The Representations:

The risks identified by the representations are summarised below however the Sub-Committee should ensure all representations are considered in detail.

Prevention of Public nuisance

- Music - especially low base being heard by local residents over a 12 hour period, in this rural setting.
- Traffic – extra traffic through a village which has busy roads.
- Litter – both on the site and the roads leading in, after the event
- ASB from people entering the village following the event
- Crowding at the collection/drop off points
- Abandoned cars from those who chance showing up on the day
- Is camping ruled out entirely

Public safety

- Previous company (Detonate UK Ltd) with same directors - history of similar event being shut down due to crowd crushing incident
- Single entry/egress to site – congestion and designated blue route needed
- Busy road leading to site – concerns of people walking this road and cars being abandoned along the road
- Increased traffic – safety concerns – people walking the busy road once leaving the site
- No parking yet secured for site- for customers, vendors, organisers, performers etc.
- Transportation to and from the site & car parking – bus routes need confirming including number of coaches and drop off/collection point – current suggested numbers may take too long to clear site, leading to unrest.
- Safety of bus drivers needs considering.
- Dispersal once attendees return to Nottingham
- Large site – ensuring this is secured to prevent extra attendees and no entry to those wishing to commit crime.

- Environmental Health can not fully comment yet on Health and Safety due to insufficient information currently available including - Construction design and management crowd management, security, managing an incident, sign off checks, traffic management including blue light (emergency vehicle) routes on to the site has not been completed
- An appropriate safe drinking water supply at suitable locations around the site must be provided.
- Muster points need confirming in the event of an emergency
- Potential pyrotechnics on site and LPG

Prevention of Crime & Disorder

- Policing – sufficient numbers needed on the site and nearby villages as well as at collection/drop off site
- Concerns around ASB, fighting and disorder
- Crowd control – avoid repeat of crushing

Protect Children from Harm

- Underage drinking and drugs – spreading into local villages
- Road safety in the area during the event – buses in the villages.
- no phone signal in rural area at times

The Council's Statement of Licensing Policy:

3.11

The Sub-Committee's should note that Melton Borough Council's Statement of Licensing Policy at 2.2, 2.3, 2.4 and 2.5 states:

'The Licensing Objectives

2.2 The Licensing Authority will carry out its functions with a view to promoting the licensing objectives. The licensing objectives, which carry equal importance, are:

- *Public Safety;*
- *The prevention of crime disorder;*
- *The prevention public nuisance; and*
- *The protection of children from harm (including child sexual exploitation)*

'Balance

3.12

2.3 The Licensing Authority will also seek to achieve a balance between leisure/entertainment and the needs of residents and other businesses for an acceptable environment and quality of life.

2.4 This Policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any person to make representations on an application or seek a review of a licence where provision has been made for them to do so in the Licensing Act 2003.

Extent of Control

3.12

2.5 Licensing is about the control of premises and places being used for licensable activities. The conditions attached to various authorisations are focused on relevant matters that are within the control of the licence holders and others with relevant authorisations. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the control of the individual club or business holding the licence, certificate or authorisation concerned. However, the Licensing Authority expects every holder of a licence, certificate or authorisation to be responsible for minimising the impact of the activities and anti-social behaviour by their patrons within the immediate vicinity of their premises and will require licence holders to demonstrate that they have taken appropriate action.'

3.13

Whilst some relevant parts have been drawn to the attention of the sub-committee the policy should be considered as a whole and the sub-committee may find other parts that are equally relevant.

The Licensing Act Guidance:

3.14

When making a determination the Sub-Committee should also consider the Home Office revised guidance issued under s.182 Licensing Act 2003 dated April 2018.

4.0 **Consultation and Feedback**

4.1 The original application consultation end date was extended to 30th May 2019 due to insufficient 'blue notices' being placed on the along the external perimeter of the premises abutting any Highway.

4.2 During the consultation period, 10 representations were received by Melton Borough Council (**Appendix D1-D10**). A summary of the points raised in the representation has been made in section 3.10 of this report.

4.3 Following the request for an adjournment, additional information was provided by the Police on 14th June 2019 and served on the Applicant's solicitor on 26th June 2019.

4.4 Additional information was provided by the Applicant on 28th June 2019 and is included with this report.

5.0	Next Steps
5.1	Once a decision is made by the Sub-Committee, all parties will be notified of the decision within 5 working days.
5.2	The Sub-Committee should note that the applicant does have the right of appeal within 21 days of notification of the decision

6.0	Financial Implications
6.1	There are no financial or other resource implications.

7.0	Legal and Governance Implications:
7.1	The initial hearing scheduled for 19 th June 2019 was adjourned following a request from the applicant pursuant to section 11 & 12 of The Licensing Act 2003 (Hearings) Regulations 2005 as it was deemed necessary in the public interest.
7.2	A further hearing was scheduled on 8 th July 2019 and all parties were required to submit any additional information to be considered at the hearing by noon on 28 th June 2019.
7.3	Any party involved in the process may appeal to the Magistrates' Court within 21 days of the date of the decision notice.

8.0	Equality and Safeguarding Implications:
8.1	There are not equality implications arising from this report.
8.2	The safeguarding implications are outlined in the body of this report.

9.0	Community Safety Implications:
9.1	The Community Safety implications are detailed in the body of the report and associated appendices.

10.0	Other Implications
10.1	None

11.0	Risk & Mitigation:
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11.1	L I K E L I	A	Very High				
		B	High				
		C	Significant		1,3	2	

H O O D	D	Low				
	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4

IMPACT

Risk No	Risk Description
1	Noise complaints
2	Public Safety - Safety of attendees- overcrowding and access for blue light services in the event of an emergency
3	Prevention of Crime and Disorder - Policing – increase in crime and ASB,

Background Papers:

Statement of Licencing Policy
Revised guidelines under S 182 Licensing Act 2003 (April 2018)

Appendices

Appendix A – Application Form
Appendix B – Event Management Plan (with sub appendices B1, B3, B4, B5, B6, B12, B13, B15, B16, B18, B19, B20, B21)
Appendix C – Removed – updated site plan provided on 28.06.19 re-labelled B19
Appendix D – Representations (D1 – D10)

Report Timeline:

Director Approval : 28/6/2019

Date of Review to make public (Exempt Reports only)

N/A

Report Author & Job Title

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