

Draft Minutes of the Licensing Sub Committee (Hearing) Meeting held on Wednesday 4th June 2007 at Monkton Park, Chippenham commencing at 2.00pm

Hearing Councillors Present: Councillors D. B. Allen, A. M. Bucknell, and P. J. Doyle.

Officers Present: N. Appleby (Temporary Policy & Democratic Services Assistant) L. Holland (Licensing Officer), A. Inkpen (Principal Environmental Health Officer), L. Pullin (Policy and Democratic Services Assistant) and P. Taylor (Assistant Solicitor).

Others Present: Ms T. Lewis, Mr J. Freegard (Environmental Health, NWDC), Mr N. Maslen (Wiltshire Police) and Mr C. Smith (Applicant).

LSC6. Election of Chairman

Councillor D. B. Allen proposed and Councillor P. J. Doyle seconded that Councillor A. M. Bucknell be elected Chairman for this hearing only. There were no further nominations.

Resolved that Councillor A. M. Bucknell be elected Chairman for the duration of the hearing.

Councillor A. M. Bucknell in the Chair.

LSC7. Chairman's Announcements

The Chairman gave details of the exits to be used in the event the fire alarm sounding.

The Hearing was informed that Councillor P. J. Doyle as nominated substitute would replace Councillor I. J. Henderson for the duration of the Hearing.

LSC8. Minutes

The Minutes of the Licensing Sub Committee (Hearing) held on 23rd May 2007 (circulated with the Agenda) were considered.

Resolved that the Minutes of the Licensing Sub Committee (Hearing) held on 23rd May 2007 be confirmed and signed as a correct record.

LSC9. Declarations of Interest

There were no declarations of interest made in respect to the item contained in the Agenda.

LSC10. Application for a Premises Licence; World in the Park Ltd, Charlton Park, Malmesbury

Summary of Application and Representations Received

The Chairman welcomed everyone to the Hearing, introduced the Councillors and asked Officers present to introduce themselves. The Chairman then referred to the Hearing Procedure, which had been circulated with the Agenda that outlined how the Hearing would be conducted.

Consideration was then given to Report No. 5 (circulated with the Agenda) which advised Members that relevant representations had been received in respect of an application by World In The Park Ltd for a Premises Licence at Charlton Park, Malmesbury.

The Hearing was informed that this was an application for exclusive use of the site for a single annual festival with a maximum attendance of 45,000. The license related to one event each year.

During the consultation period relevant representations were received as follows: - Two from interested parties and two from responsible authorities, Wiltshire Police and Environmental Health Pollution Team. Discussions had been taking place between the applicant and responsible authorities with verbal agreements being made in principle. Proposed noise conditions had been agreed between the applicant and the Environmental Health Pollution Team and submitted to the Licensing Authority.

Submission from the Applicant

Mr Smith addressed the hearing on behalf of World In The Park Ltd and informed the Panel that he was the WOMAD festival representative and has been the Event Manager for the past five years.

The Hearing was informed of the following points:

- WOMAD has been running the festival in Reading for the last 17 years with no significant problems;
- WOMAD has vast experience and knowledge in running these type of events;
- A safety team process has been followed, with monthly meetings with local authorities and local communities;
- The WOMAD festival had a large beneficial financial impact on Reading – expected that this impact would be similar in Malmesbury;
- The event is aimed at families and enhances and promotes cultural exchange; and
- WOMAD has no history of difficulties with the police, local communities or other statutory bodies.

In response to questions from Councillors the Applicant clarified:

- The sale of alcohol hours that had been applied for; and
- That these hours that had been applied for were the maximum and not intended to be used up to the maximum.

Submissions from Relevant Authorities

N. Maslen (Wiltshire Police) addressed the Hearing stating that the Wiltshire Police had no objections to any parts of the amended licence application and wished to withdraw their representation.

J. Freegard (North Wiltshire District Council Environmental Health Officer) addressed the Hearing making the following points:

- Light spillage would be monitored and supervised at the festival; and
- NWDC Environmental Health had not had all the necessary information from the applicants' noise consultants by the deadline for representations to be made. A holding objection had therefore been submitted. Discussions had subsequently taken place with the applicants, leading to the submission of agreed maximum noise levels.

Submissions from Interested Parties

T. Lewis (Charlton Park House resident) addressed the Hearing stating that although WOMAD had expressed no intentions of floodlighting Charlton Park House, she would like it categorically ruled out after midnight as it would make sleep impossible.

Mr K. Marshall's (local resident) written representations were considered. The Hearing was informed that Mr Marshall was happy with the revised drugs policy submitted on behalf of WOMAD, but was not happy to withdraw concerns regarding Public Nuisance. The hearing was informed that a number of Mr Marshall's concerns regarding Traffic Management and Security Fencing were not within the Licensing Sub-Committee's remit.

The Applicant's Summation

The Applicant thanked all parties for their time and stated that he is looking forward to delivering a successful festival.

Adjournment and Decision

The Hearing adjourned at 2.35pm.

The Members withdrew from the meeting together with the Legal adviser and Meeting Administrator to deliberate in private.

In reaching their decision the Members of the Hearing took into account the Council's Licensing Policy and Government guidance, including the licensing objectives. They also took into account the Applicant's submission and the relevant representatives received from the interested parties and relevant authorities.

Resolved

- (1) That the application for a Premises License for World in the Park Ltd, Charlton Park, Malmesbury be GRANTED with Licensable activities to be permitted at the following times:

Plays:

Thursday 14:00 – 23:00
Friday – Sunday 12:00 – 00:00

Films:

Thursday 12:00 – 00:00
Friday – Saturday 12:00 – 02:00
Sunday 12:00 – 02:00 (Monday morning)

Live Music:

Thursday 19:00 – 23:00
Friday – Saturday 12:00 – 02:00
Sunday 12:00 – 02:00 (Monday morning)

Recorded Music:

Thursday 19:00 – 23:00
Friday - Saturday 12:00 – 02:00
Sunday 12:00 – 02:00 (Monday morning)

Performance of Dance:

Thursday 19:00 – 23:00
Friday – Saturday 12:00 – 02:00
Sunday 12:00 – 02:00 (Monday morning)

Anything of similar description:

Thursday 21:00 – 23:00
Friday – Sunday 21:00 – 23:30

Provision of facilities of making music:

Thursday 12:00 – 23:30
Friday – Saturday 09:00 – 02:00
Sunday 09:00 – 02:00 (Monday morning)

Provision of facilities for dancing:

Thursday 12:00 – 23:00
Friday – Saturday 09:00 – 02:00
Sunday 09:00 – 02:00 (Monday morning)

Late Night Refreshment:

Thursday 23:00 – 23:30
Friday – Saturday 23:00 – 04:00
Sunday 23:00 – 04:00 (Monday morning)

Alcohol:

Thursday	12:00 – 23:30
Friday – Saturday	12:00 – 04:00
Sunday	12:00 – 04:00 (Monday morning)

- (2) That the Licensable Activities hereby permitted are to be carried out in accordance with the Event Management Plan submitted on 5 April 2007, as amended by the version received by the Licensing Authority on 26 April 2007.
- (3) That the Premises Licence be also subject to the following additional conditions:
- i) The only public bar that will remain open until 4.00am on Friday/Saturday/Sunday is the one referred to as Bar 4 in the Event Management Plan;
 - ii) No flood lighting of Charlton Park House during the event; and
 - iii) The noise levels will not exceed those agreed between the Applicant and North Wiltshire District Council Environmental Health, as submitted, details of which are attached to the Minutes as Appendix 1.

Reasons for Decision

The Sub-Committee feels that these conditions are necessary to balance the needs of the Applicant and the local community.

Announcement of Decision

Members returned to the Hearing and the Chairman informed those present of the decision made and confirmed that written notification would be given in due course.

The meeting started at 2.00 pm and finished at 3.00 pm

There were 6 members of the public present.