



Licensing Sub Committee

Monday 26th April 2021

10.00 am

Virtual Meeting Using Zoom meeting software

The following members are requested to attend the meeting:

Kevin Messenger

Paul Rowsell

Martin Wale

The applicant or any interested parties wishing to address the virtual meeting need to email democracy@southsomerset.gov.uk by 9.00am on Friday 23rd April 2021.

The meeting will be viewable online by selecting the committee meeting at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact
democracy@southsomerset.gov.uk

This Agenda was issued on Monday 19th April 2021.

Alex Parmley, Chief Executive Officer

**This information is also available on our website
www.southsomerset.gov.uk or via the modern.gov app**

Members Questions on reports prior to the Meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

Information for the Public

The Statutory Licensing Committee has responsibility for all activities under the Licensing Act 2003 and the Gambling Act 2005 except for policies and fees. Established under the Licensing Act 2003, it exercises the functions of the Licensing Authority which itself is the Council.

The Other Licensing Committee can be responsible for all other licensing matters. Established by the Council under discretionary power contained in section 101 of the Local Government Act 1972.

It is lawful for the membership of the two committees to be the same, but they are differently constituted and run under different powers.

Licensing Sub Committee agendas and minutes are published on the Council's website at: <http://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=145&Year=0>

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'modern.gov' in the app store for your device and select 'South Somerset' from the list of publishers and then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information can be obtained by contacting the agenda co-ordinator – details are provided on the front page.

Meetings of the Licensing Sub Committee are held as required usually in the Council Offices, Brympton Way - However during the coronavirus pandemic these meetings will be held remotely via Zoom video-conferencing. For more details on the regulations regarding remote/virtual meetings please see the Local Authorities and Police and Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 as part of the Coronavirus Act 2020.

Public participation at meetings (held via Zoom)

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings. The applicant and interested parties are able to participate and contribute to the meeting, you will need to be able to access the meeting through Zoom at: <https://zoom.us/join>

Each individual speaker shall be restricted to a total of five minutes.

If you would like to address the meeting, please email democracy@southsomerset.gov.uk by 9.00am on Friday 23rd April 2021. When you have registered, an officer will provide the details to join the meeting. The Chairman will invite you to speak at the appropriate time during the virtual meeting.

If you would like to view the meeting without participating, please see:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will unmute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of five minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

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Licensing Sub Committee

Monday 26 April 2021

Agenda

Preliminary Items

1. Declarations of Interests

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

2. Procedure to be followed when considering licensing applications under the Licensing Act 2003 (Pages 5 - 8)

3. Objection notice received in respect of a standard Temporary Event Notice at Gilcombe Farm, Bruton, BA10 0QE (Pages 9 - 20)

Agenda Item 2

Procedure to be followed when considering Licencing Applications under the Licensing Act 2003

Pre meeting Prior to the start of the Hearing the Committee Administrator will check that any person wishing to address the Sub-Committee is either an Interested Party or an authorised representative of an Interested Party or a Responsible Body and is entitled therefore to do so.

Where there is any doubt about the person's eligibility to address the sub-Committee, the Committee Administrator will seek advice from the Legal Officer(s).

1. **The Chairman will introduce:**

- members of the Sub-Committee (which will be made up of three District Councillors);
- the officers present;
- the Parties and their representatives (if any).

The Chairman will ask, before starting the Hearing, if any representations are being withdrawn.

2. At the start of the hearing **the Chairman will advise:-**

- all Parties of the reason for the Hearing and the procedure to be adopted;
- that where a Party wants another person to appear at the Hearing they must ask permission (under Regulation 8(2)) although such permission will not be unreasonably withheld. No permission is needed where the other person is acting only as the Party's representative;
- that if any Party wishes to ask the Sub-Committee to consider documentary or other information at the hearing, which was not provided before the Hearing, then all Parties must consent;
- that if any Party does not attend or is not represented at the hearing, the Hearing can go ahead but the Sub-Committee will consider any application, notice or written representations received by the relevant deadline from that Party;
- that in some circumstances, the Hearing may be adjourned, where the Sub-Committee consider the public interest demands it.

3. **The Chairman will ask each Party to confirm receipt** of the following documents:-

- Officer's report relating to the case;
- The procedure to be adopted during the Hearing;
- The documents, which the authority is required to provide under the Regulations – this varies according to the type of application but normally this means checking that the applicant has received copies of all the representations made in response to the application notices.

Any queries on the procedure or the factual content of the Licensing Officer's report should be dealt with at this point, with the assistance of the legal officer(s), as required.

4. **The Chairman will then ask** the Licensing Officer to present their report on the application. The report will include confirmation that the requirements as to advertising the application and the serving of notices have been met.
 5. **The Chairman will inform all present - prior to receiving representations** - that each Party will be given an equal amount of time to make their representations. This will normally be a maximum of five minutes. However, the Chairman has discretion about the time given to each Party and may vary the time limit where reasonable to do so although reasons will be given and fairness maintained.
 6. **The Chairman will invite any Responsible Bodies present** e.g. representatives of Police/Fire Service/ Environmental Services to address the Sub-Committee on any relevant representations they have made.
 7. **The Chairman will then invite:**
 - Parties or their representatives speaking in support of the application (including the applicant for the review) to address the Sub-Committee on their relevant representations. The address shall relate only to those matters already raised in the application, representations or notice (as applicable). No new information can be presented at the hearing unless all Parties agree, however, where the authority has notified the Party that it requires clarification on any points, this should be provided at this stage;
 - Parties or their representatives, speaking in opposition to the application for review, to address the Sub-Committee on their relevant representations. The address shall relate only to those matters already raised in the application, representations or notice (as applicable). No new information can be presented at the hearing unless all Parties agree, however, where the authority has notified the Party that it requires clarification on any points, this should be provided at this stage.
- The Chairman** will permit a Member to seek immediate clarification of a point made by a Party, their representative or any another person permitted to attend where, prior to this point in the Hearing, circumstances arise which make it desirable to do so, provided that the question is relevant and helps the proper conduct of the Hearing. The rules of natural justice will be followed.
- No Cross examination will be permitted without the consent of the sub-Committee and this will only be given where Committee considers that cross-examination is required for it to consider the representations, application or notice.
8. **The Chairman will ask** whether anyone has any further relevant comments to make and whether each Party is satisfied with the conduct of the Hearing.
 9. **The Chairman will then invite** Members of the Sub-Committee to ask any questions of any of the Parties or any other person permitted by the Sub-Committee to appear at the Hearing.
 10. **The Chairman will check with the legal adviser(s) that all relevant points have been addressed before asking the Parties to leave the room while** the Sub-Committee consider its decision in private. Only the clerk and the legal adviser(s) will remain with the Sub-Committee although only the sub-committee will be making the decision.

11. **Once in private the Chairman will advise the other Members** that they must consider all the information before them in making their decision but will disregard any information which is not relevant to the application, representations or notice and which does not relate to promoting the Licensing Objectives. Members will take account of the Statutory Guidance and the Council's Statement of Licensing Policy but shall be free to depart from it where the merits of the case warrant it. Full reasons shall be given for any such departure. If Members require further information from any Party or any further evidence, they will reconvene the hearing with all Parties able to be present.
12. **The Chairman will ensure, on the Parties return to the Hearing room,** that any legal advice given to the Sub-Committee in private is summarised to the Parties.
13. **The Chairman will notify** all Parties of their decision and the reasons for the decision. The decision will normally be given orally, at the Hearing, in a plain English format to help those attending the Hearing to understand it more easily. This is not the official written Notice of Decision which be sent to all of the Parties shortly afterwards.

Where the Sub-Committee is unable to give a decision at the meeting, **the Chairman will advise all Parties when a decision can be expected.** The decision will be sent to all Parties within the timescales set down in the Regulations.

14. **The Chairman will inform all Parties** of their possible rights of appeal (if any).

NOTES

1. A Party is anyone who has submitted an application or made a relevant representation or served a notice.
2. Where an adjournment is granted the Sub-Committee will notify the Parties forthwith of the date, time and place to which the Hearing has been adjourned.
3. Under no circumstances must the Parties or their witnesses offer Members of the Sub-Committee information in the absence of the other Party. Similarly, Members will not attempt to elicit information from any Party to the Hearing in the absence of the other. Members will not make pronouncements on the merits of the case until all the evidence has been heard. These are essential elements of the rules of natural justice.
4. The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice.
5. The Hearing will take place in public. However, the public can be excluded from all or part of the hearing where the Sub-Committee considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

The Sub-Committee may also require a Party to leave the hearing if that Party is behaving in a disruptive manner. The Sub-Committee can refuse to readmit the Party or readmit upon conditions but the Party can nevertheless submit to the Sub-Committee before the end of the Hearing any written information it would have

been entitled to submit orally at the Hearing.

6. District Councillors representing the area (District Council Ward) to which the application refers, or have declared an interest, will not form part of the Sub-Committee.
 7. Where any irregularity is brought to the attention of the Sub-Committee during the hearing, the Sub-Committee may, if it feels that a Party has been prejudiced as a result of the irregularity, take such steps as it thinks fit to cure that irregularity before it makes its determination. However, any irregularity from a failure to follow this procedure shall not of itself render the proceedings void and any clerical errors may be corrected.
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Agenda Item 3

Objection notice received in respect of a standard Temporary Event Notice for Gilcombe Farm, Bruton, BA10 0QE

Director: Kirsty Larkins – Service Delivery
Report Author: Rachel Lloyd – Specialist Licensing
Contact Details: rachel.lloyd@southsomerset.gov.uk or 01935 462134

Purpose of the Report

To inform members that a standard temporary event notice has been received under the Licensing Act 2003 from Mr George Portch for Gilcombe Farm, Bruton. It relates to an event on 29 July 2021. Objection notices have been duly served by Mr Andrew Manhire on behalf of the Chief of Police for Avon and Somerset Constabulary and Mr Edward Vandyck on behalf of Environmental Protection for this temporary event notice.

Recommendation

To consider the objection notice in accordance with the options detailed later in the report.

Background

A Temporary Event Notice is intended as a light touch process¹ and is submitted to the Licensing Authority by the premises user (an individual 18 years or over) and is copied to the Police and the Environmental Health Service as a means to authorise licensable activities where either:

- no premises licence/club premises certificate exists
- in cases where it is not being used
- where the operating schedule including days and timings do not meet the need of the premises user.

Where an objection notice has been received from either the Police or the Environmental Protection department or both, the Council is the authority responsible for determining the notice under sections 105 and 106A of the Licensing Act 2003. Representatives from both bodies have objected to this notice.

Licensing Objectives

The licensing objectives are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

The licensing objectives are to be considered paramount and the Council has a duty to promote them in its decision making process.

¹ Paragraph 7.2 of the Guidance issued under s182 of the Licensing Act 2003, April 2018

Proposed Activities and Hours

Day	Start Time	Finish Time	Maximum Number of persons at event at any one time	Licensable activity requested	Nature of Event
29/07/21	17:00	23:00	499	The sale by retail of alcohol Regulated entertainment	The TEN is to allow up to 499 festival ticket holders to arrive to the festival early, pitch their tents and enjoy some entertainment such as recorded music, food and alcohol before the festival arena opens on Friday 30th.

Relevant Observations

Should the temporary event proceed; the premises user will be responsible for ensuring that there are no more than 499 persons at the premises. Should there be 500 or more persons in that area, at any one time, it will mean that particular temporary event is unlicensed. The premises user has stated that the event is to allow up to 499 festival ticket holders, however, the maximum number of people who can be present in an area covered by a Temporary Event Notice is 499 and this includes performers, staff etc. The premises user has been informed about this requirement.

In the section of the form which asks "if you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details" the premises user has answered "we will be fencing off an area suitable for 499 people in an open field". The premises user has been asked to provide a plan of the area, which they intend to use for the event, however, at the time of writing this report it had not been received.

Further Information

The venue is subject to a premises licence (licence number 18694). The objection notices have requested that certain conditions are attached to the Temporary Event Notice should it be permitted to proceed.

The premises user has confirmed that the event is taking place within the licensed area, as shown on the plan, which is part of the premises licence.

There is a condition on the licence, which limits the number of days the premises licence can be used for events, however, the Temporary Event Notice would not be affected

The conditions which the Police and Environmental Health would like to be attached are contained within appendix 1. The premises licence does not have an end date, therefore the licence can be used for multiple annual events, and as a result, the conditions refer to each event. If Members decide that the Temporary Event Notice should proceed subject to one or more conditions, they may wish to consider amending it/them where referred to each event or annual event.

In response to a question from Environmental Protection, the premises user has confirmed that the regulated entertainment is being provided by the organiser of the event. The event organiser has also stated that it is their policy that no attendees are allowed to bring their own sound systems. Searches will be carried out to ensure that personal sound systems (and other defined prohibited items) are not brought into the event. This is not a condition on the premises licence, therefore it cannot be added to the Temporary Event Notice.

Consideration

In determining a temporary event notice with a view to promoting the licensing objectives in the overall interests of the community, the Committee must have regard to and give appropriate weight to the following considerations:

- Any Notice of Objection (including supporting documentation received)
- Guidance issued under s182 of the Act
- The Statement of Licensing Policy published in January 2014
- The steps necessary to promote the licensing objectives
- Human Rights considerations in particular Article 6, Article 8 and Article 1 of Protocol 1

Options

The options available to the committee in this case are as follows:

- Give a counter notice to the premises user so that event cannot proceed
- Permit the event to proceed in accordance with the temporary event notice
- Permit the temporary event notice to proceed but attach one or more conditions as below

Section 106A of the Licensing Act 2003 permits licensing authorities to impose one or more conditions on a standard temporary event notice if:

- a) the authority considers it appropriate for the promotion of the licensing objectives to do so
- b) the conditions are also imposed on a premises licence or a club premises certificate that has effect in respect of the same premises, or any part of the premises, as the temporary event notice, and

- c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.

Right of Appeal

Schedule 5 Part 3 of the Licensing Act 2003 sets out the rights and procedures for making appeals against the decision of the Licensing Authority:

Where the relevant Licensing Authority gives a counter-notice under section 105(3), the premises user may appeal against that decision.

Where that authority decides not to give such a counter-notice a “relevant person” as specified in section 99A of the Licensing Act 2003, may appeal against that decision.

An appeal must be made to the Magistrates’ Court

The appellant commences an appeal under Part 3 of Schedule 5 to the Licensing Act 2003 by giving a notice of appeal to the designated officer for the Magistrates’ court within 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.

But no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

On determining the appeal, the court may,

- Dismiss the appeal
- Substitute for the decision appealed against any other decision which could have been made by the Licensing Authority; or
- Remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.

and may make such order as to costs as it thinks fit.

Background Papers

The Licensing Act 2003

The Police Reform and Social Responsibility Act 2011

The Licensing Act 2003 (Hearings) (Regulations) 2005 No. 44

Live Music Act 2012

The Licensing Act 2003 (Permitted Temporary Activities) (Notices) (Amendment) Regulations 2012 No. 960

(Descriptions of Entertainment) (Amendment) Order 2013

The Legislative Reform (Entertainment Licensing) Order 2014

The Latest Guidance issued under section 182 of the Licensing Act 2003.

The Statement of Licensing Policy for South Somerset District Council issued January 2014

The Deregulation Act 2015

Appendix 1 Conditions from the Premises Licence

1. Security fencing will be present in areas where straying is likely and around most of the site
2. The Premises Licence Holder and/or event organiser shall carry out an event risk assessment and develop a robust security and separate stewarding operation plan which shall include a deployment plan and crowd management plan.
3. The security plan shall include numbers of SIA registered security personnel which shall be deployed and the tasks/locations they will be working at throughout the event, with sufficient numbers to deal with any potential crime and disorder issues. The ratio of appropriately qualified SIA shall be set at 1:100 unless otherwise agreed with Avon and Somerset Constabulary but at no time shall it fall below the ratio of 1:200
4. Plans shall be drawn up to identify the number of paid and unpaid stewards to be deployed at **each** event and the tasks/locations they will be working at throughout each event.
5. Door supervisors who have been approved by the Security Industry Authority shall be used to vet customers and maintain public order.
6. The Premises Licence Holder shall put measures in place to ensure that the following details for each door supervisor are contemporaneously entered into an electronic or bound register kept for that purpose:

Full name,

Date of birth

Address

Contact telephone numbers

SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),

Commencement date and time of performing duties at the premises.

The time they completed their duty.

The full details of any agency through which they have been allocated to work at the premises if appropriate.

7. The register containing the door supervisors details in condition 10 above shall be kept at the premises and shall be so maintained as to enable an authorised officer of the Licensing Authority or Police to establish the particulars of all door stewards engaged at the premises during **each** event. This record shall also be made available for inspection by an authorised officer of the Licensing Authority or Police and shall be retained for period of not less than 6 months.
8. The Premises Licence Holder shall either ensure, or put measures in place to ensure that all door supervisors on duty at the premises wear a current identification badge, issued by the Security Industry Authority or any

accreditation scheme recognised by the Licensing Authority, in a conspicuous position to the front of their upper body or arm.

9. The Premises Licence Holder and/or event organiser put measures in place to ensure that an incident log book is completed throughout the duration of **each** event. All entries must include day/date/time, name of person who has made an entry and ID number /badge number, the issue/occurrence, the location, who attended and how managed, the outcome and if handed over, any medical treatment, emergency service attendance. Such a log book should be either an electronic or bound ledger without pages torn or removed. The ledger **MUST** be legible, available for view by any responsible authority on request and have adequate entries to demonstrate all incidents, daily / emergency meetings, complaints, crimes reported, steward or SIA issues. This log book must be retained on site at all times throughout the duration of **each** event and be made available for inspection at the request of any responsible authority and shall be retained for a period of no less than 6 months after **each** event.
10. An additional Security Log Book will be completed by security throughout the duration of **each** event including the build-up and break down stage. All entries must include day/date/time, name of who has made an entry and ID number/SIA badge number, the issue/occurrence, the location, who attended and how managed, the outcome and if handed over, any medical treatment and whether there was any emergency service attendance. Such a log book should be either an electronic or a bound ledger without pages torn or removed. The ledger **MUST** be legible, available for view by any RA on request and have adequate entries to demonstrate all incidents, meetings, complaints, crimes reported, steward or SIA issues etc. This log book must be retained on site at all times throughout the duration of **each** event and be made available for inspection at the request of any RA and shall be retained for a period of no less than 3 months after **each** event

Drugs

11. The Premises Licence Holder shall either ensure, or put measures in place to ensure that there is a policy within the ESMP and on the ticketing advice regarding the possession, use or sale of Nitrous Oxide and/or other drugs or psychoactive substances. If anyone is found in possession of, or concerned in the supply of Nitrous Oxide, drugs or psychoactive substances the premises licence holder or nominated person may refuse entry or eject the individual/s from the event as per the Eviction Policy and Terms and Conditions of Entry.
12. The Premises Licence Holder and/or event organiser shall ensure that all persons are made aware of the drugs policy and that it shall be adhered to at all times throughout the duration of **each** event and the build-up and dismantling stages of **each** event.
13. The Premises Licence Holder and/or event organiser shall ensure that prominent and durable/locked amnesty bins are provided which are secured firmly to the ground and adequate prominent and durable signage shall be displayed outlining conditions of entry. Any signage shall be of at least A2 in size and shall remain in place throughout **each** event.

14. The Premises Licence Holder shall either ensure that, or put measures in place to ensure that arrangements are in place so that drugs are secured and/or collected by Avon and Somerset Constabulary at regular intervals throughout **each** event and no later than **24 hour intervals**. Measures shall be put in place should Avon and Somerset Constabulary not be available to collect the drugs, that they will be held securely onsite until the end of **each** event period or alternative arrangements are agreed.
15. The Premises Licence Holder shall, or put measures in place to define behaviours likely to invoke an eviction (including but not limited to causing a disturbance, displaying anti-social behaviour, entry without a valid ticket, drug dealing, unauthorised selling) under the Evictions Policy, as part of the ESMP. This policy will also include details on the process for removing persons from the event site by the event security staff as expediently as possible, duty of care procedures, onward travel arrangements for evictees, and where necessary handing persons over to Police.
16. The evictions policy shall outline the evictions procedure, location of evictions, completion of forms and notification to the police.

Searching

17. The Premises Licence Holder and/or event organiser shall ensure that a documented Search Policy is implemented at the premises, which will form part of the ESMP. Staff training is to be given to all persons who will be responsible for searching members of the public in the correct procedures. Records of training shall be an electronic record or a bound ledger without pages torn or removed throughout the duration of **each** event and shall be kept for no less than 6 months after **each** event. All documentation shall be produced to an authorised officer of the Licensing Authority or a representative of Avon and Somerset Constabulary upon request.
18. Terms and Conditions of Entry including a list of prohibited and/or contraband items shall be set by the Premises Licence Holder and advertised in advance using the methods outlined in the ESMP.
19. The Premises Licence Holder and/or event organiser shall ensure that prominent and durable notices are displayed at the entrance of all areas within the event outlining the searching procedures and the terms and conditions of entry. These notices shall be clearly legible and shall be no smaller than A2 in size. These notices shall remain in place throughout the duration of **each** event.
20. The Premises Licence Holder and/or event organiser shall ensure that all drinks containing alcohol are removed from persons leaving the premises.
21. The Premises Licence Holder and/or event organiser shall put measures in place to ensure that no members of the public carrying open or sealed alcoholic beverages are admitted to the premises.

Prevention of Public Nuisance

- 22.. Noise levels from the operation of the event during the operating hours of 09:00 and 23:00 shall not exceed 55dB LAeq (15 minutes) when measured 1 metre from the facade of any noise sensitive property (such properties to be agreed with the Environmental Protection team prior to the **Annual** Event).
23. Noise levels from the operation of the event during the operating hours of 23:00 and 24:00 shall not exceed 50dB LAeq (15 minutes) when measured 1 metre away from the facade of any noise sensitive property.
- 24.Noise levels from the operation of the festival during the operating hours of 00:00 and 09:00 shall not exceed 45dB LAeq (15 minutes) when measured 1 metre away from the facade of any noise sensitive property.
- 25.Low frequency noise levels in the 63Hz and 125Hz octave frequency bands shall not exceed 75dB Leq (15 minutes) during the operating hours of 09:00 and 23:00.
26. Low frequency noise levels in the 63Hz and 125Hz octave bands shall not exceed 70dB Leq (15 minutes) during the operating hours of 23:00 and 24:00.
27. Low frequency noise levels in the 63Hz and 125Hz octave bands shall not exceed 65dB Leq (15 minutes) during the operating hours of 00:00 and 09:00.
- 28.The Premises Licence Holder shall ensure that suitably qualified, competent and experienced Noise Control Consultant shall be appointed, for **each Annual** Event, to ensure that during the operating time for each venue, the sound levels are controlled appropriately, in line with the Licence Conditions. The venues and sound systems on the Licensed Site shall be managed and operated in a responsible manner at all times.
- 29.The Premises Licence Holder shall ensure that the Noise Control Consultant will produce, for each **Annual** Event, a Noise Management Strategy (NMS). The NMS must then be implemented, in all material matters, for that **Annual** Event.
- 30.The final version of the NMS must then be submitted to the Council and other relevant agencies, for comment, at least 28 days prior to the proposed **Annual** Event.
- 31.The Premises Licence Holder shall ensure that a suitably experienced Production Manager will be appointed for **each** event. The Premises Licence Holder shall ensure that measures are in place for the Production Manager will work closely with the Noise Control Consultant to ensure that any venues at the **Annual** Event are managed in accordance with these Conditions and with the NMS.

32. The Premises Licence Holder shall ensure that suitably experienced and competent sound engineers are present at the sound control position, for the duration of the operating times, at each of the venues, for **each Annual** Event.
33. Noise levels will be monitored at the noise sensitive locations cited in Condition 3, both in relation to the noise limits set out in Conditions 1 - 6 (inclusive) and the subjective impact of that noise. The noise sensitive locations will be agreed with the Environmental Protection team before **each Annual** Event and included in the NMS. The results of the noise monitoring shall be forwarded to the Environmental Protection team within 28 days after the close of the event.
34. Should the noise limits set out in Conditions 1 – 6 (inclusive) be exceeded or the subjective impact of the noise be such as to cause a nuisance or unreasonable disturbance, then the Premises Licence Holder shall ensure that measures are in place for this shall be reported back to the Production Manager immediately.
35. The Premises Licence Holder shall ensure that measures are in place for the Production Manager to identify the source of any noise which exceeds the relevant limit, causes a nuisance or unreasonable disturbance and shall correct the situation within 15 minutes of the initial notification.
36. Licensee will provide a point of contact to the Council for the duration of **each Annual** Event by nominating a named person and telephone number. Licensee will provide a hot line telephone number, for the duration of **each Annual** Event, to enable local residents to contact the Licensee with any queries or concerns. The Licensee will ensure that there are an adequate number of lines to the site and that such lines are adequately staffed so that the said local residents can receive a response to their call within a reasonable times.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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