

South Somerset District Council

Minutes of a meeting of the **Licensing Sub Committee** held as a **Virtual Meeting using Zoom meeting software on Monday 26 April 2021.**

(10.00 - 11.18 am)

Present:

Members:

Kevin Messenger Martin Wale
Paul Rowsell

Also Present:

Andrew Manhire Avon and Somerset Police
Nicola King Avon and Somerset Police
George Portch Applicant, Gilcombe Farm, Bruton
Tim Manville Operations Manager Gilcombe Farm, Bruton
Katie Caines Production Manager, Gilcombe Farm, Bruton

Officers:

Rachel Lloyd Specialist - Licensing
Ann Chislett Specialist - Legal
Edward Vandyck Specialist - Environmental Health
Angela Cox Specialist - Democratic Services
Michelle Mainwaring Case Officer (Strategy & Support Services)

Note: All decisions were approved without dissent unless shown otherwise.

30. Declarations of Interests (Agenda Item 1)

There were no declarations of interest made by Members of the Sub-Committee.

31. Procedure to be followed when considering licensing applications under the Licensing Act 2003 (Agenda Item 2)

The Sub-Committee noted the procedure to be followed when considering Licensing Applications under the Licensing Act 2003.

The Chairman introduced the members of the Sub-Committee and the Officers present at the hearing.

The Chairman confirmed the Officer's report relating to the case, the procedure to be adopted during the hearing and the documents which the authority is required to provide under the Regulations had been received by all Parties in advance of the meeting.

The Licensing Specialist confirmed that the applicant had submitted a plan of the site and additional information on how the site would be managed and their reasons for

submitting the Temporary Event Notice. Objection notices from the police and Environmental Protection officer mentioned adding the conditions from the premises license to the Temporary Event Notice which would be appropriate to be added if the license was granted.

All parties confirmed that they had received the relevant documents.

32. Objection notice received in respect of a standard Temporary Event Notice at Gilcombe Farm, Bruton, BA10 0QE (Agenda Item 3)

The Specialist – Licensing presented her report. She said the Temporary Event Notice (TEN) related to an event to be held on 29 July 2021 taking place under a premises license. The purpose was to allow festival ticket holders to arrive early for the main event, have limited entertainment and a bar and food outlet would be open.

The applicant had submitted additional information on timings etc which they would explain to the Hearing. Part of the area relating to the Temporary Event Notice fell within under the licensed area so it was possible to attach conditions from the existing premises license to the TEN. The premises license was an ongoing permission so it was appropriate to attach the same conditions to the TEN should Members chose to do so.

The Ten would help with the COVID Management Strategy to spread the public entry across a wider time to include the Thursday evening. The current premises license was only for a 3 day event but the TEN would extend it to 4 days. She confirmed that no representations had been withdrawn and therefore the hearing was required in order to determine the application.

One of the representatives of the Police said they were objecting because the premises license condition stated that each event would last no longer than 3 days and no more than 1 event per calendar year. He said the Police believed the TEN breached the essence of the 3 day event and the correct procedure should be to submit a premises variation.

In response to questions from Councillors, the Police representatives said they would like conditions on noise, security and drugs conditions attached to the TEN if granted. They also noted that limited police staff would be available to be in attendance on the Thursday evening. They also noted that the event was extended by one day in 2019.

The Environmental Health Specialist said they had looked at the additional noise burden which the TEN would add to the event and if noise ceased at 23.00 hours then the burden was less if it was controlled. Also if a condition to ban private sound systems was in place then they would not object to the TEN going ahead.

In response to a question, Environmental Health Specialist said they may be asked to attend the event on the Thursday evening if concerns were raised from residents.

The applicant provided background information on the farm and the proposed Farmfest event and introduced the Operations Manager, Production Manager and mentioned other individuals involved in the festival. He advised that although they had a TEN in place the previous year, not many public had arrived early and the area of the TEN would not be used as a licensable area during the rest of the event. Arrival on the Thursday evening would spread public entry to the site and reduce queues on the

Friday. He confirmed they were happy to transfer the conditions of the premises license to the TEN.

The Operations Manager noted that they were new operators of the site and the TEN was a test to see if the Thursday opening was viable in the future.

In response to questions from Members and the Police, the applicant and the Operations Manager confirmed that:-

- additional security staff would be in place on the Thursday evening and they would ensure numbers did not exceed 499 people in the TEN area.
- the Safety Management Plan would be in place by the end of the month.
- the main arena area would not be open to the public on the Thursday evening.
- there would be approximately 100 security staff at the site, including SIA staff and stewards.
- public access to the site was explained.
- the majority of festival attendees would not arrive early on the Thursday.
- existing tickets holders would be invited to apply to attend on the Thursday evening to indicate numbers arriving. If more than 499 people registered an interest to attend then the option to register to attend would be withdrawn.
- the application had recently been reported on Somerset Live and on the Bruton Community Facebook page so the local community were aware of the application and the Licensing Sub Committee date.
- the draft Event Safety Management Plan would be available shortly and it include the events on the Thursday evening with all the conditions of the premises license.
- Only ticket holders would be allowed access to the licensed bar on the Thursday evening.

The Licensing Specialist confirmed that a condition of the premises license stated that security should be 1:100 unless otherwise agreed with the Police but should not fall below 1:200.

The Chairman noted that a list of the conditions attached to the premises license had been circulated and the Licensing Specialist noted that the Police could not add additional conditions at this stage.

The police representative noted that they had not yet seen the Event Management Plan which was to be agreed by Safety Advisory Group made it difficult to know if any additional conditions were required.

The Legal Specialist said if the Hearing Members felt they had received all the evidence necessary to make a decision then they should proceed.

Members of the Licensing Sub-Committee, the Legal Advisor and the Democratic Services Specialist, attending in an advisory capacity only, withdrew from the meeting to allow the members of the Sub-Committee to consider their decision in private.

Members of the Sub-Committee considered their decision in private session and were mindful of the advice given to them by the Legal Specialist.

When the meeting was reconvened, the Chairman asked the Legal Specialist to give a summary of the advice given to them during the private session. She had advised appropriate conditions could be attached to the Temporary Event Notice if granted.

The Chairman informed those present at the hearing of the decision of the Licensing Sub-Committee. He noted that they had expressed concern that the Event Safety Management Plan had not been submitted prior to the Hearing which had been inconvenient for the Police and officers and he asked that it be in place and approved before the start of the premises license and TEN for the event.

DETERMINATION

In respect of the Temporary Event Notice submitted under the Licensing Act 2003 for Gilcombe Farm, Bruton, BA10 0QE, the Licensing Sub-Committee has determined, that the event on 29th July 2021 should proceed in accordance with the temporary event notice

The Sub-Committee carefully considered the Temporary Event Notice and took into account the submissions of the Notice Giver, Police and the Environmental Health Officer. The Sub-Committee heard evidence from the notice giver who also assured the Members that they would be complying with all the conditions of the premises licence. The Sub-Committee felt that attaching the conditions of the Premises Licence would help the notice giver meet the licensing objective and the decision was to allow the event to proceed.

All parties are reminded that there is a right of appeal against the decision of the Licensing Authority. Such an appeal is to be made within 21 days of the date of receipt of the formal Notice of Determination, and should be made to the South Somerset Magistrates Court.

The Chairman explained this was a verbal approval and the applicant would receive written approval in due course. He thanked all parties for their cooperative attitude and thanked the officers in attendance.

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Chairman
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Date