

Public Agenda Pack



LICENSING AND REGULATORY COMMITTEE

Thursday, 14 September 2023

2.00 pm

Luttrell Room - County Hall, Taunton TA1 4DY

SUPPLEMENT TO THE AGENDA

To: The members of the Licensing and Regulatory Committee

We are now able to enclose the following information which was unavailable when the agenda was published:

Agenda Item 4 Public Question Time (Pages 3 - 6)

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

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Licensing and Regulatory Committee – 14 September 2023 – Public Questions

| Name of person submitting | Question |
|---------------------------|---|
| <p>Nick Hall</p> | <p>Good afternoon. My name is Nick Hall. I live in Pilton, near Shepton Mallet. I am a Parish Councillor but speaking in a personal capacity.</p> <p>Regarding the consultation on the draft Licencing Policy, I request that you consider and act on <u>six</u> policy areas:</p> <ol style="list-style-type: none"> 1. Areas of Concern (2.3): Surely Somerset Council is concerned about overcrowding and crushing at large indoor and outdoor events? There are multiple recent examples of tragic outcomes - East London and Houston being the most notable. Moreover, MDC Scrutiny Board expressed their concerns on this matter last year. 2. Partnership Working (3.1.1): It is <u>not</u> a legal requirement for an applicant to inform a Parish Council of a License application or variation. The lead officer’s response to this is issue is to state that Parish Clerks are notified – presumably by the LA? This hasn’t routinely been happening in the Mendip area. So if this is the Council’s solution to this issue then this Licensing policy should explicitly state that the LA will write to the affected Parish Clerks - within say 3 days of validating any License application/variation. 3. Cumulative Impact Policy (3.3): In our community we have two major concerns: <ol style="list-style-type: none"> a. Sequential licensed events at the same location; b. Multiple large ‘events’ apparently only requiring Temporary Event Notices (TENs) with no LA control of the cumulative impact. <p>A Cumulative Impact Policy should now be developed to address these issues and doubtless other similar ones across Somerset.</p> 4. Enforcement (3.9): It has been custom and practice for MDC’s Scrutiny Board to review the regulation of the Festival License each year. This formal review, and others like it, should form part of this Licensing policy. 5. Safe capacities (4.1.4): This policy should not only require the applicant to specify safe capacities but also to specify their procedure to ensure control of safe capacities? The policy should also describe how the LA will audit the control of safe capacities. |

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| | <p>6. Noise Nuisance: Our experience is that the design and monitoring of License conditions for noise nuisance are inadequate. Policy and implementation need to be tightened.</p> <p>I assert that action in these six policy areas will significantly reduce risk to public safety and reduce public nuisance.</p> |
| Page 4 Carolyn Griffiths | <p>Statement by Carolyn Griffiths, resident of Pilton</p> <p><u>Public participation</u></p> <p>1. I regret that I am unable to join this meeting to speak to agenda item 5. Like many others I work; a meeting during normal working hours is a barrier to public participation. I am grateful however that the Council has agreed for my comments to be read out.</p> <p>2. The consultation exercise was in the first place poorly publicised. Then we had only circa a week to register an interest to speak after publication of the report or, like me to make a written submission. This has undermined proper engagement of those who have a legitimate interest in the policy’s effectiveness and fairness.</p> <p><u>Comments specific the Council consideration of the consultation responses.</u></p> <p>3. 3 minutes is inadequate to express my profound concern relating to the adequacy of report which is to inform your recommendation to the Full Council. The report in almost all cases recommends rejection change and in doing so rejects the opportunity to better serve the objectives of licensing.</p> <p>4. The reporting officer claims in his covering paper at para 1.2 “Those that had issues viewing the document or were not relevant have been contacted on an individual basis to either rectify the issue or to provide an explanation as to why their responses were not considered relevant “</p> <p><i>I would like to make it very clear to the Committee that the above did not take place. I received a phone call from the author, but the nature of the call was of a categorically did not provide the information that is claimed.</i></p> |

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5. *The report before the committee fails to reflect or answer the key issues I raised in consultation.* This is a grave concern and flies in the face of consultation.

6. As a general comment, similar issues that might merit a change of policy have been raised by different consultees from different perspectives and yet the executive officer's response is in almost all cases 'No change recommended'. It raises real concern about how proposals for change were assessed and why proposals were rejected.

7. *It is my considered belief that your consultation process has not been properly conducted and you do not have accurate of complete information before you*

8. In 3 minutes I no realistic opportunity to present detailed evidence. For illustrative purposes I am summarising 3 matters of concern. This does not provide adequate background for the committee to decide, nor does it rectify the other areas where the consultation response is inadequate. Please refer to my recommendations in para 9 below.

8.1 Noise controls, monitoring and enforcement: My consultation response described (using the festival as an example) the evident inadequacy of the existing policy to protect (a number of) communities from the repeated nuisance of noise . The problem of noise is a fact and was recognised by members of the public and Councillors at Mendip's Scrutiny Board. This seems to indicate that the existing policy, its application, monitoring and/ or enforcement provisions of the policy needs to be improved. Astonishingly no proposals for changing the policy are made; the response being.

'Any complaints received will be assessed and appropriate action taken'....

The point that was raised in consultation is that the council team did not take *appropriate* action to prevent a reoccurrence so a change in policy is required.

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8.2 Cumulative impact

The current policy does not encourage the consideration of cumulative impact; yet there the events in Somerset particularly merit this. (eg significant numbers of off-site camping ‘events’ with music, traffic issues, bars etc take place in and around Pilton only because of their business relationships with the festival. GFEL sells significant ‘blocks of’ tickets to them).

The reasons given for rejection is that the policy is that Somerset Council has no immediate plans for this. This is not a competent response to a proposal for change:

8.3 Safe Capacities

One of the consultation responses proposes ‘The applicant needs to describe safe capacities together with the procedures that are in place to ensure safe capacities are not exceeded ‘

This too is rejected with no stated consideration or reasons except ‘each application will be considered on its own merits.’

9. Proposals to the Licensing Committee meeting

- a) It is in the public interest that the report is withdrawn;**
- b) The shortcomings both in terms of process and consideration of responses outlined in this paper are subject of a full review led by a person not involved in the process so far;**
- c) Any shortcomings are corrected;**
- d) Consultees have the assurance that their input is properly heard and properly addressed**

10. The report is resubmitted to a future the committee meeting.

11. If the committee decides otherwise then I request a transparent explanation is made available.