



Charnwood

LICENSING SUB COMMITTEE

Members Record of Decision

Review of the Premises Licence – Prestwold Park

Hearing: 25th October 2018

Constitution of the Panel:

CHAIRMAN: CLLR KEN PACEY

Other Panel Members: Cllr Lowe, Cllr Savage

Clerk: Sarah Khawaja

Licensing Manager Present: Alan Twells

Parties Present: Applicant for the Review represented by Cllr Adrian Cooke, Wymeswold Parish Council

For Premises

Licence Holder: Leo Charalambides instructed by Shakespeare Martineau

**For Responsible
Authority:**

Police – Nigel Rixon
Health & Safety – Stuart Adkins
Noise – Beverley Green
Licensing – Chris Lambert

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Signature:

**Chairman: Cllr
Ken Pacey**

1 Nov.

2018

Decision on the Application

In reaching its decision, the Sub-Committee has taken into consideration all relevant written and oral representations and submissions made. The Sub-Committee has had particular regard to the Licensing Objectives, in particular crime prevention, public nuisance, public safety and the protection of children from harm

FINDINGS OF FACT

The complaints relating to the 'Forbidden Forrest' event, which were the subject of the Review, were not disputed by the PLH and were accepted by the panel.

CONDITIONS

Attached

DECISION AND REASONS

The Panel has considered all of the written representations and listened to what was said today.

Members were very concerned about the particular event that led to complaints and this Review and therefore do not consider that it would be appropriate to take no action.

However Members are also mindful that other than this event there have been no issues in respect of Prestwold Farm's Licence.

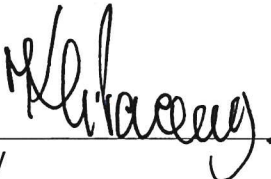
In light of the seemingly one off nature of the event, the proposal put forward by the PLH and agreed by the Responsible Authorities are enough to satisfy Members that events of the type that led to this Review and the associated issues would not be repeated.

Therefore Members have decided to modify the conditions of the Licence as per the agreed document subject to the first condition being amended.

No condition relating to publicising the event was made as Members cannot make a condition which requires the PLH to contact anyone not on their existing distribution lists.

There is a right to appeal to the Magistrates Court within 21 days from the date on which the party is notified of the determination of the decision of the Sub-Committee Panel.

CHARNWOOD BOROUGH COUNCIL

Signature:		
Chairman:	Cllr Ken Pacey	
Date of Decision	25 th October 2018	2018

Rider:

Failure to comply with any of the conditions of the premises licence is a criminal offence, which can result in a sentence of up to 6 months imprisonment and/or a £20,000 fine.

Prestwold Park

Conditions for amended Operating Schedule

PLH Risk Assessment

[1] The PLH shall have a Prestwold Event Liason Officer, who will be a single point of contact. The PLH will keep the Licensing Authority and the licensing police informed of the appointment.

[2] The Premises Licence Holder shall provide to the licensing authority and the police licensing representative a regularly updated schedule of external events; such update to be provided at least every six weeks.

[3] The Premises Licence Holder shall risk assess all external events of a capacity greater than 500 participants; the risk assessment shall be provided no later than twelve weeks before the start of the event period.

[4] The Premises Licence Holder shall provide to the local licensing authority an outline Event Management Plan; the outline Event Management Plan shall be provided no later than ten weeks before the start of the event period.

[5] The Premises Licence Holder shall provide to the local licensing authority the final Event Management Plan; the final Event Management Plan shall be provided no later than two weeks before the start of the event period. The conditions of the Event Management Plan are conditions of the premises licence for the duration of the event period.

[6] The Premises Licence Holder shall provide to the local licensing authority an outline Noise Management Plan; the outline Noise Management Plan shall be provided no later than ten weeks before the start of the event period.

[7] The Premises Licence Holder shall provide to the local licensing authority a final Noise Management Plan; the final Noise Management Plan shall be provided no later than two weeks before the start of the event period. The conditions of the Noise Management Plan are conditions of the premises licence for the duration of the event period.

Event Management Plan

[8] The Event Management Plan shall cover the following areas to the complete satisfaction of the Responsible Authorities:

- 1.2.1 An event overview and a scaled site plan, showing how each part of the licensed area will be used and zoned, identification of all structures, access routes and ingress/egress points (for both normal and emergency use);
- 1.2.2 Crowd Capacity Calculations for the Event Area. These calculations shall determine the maximum safe occupancy capacity for the area based on the lowest number derived from the following calculations, and taking account of recognised relevant guidance:
 - The entry capacity
 - The holding capacity, including projected crowd densities
 - The exit capacity

- The emergency exit capacity
- 1.2.3 Roles, responsibilities and qualifications of all key personnel responsible for managing the event, including names and contact numbers plus back-up contacts in the event of their non-availability;
 - 1.2.4 A crowd management plan produced by a competent person, including an overview of security and stewarding arrangements, detailing briefing arrangements, stewarding ratios and numbers to be deployed, the use of correct barriers and unauthorised access;
 - 1.2.5 Details of any proposed special effects (including fireworks, lasers, dry ice, special lighting effects) and proposed safety arrangements associated with their use;
 - 1.2.6 Medical Services and first aid provision; including details of resources to be deployed, any contractors to be used and how the level of provision has been determined;
 - 1.2.7 Plan for controlling and managing vehicle movements on the site on event days, during site build-up and site breakdown;
 - 1.2.8 Management arrangements for site access and egress, and the management of all traffic associated with the event;
 - 1.2.9 Details of the electrical installations for the event, including generators. This should include how cable hazards will be avoided and measures that will be taken to prevent members of the public from interfering with any parts of the electrical installations;
 - 1.2.10 Details of any temporary structures e.g. stages to be erected, including arrangements for safety checking and signing these off prior to use.
 - 1.2.11 Provision of artificial lighting to all parts of the licensed area, including emergency lighting;
 - 1.2.12 Arrangements for the provision of sanitary accommodation (including toilets, washing (including hand-washing) facilities and washing-up facilities);
 - 1.2.13 Emergency and contingency plans and procedures
 - 1.2.14 Command, control and communication arrangements for the event, including the provision of information to staff and to members of public attending the event;
 - 1.2.15 A lost/found/missing child procedure, including resources and arrangements for implementing this at all times as necessary;
 - 1.2.16 Arrangements to accommodate disabled visitors to the site;
 - 1.2.17 Ticketing policy and arrangements

- 1.2.18 Arrangements for the management of contractors on site, including copies of gas and electrical safety certification, food hygiene certification and relevant certificates of insurance;
- 1.2.19 Copies of relevant certificates of insurance for the event;
- 1.2.20 An adequate supply of water provided and maintained when licensable activities are taking place. The Premises Licence Holder shall ensure that the event organiser **has an adequate supply of free, potable and wholesome drinking water provided and maintained in the public arenas / areas and on all campsites when licensable activities are taking place. Provisions shall be made for an alternate water supply of drinking water in case of failure of planned resources of drinking water. All water dispensing equipment should be clean and sterilised, well maintained and suitable and the water microbiologically safe to drink. The water supply must conform to BS 8551:2011 – *Provision and management of temporary water supplies and distribution networks (not including provisions for statutory emergencies) - Code of practice* is a new standard that provides a framework for best practice in the management of temporary wholesome water supplies and maintenance of the distribution networks and container vessels. It demonstrates all the procedural steps that should be carried out when supplying water as well as the due diligence required in relation to water.**

1.2.21

Noise Management Plan

- 1 The Premises Licence Holder shall nominate or appoint a competent person ("the noise controller") to liaise between all parties, including the Premises Licence Holder, external promoter, sound system supplier, sound engineer and Licensing Authority on all matters relating to noise both prior to and during the event. The name and contact number of this person shall be provided to the Licensing Authority 14 days prior to the event.
- 2 The primary duties of the noise controller shall be as follows:
 - 3.2 To produce the Noise Management Plan (NMP) which shall be submitted for agreement to the Licensing Authority and Responsible Authorities not less than 14 days before the event period. The noise controller shall ensure full compliance with the contents of the NMP. The Noise Management Plan shall cover the following areas to the complete satisfaction of the Responsible Authorities:
 - 3.2.1 An event overview and scaled site plan, showing the number, location and orientation of stages and whether simultaneous performances are likely to occur;
 - 3.2.2 Type and size of sound system to be used, including amplification levels, speaker design and position,
 - 3.2.3 A monitoring regime for music noise levels at nearest noise sensitive premises throughout the duration of the event,

- 3.2.4 Noise attenuation/control methods to be implemented to minimise disturbance off-site,
 - 3.2.5 Procedures for dealing with complaints and the action(s) that will be taken following any complaints.
- 3.3 The noise controller shall carry out a survey to determine the background noise levels (as defined by the Code of Practice on Environmental Noise Control at Concerts, or current relevant standards, agreed with the Licensing Authority) at agreed locations around the premises. These locations shall be representative of the noise sensitive premises likely to experience the highest sound level (the Music Noise Level "MNL") as a result of any event, so that a *LAeq, 15 minute limit of +15dB(A) over background (LA90)* can be set.
- 3.4 Agree off-site monitoring locations with the Licensing Authority prior to each event, which shall be confirmed during sound propagation tests.
- 3.5 Undertake sound propagation tests for all stages at least 1 hour prior to the start of the event in order to set appropriate control limits at the on-site sound mixer positions to ensure the music noise level given in condition 4 is not be exceeded. Note: The sound source used for the test shall be similar in character to the music likely to be produced during the event.
- 3.6 Continually monitor sound levels at the sound mixer position of all stages and advise the sound engineers accordingly of any adjustments required to ensure that the sound limit detailed in condition 4 below is not exceeded. Note: Sound levels at the front of house mixer position shall be measured as LAeq, 1 minute.
- 3.7 Undertake sound level monitoring throughout the event at the noise sensitive premises identified and agreed in condition 3.3 above to ensure the MNL detailed in condition 4 below is not exceeded. Note: Sound levels off site are to be taken in 1/3 octave bands to allow adjustment of individual frequency bands, should this be required.
- 4 The control limits set at the sound mixer positions shall be appropriate to ensure that, the music noise level (MNL) shall not at any noise sensitive premises exceed *+15 dB(A) over background (LA90) measured as a LAeq, over a fifteen minute period* throughout the performance of the event.
- 5 With the exception of the sound propagation tests the MNL shall at no time exceed the limit specified in condition 4 above.
- 6 No live or recorded electronically amplified music or voice, shall take place externally after 23.00 hours on any day.
- 7 The Premises Licence Holder shall ensure that the event organiser, sound system supplier and all individual sound engineers are informed of the sound control limits and that any instructions from the noise controller regarding sound levels shall be implemented immediately.
- 8 The Licensing Authority shall have access to the results of the sound monitoring at any time during the licensable event. On receipt of a request from the Licensing Authority, the noise controller shall arrange for music noise levels to be reduced if, in the opinion of the

Licensing Authority, there is or is likely to be an exceedance of the limits specified in condition 4 above.

Event Contact Details

- 9 For all events the Premises Licence Holder shall ensure event organisers provide an operational telephone hotline, available throughout the duration of the event, to receive complaints. This hot line shall be advertised to local residents prior to the event, shall be tested prior to the event and answered by staff trained in the procedures to follow when receiving a call of complaint. All calls made to this number shall be fully documented, forwarded to the noise controller and the resultant action recorded. Records of complaints and actions taken shall be made available to the Licensing Authority on request.
- 10 For all events the Premises Licence Holder shall ensure the event organiser informs Burton on the Wolds, Cotes and Prestwold Parish Council, Hoton Parish Council and Wymeswold Parish Council about the event. This notification shall take place no less than 14 days prior to the event and shall take the form of a letter or email detailing the nature, duration and scale of the event and giving details of the telephone number required by condition 10.

General

The terminal hour will be 23:00 for all licensable activities save for the model farm buildings which will be unchanged.