



LICENSING SUB-COMMITTEE

MEETING : Wednesday, 3rd July 2013

PRESENT : Cllrs. Noakes, C. Witts and Gilson

Officers

Lisa Jones, Food Safety and Licensing Service Manager

Phillipa Golden, Licensing Officer

Steve Isaac, Solicitor

Anthony Hughes, Democratic Services Officer

38. ELECTION OF CHAIR

Councillor Lise Noakes was elected Chair.

39. INTRODUCTIONS AND PROCEDURES

The Chair introduced the Members of the Sub Committee and officers in attendance and invited the Applicant and other parties to introduce themselves. The Chair explained the procedures that would be followed during the meeting which were also summarised in Appendix 7 to the report.

In addition to Members of the Sub-Committee and Council officers in attendance the following were present:

Neil Corbett representing the applicant, Gloucestershire County Council
Steve Elway, Aspire Trust, in support of the applicant

Mike Matthews, on behalf of local residents
Grace E Jones, on behalf of local residents

PC Liz Lovell, City Centre division
PC Matthew Hammond – Community Beat Officer

Lloyd Griffiths, Environmental Project Team Manager
Matt Cloke, Environmental Health Officer (Noise)

LICENSING SUB-COMMITTEE
03.07.13

40. DECLARATIONS OF INTEREST

There were no declarations of interest.

41. APPLICATION UNDER SECTION 17 OF THE LICENSING ACT 2003 BY GLOUCESTERSHIRE COUNTY COUNCIL IN RESPECT OF GLOUCESTER OLD SPORTS ACADEMY PLAYING FIELD, (BISHOPS COLLEGE SITE), ESTCOURT CLOSE, GLOUCESTER

The Licensing and Enforcement Officer presented a report outlining an application for a new premises licence made under section 17 of the Licensing Act 2003 for Gloucester old Sports Academy Playing Field (Bishops College Site) GL1 3LR by Gloucestershire County Council. The application was for regulated entertainment.

Details of the application were set out in Appendix 1 to the report.

The Sub-Committee had also received the following documentation appended as part of the Licensing and Enforcement Officer's report:

Plan showing layout of premises (Appendix 2)
Copy of representation from residents (Appendix 3)
Letter to residents/Notice of hearing (Appendix 4)
Plan showing location of representatives (Appendix 5)
Extract from Policy guidance on festivals (Appendix 6)
Procedure for Licensing Sub Committee (Appendix 7)

In presenting the report, the Licensing and Enforcement Officer drew attention to the letter of representation (signed by individuals) set out in pages 33 and 34 of the Agenda Pack, and also the officer's letter of reply set out in pages 35, 36 and 37. The Licensing and Enforcement Officer also reported that one objector had withdrawn their representation.

Members were reminded that their duty was to consider the premises licence application for the Gloucester Academy (Bishop's College site) playing field and the full range of activities covered by the licence application. It was not the intention to focus on the 'Sport Beat' Festival event for which the site was intended to be used along with the adjoining 'Plock Court' playing field which had already been granted a premises licence.

Members were advised that having considered the application, any relevant representations, the legislative provisions, the Council's Statement of Licensing Policy and the Home Secretary's Guidance, they had the following options as considered appropriate to promote the Licensing Objectives.

- (a) To accept the application and attach conditions as consistent with the operating schedule.
- (b) To accept the application and modify the conditions of the licence which includes altering, omitting or adding new conditions.

LICENSING SUB-COMMITTEE
03.07.13

- (c) To reject the whole, or part of the application.

The Sub-Committee was reminded of the City Council's licensing objectives:-

- (a) The prevention of crime and disorder
- (b) Public safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

Questions to the Licensing and Enforcement Officer

There were no questions from the Applicant to the Officer.

Mr. Matthews, representing the Residents, referred to page 36 of the agenda pack and questioned whether the Licencing and Enforcement Officer had been involved in the preparation of strategies. The Licencing and Enforcement Manager commented that policies were evolved in partnership with Licencing Officers.

Mr. Matthews questioned whether the number of events to be held under the licence was to be limited to once a year. The Licensing and Enforcement Manager commented that the limitation of one event had been asked for by the applicant.

Mr. Matthews commented that the existing premises licence had a condition that stated "The music noise level shall not exceed 65dB (a) over a 15 minute period 15 metres from the façade of any noise sensitive premises". A similar condition recommended to be attached the current licence if granted referred to a distance of 1 metre. The Environmental Health Officer commented that the recommended condition followed guidelines issued under the Environmental Control Act. The reference to 15 metres in the condition attached to the previous application was a mistake. The measurement would be taken from the closest premises.

Mr. Matthews enquired in regard to the steps to be taken to monitor the noise emanating from the event. Mr. Lloyd Griffiths commented that the event would be monitored by Council officials. If noise levels were exceeded then appropriate instructions would be issued. He commented that this was the first event of its kind on this land, and so close attention would be given as to how it operated.

In answer to a question from Mr. Matthews, Mr. Griffiths commented that it was the responsibility of the licence holder to comply with the conditions of the licence.

Neil Corbett, Gloucestershire County Council, explained that the County Council had been approached by Aspire Trust to use land for the Sports Beat event as an extension to the sports facilities on adjacent land. The County Council had an active role in managing the buildings and in terms of longer term use, the County would be reviewing the future use of the former Bishop College premises and accompanying land. He commented that having been approached, the County had taken a careful view and the issues concerning the County had been discussed in detail with the organisers. He commented that the County was comfortable in waiting to hear whether the Licensing Authority considered the application acceptable and the conditions it would think suitable to attach to a grant of permission..

LICENSING SUB-COMMITTEE
03.07.13

In answer to a question from Mr. Matthews, Mr. Neil commented that the County Council was considering the future of the Bishops College building but no decision had been made. Neither had any decision been made on the nature of future events.

Mr. Matthews commented that part of the application related to camping and parking, and Mr. Neil commented that stringent safeguards had been made to ensure that the use of the land is managed and that the buildings were securely protected. Detailed discussions had taken place with the provider and Aspire and appropriate conditions had been included in the licence for the premises that the County were providing. Steve Elway commented that the company engaged to undertake security were RS Security, a company that had a good track record and had been used for such major events as the Tall Ships Festival and Gloucester Rugby.

Presentation by Mr. Matthew's on behalf of residents

Mr. Matthews commented that many of the local residents were elderly and infirmed. He stated that there had been no consultation with residents of Oxstall's Drive. A leaflet had been delivered to resident's premises in which a number of assurances had been listed. He commented that the organisers have no track record of this kind of event and to the residents the operation seemed a vague concept. In the event of a premises licence being granted, but conditions subsequently not being observed, he would expect the County Council and the organisers to take the necessary action.

Summing Up

The Licensing and Enforcement Officer summed up the relevant facts in relation to the application.

Mr. Matthews commented that he had nothing further to add to the comments already made.

The Decision

Members of the Sub-Committee withdrew to reach their decision.

RESOLVED

That the application be accepted and that the conditions as set out in Annex 1 to the report, be attached to the Decision Notice, as consistent with the operating schedule.

Reasons:

LICENSING SUB-COMMITTEE
03.07.13

1. The Licensing Sub Committee believe that the conditions attached will ensure that the Licensing Objectives are met.
2. The Licensing Sub Committee consider that any relevant representations relating to the Licensing Objectives are speculative at this stage.

Advice

The Chair advised of the following advice that was not part of the decision:

Attention is drawn to the residents that they have the right to request a review in the event of their being evidence that has caused them concern.

Time of commencement: 18:30 hours

Time of conclusion: 19:25 hours

Chair