

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Friday, 1 June 2007 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Drakeley, Howard, A. Lowe and Nelson

Apologies for Absence: Councillors Cross, D Inch, E Ratcliffe and Wainwright

Absence declared on Council business: (none)

Officers present: S. Baxter, L. Capper, K. Cleary, J. Findlow, W. Salisbury, J. Tully and P. Watts

Also in attendance: 12 members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG1 APPLICATION FOR A PREMISES LICENCE ON LAND AT DARESBUY

Action

At the hearing James Edward King confirmed that he had full authority to deal with the application on behalf of the applicant C I (Events) Limited.

In addition Mr King confirmed acceptance that if the Committee were to approve the application the Committee would be entitled to limit the licence to a one year period

The Committee heard representations in person on behalf of:

- 1 the applicant;
- 2 Warrington Borough Council, Cheshire Constabulary and Halton Borough Councils Environment Enforcement and Building Control Division. (as responsible authorities); and
- 3 Mrs Harris of Higher Walton (as an interested party).

The committee also considered all written relevant representations.

Warrington Borough Council and Halton Borough Councils Environmental Health and Building Control Division advised the Committee that several of the conditions requested by both authorities dealt with the same issues and were effectively duplications of each other with the exception of conditions 8 and 9 set out at Appendix 3 (Warrington Borough Council proposed conditions) in the Committee Item. Both authorities agreed that a consolidated set of conditions as tabled at the meeting represented the same positions as set out in the agenda but avoided duplication. The consolidated conditions were accepted by the applicant.

As part of their presentation Cheshire Constabulary outlined a number of conditions which they requested to be attached to the premises licence should the application be granted. The applicant accepted the proposed conditions.

At the conclusion of the hearing the Committee retired to consider the application

RESOLVED:

Having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant considerations the committee decided that the application be granted subject to the conditions set out below:

Strategic Director
Corporate and
Policy

The reason for the determination was that the Committee felt that the application was consistent with the Licensing Objectives.

The conditions to be imposed on the premises licence are as follows;

1 All activities, structures, stages and facilities shall be positioned in accordance with the application plan. No changes shall be made to the plan without prior permission in writing from the Operational Director (Environment & Regulatory Services).

2 The Music Noise Level (MNL) shall not exceed 65dBLAeq (15 min) 1 metre from the façade of any noise sensitive premises prior to 23:00 hours.

3 After 23:00 hours music noise levels 10m from the mixer desk in each marquee including any concessionary (marquees) shall not exceed 95dB (15 min).

4 The noise levels at the monitoring position shall not

exceed 103dB(A) measured over any one minute period.

5 The sound systems associated with each ride on the fairground shall not be operated after 23:00 hours.

6 Music noise levels from the main stage shall not exceed 98dB LAeq at a position 40 metres from the main speakers.

7 The use of main stage shall finish at 23:00 hours.

8 The licence holder shall ensure that the appointed noise consultant shall regularly undertake tests of noise levels at the sound mixer positions to ensure compliance with the licence conditions. A written record of these assessments shall be kept and available to any Environmental Health Officer appointed or authorised by the Environmental Health, Enforcement & Building Control Division of Halton Borough Council upon request. This shall include any remedial action taken.

9 The licence holder shall ensure that the appointed noise consultant shall carry out one or more noise propagation tests prior to the event. Any such test shall be carried out between 11:00 and 16:00 hours on the day prior to the event and after 10:00 hours on the day of the event. Halton Borough Council's Environmental Health Officers shall be informed of the tests at least one hour prior to commencement.

10 The licence holder shall submit a noise management plan to the Divisional Manager (Enforcement & Building Control) no later than 28 days before the commencement of the event.

11 There shall be no construction of the set or any other structure associated with the event within the hours of 20.00 – 08.00 unless otherwise agreed in writing by the Divisional Manager (Enforcement & Building Control).

12 If in the opinion of the Environmental Health Officer appointed or authorised by the Environmental Health, Enforcement & Building Control Division of Halton Borough Council the noise levels become unacceptable notwithstanding compliance with any other noise condition, the licence holder shall reduce the noise levels as directed by such Environmental Health Officer.

13 The licence holder shall take all reasonable steps to ensure that excessive noise is not generated by patrons of the event e.g. loud car stereos and/or horns from patrons

entering or leaving the event.

The reason for conditions 1 – 13 - **the prevention of public nuisance.**

Health and Safety Issues

14 All stage and tower structures shall be supplied by competent contractors who shall issue full structural plans and calculations to Halton's Borough Council Building Control Manager.

15 The licence holder shall ensure that a nominated council representative the Environmental Health Manager (Food and Health & Safety), the Divisional Manager (Environmental Health, Building & Enforcement Control) or the Principal Environmental Health Officer (Food Safety, Health & Safety) is kept informed of the progress of the notified at key stages, namely (i) of designated contractors on site to prepare for the event, (ii) start of event set up, (iii) final safety checks prior to opening, (iv) at any other key stages in the executing and operating of the event.

16 The licence holder shall furnish the Environmental Health Manager (Food Health & Safety), the Divisional Manager (Environmental Health, Building & Enforcement Control) or the Principal Environmental Health Officer (Food Safety, Health & Safety) with a list of all contractors who will be operating at the event at the earliest available time but within a minimum of 48 hours prior to the opening of the event to the public. In particular the list of food concessions should be reported to the Division a minimum of 3 weeks prior to the event.

17 A representative of Halton Council's Environmental Health, Building Control & Enforcement Control Division shall be advised in reasonable time when the main arena is deemed by the licence holder to be ready to be opened to the public.

18 The licence holder shall advise the Environmental Health Manager (Food and Health & Safety), the Divisional Manager (Environmental Health, Building & Enforcement Control) or the Principal Environmental Health Officer (Food Safety, Health & Safety) a minimum of 48 hours prior to the event opening to the public, all activities to be carried out by sponsors with particular attention to those involving public participation.

19 The licence holder shall ensure the Environmental Health

Manager (Food and Health & Safety), the Divisional Manager (Environmental Health, Building & Enforcement Control) or the Principal Environmental Health Officer (Food Safety, Health & Safety) shall always have an up to date copy of the event risk assessment.

20 The event shall be managed and operated in accordance with the health & safety policy and procedures statement included in the application. The Division shall be kept informed by the licence holder of all key activities relating to public safety. In particular, any activities that require specific individual risk assessments to ensure safe operation such as the use of lasers, strobes, pyrotechnics, bomb tanks, smoke machines and fireworks etc must be reported to the division with suitable supporting evidence within reasonable time, prior to the event.

The reason for conditions 14 – 20 - Public safety. With regard to condition 16 the information concerning food concessions is required in the interest of public safety as their presence may affect the circulation of people on site.

21 The licence be granted for a single year only

The reason for condition 20 – Prevention of Crime and Disorder, Prevention of Public Nuisance

22. There shall be Age Checking Points situated no further than 20 yards from BOTH entrance points. Anyone attempting to gain entry who does not appear to be aged 21 or over will be directed to these points by Gate Staff. Once there they will be required to produce satisfactory proof of age. Having done so a non-removable wrist band will be issued which must be put in place before the person is allowed to leave the Checking Point. If proof of age cannot be produced that person will be escorted from the site.

The reason for condition 22 - Protection of Children from Harm

23. The event shall not take place if all public footpaths running across the site are not closed for the duration of the event and suitable alternative routes identified and displayed.

The reason for condition 23 – Prevention of Public Nuisance and Prevention of Crime and Disorder

24. The Organisers shall appoint a nominated CCTV Liaison

Officer who will have continual access to all material both during and after the event. That person's contact details are to be made available to the Police, who will direct all requests for CCTV material through that person.

The reason for condition 24 - Prevention of crime and disorder

25.The 'Safety Sign Off' time is to be no later than 1600hrs on Friday, the 24th of August 2007.

The reason for condition 25 - Public safety

26.The minimum number of stewards/security staff shall not be reduced below the supplied figure of 410.

27.The organisers shall appoint a senior member of the security staff, not later than 8 June 2007 who will be required to liaise with both the Police and the SIA in the matter of what level of SIA accreditation is required for any given security task. That person shall attend meetings as required with these parties and ensure any post that requires accreditation is staffed by an appropriately qualified person.

The reason for conditions 26 and 27 - Prevention of crime and disorder

28.An Adversarial Meeting will take place between Police Gold and Silver Command Staff just prior to the event taking place. The organiser, or his representative, will be required to attend this meeting.

Time that the licence shall take effect

Saturday 25 August 2007 and Sunday 26 August 2007 (detail timings of licensable activities as per application).

Meeting ended at 8.17 p.m.