

REPORT: Regulatory Committee

DATE: 29 May 2008

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises Licence on land at Daresbury

WARDS: Daresbury

1. PURPOSE OF REPORT

To provide relevant information for the holding of a hearing to assess relevant representations made in response to an application by C.I. (Events) Limited for a premises licence in respect of land at Daresbury.

2. RECOMMENDATION

That the Committee considers the relevant representations and determine the application in accordance with the options available to it (as listed in section 7 to this Agenda)

3. SUPPORTING INFORMATION

- 3.1** The application has been made under section 17 Licensing Act 2003 ("the 2003 Act").
- 3.2** This hearing is held in accordance with the 2003 Act and the Licensing Act 2003 (Hearings) Regulations 2005.
- 3.3** The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 3.4** The hearing is solely concerned with those aspects of the application, which have been the subject of relevant representations as defined in the 2003 Act.

4 THE APPLICATION

4.1 The applicant

- 4.2** The applicant for the proposed 2008 event is (as last year) C.I. (Events) Limited.

4.3 The site

- 4.4** The application relates to farmland at the Daresbury Estate and Holly Hedge Farm. The application site comprises a larger area than in previous years. The plan submitted with the application shows the extent

of the application and a plan will be available at the hearing. Most of the additional area (as compared with previous years) is accounted for by an application for late night refreshment to be provided in the camping areas (the camping areas themselves are not part of the application). However, note that the application in respect of provision of facilities for dancing (as to which see below) applies across the whole site.

4.5 Description of the Event

- 4.6** The application is in respect of a proposed two day music festival with camping and consisting of multiple stages and tented arenas. Separate tented structure selling alcohol, soft drink, food and merchandise will be located in the site as well as fun fair attractions. There will be a separate fenced off area for camping.
- 4.7** The application states that the proposed two day music festival is intended to take place over two days: Saturday 23rd and Sunday 24th August 2008. However, it should be noted that two elements of the application involve a third day namely Monday 25th August. These are, first, late night refreshment (as to which see below) and secondly, hours premises are open to the public (as to which see below)
- 4.8** The number of people expected to attend the proposed music festival is stated to not exceed 39,999 (The 2007 figure was 49,999).
- 4.9** Note that the Licensing Authority is only concerned with those matters which constitute licensable activities.

4.10 Description of Licensable Activities

4.11 Films

- 4.12** Films are requested to be shown in one of the tented areas between **1400** on Saturday 23rd August and **0400** on Sunday 24th August and then from **1000** on Sunday 24th August until **2300** on Sunday 24th August.

4.13 Live Music

- 4.14** There is intended to be one main outdoor stage together with smaller performance stages within tented arenas (all with bands performing with amplified music). The hours requested are between **1400** on Saturday 23rd August and **0400** on Sunday 24th August and then from **1000** Sunday 24th August until **2300** on Sunday 24th August provided that the use of the main outdoor stage for live music shall cease at 2300 on Saturday 23rd August.

4.15 Recorded Music

- 4.16** The hours requested for recorded music are between **1400** on Saturday 23rd August and **0400** on Sunday 24th August and then from **1000** Sunday 24th August until **2300** on Sunday 24th August. Recorded music will be played on all stages between the bands and full performances by

DJ's provided that the use of the main outdoor stage for recorded music shall cease at 2300 on Saturday 23rd August.

4.17 Performance of dance

4.18 The hours requested for performance of dance are between **1400** on Saturday 23rd August and **0400** on Sunday 24th August and then from **1000** Sunday 24th August until **2300** on Sunday 24th August. Dancers will appear with some bands performing at the event provided that the use of the main outdoor stage for the performance of dance shall cease at 2300 on Saturday 23rd August

4.19 Provision of facilities for dancing

4.20 The hours requested for provision of facilities for dancing are between **1400** on Saturday 23rd August and **0400** on Sunday 24th August and then from **1000** Sunday 24th August until **2300** on Sunday 24th August. People will be able to dance across the whole site should they wish to do so except on stages.

4.21 Late night refreshment

4.22 The hours requested for provision of late night refreshment are between **2300** on Saturday 23rd August and **0500** on Sunday 24th August and then from **2300** Sunday 24th August until **0500** on Monday 25th August. Food vendors will be operating throughout the site (including the campsite).

4.23 Supply of alcohol

4.24 The hours requested for the supply of alcohol are between **1400** on Saturday 23rd August and **0430** on Sunday 24th August and then from **1000** Sunday 24th August until **2330** on Sunday 24th August.

4.25 Hours premises are open to the public

4.26 The application is for the premises to be open to the public between **0900** on Saturday 23rd August and **1400** on Monday 25th August.

5 ROLE OF WARRINGTON BOROUGH COUNCIL AND LOCAL PARISH COUNCILS

5.1 Part of the application site is within the Borough of Warrington. In these cases the 2003 Act directs that the licensing authority within whose area the majority of the site is situated is the relevant licensing authority for the purposes of receiving and determining the application.

5.2 Responsible authorities situated within both licensing authorities have jurisdiction to make relevant representations.

- 5.3 Parish Councils have no right to make relevant representations under the 2003 Act but can be appointed by interested parties who have made relevant representations to represent them at hearings.

6 RELEVANT REPRESENTATIONS

6.1 RESPONSIBLE AUTHORITIES

CHESHIRE CONSTABULARY

The Police do not object to the grant of a premises licence but have requested a number of conditions to be attached to the premises licence. Details are set out in **Appendix 1**.

HALTON BOROUGH COUNCIL

Halton Borough Council in its various capacities as responsible authority do not object to the application for a premises licence. However, the Licensing Authority are recommended to attach a number of conditions relating to noise and health and safety matters. Details are set out in **Appendix 2**.

WARRINGTON BOROUGH COUNCIL

Warrington Borough Council is entitled to make representations as a 'responsible authority' as defined in section 13(4) Licensing Act 2003. Warrington Borough Council could write in one or more of the following capacities:

- Health & Safety Enforcing Authority – section 12(4)(c)
- Local Planning Authority – section 12(4)(d)
- Environmental Health Authority – section 12(4)(e)
- Licensing Authority in whose area part of the premises is situated – section 12(4)(g).

Warrington Borough Council do not object to the grant of a premises licence but have requested a number of conditions to be attached to the premises licence. Details are set out in **Appendix 3**.

6.2 INTERESTED PARTIES

- 6.3 The nature of the application has meant that the definition of who might qualify to be an interested party has had to be addressed. It has been considered appropriate (after consideration of technical advice) to limit representations to those living or carrying on business within a one and a half mile radius of the application site.
- 6.4 Details of representations made by interested parties are summarised at **Appendix 4**.
- 6.6 The representations will be available at the meeting and copies have been sent to the applicant.

7 OPTIONS

7.1 The Committee has the following options:

- Grant the application
- Grant subject to conditions
- Reject the application.

7.2 The Committee must act with a view to promoting the licensing objectives, namely:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

The Committee must also have regard to-

- (a) the Council's Statement of Licensing Policy, and
- (b) the Statutory Guidance issued by the Secretary of State.

8 IMPLICATIONS FOR THE COUNCILS PRIORITIES

8.1 Children and Young People in Halton

None

8.2 Employment Learning and Skills in Halton

N/A

8.3 A healthy Halton

N/A

8.4 A Safer Halton

None

8.5 Halton's Urban Renewal

N/A

9 RISK ANALYSIS

N/A

10 EQUALITY AND DIVERSITY ISSUES

N/A

11 POLICY IMPLICATIONS

11.1 This is a hearing regarding a specific application. Although a number of policies must be taken into account there are no policy implications arising from the application.

12 OTHER IMPLICATIONS

12.1 This is the only the third large open air event to come before the Committee under the 2003 Act. Should the application be granted the

Committee may wish to request that the Responsible Authorities monitor the event closely and report back to the Committee on all matters touching on the licensing objectives.

13 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Application Documents	Legal Services	John Tully/Kay Cleary