

LICENSING SUB-COMMITTEE

Minutes of the proceedings at a meeting of the Licensing Sub-Committee held in the District Council Chamber, South Lakeland House, Kendal, on Monday, 30 May 2022, at 10.00 a.m.

Present

Councillors

Hazel Hodgson

Kevin Holmes

David Webster

Apologies for absence were received from Councillors .

Officers

Malcolm Ireland

Solicitor

Rachel Ireland

Trainee Solicitor

Richard Machin

Communications Specialist

Donna McCarthy

Specialist (Licensing)

Adam Moffatt

Legal, Governance and Democracy Specialist

LS/1 ELECTION OF CHAIRMAN

RESOLVED – That Councillor David Webster be elected Chairman for the meeting.

LS/2 APOLOGIES AND RECONSTITUTION OF MEMBERSHIP

No apologies for absence were received.

LS/3 DECLARATIONS OF INTEREST

RESOLVED – That it be noted that no declarations of interest were raised.

LS/4 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That it be noted that there are no excluded items on the agenda.

LS/5 INTRODUCTIONS

The Chairman made introductions and read out the procedure for the meeting.

LS/6 APPLICATION FOR THE GRANT OF A PREMISES LICENCE

The Licensing Specialist presented a report, which requested consideration of an application for the grant of a time limited premises licence in respect of Coast Road Festival, Aldingham. The festival would be held in a field in Aldingham and, the exact location was presented as part of a plan in Appendix 1 to the report. The application sought authorisation for the following:-

Sale of alcohol (on the premises) on 9 and 10 July 2022 between the hours of 12.00 – 23.00 hours each day;

The performance of live music (indoors and outdoors) on 9 and 10 July 2022 between the hours of 12.00-23.00 hours each day; and

Recorded music (inside a tent) on 9 and 10 July 2022 between the hours of 12.00- 23.00 hour each day.

The Licensing Specialist informed Members that part of the representations had been omitted from the agenda pack and had been circulated before the meeting; this document would be published alongside the agenda following the meeting. She added that no one from the responsible authorities would be attending the meeting as they had no comments to make on the application as a result of the Safety Advisory Group (SAG) meetings which had received and signed off an Event Management Plan, Traffic Management Plan, Noise Management Plan and Security Plans from the Applicants.

The Chairman noted that the Sub-Committee had received the additional representations as raised by the Licensing Specialist and were content that they had received enough time to read the documents. He added that the Sub-Committee had agreed to an additional request to speak, which had been received from the group of objectors.

David Owen, a local resident and employee of Pure Leisure Group, addressed the Sub-Committee. He explained that he had experience as a Director in a Local Authority; with a number of similar events and that his concerns were linked to procedure and the location of the event. Mr Owen informed Members that Pure Leisure Group own Coniston View Lodge Park and had not received contact from the Applicant, noting that Pure Leisure Group had been notified of the proposals one day before the end of the consultation period. He added that after sending in the representation, Pure Leisure Group had not received responses to queries raised regarding the amount of money donated to charities and the experience of The Lock In Barrow Community Interest Company (CIC) in organising similar events. In summing up his representation, Mr Owen expressed concern over the suitability of the location of the site.

Paul Marsh, a local resident, addressed the Sub-Committee. He informed Members that he had been notified of the festival by a Parish Councillor, which had given him one day to submit his representation. Mr Marsh explained his concerns regarding the consultation with local residents as well as the proposed parking site, which would involve attendees crossing the busy road to access and leave the site. Mr Marsh went on to raise an issue with plans for those leaving the site, noting that the village of Aldingham would be impacted by those leaving the site and the risk of attendees spilling on to the beach which posed a risk to safety as well as a risk to the natural environment.

Helen Gunning, a local resident, addressed the Sub-Committee. She noted her concern regarding the high volume of people attending the event each day and the impact this would have on the quiet local area from traffic from people accessing and leaving the site as well as fly parking and footfall traffic at the close of the event.

Peter Smith, a local resident, addressed the Sub-Committee. He highlighted that the Coast Guard had not agreed to perform beach patrols and that any issues that may arise would have to be dealt with by 999 response only. He went on to express concerns over the proposals for clearing the site of 5000 people within one hour of the end of the event due to the fact that two nationally famous bands would be playing at the end of each day. He added that the traffic management plan was not realistic for the number of people attending and the location of the site, which could result in congestion at the end of the event as people leave.

In response to a question raised by Members regarding litter collection at the site, the Licensing Specialist noted that although this was not a licensing objective, it was likely that this had been included in the documents from the Safety Advisory Group (SAG).

Malcolm Lingard, the applicant, addressed the Sub-Committee. He informed Members that the applicants had worked with the SAG, local police and Environmental Health Officers to get the application to this stage and noted positive feedback from meetings with the SAG and local police. Mr Lingard added that professional security and parking had been put in place for the event and that local residents had been invited to meet with the applicants to work through the document and discuss any objections, the offer for which had not been taken up. In concluding, he informed Members that a lot of hard work had gone into the application and that the applicants had been willing to compromise in order to ensure a professional and safe event for all attendees to enjoy.

In response to a query raised by the objectors, the applicant informed the meeting that 120 letters had been delivered in the local area and local Facebook groups had been engaged with to inform them of the event.

The objectors requested a response to their query regarding the method for clearing the site following each day, the applicant responded, noting that local taxis and buses had been arranged to prevent pedestrian access and egress from the site. He added that staggered stage times had been put in place to avoid all attendees leaving the site at the same time and that 50-80 SIA staff would be on site to help manage the plans and assist those leaving the site.

Members asked the applicant if any event staff would be undertaking checks on the beach. The applicant responded, noting that they had reached out to the local search and rescue services, however there had been a misunderstanding on their availability. To mitigate this, the applicant had arranged for "soft checks" in the local area by stewards and would block all pedestrian access to the site with extra personnel in place to prevent people walking through the village.

Members raised a query over litter picking following the event, the applicant responded that they wanted to go above and beyond to ensure the site and surrounding area were tidy and had contacted a local group to assist with checking the site.

In response to a question regarding CCTV at the event, the applicant noted that although this was not currently in place, they could accept having CCTV in place as it would assist in keeping people safe.

Members requested information on the applicant's plans for poor weather and managing those leaving the site. The applicant informed the Sub-Committee that tractors would be on site to cover any issues, with pinch points having already been identified.

David Owen reiterated his earlier query regarding the experience of the applicants in staging large scale events. Mr Lingard responded, noting that the events had been part of a different company at that time and that they had donated money to St Mary's Hospice for a number of years, adding that as the Barrow Lock In's accounts for the first year had not been submitted, they would not appear on Company's House. He noted that the applicants had also held a small event in Dalton, in aid of the charity MIND.

Following a request from the Chairman, Mr Lingard, the applicant, presented his closing statement. He noted that in light of the discussions in the meeting he felt the documentation had been completed well and met the licensing objectives with a focus on

health and safety and that the event was a community festival. He hoped that local residents would continue to discuss any issues with the applicants.

Note – The Sub-Committee passed a resolution to adjourn the meeting to exclude the press and public in making its decision, pursuant to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the paragraph indicated:-

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The Sub-Committee, supported by the Solicitor and Trainee Solicitor withdrew to consider the application at 11.00 a.m. and reconvened the meeting at 12.30 p.m.

The Licensing Sub-Committee had carefully considered the application and the written representations, the oral submissions of the Applicant and the oral submissions of those who had submitted representations and attended the meeting.

They had considered the steps that are appropriate to promote the licensing objectives and had also had regard to the Guidance issued under s.182 Licensing Act 2003 and the Statement of Licensing Policy.

RESOLVED - That the application is granted:

(1) for the following activities:-

Activity	Approved
Supply of alcohol (on premises)	On 09 July 2022 and 10 July 2022 between the hours of 12:00-23.00 hours each day.
The performance of live music (indoors and outdoors)	On 09 July 2022 and 10 July 2022 between the hours of 12.00-23.00 hours each day.
Recorded music (indoors or outdoors)	On 09 July 2022 and 10 July 2022 between the hours of 12.00-23.00 hours each day.
Hours open to the public	On 09 July 2022 and 10 July 2022 between the hours of 11.30-23.30 hours each day.

(2) subject to the mandatory conditions;

(3) and the conditions agreed with the Environmental Health Department and the Police (as listed at Appendix 4 of Agenda) with one amendment:

Condition 12 on Page 247 of the Agenda will be amended to read 'A professional SIA registered event security team will be appointed by the PLH and be supported by festival stewards. **The use of bodycam by door supervisors and festival stewards will be encouraged.** The security operation will be overseen by the Event Director and Head of Security who will liaise with Cumbria Constabulary.';

(4) In addition, the Licensing Sub-Committee determined to add an additional condition providing that:

CCTV shall be provided and will meet the following criteria:-

As a minimum the CCTV shall cover the main pedestrian access and egress (as referenced on 'Coast Roads 2022 Licensed Premises Plan') and will be of such quality as to enable facial recognition of patrons entering and leaving the licensed area;

CCTV equipment shall be maintained in good working order and images will be correctly timed and dated;

Recordings will be made available for a period of 30 days to the police and other responsible authorities on reasonable request so long as any such request is in line with data protection regulations; and

The recording equipment shall be of a digital hard drive or cloud based system and shall be kept in a secure environment under the control of the premises licence holder or other responsible named individual.

The decision and the written reasons for the decision will be confirmed in writing within five working days.

The Applicant and any party that submitted a valid representation has the right to appeal against the decision of the Sub Committee and may do so by giving notice of appeal to the Magistrates Court for the area in which the premises concerned are situated within a period of 21 days beginning with the day on which they were notified of the decision by the licensing authority.

The meeting ended at 12.32 p.m.