

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item

Hearing Date Thursday 8th March 2012

APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

Report of the Head of Housing and Environmental Services

1. PURPOSE

To consider representations that have been made and to determine the application for a premises licence received on the 17th January 2012 from the Rock & Bike Festival (individual applicant named as Michael Stevenson). The application is for a time specified event to run for 4 days proposed to be from 12th until 15th July 2012 (**Application attached at Appendix 1**).

Matters included by the applicants within the application to promote all four licensing objectives can be seen at Page 19 of Appendix 1 and a Risk Assessment (**Appendix 2**)

Mr Paul Burke has given his consent to be named as Designated Premises Supervisor for the event. (**Appendix 3**)

A detailed plan of the Elvaston Showground site and a map of the area are attached at (**Appendix 4**)

2. BACKGROUND

Previous events of this nature have been held in Sandiacre and Draycott. The applicant attended Safety Advisory Group Meetings at County Hall Matlock in previous years (**Pre-event notes attached at Appendix 5**). In 2008 numbers were limited to 3,000 people and Temporary Event Notices were used.

3. NEW APPLICATION DETAILS

3.1 The application is seeking permission for Provision of Regulated Entertainment in respect of;

Boxing or Wrestling entertainments (Indoors and Outdoors):

Friday and Saturday 11:00 hours until 17:00 hours

(**All details of application can be viewed at Appendix 1**)

Live Music, and anything similar in nature (Indoors & Outdoors):

Thursday 18:00 hours until 23:00 hours

Friday and Saturday 12:00 hours midday until 23:45 hours

Recorded Music (Indoors and Outdoors) and anything similar in nature:

Thursday 13:00 hours until 23:00 hours

Friday and Saturday 12:00 hours midday until 01:00 hours

Performances of Dance (Indoors and Outdoors):

Thursday 13:00 hours until 23:00 hours

Friday and Saturday 12:00 hours midday until 01:00 hours

- 3.2 Provision of entertainment facilities (Indoors and Outdoors):
 Provision of facilities for making music:
 Thursday 13:00hours until 23:00 hours
 Friday and Saturday 12:00 hours midday until 23:45 hours
- 3.3 Provision of facilities for dancing:
 Thursday 13:00hours until 23:00 hours
 Friday and Saturday 12:00 hours midday until 01:00 hours
- 3.4 The application also requests late night refreshment, (Indoors and Outdoors):
 Thursday, Friday and Saturday 23:00hrs until 01:00 hours
- 3.5 The application requests the supply of alcohol (Indoors and Outdoors):
 Thursday 12:00 hours midday until 24:00 midnight
 Friday and Saturday 11:00 hours until 01:00 hours
- 3.6 Hours premises are open to the public
Standard days and timings
 From 10:00hours on Thursday 12th July 2012 to 12:00 hours midday on Sunday
 15th July 2012

4. CONSULTATION RESPONSES

- Derbyshire Constabulary - Representation received from Derbyshire Constabulary in support of the proposed event. Conditions have been agreed between the Police and the applicant (**Appendix 6**)
- Environmental Health - Representation received from South Derbyshire District Council's Environmental Protection team. Proposed conditions regarding application agreed with applicant (**Appendix 7**)
- Derbyshire Fire Service - No Representation
- Derbyshire Social Services - No Representation
- Trading Standards - No Representation
- SDDC Planning Authority - No Representation
- Health & Safety (SDDC) - No Representation
- Interested Parties -

Representations have been received from interested parties living in the vicinity of the showground near Elvaston Castle Country Park (**Appendices 8 to 14**).

Written representations have been received from the following:

An interested party is a person living within the vicinity of the premises (**Appendix 8**)

- Interested Party - Alexander Devlin (**Appendix 9**)
- Interested Party - K Whewell & O Trotter (**Appendix 10**)
- Interested Party - S & P Madeley (**Appendix 11**)
- Interested Party - Jonathan Irons (Clerk to Shardlow & Great Wilne Parish Council) (**Appendix 12**)

Interested Party is a person living within the vicinity of the premises (**Appendix 13**)

- Interested Party - Representation received from Gill Forrester (Assistant Area Manager) of Elvaston Castle representing Derbyshire County Council, in support of the proposed event (**Appendix 14**)

5. COMMENTS

- 5.1 The hearing will proceed in accordance with the Council's Statement of Licensing Policy considered by the Licensing and Appeals Committee on the 11th November 2010 and guidance issued under Section 182 of the Licensing Act 2003 (**Appendix 15**)
- 5.2 Acknowledgement letters were sent from the Licensing section to all interested parties (**example at Appendix 16**)
- 5.3 The notices of application for a premise licence were displayed at the proposed premises of Elvaston Castle, and also a copy of the public notice was advertised as required in accordance with the Licensing Act 2003 (**Appendix 17**).
- 5.4 The licensing objectives are matters that should be given paramount importance and these are: -
- The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance and
 - The protection of children from harm

6. Options available to the Licensing Sub-Committee are:

1. Grant the application
2. Grant the application subject to conditions
3. To exclude from the scope of the licence any of the licensable activities to which the application relates.
4. To reject the application.

3.

APPENDICES

1. Application for a premise licence
2. Risk Assessment for Rock & Bike Festival 2012
3. Consent of Designated Premises Supervisor
4. Plan and map of premises and surrounding area.
5. Rock & Bike Festival Safety Advisory Group Briefs.
6. Proposed agreed conditions and representation from Derbyshire Constabulary
7. Proposed agreed conditions and representation from Environmental Health
8. Interested party representation by a person not wishing to be identified
9. Interested party representation by A Devlin
10. Interested party representation by K Whewell & O Trotter
11. Interested party representation by S & P Madeley
12. Interested party representation by J Irons (Clerk to Shardlow & Great Wilne Parish Council)
13. Interested party representation by a person not wishing to be identified
14. Interested party Gill Forrester (Assistant Area Manager Elvaston park)
15. Guidance issued under section 182 of the Licensing Act 2003.
16. Example of Acknowledgement letter sent to interested parties
17. Picture of displayed Notice of application and copy of public notice advertised in the Derby Evening Telegraph