



Leicester
City Council

Minutes of the Meeting of the
LICENSING (HEARINGS) SUB-COMMITTEE

Held: THURSDAY, 31 MARCH 2022 at 9:30 am

P R E S E N T:

Councillor Gee (Chair)

Councillor Khan

Councillor Westley

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1. APPOINTMENT OF CHAIR

Councillor Gee was appointed as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Cank. Councillor Khan was present at the meeting.

3. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

4. BEYOND FESTIVAL, ABBEY PARK GROUNDS, ABBEY PARK ROAD, LEICESTER

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new premises licence for Beyond Festival, Abbey Park Grounds, Abbey Park Road, Leicester. The application was received from JBR Events Ltd.

Introductions were made and the procedure for the meeting outlined.

Mr Paul Brindley (Applicant, JBR Events Ltd) and Mr Abs Rohomon (Agent) were present. Mr Dave Braithwaite (Deputy Licensing Manager) and PC Anton for Leicestershire Police, Mr Tj Mavani (Licensing Team Manager (Licensing Enforcement, LCC), Mr Chris White (Noise and Pollution Control, LCC) and Mr Theo Markham-Crew (Senior Festival and Events Officer, LCC) were present as persons who had made representations. Also present was the Chief Licensing Officer and the Legal Adviser to the Sub-Committee. Two members

of the public who had made representations were not present, but the representations were to be considered by the Sub-Committee.

Prior to commencement of the presentation of the report, Mr Abs Rohomon passed on his condolences to those present for the sad loss of the Chief Constable Simon Cole.

Mr Abs Rohomon then requested that the meeting move into private session when it became necessary to discuss the security of the proposed event. The meeting received legal advice from the Legal Adviser to the Sub-Committee and there were no objections to the request.

AGREED:

That prior to discussing matters of security for the proposed event, the meeting would move into private session.

The Chief Licensing Officer presented the report. It was noted a representation was received on 7 March 2022 from Leicestershire Police on the grounds of all four licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm. The Police were concerned the application failed to promote the four licensing objectives.

A representation was received on 8 March 2022 from the Licensing Enforcement Team on the grounds of all four Licensing objectives. The representee was concerned that the application affected the local community and local policing with regards to noise concerns, likelihood of crime and disorder and security measures surrounding the physical event.

Two representations were received on 9 March 2022 from two members of the public on the grounds of the prevention of crime and disorder and the prevention of public nuisance. They were concerned the application would affect parking in the area and increase crime and disorder.

A representation was received on 4 March 2022 from the Noise Team on the grounds of the prevention of public nuisance. The Noise Team were concerned that noise from the event would cause a disturbance to local residents. The Noise Team had contacted the applicant, and an agreement had been reached to re-word one of the conditions to help prevent disturbance.

Mr Braithwaite and PC Wilson were given the opportunity to outline the details of the Police representation and answered questions from Members and Mr Rohomon.

Mr Mavani was given the opportunity to outline the representation from Licensing Enforcement Team. Mr Chris White (Noise Team) and Mr Markham-Crew (Festival and Events) also made representation. Members asked questions and information was provided.

Mr Rohomon for Mr Brindley outlined the details of the application. At the

request of Mr Rohomon the Chair agreed to move the meeting to Private Session.

RESOLVED:

That the press and public be excluded during consideration of the following information in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involved the likely disclosure of 'Exempt' information, as defined in the paragraph detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it was considered that the public interest in maintaining the information as exempt outweighed the public interest in disclosing the information.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Mr Rohomon and Mr Brindley continued to present information contained in the Events Management Plan to the Sub-Committee and answered questions from the Police.

The meeting then moved back into Public Session.

Mr Rohomon and Mr Brindley continued to present their application and proposed amended condition and answered questions from Members, the Police and Licensing Enforcement.

All parties were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making their decision.

The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision,

In reaching their decision, the Sub-Committee felt they should deliberate in private on the basis that this was in the public interest and as such outweighed the public interest of their deliberation taking place with the parties represented present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that full reasons for the decision would be publicly announced and confirmed in writing within five working days. The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to withdraw from the meeting. Members then deliberated in private to consider their decision.

In reaching their decision the Sub-Committee Members had carefully considered the written report presented by the Chief Licensing Officer and the written and verbal representations made by Leicestershire Police / the Noise Team / Festival and Events and members of the public. The Members had also considered the representations made by the applicant Mr Brindley for JBR Events Ltd and his representative Mr Rohomon, and the legal advice given to them during the hearing. The Sub-Committee Members had taken account of the Statutory Guidance, the Regulators' Code and the Council's Licensing Policy.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for a new premises licence for Beyond Festival, Abbey Park Grounds, Abbey Park Road, Leicester be GRANTED subject to the conditions consistent with the operating schedule, conditions contained within the representation from the Licensing Enforcement Team except for condition 14 which will be replaced by the condition consistent with the representation and agreement with the Noise Team, and three additional conditions.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

- The licence is only valid on the last weekend in June (yearly basis), that weekend being Fri/Sat/Sun.
- The licence is subject to permission being granted by the land/building/area owner for specific use of any event/s planned. This must be evidenced in writing upon request by the Licensing Authority. The Licence Holder will comply with any local policies or regulations that relate to that land/building/area.
- The licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website www.leicester.gov.uk/licensing
- The licence is subject to the licence holder satisfying the deadlines set in relation to submission of any event plans, risk assessments or any other documents or plans required by the Authorities/Agencies as detailed within permission letter issued by the Local Authority. If these deadlines are not adhered to satisfactorily as deemed by the Licensing Authority, the licence is deemed null and void and all licensable activities will not be licensed.
- The licence holder must submit a fully documented event management plan to the Festivals & Events team which must be completed within the agreed timelines. The plan must include full details relating to at the very least; event management structure and contact details, site plans, programme timings, attendance estimations, site, staging and facilities provisions, Emergency risk assessments and access, public communications,

insurances and any other areas of consideration. Consultation must take place between the licence holder and the Festivals & Events team to achieve this and will be adhered to in full.

- The Licensing Authority will consult with all the required authorities/agencies to ensure that all of the conditions are complied with in full and inform the licence holder if this is not the case which will require immediate compliance and if not the condition/s relating to deadlines will come into force.
- The time restrictions of activities stated on the licence are the maximum allowed, however the time limits stated within the event management plan or risk assessments would be those applicable.
- The licence holder will comply with all reasonable actions or steps directed by or an officer acting on behalf of the Licensing Authority.
- The licence holder will consult with the police in relation to any event/s where this licence will be in use.
- The licence holder will submit to Leicestershire Police (Operations planning department or as directed) any documents that they require as part of a documented plan or risk assessment that must be submitted in line within agreed deadlines.
- The licence holder will complete any reasonable requests or instructions issued by the police in relation to the event/s.
- Full consideration and assessment must take place of the security provision. This must be done in consultation with the police, Festivals & Events Team, and the Licensing Authority. The authorities must be satisfied that the provisions are in place, meet the requirements of any event/s and will be adhered to in full.
- Any personnel that require to be SIA registered must be correctly licensed and must display their SIA identification prominently at all times during any event/s.
- The Licence Holder must ensure that all staff (paid or unpaid) selling alcohol are trained on the law with regards to age restricted sales, in particular what identification can be accepted and that this is properly documented.
- The licence holder will monitor and not exceed the maximum safe capacity for any event. This will be determined by the local authority in consultation with partner agencies and detailed on the event management plan.
- The licence holder will take into account public safety in all aspects of any events and this must be documented within the event management plan and any other risk assessments or documents submitted to the satisfaction of the relevant part of the local authority.
- The licence holder will consult and comply with any required public safety actions directed by the relevant parts of the local authority.
- The licence holder will consult with the Traffic Management/Highways or relevant parts of the local authority if required and submit a management plan in relation to traffic/highways management. This must be to the satisfaction of the local authority and complied with in full.
- A comprehensive noise risk assessment must be completed in consultation with the noise pollution team of the local authority. The authority must be satisfied with this assessment and that it will be adhered to in full.

- The licence holder will take all reasonable steps in order to reduce the chances of any event causing a public nuisance.
- If alcohol is being served or sold, then the age verification scheme 'Challenge 25' must be operated and complied with by all staff members. Staff members must be trained in the scheme and specifically what identification can be accepted. Notices advertising that the premises operates a Challenge 25 scheme must be displayed in a clear and prominent position at the entrance to the event and inside the event at all bar serverly arears where alcohol is being served or sold.
- A refusals log shall be in operation at each area where the sale of alcohol is being conducted. The refusals log shall be maintained throughout the event and be made available immediately to the police or Licensing Authority on request.

CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM THE LICENSING ENFORCEMENT TEAM

- The licence is subject to permission being granted by the land/building/area owner for specific use and times of any event/s planned. This must be evidenced in writing upon request by the Licensing Authority. The Licence Holder will comply with any local policies or regulations that relate to that land/building/area.
- The licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website www.leicester.gov.uk/licensing
- The licence is subject to the licence holder satisfying the deadlines set in relation to submission of any event plans, risk assessments or any other documents or plans required by the Authorities/Agencies as detailed within permission letter issued by the Local Authority. If these deadlines are not adhered to satisfactorily as deemed by the Licensing Authority, the licence is deemed null and void and all licensable activities will not be licensed.
- The licence holder must submit a fully documented event management plan to the Festivals & Events team which must be completed within the agreed timelines. The plan must include full details relating to at the very least; event management structure and contact details, site plans, programme timings, attendance estimations, site, staging and facilities provisions, Emergency risk assessments and access, public communications, insurances and any other areas of consideration. Consultation must take place between the licence holder and the Festivals & Events team to achieve this and will be adhered to in full.
- The Licensing Authority will consult with all the required authorities/agencies to ensure that all of the conditions are complied with in full and inform the licence holder if this is not the case which will require immediate compliance and if not the condition/s relating to deadlines will come into force.
- The time restrictions of activities stated on the licence are the maximum allowed, however the time limits stated within the event management plan or risk assessments would be those applicable.
- The licence holder will comply with all reasonable actions or steps directed by or an officer acting on behalf of the Licensing Authority.

- The licence holder will consult with the police in relation to any event/s where this licence will be in use.
- The licence holder will submit to Leicestershire Police (Operations planning department or as directed) any documents that they require as part of a documented plan or risk assessment that must be submitted in line within agreed deadlines.
- The licence holder will complete any reasonable requests or instructions issued by the police in relation to the event/s.
- Full consideration and assessment must take place of the security provision. This must be done in consultation with the police, Festivals & Events Team and the Licensing Authority. The authorities must be satisfied that the provisions are in place, meet the requirements of any event/s and will be adhered to in full.
- Any personnel that require to be SIA registered must be correctly licensed and must display their SIA identification prominently at all times during any event/s.
- The Licence Holder must ensure that all staff (paid or unpaid) selling alcohol are trained on the law with regards to age restricted sales, in particular what identification can be accepted and that this is properly documented.
- The Noise Management Plan, within a prescribed timeframe and manner stipulated by the Leicester City Council Noise and Pollution Team, will be made available to relevant agencies, partner organisations and relevant person/s within community organisations for comment. Any comments may inform the noise management plan including adapting or changing any necessary elements in a proportionate manner based on the event plan each year. This will be arbitrated through the Leicester City Council Noise and Pollution Team.
- The licence holder will take all reasonable steps in order to reduce the chances of any event causing a public nuisance.
- The licence holder will monitor and not exceed the maximum safe capacity for any event. This will be determined by the local authority in consultation with partner agencies and detailed on the event management plan.
- The licence holder will take into account public safety in all aspects of any events and this must be documented within the event management plan and any other risk assessments or documents submitted to the satisfaction of the relevant part of the local authority.
- The licence holder will consult and comply with any required public safety actions directed by the relevant parts of the local authority.
- The licence holder will consult with the Traffic Management/Highways or relevant parts of the local authority if required and submit a management plan in relation to traffic/highways management. This must be to the satisfaction of the local authority and complied with in full.
- If alcohol is being served or sold, then the age verification scheme 'Challenge 25' must be operated and complied with by all staff members. Staff members must be trained in the scheme and specifically what identification can be accepted. Notices advertising that the premises operates a Challenge 25 scheme must be displayed in a clear and prominent position at the entrance to the event and inside the event at all

- bar servery arears where alcohol is being served or sold.
- A refusals log shall be in operation at each area where the sale of alcohol is being conducted. The refusals log shall be maintained throughout the event and be made available immediately to the police or Licensing Authority on request.

CONDITION CONSISTENT WITH THE REPRESENTATION FROM THE NOISE TEAM

- A comprehensive noise management plan must be completed in consultation with the noise pollution team of the local authority. This is to be completed for each event that the licence authorises. Should the local authority noise team deem a noise management plan is not required, this will be indicated in writing to the event organiser. The authority must be satisfied with this assessment and that it will be adhered to in full.

ADDITIONAL CONDITIONS

- The main event as described in the event manual and documented through the Safety Advisory Group process will only take place on the Saturday (of the three-day licence).
- No event of a similar nature to that of the event on the Saturday will take place on the Friday or Sunday of the three-day licence period, with capacity on the Friday and Sunday reduced to a maximum of 4,999.
- All plans submitted in advance of the event must have the full agreement from all relevant authorities/agencies.

The applicant would be provided with the reasons for the decision in writing within five working days.

All parties would be advised of the right to appeal the decision to the Magistrates Court.

5. ANY OTHER URGENT BUSINESS

There being no other items of urgent business, the meeting closed at 1.17pm.