



Leicester
City Council

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

Held: THURSDAY, 1 JUNE 2023 at 10:00 am

P R E S E N T:

Councillor Cank

Councillor Singh Johal

Councillor Pickering

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1. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

Councillor March declared that she was an Elected Member and was objecting as a resident.

4. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the minutes of the meetings held on 7th December 2022 be confirmed as the correct record.

5. APPLICATION FOR A NEW PREMISES LICENCE - FESTIVAL REPUBLIC

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new premises licence for Victoria Park, Leicester, LE1 7YR by Festival Republic Ltd.

Claudia Langmead, Festival Republic Event Manager was present, accompanied by Antonia Kyte BBC Editor of Live Events, Rhys Hughes, BBC Head of Live Events, and Simon Taylor, Legal Representative for the applicant. Mr TJ Mavani (Licensing Team Manager) and Mr Chris White (Noise and Pollution Control, LCC) were present. Members of the Public, including

Councillor Melissa March attending in her personal capacity, were present as representors both in support of and against the application. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

It was noted that there was a member of the press and members of the public in attendance in the Public Gallery which included Councillor Clarke as an observer.

The Chair led on introductions and outlined the procedure the meeting would follow.

The Legal Adviser to the Sub-Committee gave clarification on points relating to the application and that the Sub-Committee were only to consider the licensing aspect and activities that had been requested for the period of time stipulated in the application.

The Licensing Team Manager (Policy and Applications) presented the report and outlined details of the application. It was noted an application was received on 17 April 2023 from Festival Republic Ltd for a new premises licence for Victoria Park, Leicester, LE1 7RY for specified licensable activities on 16 and 17 September 2023.

The Sub-Committee noted that fourteen representations had originally been received in opposition to the application including representations from Licensing Enforcement and the Noise and Pollution Control Team. The representations related to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The representors were concerned about the noise from the event, increased traffic and disorder from attendees and disruption to the site and local area.

The Sub-Committee further noted that sixty-eight positive representations had been received from members of the public in support of the application.

Mr Taylor, the Legal Adviser to the applicant asked the Chair for permission to update the meeting on progress that had been made since the application was first submitted.

The Chair liaised with Officers and agreed for the applicant and their Legal Adviser to address the meeting first.

Mr Taylor addressed the Sub-Committee and assisted by Claudia Langmead answered questions from Members, Officers and representors.

Representors in support of the application addressed the Sub-Committee in turn and Members, Officers and other representors were given the opportunity to ask questions.

Mr Mavani outlined the details of the report from the Licensing Enforcement Team and confirmed that in light of conditions agreed with the applicant the

application was no longer opposed. He answered questions from Members and other representors.

Mr White outlined the details of the report from the Noise and Pollution Control Team and confirmed that in light of conditions agreed with the applicant the application was no longer opposed. He answered questions from Members and other representors.

The Licensing Team Manager with agreement by the parties read out the representation from Mr Morley who was unable to attend the hearing. Ms Langmead addressed the Sub-Committee providing details of the applicant's liaison with people who opposed the application.

Representors against the application addressed the Sub-Committee in turn and Members, Officers and other representors were given the opportunity to ask questions.

All parties present were then 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, Members 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 the decision and reasons would be announced 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 informed the meeting that all but the Democratic Support Officers should withdraw from the room. The Sub-Committee then deliberated in private to consider their decision.

In reviewing the application for a new Premises Licence the Sub-Committee considered the Licensing Officer's Report and all the representations, both written and oral. The Sub-Committee took account of the Statutory Guidance, the Regulators' Code, and the Council's Licensing Policy. The Sub-Committee also took account of documents referred to by the parties including relevant extracts from the Noise Council's Code of Practice on Environmental Noise from Concerts (1995).

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

RESOLVED:

That it was appropriate for the promotion of the licensing objectives to GRANT the application for a new premises licence for Victoria Park, Leicester, LE1 7RY subject to the 62 conditions agreed by Festival Republic Ltd with the Council's Licensing Enforcement and Noise Teams.

6. OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE: 12 CLARENDON PARK ROAD, LEICESTER, LE2 3AD AND 313 WELFORD ROAD, LEICESTER, LE2 6BJ

Councillor Singh Johal as Chair welcomed led on introductions and outlined the procedure of the meeting.

The Director of Neighbourhood and Environmental Services submitted a report that required the sub-committee to determine objections relating to two Temporary Event Notices (TENs) submitted by the applicant Mr Ingram.

The sub-committee noted that objection notices had been received from the Noise and Pollution Control Team in respect of the two Temporary Event Notices (TENs) which necessitated that the Temporary Event Notices be considered by the sub-committee.

Mr Ingram advised the Sub-Committee that he wished to withdraw his Temporary Event Notice for 12 Clarendon Park Road, Leicester and wanted to proceed solely with the second application for an event on 03 June 2023 at 313 Welford Road.

Mr Ingram was accompanied by Mr Hibbert. Mr Chris White (Noise and Pollution Control, LCC) was present. Also present was he Licensing Team Manager (Policy and Applications) and the Legal Advisor to the Sub-Committee were present.

The Licensing Team Manager (Policy and Applications) presented the report. It was noted that an objection had been received from the Noise and Pollution Control Team, on the grounds of prevention of public nuisance.

Mr White outlined the reasons for objection and answered questions from Members and Mr Ingram.

Mr Ingram was given the opportunity to respond to the objection and outlined his reasons for the application and the ways in which he was addressing the licensing objectives. With the agreement of the parties Mr Ingram submitted details of agreement with residents of neighbouring properties to the event at 313 Welford Road. In light of that new information Mr White indicated that he would withdraw the objection to the Temporary Event Notice.

The Sub-Committee noted that the Temporary Event Notice for 12 Clarendon Park Road had been withdrawn by Mr Ingram and that Mr White had withdrawn the objection to the Temporary Event Notice for 313 Welford Road. That brought the Sub-Committee's involvement in the matters to an end.

7. ANY OTHER URGENT BUSINESS

With there being no further business, the meeting closed at 3.48pm.

Minute Item 5

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. This Licence is limited to authorise Licensable Activities for 2 days on 16 and 17 September 2023.
2. The licence holder shall comply with 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 in this Licence. If these deadlines are not adhered to satisfactorily as deemed by the Licensing Authority, the Licensable Activities will not be permitted to take place.
3. The licence holder must submit a draft Event Management Plan (EMP) to the Festivals & Events team, the ESAG and Licensing Authority at least 3 months prior to the first day of the Event. 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 and ESAG.
4. The licence holder shall work in partnership with ESAG to ensure events are planned to take place safely and successfully.
5. The licence holder shall ensure a member of the management team or persons from the management team attend ESAG Meetings to update participants upon progress throughout the planning process.
6. The licence holder shall appoint a member of the management team to prepare and implement the plans included in the EMP.
7. The final draft EMP shall be presented to ESAG for approval no later than 28 days before the first Event Date.
8. Any necessary amendments to the EMP following the approval of the final draft shall be approved by the licensing authority.
9. The licence holder will operate an Event Liaison Team on site. This will consist of key people within the event including first

aid, the Police, security, event managers, Licensing Authority and health and safety representatives. This team will meet at regular intervals during the event to review the event and make any agreed changes needed.

10. There shall be a central control point on site within the licensed premises at which the Licence Holder or their nominated representative shall be available. A radio and a working telephone for contacting the emergency services shall be installed. The number shall be made known to all members of ESAG. The central control point shall be manned at all times by a person capable of communicating with the emergency services.
11. The time restrictions of activities stated on the licence are the maximum allowed, however the time limits stated within the EMP or risk assessments would be those applicable.

PREVENTION OF CRIME & DISORDER

12. A Crowd Management Plan including an access and egress plan shall be drawn up in agreement with the ESAG. These plans shall be implemented whilst licensable activities are taking place and until 30 minutes after the premises close.
13. A Crime Prevention/Reduction plan for the event will be included in the EMP by the licence holder and submitted as part of the planning process. It will focus upon reducing criminal activity within the event footprint and working in partnership with the Police.
14. A Drugs Policy and a Search Policy shall be drawn up in agreement with the ESAG. This shall be implemented whilst the premises are open for licensable activities. There shall be a bag restriction of A3 or less and all of the public and their bags shall be subject to search before entering the event.
15. A record of all persons detained in the Enhanced Search Tent, any quantities of drugs found on their person, their name, address and date of birth (as much as can reasonably be obtained) is to be kept and sent to the Police licensing officers upon request.
16. The licence holder shall provide a list of prohibited items which the public cannot bring into the Licensed Premises. Notices shall be displayed at all entrances to the event site

listing the prohibited items and declaring that individuals found to be in possession of illegal drugs and/or prohibited items shall be refused entry and/or removed from the event.

17. The licence holder shall have the right to refuse entry to and/or remove any unauthorized/disorderly person or any person not complying with the conditions of entry in accordance with the Eviction Policy.
18. Anyone who appears to be drunk or intoxicated shall not be allowed entry to the event site.
19. A designated member of staff shall be responsible for the emptying and packaging of amnesty bins in the presence of the Police officers, this person shall identify themselves to the Police at event control at the start and conclusion of the event.
20. A steel shield fence shall be erected around the perimeter of the event as shown on the site plan and constantly monitored by security staff during the event.
21. The licence holder will consult with the police in relation to any event/s where this licence will be in use.
22. 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.
23. The licence holder will comply with any reasonable requests or instructions issued by the police or an Officer acting on behalf of the Licensing Authority in relation to the event/s.
24. Full consideration and assessment must take place of the security provision. This must be done in consultation with the police, Festivals & Events Team, the Licensing Authority and ESAG. The numbers and deployment of on-site and off-site security personnel (SIA) and stewards shall be agreed by the ESAG prior to the events and included in the final EMP. 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.
25. 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.

26. An Alcohol Management Policy shall be drawn up in agreement with the ESAG. This shall be implemented whilst the premises are open for licensable activities.
27. Whilst the premises are authorized to sell alcohol, there shall be a personal licence holder on duty at all times, at each bar or location where the sale of alcohol takes place.
28. The licence holder must ensure that all staff (paid or unpaid) selling alcohol are trained pertinent to the Licensing Act with regards to age restricted sales, proxy sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs and in particular what identification can be accepted and that this is properly documented.
29. No alcoholic drinks shall be permitted to leave the perimeter of the site. Off sales for the purpose of this licence shall be contained within the licensed site.
30. Customers shall not be permitted to bring alcohol on site or take alcohol from the site at the end of the event and may only consume alcohol which has been purchased from the premises.

PREVENTION OF PUBLIC NUISANCE

31. A suitably qualified and experienced acoustic consultant will be appointed by the licence holder and will prepare a noise management plan (NMP) as part of the EMP to monitor, assess and manage on and off-site noise at the event. The agreed NMP will be implemented by the licence holder at each event.
32. A comprehensive noise risk assessment must be completed in consultation with the noise pollution team of the local authority. The maximum music noise levels shall be fixed by the licence holder's acoustic consultant in conjunction with the noise pollution team. The authority must be satisfied with this assessment and that it will be adhered to in full.
33. The licence holder's acoustic consultant, shall at regular intervals, take noise measurement readings both within the perimeter fence and at the points agreed with the noise

pollution team, outside the perimeter fence to ensure noise levels are complied with at the event. A contact name and the details of the licence holder's acoustic consultant on duty on the day of the event shall be provided to the noise pollution team.

34. The noise sensitive monitoring positions shall be agreed with the noise pollution team and inserted in the Noise Management Plan.
35. A full list of all sound system equipment to be used for each stage shall be submitted to the noise pollution team no later than one month before the commencement of an Event.
36. The licence holder's acoustic consultant shall be in control of noise levels throughout the event and shall operate independently of the Artists in all music areas within the licensed site. The licence holder shall act upon any reasonable requests from the noise pollution team or its own acoustic consultant during the event, including but not limited to the reduction of the sound level.
37. Complaints concerning noise will be investigated by the licence holder's appointed acoustic consultant during the event and measurements will be taken to ensure compliance with music noise limits.
38. The details of all complaints received, actions taken, and measurements made in response to complaints of music noise will be recorded and provided to the Licensing Authority as part of the acoustic consultant's post-event report which shall be provided within 1 month following the event.
39. The licence holder will work closely with suppliers to minimize disruption to local residents from the event.
40. A resident contact information sheet including details of the resident's hotline and email address shall be issued by the Premises Licence Holder at least 2 weeks in advance of the first day of the Event.
41. A resident contact telephone line to contact the site management team will be operated during the build, event and derig. The operational hours will be 08.00 – 20.00hrs during build and derig and 08.00 – 00.00 hrs. during the live event. In

addition, an email address will be available on the event organizer's website.

PUBLIC SAFETY

42. The licence holder will monitor and not exceed the maximum safe capacity for any event. This will be determined by the Licensing Authority in consultation ESAG and detailed in the EMP. Access to the Licensed Premises by the public will only be permitted on production of a valid ticket. These will be scanned on entry and the public will be subject to the event terms and conditions of entry. All staff, crew and artists will only be permitted to the Licensed Premises with approved accreditation.
43. 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 ESAG.
44. The site will be laid out as per the final approved site plan. The site has been designed and will be built to ensure adequate evacuation arrangements.
45. The licence holder will consult and comply with any required public safety actions directed by authorized officers of the local authority.
46. Products sold in glass shall be restricted to on-site designated areas only.
47. The Fire Safety Management Plan shall contain a fire risk assessment and show the appropriate provision of firefighting equipment throughout the site.
48. The licence holder shall carry out a risk assessment to determine the medical provision for the Event. Details of the medical provision shall be contained in the Medical Plan.
49. The licence holder shall provide an on-site welfare provision, details of which shall be contained in the EMP.
50. The licence holder shall provide free drinking water which shall be available within the Licensed Premises.

51. A Signage Plan shall be drawn up in agreement with the ESAG it should show designated access routes and trackway roads around the site perimeter, appropriately illuminated signage above exits and clear demarcation of specific hazards through highlighting and signage.
52. Details of sanitary facilities shall be included in the EMP to ensure there are sufficient toilets and other sanitary provisions on the site. This plan will also provide details for the cleansing of these facilities, all of which shall be agreed with the ESAG.
53. The Lighting Plan will be drawn up in agreement with ESAG before any events take place.
54. Details of the CCTV system shall be part of the EMP and agreed with the ESAG before any events takes place.
55. The licence holder will consult with the Traffic Management/Highways and other relevant officers of the local authority if required and submit a management plan in relation to traffic/highways management which must be agreed with the ESAG before the events take place.
56. A Waste and Litter Plan shall be provided which will include measures for the clearance of litter both inside the site and in a designated area outside the site. Such plan shall be agreed with ESAG and included in the final EMP.
57. Measures to mitigate nuisance and anti-social behavior which may be caused by the arrival and departure of the audience shall be agreed by ESAG and included in the Crowd Management Plan.

PREVENTION OF CHILDREN FROM HARM

58. Where 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 entrances to the event and at all bars where alcohol is being served or sold.

59. An electronic refusals log shall be in operation at each area where the sale of alcohol is being conducted. The record shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The electronic refusals log shall be maintained throughout the event and be made available for inspection by the police or authorized Officer of the Licensing Authority on request.
60. The procedures for safeguarding vulnerable persons and any persons under the age of 18 on event days will be contained in the EMP and a dedicated Safeguarding Coordinator shall be on site throughout the time the Licensed Premises are open to the public.
61. Any person aged under 18 shall be accompanied by a ticket holder aged 18 or above.
62. The Welfare Team shall hand out wrist bands at the entrance to the Licensed Premises to young and vulnerable people so parents/guardians can write a contact telephone number on it.