



Minutes of a meeting of Licensing Sub-Committee (Licensing Act 2003 Matters) held on Wednesday, 13 July 2022.

Councillors present:

Ray Brassington

Stephen Hirst - Chair

Gary Selwyn

Officers present:

Kevin Dunford – Licensing Officer

Caleb Harris – Democratic Services Officer

Wayne Smith – Democratic Services

5 Election of Chair and Apologies

The Licensing Sub-Committee reconvened following its adjournment on Wednesday 29 June 2022 and the Sub-Committee Members introduced themselves.

Councillor Brassington proposed that Councillor Hirst should be re-elected as Chair of the Licensing Sub-Committee for the duration of the meeting. This was seconded by Councillor Selwyn.

RESOLVED: The Committee re-appointed Councillor Hirst as Chair of The Licensing Sub-Committee for the duration of the meeting.

Voting Record – For 3, Against 0, Abstentions 0, Absent 0

There were no apologies

6 Declarations of interest

There were no declarations of interest from members.

There were no declarations of interest from officers.

7 Application for new Premises Licence

The Chair invited the Licensing Officer to present the application

The Licensing Officer provided an outline of the application made by Berrybank Park Events limited for a new Premises License for the Amphitheatre and Pavilion at Berrybank Park, Main Road, Oddington, Moreton-in-Marsh, Gloucestershire

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The Licensing Officer described the venue, the Statement of Licensing Policy and the statutory guidelines requiring Licensing Authorities to consider four objectives when deciding to whether to grant or refuse a Premises Licence. These objectives were:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance and
- The protection of children from harm

The Chair invited questions to the Licensing Officer

The Sub-Committee confirmed that the application for a new Premises Licence, and the additional subsequent documentation containing plans, a statement, the Traffic Management Plan, the Noise Management Plan and supporting documentation had now been read and noted.

The Sub-Committee noted that the subsequent documentation was not part of the application for the new Premises Licence, but had accepted and considered it as useful additional information.

The Chair invited the Applicant to present their case.

The Applicant, Mr Keith Cockell stated that the Amphitheatre and venue were created as a tribute to his deceased wife who had enjoyed and supported creative performing arts.

The Applicant stated that during its development, regular communication had been maintained with local residents through village newsletters, and this had built a sense of cooperation between the venue and the local village, and this had led to a Village Festival being one of the first events to take place at the venue.

The Applicant stated that the aim of the venue was to attract and host music and dramatic arts productions, providing easily accessible and affordable cultural events to local people. Ticket sales and positive local feedback had indicated that this was being achieved.

The Applicant stated that they were mindful of the concerns of the Objectors and had compromised on a number of issues to mitigate particular areas of concern (e.g. fireworks startling horses)

The Chair invited Questions to the Applicant

The Sub-Committee commented that the Safety Management Plan indicated only one First Aid Kit would be available for a venue with a maximum capacity of 500 people. In response, the Applicant confirmed that this would be increased to three First Aid Kits.

The Sub-Committee commented that the Safety Management Plan indicated headsets would need to be worn by venue staff to enable communication when (loud) live music was playing.

The Sub-Committee commented that the Applicant did not know which guidelines indicated that the men's toilet provision of one cubical and three urinals were adequate for a venue with a maximum capacity of 500.

The Sub-Committee noted that an Alcohol Refusal Log was an electronic application added the tills that would capture individuals who had: been challenged and produced proof of

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identity, been challenged and produced fake proof of identity or appeared to be drunk or intoxicated,

The Sub-Committee noted that two SIA registered security staff would attend each event to deal with any incidents and other staff would be employed to deal with other event attendees.

The Sub-Committee noted that the 'suitable criteria' for controlling music included: having events during the day, avoiding low frequency bass music amplification and monitoring sound levels using a sound metering equipment

The Sub-Committee noted that the list of locations where sound levels would be taken was inconsistent and unclear, and the suitability and sensitivity of the Applicant's digital sound metering equipment was not known.

The Sub-Committee noted that sound metering tests would be taken by the Director of Park Events, David Hamblett. However their level of proficiency using sound metering equipment and previous training was not known by the Applicant.

The Sub-Committee noted that complaints could be made in person at the control marquee at the venue or by telephone to a number publicised on the venue website and other printed material.

The Chair invited the Objector to present their case

The Objector, Mr Gary Johnson stated that although it was accepted that the supplementary documentation was not part of the application, it did contain information that described situations that were of concern to those who had objected.

The Objector stated that although it was accepted that the village newsletter had been used to inform local residents about the venue, these had not been delivered to their property or other properties on the main road next to the venue.

The Objector stated that the Applicant's original motivation to create the venue was understood. However the venue was now a commercial venture that was there to make money.

The Objector stated that signage boards promoting the venue had been created and placed around Gloucestershire and Oxfordshire. The boards in Gloucestershire had subsequently disappeared, following representation from Gloucestershire Highways department, the Applicant had not voluntarily removed them from Oxfordshire.

The Objector stated that the Premises Licence was likely to increase in the future potentially to be held 365 days per year without restriction as events had already increased from 5 to 38 (not including weddings).

The Objector noted that the venue was being promoted for summer events and suggested restricting the period of the licence to the summer months.

The Objector accepted that the venue and events were popular with local residents. However those residents did not live next to the venue and they would therefore not be adversely affected by it.

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The Objector stated that road safety was one of the four objectives that the Sub-Committee was required to consider, and in the application Traffic Management Plan early leavers would be required to turn left out of the venue irrespective of their intended destination. This would cause motorists wanting to turn right to turn left, drive down the road a few hundred meters and turn around in the garage forecourt outside the Objector' home. This situation would also cause vehicles to end up beside each other, with both blocking the line of sight of the other.

The Chair invited questions to the Objector

The Sub-Committee noted that the majority of the objections were not relevant to the issuing of a new Premises License. However they could be raised through other routes (e.g. Development Control and Environmental Health).

The Sub-Committee noted that the Objector had not made a formal noise complaint to the Council's Environmental Health department.

The Chair confirmed with both the Applicant and Objector that they had been given the opportunity to say what they wanted to say.

The Chair adjourned the meeting at 3.20pm, and the Sub-Committee retired to deliberate.

The Chair reconvened the Licensing Sub-Committee at 3.40pm

The Chair stated that following comprehensive and extensive discussions, the Licensing Sub-Committee had decided to **GRANT the Premises License** to Berrybank Park Events limited for the Amphitheatre and Pavilion at Berrybank Park, Main Road, Oddington, Moreton-in-Marsh, Gloucestershire, subject to the agreed conditions that are:

- SIA approved security staff onsite for every event.
- Maximum Capacity of premises is not to exceed 500.
- All events are pre-booked.
- The entrance gate will be closed or have security staff next to the entrance once ticket holders and guests are onsite.
- Age guidance displayed on all events.
- Operate a Challenge 25 verification scheme

The Meeting commenced at Time Not Specified and closed at Time Not Specified

Chair

(END)