

At a meeting of the Licensing Panel held in Cumberland Suite, Market Hall, Church Road, Wigton, CA7 9AA on Wednesday 21 August 2019 at 10.00 am

Members

Councillor Peter Gaston
Councillor Peter Kendall

Councillor Malcolm Grainger

Staff Present

D Fletcher, J Irving, L Jardine and J Morgan

104. Election of Chair

Councillor Malcolm Grainger was elected Chair for the ensuing meeting.

105. Declaration of Interests

5. To consider representations received in relation to an application for a premises licence.

Councillor Malcolm Grainger; Other Interest; Daughter in Law attends Solfest as a Volunteer.

106. Questions

None received

107. To consider representations received in relation to an application for a premises licence

The Licensing and Compliance Officer submitted a report to consider representations received in relation to an application for a premises licence.

The report concerned an application for a premises licence for Land at Holly House, Goodyhills, Mawbray, CA15 6QX.

The applicant was Solfest Limited.

The applicant had put forward the same conditions that have previously been attached to a premises licence for this festival.

Members were given site layout and site location plans.

The Licensing and Compliance Officer answered questions from the panel, confirming that Solfest would go ahead regardless of this meeting outcome as this was a meeting to only determine licensable activities.

The Applicant, Simon Kay provided his representations, acknowledging that this was a complex application but that the event has an excellent reputation that takes pride in being family friendly. He went on to explain that he has tried to

work with as many local residents as possible and that he has not had any previous representations against the running of the festival.

He continued to explain that the 2019 festival was smaller, using new fields with improved traffic access.

The applicant then answered questions from the panel. In response he explained that the event can cope with 5000 cars but only 3000 were expected, he also provided a breakdown of all staff/volunteers that were in place to ensure smooth running of the festival. The panel also asked several questions in relation to traffic and car parking, CCTV, trespassing, stop and search and welfare/first aid.

The panel then heard the representations from residents who had submitted their objections.

Objector IP01 shared their concerns with the close proximity of the site to their dwelling, the significant impact to their living arrangements and the impact on their young family. IP01 also stated that crime and traffic issues were also an issue.

Objector IP2 advised that they had issues with this festival in previous years, including trespassing and crime. They went onto explain the potential traffic issues and the difficulty they will face when leaving their dwelling, IP02 also suggested that the distance from their property to the festival should be 500m, not 200m.

Objector IP3 was concerned with traffic volume, the legality of the legal notices and communication issues.

The panel were advised of 4 further written objections in regards to traffic volume and access.

The applicant provided his response to each objector and then provided a summary of his representations, including responses to concerns raised by objectors. He reminded the panel of the traffic management plan in place, of the mitigations to reduce nuisance and clarified the plans in relation to security and staffing/volunteers.

All parties then had the opportunity to ask any further questions and to summarise any points they had raised.

All parties were then asked to leave the meeting for the panel to consider the application.

The Panel considered all information presented to it in the officers report, the additional papers provided and the representations provided at the meeting.

Councillor Peter Gaston moved the motion to approve the Premises Licence

This was seconded by Councillor Peter Kendall.

A vote followed, 3 voted in favour of the motion, 0 against and 0 abstentions.

The motion was carried.

Resolved

To grant the premises licence.

Decision/Reason

In making its decision, the Panel had regard to the four licensing objectives under the Licensing Act 2003, in particular public safety, the prevention of crime and disorder and the prevention of public nuisance. The Panel had also taken into account the oral and written representations made by residents, the information provided by Environmental Health, Highways and the police, representations received from the Premises licence holder and the information set out in the report by the Licensing and Compliance Officer. The Panel has also had regard to the advice provided by the Legal Officer.

The Panel has considered the Secretary of State's guidance under section 182 of the Licensing Act 2003, the Council's Licensing Policy and Human Rights.

The Panel sought to balance the interests of the residents and the licence holder. The Panel considered all of the residents' representations in full. The Panel noted that Environmental Health, the police and Highways were agreeable to the conditions as presented.

The Panel considered the options available to it, which were:

- a) To grant the licence subject to the conditions mentioned in the operating schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and any mandatory condition.
- b) To exclude a licensable activity from the scope of the licence
- c) To refuse to specify a person in the licence as the designated premises supervisor
- d) To reject the application

The Panel felt that it was reasonable and proportionate to grant the licence subject to the conditions as presented in the operating schedule, and any condition which must under section 19, 20 or 21 be included in the licence.

If any party is aggrieved by this decision, they were advised of the right to appeal to the Magistrates Court within 21 days of receiving written notification of the decision.

The meeting closed at 1.20 pm