

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD  
AT FOLLATON HOUSE, TOTNES, TUESDAY 13 MARCH 2007**

Present: Councillors Beer, Rothwell and Saltern  
Miss L Broad, Licensing Officer, SHDC  
Mr C Miles, Legal Assistant, SHDC  
Mr G Munson, Licensing Manager, SHDC

The applicant plus 4 representatives

**LSC.20/06 APPOINTMENT OF CHAIRMAN**

**RESOLVED**

That Cllr Beer be appointed Chairman for the duration of the meeting.

**LSC.21/06 DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none was made.

**LSC.22/06 DETERMINATION OF AN APPLICATION FOR A NEW  
PREMISES LICENCE UNDER THE LICENSING ACT 2003:  
Newnham Park, Plympton, Plymouth**

**1. Introduction**

The Chairman introduced the Members of the Sub-Committee, the Licensing Officers and Legal Officer. The applicant and interested parties who were in attendance for this application were then asked to identify themselves and were invited to come forward.

**2. Procedure to be followed**

The Legal Officer in attendance outlined the procedure to be followed at the hearing, which had previously been circulated to interested parties as part of the Notice of Hearing.

### **3. Licensing Officer's Report**

The Licensing Manager presented his report and outlined the application before the Sub-Committee. He advised that 38 letters of representation had been received by members of the public along with representations from the Devon Fire and Rescue Service, Environmental Health and the Devon and Cornwall Police Constabulary. The principle concerns expressed by those in objection were as summarised in the presented report.

The Licensing Manager then drew attention to the revised application submitted, following the applicants consideration of concerns raised by the residents and responsible authorities. It was noted that the responsible authorities were satisfied with the revised schedule which was amended to accommodate only two yearly events with live music ceasing at 10.30pm. Attention was also drawn to a traffic management plan, which had been produced by the applicants. The plan set out the requirements and provisions to be implemented in order to achieve the most efficient and safe movement of vehicles on the public highways around the site, in conjunction with the efficient movement of vehicles onto and off the site, before during and after the event. With the aid of pictures, the Licensing Manager demonstrated how these provisions were to be implemented. Furthermore, it was noted that the applicant was intending to widen the access gate to the field to ensure improved traffic flow and visibility.

### **4. Address by the Applicants**

The Applicant's Legal Representative outlined the revised application. The applicant had worked closely with relevant authorities and parties to ensure that all concerns were taken into account. It was felt that the lack of representation from interested parties at the hearing evidenced that generally parties were satisfied. However, it was noted that a lot of work was still to be completed prior to the anticipated event, which was subject to the outcome of this hearing.

The legal representative then proceeded to introduce each of the representatives and outlined their involvement/interest in the application.

The Applicant's Legal Representative commented on the concerns raised by local residents, informing the committee that a number of these concerns were based on an event which was held at the premises two years previously. The said event took place over four days and caused excessive noise and traffic gridlock. The revised schedule incorporated the provision that during licensed hours, the music noise level for the octave bands with centre frequencies of 63 and 125 Hz would not exceed 75 dB, which would satisfy the noise level concern.

In discussion on the traffic management issue, it was noted that following a meeting with all organisations on 2 March 2007, the police were satisfied with its proposal along with the highways departments from both Devon County Council and Plymouth City Council. The plan was explained to the committee, highlighting the following aspects:-

- car parking capacity for approximately 4,500 cars;
- closure of the B3417 road (between the Newnham Road and Hemerdon Lane) to allow for safe pedestrian access, although there would be access for residents of the road. Signage would be in place requesting pedestrians to keep left for authorised vehicle access;
- disabled access;
- marshals at various locations to prevent parking on private properties and unauthorised access to the closed B3417. Moreover, marshals would ensure safe pedestrian crossing of roads;
- the placement of a trackway in the parking field to assist in the movement of traffic. Speed restrictions would apply;
- coning along Newnham Road to prevent indiscriminate parking;
- the traffic team being part of the site control room and have communication with the promoter and security throughout the event.

## **6. Questions**

The Chairman invited those in attendance to seek further clarification of issues if required. During this session, the following points were made:-

- a) a Member queried as to how the predicted level for the number of cars had been established. In response it was noted that the figure was based on experience of other venues in similar locations. For the benefit of this event, it was worked on the basis of 1 car per 4 people bearing in mind a number would walk to the venue or use public transport;

- b) if the music was to stop at 10.30pm when approximately would the last car be expected to leave the grounds. In response, it was thought that all vehicles and pedestrians would have vacated the site by no later than 1.00am;
- c) the possibility of preventing cars parking on the residential estate. It was noted that legally there was no act of law which prevented people parking on authorised public highways. However, it was thought that with the combination of constant traffic flow into the field, the number of spaces available and the short walking distance to the venue from the field, this would aid in getting people to use the on site parking facilities;
- d) confirmation that access to the event was by ticket only and the price of the ticket included the parking provisions;
- e) assurance that noise levels would be monitored throughout the event from specific points in the surrounding area and sound adjustments would be made if deemed necessary;
- f) in terms of set up time for the event it was thought that it would be approximately 2/3 days, with 2 days to clear up following the event. The clearing of litter would commence following the immediate conclusion of the event ;
- g) reassurance that the applicants were satisfied with the emergency vehicle access.

Prior to adjourning to deliberate, the Chairman ensured that all those present were satisfied that their views had been aired and that all parties had no further questions which they wished to raise.

The Chairman of the Committee extended his compliments to the Licensing Manager, Licensing Officer and Legal Assistant for the work they had put into this application. He also extended his thanks to the applicant and his representatives for the nature of their presentation and for considering the concerns of those who had made representations to the applications.

## **6. Committee Adjourned**

At this stage, the Committee adjourned to deliberate. It was joined by the Legal Assistant who gave advice on legal matters and wording only but did not take an active role in the deliberations.

## **The Decision**

On returning the Chairman announced the decision:

“We have considered the application for a premises licence under the Licensing Act 2003.

We have given due regard to:

- the representations made in writing and those presented to us today
- our own Statement of Licensing Policy
- The Government guidance issued under the Act
- The promotion of the licensing objectives
- The amendments to the original application by the Applicants

In reaching our decision, we have taken into account the likelihood of additional noise nuisance posed by such events, the proposed number of events, the number of anticipated visitors, the likelihood of traffic congestion around and leading to the venue, and the impact on the quality of life for those who live in the immediate vicinity.

It our decision therefore to:

Grant the application, as amended, subject to the offered terms in the licensing schedule.”

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Chairman