



City and County of Swansea

Minutes of the **Statutory Licensing Sub Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Wednesday, 31 January 2024 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)
P Lloyd

Councillor(s)
M W Locke

Officer(s)

Craig Davies

Lead Lawyer

Rachel Loosemore

Operational Lead - Licensing

Lindsey Stock

Licensing Officer

Samantha Woon

Democratic Services Officer

Also Present:

Theo Larn-Jones, Founder & Festival Director – Love Trials

Sarah Pritchard, Head of Production – Love Trials

Ollie Baxter - Head of Music – Love Trials

Lou Jennings - Strategic Director – Love Trials

Joe Allister - Route Designer & Landowner Permission – Love Trials

Sgt Chris Dix – South Wales Police

PC Nicola Evans – South Wales Police

PC Paul Jones – South Wales Police

Adrian Johnson – Pollution Control

Jenny Azeem – Pollution Control

S Frobisher – Other Person

C Thomas/D Thomas – Other Person

D John – Other Person

J Evans – Other Person

L Pearce – Other Person

V Pearce – Other Person

D Willis – Other Person

R Davies – Other Person

Cllr R D Lewis, Ward Member

Apologies for Absence

Councillor(s): None.

1 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

2 Statutory Licensing Sub Committee Procedure (For Information).

The Lead Lawyer recommended that the Committee adjourn in order for supplementary documents to be circulated.

Adjourned at 10:06 am

Re-convened at 10:16 am

The Lead Lawyer referred to the supplementary information which had been circulated and presented the Statutory Licensing Sub Committee Procedure, for information.

3 Licensing Act 2003 - Section 34 - Application to Vary a Premises Licence - Weobley Castle, Llanrhidian, Swansea, SA3 1HB.

The Chair welcomed all attendees requested that all present introduced themselves.

The Licensing Officer reported on the application to vary a Premises Licence in respect of Weobley Castle, Llanrhidian, Swansea, SA3 1HB which had been received by the Authority on 11 December 2023.

She referred to the licensing objectives, policy considerations, the guidance from the Home Office and action following consideration of the Responsible Authority's and Other Persons Representations.

Specific reference was made to the application (and plan) for a premises licence at Appendix A and A1. The existing premises licence and plan was detailed at Appendix B and B1. The location plan and licensed areas was attached at Appendix C and C1. Relevant Representations were detailed at Appendix D.

The Lead Lawyer referred to the supplementary information previously circulated which contained modifications submitted by the Applicant.

A representation was made by two Responsible Authorities (South Wales Police and Trading Standards) at Appendix D. Twenty four representations had been received from Other Persons also detailed at Appendix D.

A representation had been received from South Wales Police on 5 January 2024. The representation was based on the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

A representation had been received from Pollution Control on 3 January 2024. The representation was based on the prevention of public nuisance.

Twenty four representations had been received from Other Persons. The representations related to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The Lead Lawyer referred to the addition of Dance and a request to increase capacity to 4999 individuals.

In response to Member questions, PC P Jones, Police Licensing Officer, advised that the request to increase capacity would be referred to the Safety Advisory Group (SAG) and there had been a total of 4 incidents reported over the years.

Mr A Johnson, Pollution Control, further amplified the written representations and referred to concerns in relation to the Noise Management Plan. The Plan did not contain information regarding procedures to prevent noise from travelling and did not go far enough to address the concerns of residents. It was noted that there was a history of noise complaints from residents over the years. He confirmed that the noise complaints were specifically related to this event at Weobley and other events held had not generated noise complaints for many years.

The Lead Lawyer stated that the Committee Members would not be focussed on the Event and Sound Management Plans as both documents were draft and would be modified by the event organisers who would liaise with the SAG. Neither document would be finalised for a further three months. He reiterated that every application would be dealt with on its own merits.

Councillor R D Lewis, Ward Member, further amplified his written representations regarding the undermining the Licensing Objectives. He referred to the risks to the local community and the lack of Police Officers within Gower. He urged the Committee to refuse the application.

The Lead Lawyer stated that the event has an existing licence. He asked all present to consider whether the modified application would alleviate the concerns raised and was reasonable.

L Pearce further amplified her written representations in relation to the undermining of the Licensing Objectives and stated that the current licence appeared to be reasonable. She detailed her objections to an increase in capacity which would have a detrimental effect on the infrastructure of the area which was already under pressure during such events.

In response to a question, the Lead Lawyer stated that a licence could legitimately be granted without a Sound Management Plan and explained the role and membership of the SAG who had ultimate responsibility for modifying and agreeing the Sound Management Plan.

V Pearce further amplified his written representations regarding the undermining of the Licensing Objectives and stated that the current licence negatively impacts the Community. He referred to large music events, such as Glastonbury closing at 12:30 hours.

D Crowley further amplified his written representations regarding the undermining of the Licensing Objectives and referred to noise nuisance being audible in the village of Scurlage.

D John, further amplified her written representations regarding the undermining of the Licensing Objectives and referred to noise nuisance, health and safety concerns and the impact on the infrastructure of the Community.

J Evans further amplified her written representations regarding the undermining of the Licensing Objectives and referred to impact on existing businesses (caravan sites), noise nuisance and safety concerns.

D Thomas further amplified her written representations regarding the undermining of the Licensing Objectives and referred to the lack of communication with event organisers, impact on existing businesses, noise nuisance and affect on local wildlife.

In response to a Member question, the Licensing Officer confirmed that notices had been displayed in accordance with legislation.

T Larn Jones, Founder and Festival Director, assisted by S Pritchard, Head of Production, O Baxter, Head of Music, L Jennings, Strategic Director and J Allister, Route Designer and Landowner Permissions amplified the following information (which had been previously circulated to all present):

- Why we are here.
- Our priorities.
- The Love Trials Festival audience.
- A typical Love Trials day and attendee.
- Why we originally requested the license amendments.
- The original request.
- We are now requesting, on review.
- Summary.
- Event Timelines.
- Mitigations: Our assurances to you.
- How we ensure we run the safest and most enjoyable event for all.
- Love Trials, Love Gower.

O Larn Jones, Founder & Festival Director concluded by summarizing the benefits of the Festival in supporting Wales and the local Community.

The Lead Lawyer referred to the individuals attending on line who had not previously had the opportunity to speak.

R Davies further amplified his written representations regarding the undermining of the Licensing Objectives and made specific reference to noise nuisance.

S Frobisher further amplified his written representation regarding the undermining of the Licensing Objectives and made specific reference to noise nuisance.

D Willis further amplified his written representation regarding the undermining of the Licensing Objectives and made specific reference to lack of communication with event organisers, difficulties with the one way road traffic system during the event and excess litter on trail routes.

In response to questions the Founder and Festival Director stated that:

- The rationale for requesting a variation was in response to a duty of care to event attendees to ensure future stability by creating a financially viable business and demand from event attendees for entertainment later into the night.
- Attendees would be transported via coaches/buses from all over the UK to the event entrance therefore reducing congestion.
- The event was committed to communicating with local residents and concerns regarding lack of communication would be addressed.
- Concerns regarding litter on trails would be investigated and remedied.
- Water for the event was sourced from all over the UK.

Sergeant C Dix, Police Licensing Officer, amplified concerns regarding increased capacity, hours of potential alcohol consumption and the distance from emergency services.

In conclusion, the Founder and Festival Director referred to the modified application which had addressed the concerns raised by the Responsible Authorities and Other Persons and stated that he wished to work in collaboration with all concerned to provide a safe and enjoyable event.

It was **resolved** that the press and public be excluded from the hearing in accordance with paragraph 14 of the Licensing Act (Hearings) Regulations 2005, to enable the Sub-Committee to take legal advice.

The Chair thanked the participants for their attendance.

(Closed Session)

Members discussed the issues relating to the application.

(Open Session)

The Sub-Committee **Resolved** to **Reject Part** of the application to vary the licence.

Reject

Films

Thursday	1600 hours to 0100 hours
Friday - Sunday	1000 hours to 0100 hours

Live Music

Thursday	1600 hours – 0100 hours (as further modified at committee - 0000)
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Friday 0900 hours – 0300 hours (as further modified at committee - 0200)
Saturday 0900 hours - 0400 hours (as further modified at committee - 0300)
Sunday 0900 hours - 0200 hours (as further modified at committee - 0100)

Recorded Music

Thursday 1600 hours to 0100 hours (as further modified at committee - 0000)
Friday 0900 hours to 0300 hours (as further modified at committee - 0200)
Saturday 0900 hours to 0400 hours (as further modified at committee - 0300)
Sunday 0900 hours to 0200 hours (as further modified at committee - 0100)

Alcohol

Thursday 1200 hours to 0230 hours (as further modified at committee - 0030)
Friday 1200 hours to 0330 hours (as further modified at committee - 0300)
Saturday 1200 hours to 0430 hours (as further modified at committee - 0300)
Sunday 1200 hours to 0230 hours (as further modified at committee - 0100)

Late-night refreshment

Thursday 2300 hours to 0200 hours (as further modified at committee - 0100)
Friday 2300 hours to 0400 hours (as further modified at committee - 0330)
Saturday 2300 hours to 0400 hours (as further modified at committee - 0330)
Sunday 2300 hours to 0300 hours (as further modified at committee - 0200)

Increase capacity to 4,999 persons.

The sub-committee **Agree to modify** the licence subject to the conditions consistent with the modified operating schedule and as considered appropriate for the promotion of the licensing objectives as below:

Agree to modify:

Opening Hours of Premises

Site opens at 1200 on Thursday and closes at 1200 on Monday.

Late-night refreshment

Saturday 2300 hours to 0200 hours

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Sunday 2300 hours to 0000 hours

Performance of Dance

Thursday 1200 hours to 0000 hours

Friday 1000 hours to 0100 hours

Saturday 1000 hours to 0200 hours

Sunday 1000 hours to 2300 hours

Supply of Alcohol

Thursday 1200 hours to 0000 hours

Exhibition of Films

Thursday 1200 hours to 0000 hours

The additional conditions offered:

New licence

Supply of Alcohol

Thursday 1200 hours to 0000 hours

Fridays 1200 hours to 0200 hours

Saturday 1200 hours to 0200 hours

Sunday 1200 hours to 2300 hours

Performance of Live Music

Thursday 1200 hours to 0000 hours

Fridays 1000 hours to 0100 hours

Saturday 1000 hours to 0200 hours

Sunday 1000 hours to 2300 hours

Playback of Recorded Music

Thursday 16:00 hours to 00:00 hours

Fridays 10:00 hours to 01:00 hours

Saturday 10:00 hours to 02:00 hours

Sunday 10:00 hours to 23:00 hours

Performance of Dance

Thursday 1200 hours to 0000 hours

Friday 1000 hours to 0100 hours

Saturday 1000 hours to 0200 hours

Sunday 1000 hours to 2300 hours

Late-night refreshment

Thursday 2300 hours to 0000 hours

Friday 2300 hours to 0200 hours

Saturday 2300 hours to 0200 hours

Sunday 2300 hours to 0000 hours

Exhibition of Films

Thursday 1200 hours to 0000 hours
Friday to Sunday 1000 hours to 0000 hours

The opening hours of the premises

Thursday 1200 hours to 0000 hours
Friday 0001 hours to 0000 hours
Saturday 0001 hours to 0000 hours
Sunday 0001 hours to 0000 hours
Monday 0001 hours to 1200 hours

Capacity to remain 4,000 persons.

Conditions as modified:

1. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
2. No drinks shall be served in glass containers at any time.
3. No glass bottles are allowed on the premises by attendees, at any time.
4. The number of SIA licensed door supervisors will be subject to the Risk Assessment and is outlined in the Event Management Plan. A final security plan will be available 31 days prior to the event and pre-negotiated with the responsible authorities of Swansea Council.
5. A detailed bound numerical register of door supervisors to be maintained at all times at the premises. Such a register to include the name, registration number, contact details of the member of door staff along with the date, time on duty and time off duty. Full details of the agency supplying the staff to be endorsed and the register to be available for inspection on request by an Authorised officer.
6. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
7. An incident recording book, bound in numerical order, shall be maintained at the premises showing details of the date and time of assaults, injuries, accidents, or ejections, as well as details of the members of staff involved, the nature of the incident and the action/outcome. the book must be kept available for inspection by the police and authorised officers of the licencing authority.
8. The consumption of soft or alcoholic drinks is prohibited on the highway outside the premises.
9. All alcohol will be displayed behind the counter and supplied on a counter service provision only.
10. The number of persons permitted in the premises at any one time shall not exceed 4000.

11. A mobile medical team shall be present at the premises at all times the premises is open to the public.
12. Free drinkable water will be available across the site and the water will be tested in advance.
13. Rubbish disposal points to be placed throughout the site including regular sweeps from the litter team.
14. Compost eco toilets will be available to all attendees at a ratio of roughly 1 per 80 females and 1 per 400 males as per industry standard.
15. Substantial food and non-intoxicating beverages, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
17. A direct telephone number for the manager of the premises shall be publicly available at all times the premises is open. The telephone number is to be made available to residents in the vicinity.
18. Specific children's festival tickets are on sale for those under the age of 18 and these ticket holders will receive a different festival wristband to general ticket holders.
19. A challenge 21 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.
20. Challenge 21 posters will be present at every bar.
21. A detailed refusal logbook shall be kept detailing all refused sales of alcohol. The log will be kept on every bar and shall be available for inspection at the premises by the police or an authorised officer of the council at all times the premises is open.
22. Bar briefings will take place every morning of the event and a signed log will be kept of everyone who attends the briefing.
23. Event Management Plan will be submitted to Safety Advisory Group 3 months prior to the event.
24. The licence holder will seek a qualified safety officer to ensure compliance with the event management plan.
25. A risk assessment, and fire specific risk assessment will be undertaken for all stages of the festival, including build days, during the event, and de-rig periods.
26. Emergency vehicle access points will be available and kept clear at all times.

27. Temporary structures will have exit points with clear lighting where needed.
28. Sufficient fire-fighting equipment will be provided throughout the licensed premises and documented within the event management plan.
29. Appropriate fencing and barriers will be in place where necessary to prevent unauthorised access to the site.
30. All structures will be signed off by the third-party contractor.
31. All power and distribution will be bs7090 certificated and signed off by the contractor.
32. A resident's letter will be sent out to all residents within the noise catchment area, offering entry to the festival, along with a 24-hour noise complaint phone number.
33. Direction and position of any amplified music will be laid out in such a way to minimise noise impact, with temporary structures in place to block noise as much as possible.
34. A full noise management plan will be in place (including perimeter walks and sound checks) and outlined in the event management plan.
35. Waste management contractor will be employed to manage waste and recycling generated by the event.
36. Children must be accompanied by an adult at all times throughout the festival.
37. A safe area for children and young people will be available at the event incorporating an appropriate programme of activities. All staff within this space will be suitably qualified or DBS checked.
38. A lost child policy will be in place, for which the escalation policy is agreed in advance between senior leadership team, medical staff, security staff and full details of how this objective will be met will be included in the Event Management Plan.

Reason for decision:

The Committee noted no representations had been received from Trading Standards, Mid and West Wales Fire Authority, Health and Safety, Planning Authority, Child Protection, the Local Health Board, the Licensing authority, or Immigration.

The Committee noted representations had been made by two Responsible Authorities (South Wales Police and Pollution division) and twenty-four representations had been received from Other Persons

The representation in the objection received from South Wales Police on 8 January 2024 is based on the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm and gave in depth written reasoning for each objection under the licensing objectives.

During the Committee the officers in attendance further developed their reasoning and confirmed they continue to object to the extension of the newly modified licensing hours, and that this large event set in a rural location will have limited police coverage. The members did note the comment from Sergeant Dix that the police would not be opposed to the addition of late-night refreshment and dance to a modified licence.

The representation in objection received from the Pollution Division on 2nd January 2024 was in respect of the Prevention of Public Nuisance, on the basis that the division are not satisfied that the Noise Management Plan would allay their concerns that any amplified music in the early hours of the morning would cause a nuisance to Gower residents. Given the very low background noise levels on the Gower their view was that low frequency content of amplified music will be heard up to 2 miles away and that view was evidenced by the complaints that had been received in respect of previous Love Trails Festival.

The Pollution Department noted that stages would be strategically set up and sound deadening structures would be erected, however these measures would in their view be insufficient to remove the nuisance and their representation in objection would remain.

The twenty-four additional representations were received from Other Persons which related to the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm. The prominent basis of those representations the nuisance emulating from amplified sound into the evening / while persons were attempting to sleep. The residents questioned the necessity and reasoning of an increase in the licensed hours of the supply of alcohol as per the original and modified application; Additionally commenting that the extension of film, live and recorded music and associated refreshment would not promote the objectives.

Residents also commented on the limited availability of water on site and in the surrounding areas and the associated fire risk that brings, stating that an increase in the capacity of the event would further reduce the availability of water if and ability to deal with such an incident if one were to develop, as has happened in the past.

The Committee noted that the applicant had engaged with the responsible authorities prior to the committee and in response had submitted reduced hours of supply of alcohol, live and recorded music, and late-night refreshment. However, those reductions were not sufficiently reduced to promote the objectives to enable the responsible authorities to change their view to agree the submitted modifications to the application in its entirety.

Equally the residents in attendance were not persuaded by the modified application and continued with their view that any increase in the licensed hours would have a

negative impact on the objectives and cause further nuisance. none of the other representatives present changed their objective view of the original or modified application.

The Committee noted that although the applicant's assurances failed to satisfy the Police and Pollution representations, they did not rescind or further modify their application.

The Committee noted that the applicant acknowledged all representations and in doing so confirmed a willingness to work with all responsible authorities to assist in the resolution of local issues emanating from the premises.

The Committee noted the applicant was willing to engage with local residents with a view of mitigating the representative's concerns, and as above the applicant had offered additional and/or modified conditions reducing the applied for hours.

Additionally, the applicant set out that the event would stagger the closing of the stages, with the largest closing first and the smaller latter stages closing latter as those stages would be enclosed in marquees or barns to limit sound nuisance.

The Committee noted the applicant had put immediate residents on notice of the previous event and would offer a reduced / donation entry fee, although some of the local residents present commented that they had not received the previous notifications and, on that occasion, they were unable to prior warn their guests.

The Committee noted the applicant's awareness in promoting the objectives exemplified by their understanding that the punitive effects of the event would extend past the immediate premises, in that they would conduct refuse collection along the trails used, provide their own busses around routes, and will use strategic sound deadening structures to limit the sound nuisance emanating from the event.

The Committee considered the applicant's submission that the event would stagger the closing of the stages, however the licence would have a singular finale time for the whole event and the staggering of stage closures would be based on good will and as such not a licensable condition if the applicant were to revert and run all stages to finale.

The Committee viewed the applicant's reasoning and/or justification for the extension of the current hours as limited to the event, with the applicant indicating the extension would promote the ongoing success of the event and extend the enjoyment of those attending, the members also noted the applicant's comment that the event is yet to be profitable.

It must be noted that a licensing committee's goal in considering an application is to ensure that the licensing objectives are promoted, and that the objectives are not undermined by the grant of a licence, regardless of the viability of an event.

In conclusion, the Committee were not satisfied that the applicant's reasoning and justification for the extension of the licensed hours were significant and sufficient enough to alleviate the responsible authorities' representations and numerous

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representations from local residents to sufficiently promote the licensing objectives to agree a grant of the modified application in its entirety.

The Sub-Committee **Resolved to Grant Part** of the application to vary the licence subject to conditions consistent with the operating schedule as modified as considered appropriate for the promotion of the licensing objectives.

The meeting ended at 12.16 pm

Chair