



City and County of Swansea

## Minutes of the **Statutory Licensing Sub Committee**

Council Chamber - Guildhall, Swansea

Wednesday, 13 February 2019 at 10.00 am

**Present:** Councillor P M Matthews (Chair) Presided

**Councillor(s)**

J P Curtice

**Councillor(s)**

L G Thomas

**Officer(s)**

J Aazem

A Gruffydd

Y Lewis

L Thomas

B Walker

S Woon

Pollution Control Officer

Lawyer

Team Leader, Licensing

Principal Lawyer

Team Leader, Licensing

Democratic Services Officer

**Applicant(s)**

A Gruffydd

D Price-Deer

T McNulty

C Hillier

Applicants Lawyer

Applicant

Applicant

Civitas Chambers

**Other Person(s)**

Ms Davies

Ms John

Mr Williams

### **5 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.

### **6 Licensing Act 2003 - Section 17 Application For a Premises Licence - Singleton Park, Oystermouth Road, Sketty, Swansea.**

The Chair welcomed all attendees to the meeting and requested that the Senior Lawyer outline the procedure to be adopted by the Sub Committee in considering the application.

The Senior Lawyer provided a comprehensive overview of the procedure to be adopted by the Sub Committee when considering the application.

The Lawyer advising the Committee sought an adjournment to consult the applicant's Counsel regarding a request received from Mrs Davies to speak on behalf of the Neighbourhood Support Group.

**Adjourned at 10.15**

**Reconvened at 10.20**

The Licensing Officer reported on the application for a new premises licence in respect of Singleton Park, Oystermouth Road, Sketty, Swansea, SA2 8QJ. She referred to the Licensing Objectives, the location plan of the premises at Appendix A, conditions consistent with the operating schedule at Appendix B, the representations made by Responsible Authorities at Appendix C, representations made by Other Persons at Appendix D, policy considerations and guidance from the Home Office.

A representation had been received from the Pollution Division on 15 January, 2019. The representation requested that the applicant attach additional conditions shown at Appendix C to the premises licence. The Applicant had amended the Operating Schedule to reflect the advice given by the Pollution Division and those conditions are listed in Appendix B.

The Pollution Control Officer further amplified the five additional conditions and detailed the rationale behind each of the additional conditions.

Members asked questions of the Pollution Control Officer who responded accordingly.

Fifteen representation had been received from Other Persons, one resident supporting the application, fourteen residents objecting to the application. A copy of their representations was attached at Appendix D. The fourteen representations objecting to the application related to the prevention of crime and disorder, public nuisance, public safety and protection of children from harm.

The Lawyer advising the Committee referred to the representation made by Mr Keen on page 23. Despite Mr Keen not being present to further amplify his representation, she confirmed that Members had considered the content.

Mr Williams, further amplified the written representations (detailed on page 32) objecting to the application and highlighted her concerns in relation to the undermining of the Statutory Licensing Objectives in relation to the prevention of crime and disorder and public nuisance.

Counsel for the Applicant referred to the request received from Mrs Davies to speak on behalf of the Neighbourhood Support Association. She stated that the Applicant objected to the request as there had been no formal resolution from the Neighbourhood Support Association allowing Mrs Davies to speak on their behalf, there was a lack of clarity regarding the whether the two signatories were in support or objecting to the application and there was an absence of wider representations. Furthermore, it was noted that Other Persons had ample time to make timely representations.

Miss Davies, further amplified the written representations (detailed on page 37) objecting to the application and highlighted her concerns in relation to the undermining of the Statutory Licensing Objectives in relation to the prevention of crime and disorder and public nuisance.

The Lawyer advising the Committee sought agreement from Miss Davies regarding the representation on page 43, which had been covered by the Miss Davies amplifications of her written objections.

In response to a question from the Chair, Miss Davies detailed the timings and duration of the Services at St Paul's Church.

Miss John, further amplified the written representations (detailed on page 41) objecting to the application and highlighted her concerns in relation to the undermining of the Statutory Licensing Objectives in relation to the prevention of crime and disorder and public nuisance.

In response to a question from Miss John, the Lawyer advising the Committee stated that: the current licence allowed for a capacity of 19,999 persons within the park; the amended conditions had been agreed by the Applicant and detailed the definition of noise sensitive premises.

Counsel for the Applicant outlined the nature of the application. She stated that there appeared to be some agreement that this was a very large space for the enjoyment of everyone in Swansea. Amended conditions suggested by Pollution Control had been agreed by the Applicant. The application sought consent for events to be held on 8 days per annum with no events taking place on consecutive weekends. However, there were some benefits (in relation to movement of infrastructure) in convening events on consecutive weekends. She reiterated that there was a premises licence in place the only difference in the new application relates to capacity. The purpose is to take into account that this is a public area, presenting a large opportunity for live music and events. Convening such events in Swansea presents a huge opportunity for tourism, raises the profile of the City and generates income for residents. Granting the application would make the venue more marketable for promoters and attract artists to the areas the license would already be in place to accommodate 29,999 individuals. The Applicant accepts the responsibility associated with balancing the needs of local people and the wider community. She referred to the conditions already proposed which had been carefully considered.

In response to questions posed by Counsel, the Applicant stated that:

- The amplification of music as a result of the increase in capacity will not have any detrimental effect on the music noise level (MNL) at any surrounding noise sensitive premises. Noise shall not exceed 65dBA over a 15 minute period for all events which are of the large scale concert type events which go on into the evening, where amplified music is the main component.
- We work very closely with Singleton Hospital and Swansea University. No complaints have been received from either.

- In relation to the Services at St Paul's Church being cancelled on the Sunday, last year was an anomaly. Discussions had taken place with the Curate/Vicar and alternatives had been suggested to accommodate worshippers (stewarding the car park, alternative parking). However, he made the decision to cancel the evening service. The morning services were unaffected. As a general rule, special events do not commence before 12-2pm.
- There was a significant traffic plan for Singleton Park which included input from South Wales Police, Mid and West Wales Fire Service. 5,500 places were available, only half were used on each day of the BBC Big Weekend. Park and ride, taxis and designated drop off points were all in place. De la Bech street was closed and alternative parking was provided. Positive feedback had been received from residents in De La Beche Road as residents were grateful they had guaranteed parking for the weekend.
- No other complaints were received.
- The size of the control room is dependent on the size of the event. The control room is a multi-agency room with representatives from all key partners, senior police/fire/licensing officers. The control room followed a 'silver' structure from an emergency planning perspective. The control room is operational from 8am until all issues associated with the event have been dealt with.
- With regard to the infrastructure and maintenance of Singleton Park, with the example of arrangements for the BBC Big Weekend, it took two weeks to erect the infrastructure. During the preparatory work, a third to a half of the Park was available to residents. The BBC cleared the site within 7 days and on a structured basis. The Parks Team commenced recreation works and considerable resources were spent on the Park, maintaining the drainage, signage which was a direct result of investment from concerts.
- We are conscious of where we are and a dedicated litter team are commissioned in and around the footprint of the Park. Telephone numbers are provided to residents. The special events team continually improve based on previous experience.
- A total of 6 corporate complaints had been received following the BBC Big Weekend. The nature of complaints were in relation to parking, noise (received after the weekend) inability to study for exams and disgruntled residents who were unable to procure tickets.
- The BBC Big Weekend attracted 30,000 individuals each day, 60,000 in total over the weekend.
- With regard to the impact on the general area, events of this type are a considerable industry which the Council do its best to promote. The impact of the event resulted in £3m for the City in terms of direct spend. This figure was measured independently and included travel, accommodation, impact on employment and the social media impact. Swansea looked fantastic and as a direct consequence we have been contacted by promoters as a host city that can provide services at this level.
- Various large scale events have been held at the Park since 2014, which have included the Proms, Katherine Jenkins, Noel Gallagher, Olly Murs, Big Weekend, Jess Glynn and Sterophonics.
- Complaints received since 2014 were in relation to noise and lack of toilets. One complaint was received in respect of the Noel Gallagher concert.

- The Council's Events Team manage and deliver events within the Council. A quarter of a million individuals visit Swansea Bay for the Air Show which is all managed in-house with a very experienced Events Team. The Safety Advisory Group (SAG) within the Authority is responsible, with key stakeholders.
- No complaints have been received by SAG in relation to the Licensing Objectives.

Counsel for the Applicant referred to the benefits of the application which had been eluded to in terms of economy, Council justification and rationale. Page 3, paragraph 9.4 refers to the benefit derived to the community generally.

She detailed matters relating to the four Licensing Objectives:

Crime and Disorder – No representations had been received from the Police in relation to issues or concerns associated with crime and disorder. The Police have responsibility to police these events. The Applicant was in a unique position with the benefit of the event being run last year. This was significant when looking at licensing objectives.

Public Nuisance – Very strict conditions exist in relation to the cessation of music after 11 pm. The events team have good relationships with interested parties (e.g. the Church) and have demonstrated a proactive attitude to ensure alternative solutions are offered for any potential issues. The conditions detail a reactive and timely response to complaints.

Public Safety - No representation had been received in relation to public safety. The Applicant is satisfied that the conditions alleviate any issues. as the conditions satisfy this objective

The lack of representations and complaints from previous large scale event and the benefits derived from that. One complaint to local authority in terms of noise and the other was in relation to safety. This application is capable and does promote the Licensing Objectives, opportunity for the benefit of the people. Realise that residents do have issues but alleviated some of those concerns. Strike a balance between number of objections and content (Air Show).

In response to Member questions, the Applicant stated that:

- Depending on the outcome today, the former licence will be rescinded.
- It is unknown how many large scale events will be held in the Park.
- Were we to be approached by a large promoter, the Council would consider the views of the wider stake holder group, however, it would be possible to organise an event within 4 months or even 6 weeks.
- The application, if granted, would allow the Council to give a quick, positive response to the enquiry.
- No complaints have been received from Singleton Hospital or any residential homes.

In response to questions from Other Persons, the Applicant stated that:

- In relation to the BBC Big Weekend, the last performer concluded at 9.30, the curfew was 10.30.
- With regard to the BBC Big Weekend, the BBC hired a company to assist with clearing of the site. All event management was undertaken by the Events Team.
- Approved contractors were employed to assist with the management of the event.
- Revenue from the BBC Big Weekend allowed for remedial works to be undertaken in the Park, e.g., new drainage which has created a much dryer site.
- The monitoring of the nearest noise sensitive points are agreed between the Pollution Control Officer and the sound engineer. Preparatory work in undertaken in advance and modifications are made to plans to accommodate prevailing winds etc.
- Residents are kept informed prior to and following large scale events and are provided with various means to contact the Council. The Council actively seeks feedback from residents.

Counsel for the Applicant detailed the current premises licence and licensable activities. She reiterated that the application contains a significant concession in so far as only 8 days are requested and the Council has a robust proactive and reactive system for dealing with complaints.

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.

**(Closed Session)**

Members discussed the issues relating to the application.

**(Open Session)**

The Chair indicated that the Sub-Committee had considered the application and representation made and the needs and interests of all parties in terms of the Council's Statements of Licensing Policy, statutory guidance and the requirements of the Licensing Act 2003.

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

1. Annually in January, formal discussions between the Licensing Authority, Premises Licence Holder, and South Wales Police must take place to discuss the proposed events for the year. Discussions will include the event profile, number of expected attendees and identify any additional resource levels that may be required.
2. Unless agreed with all the Key Stake Holders of the Safety Advisory Group (SAG) the Premises Licence Holder shall prepare and submit an Event Management Plan (EMP) to the City and County of Swansea (CCS) SAG at least

6 months prior to each event. This must include an overview of the area of the premises to be used, setting out how the event will be managed, the precautions and risk assessments undertaken to cater for all reasonable foreseeable contingencies, and which will demonstrate the procedures, roles and specific responsibilities of the management team, security and associated personnel.

3. The premises licence holder shall ensure that the finalised version of such a plan must be submitted to and approved by SAG no later than 14 days prior to the commencement of the event (or with an agreement with all relevant parties of the SAG).
4. The premises licence holder shall hold/attend regular planning meetings to discuss all aspects of the event(s) with various relevant key stakeholders as part of the SAG.
5. The premises licence holder or their nominated persons shall hold/attend regular on site meetings between relevant key stakeholders(s) during the event(s) as agreed with the SAG.
6. The EMP is a live work in progress document and needs to respond to last minute changes. For example, an increased terror threat, health threat, national event, pandemic etc. The premises licence holder must keep the EMP up to date at times leading up to each event and all changes must be agreed with the SAG.
7. The premises licence holder shall ensure that written procedures and plans (including contingency and counter terrorism planning having regard to the Crowded Places Guidance) will be provided as part of the EMP and will detail the items below following discussion with relevant key stakeholders of the SAG:
  - a. Traffic Management Plan
  - b. Policy on Drugs
  - c. Prohibited items
  - d. Search Policy
  - e. Terms and Conditions of Entry
  - f. Means of Communication
  - g. Waste Management Plan
  - h. Crowd Management Plan
  - i. Noise Management Plan
  - j. Health & Safety Policy
  - k. Security Plan
  - l. Medical Plan
  - m. Fire Safety Plan
  - n. Wind Management Plan

8. The Premises Licence Holder, or nominated representative, shall be responsible for and be present at all times during the event, except where such control becomes the responsibility of authorised officers of the Emergency Services, and shall not engage in any other duties/activities which will prevent the general supervision of the event.
9. The Premises Licence Holder shall notify the Licensing Authority on a monthly basis from the date of the first sale/issue of tickets and on a weekly basis from one month prior to the event, the total number of tickets processed for the event.
10. The premises licence holder shall ensure that the Event Promoter will work with CCS, South Wales Police (SWP), approved security contractor, other key emergency service providers and key stakeholders to make suitable arrangements to deter occurrence of crime and disorder.
11. The premises licence holder shall discuss and agree where applicable and agree with SAG if there is to be an Event Control room on the site with clear command and control structures in place.
12. Where applicable and as agreed with SAG, the premises licence holder will install a comprehensive recordable CCTV system will be installed. The system must continually record whilst customers are on site providing pictures of an acceptable industry standard. All recordings must be stored for a minimum period of 31 days. Recordings must be correctly timed and date stamped and recordings must be kept in date order. An operational daily log must be maintained, endorsed by a signature, indicating that the system has been checked and is compliant. Recordings must be made available as is practicably possible upon the request of a Police or Authorised Officer.
13. The premises licence holder shall ensure a personal licence holder is on duty at the premises at all times when the premises are authorised to sell alcohol.
14. The premises licence holder shall ensure that an adequate system of counting and recording persons in and out of the event site to ensure that the customer levels in all areas do not exceed the limit endorsed in the venue risk assessment and EMP. This information must be made available to authorised officers and key stakeholders throughout the event and upon request.
15. The premises licence holder shall ensure that only reputable security companies will be used at each event Numbers of which will be detailed in the EMP.
16. The Premises Licence Holder must ensure that all stewards & security personnel are suitably trained and capable of carrying out their allocated duties, aged 18 years or over, and while on duty they should concentrate only on their duties and not on the entertainment. The Premises Licence Holder must ensure that



stewards & security personnel understand their roles and the appropriate way in which to deal with, record and report incidents.

17. The premises licence holder or nominated person shall ensure that security personnel must
  - a. Not leave their place without permission
  - b. Not consume or be under the influence of intoxicants including alcohol or drugs
  - c. Remain calm and courteous towards all members of the audience
18. The premises licence holder or nominated person shall ensure that all stewards & security personnel shall wear distinctive clothing, to ensure they are individually identifiable.
19. The premises licence holder or nominated person shall ensure that a register of stewards and security personnel to be maintained at all times at the premises. Such register to include the name, registration number, contact details of the member of 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 a Police or Authorised Officer.
20. The premises licence holder shall ensure that all staff employed and working on the site are vetted to the required appropriate standard. Records are to be made available for inspection by Police or an authorised officer. All procedures to be outlined in the EMP.
21. Where applicable and as agreed by the SAG, an experienced security coordinator will be appointed by the premises licence holder or nominated person in addition to an experienced event safety coordinator.
22. The premises licence holder shall ensure an incident recording system is maintained at the premises showing details of the date and time of all assaults, injuries, accidents or ejections, as well as details of the staff member involved the nature of the incident and the action/outcome. The system must be kept available for inspection by the Police or Authorised Officers.
23. No glass bottles or glass drinking receptacles will be permitted on to the site unless previously agreed with the SAG in line with the specific EMP provided.
24. Provisions will be put in place by the premises licence holder to ensure that alcohol is not served to under age customers as outlined in the EMP.

25. Where applicable and as agreed with the SAG, The premises licence holder must ensure that customers are not permitted to bring their own alcohol as outlined in the EMP.
26. The premises licence holder must ensure frequent waste collections and disposals take place to prevent the build-up of rubbish and/or combustible material which may present as a hazard.
27. The premises licence holder shall ensure the event running orders and artist provision are discussed in advance with relevant key stakeholders. The list of artists must be provided 31 days prior to the event. Any changes must be discussed and agreed with the key stakeholders including onsite meetings during and on the day of the event(s). Any changes to the list of artists must be sent to the relevant stakeholders as soon as reasonably practicable.
28. The premises licence holder shall ensure that searching is conducted in accordance with the EMP and must take place on entry to ensure public/staff safety.
29. The premises licence holder shall ensure that full details of access and egress to and from the event(s) is provided to the SAG and agreed for inclusion in the EMP
30. Where applicable and as agreed with the SAG the premises licence holder shall ensure that amnesty bins for the confiscation of prohibited items are provided and secured on the premises and disposed of in accordance with the EMP.
31. Where applicable and as agreed with the SAG, the premises licence holder shall ensure that the event will actively target the misuse of drugs. Safety messages must be displayed on the website in advance. Signage must be displayed on the premises stating that a drugs search policy is in operation as a condition of entry.
32. The premises licence holder shall ensure that any further information needed or requested and agreed by the relevant key stake holder of the SAG will be detailed in the EMP.
33. The premises licence holder shall ensure that any all aspects of public safety are discussed in advance with the relevant key stakeholders. Details of which will be outlined in the EMP.
34. The premises licensing holder shall ensure that a fire risk assessment is carried out by a competent person to current legislation and guidelines including the Fire Precautions Act 1971, the Fire Precautions (Workplace) Regulations 1997, 'The

Fire Risk Assessment: Open air events and venues 2007' and 'The Event Safety Guide HSG195'.

35. The premises licence holder shall Suitable access and emergency routes are maintained at all times.
36. The premises licence holder shall ensure that during the live event, all vehicles are chaperoned in areas of public use.
37. The premises licence holder shall ensure that any relevant issues relating to fire safety are outlined within the EMP.
38. The premises licence holder shall ensure that an acceptable level of illumination is provided when required to all entrances/exits and escape routes from the event. Checks to agree lighting levels shall take place during low level lighting and prior to the event commencing.
39. The premises licence holder shall ensure that medical facilities are provided to cater for the number of customers on site. First aiders must be present during the build/break/derig period as outlined in the EMP.
40. The premises licence holder shall ensure that welfare facilities are provided and detailed in the EMP.
41. The premises licence holder shall publish a Prohibited items list, it will be discussed and agreed with key relevant stakeholders. Prohibited items will not be allowed in to the event.
42. The premises licence holder shall ensure safety messages are displayed throughout the day on signs and screens where applicable and or directed by relevant Key Stakeholders.
43. The premises licence holder shall ensure that sufficient sanitation is provided in line with current guidance and detailed in the EMP
44. The premises licence holder shall ensure that signage is erected on and around the site to ensure customers can find their way around the site and to available exits.
45. Any pyrotechnics/lasers will be signed off in advance by the relevant key stake holders and stored so as to minimise any risk to the safety of those using the premises.

46. The premises licence holder shall ensure that a vulnerable adult policy is submitted as part of the EMP.
47. The Premises Licence Holder shall provide free potable drinking water in accordance with the mandatory conditions and shall be available throughout the entire event.
48. The premises licence holder shall ensure that a detailed plan of the final layout of the site is submitted to the Licensing Authority no later than 7 days prior to commencement of the event, with the area within which amplified and organised music is to be played clearly delineated in red. The location of all structures and facilities including roadways and event areas shall be clearly indicated and entry and exit points of all structures and areas shown. The Fire Points, Medical and First Aid Points and Information Points shall also be shown. The Site Plan is to be gridded and referenced.
49. The premises licence holder shall ensure that the following documentation, where applicable, will be available upon request to the Licensing Authority: Electrical sign off certificates, Structural plans, calculations & sign off certificates.
50. The premises licence holder shall ensure that a Certificate, which must be completed by an appropriately qualified person or persons, declaring that all electrical installations at the site are installed, tested and maintained in accordance with the latest edition of the Institution of Electrical Engineers' "Regulations for Electrical Installations" (the IEE Wiring Regulations) which now also form British Standard 7671 "The Requirements for Wiring Installations", or any future revised or updated versions must be made available upon request to the Licensing Authority.
51. The premises licence holder shall ensure that all temporary structures are built to 'Temporary demountable structures: guidance on procurement, design and use (third edition)'. The Premises Licence Holder shall provide a written report detailing their safety and suitability the Licensing authority and any relevant key stakeholder upon request. Upon build completion and prior to gates open on each event day, the designated structure suppliers structural manager will provide sign offs stating they have been built to specification.
52. The Premises Licence Holder shall comply with all reasonable requests of the Licensing authority and any relevant key stakeholder with regard to any deficiencies in the certificates and documents referred to in this license and ensure that the standards certified are maintained during the event.

53. The Premises Licence Holder must ensure that all certifications provided to the Licensing authority and any relevant key stakeholders are completed by appropriately qualified and competent persons.
54. The Premises Licence Holder shall take out Public Liability and Third Party insurance to cover at least £5,000,000.00 (five million pounds) for any one occurrence. The effective period of the Insurance shall be from 7 days prior to the commencement of the event build until and including 7 days after the conclusion of the event. The Premises Licence Holder shall provide certified copies of the Policy and Certificates of Insurance, or other acceptable proof of cover, to the Licensing authority and any relevant key stakeholder upon request.
55. The premises licence holder shall ensure that all parts of the licensed area shall be available for inspection during the occupancy by the Premises Licence Holder, by any named officer of SWP, Mid & West Wales Fire & Rescue, Welsh Ambulance Service and Swansea Council Licensing Authority or any relevant key stakeholder duly authorised for the purpose.
56. Where applicable and as agreed by the SAG, the premises licence holder shall provide a designated Emergency Liaison Centre for use by the Premises Licence Holders Senior Management, and authorised officers of the Licensing Authority, officers of SWP, Mid & West Wales Fire & Rescue, Welsh Ambulance Service and any relevant key stakeholder duly authorised for the purpose.
57. The premises licence holder shall ensure that all areas where licensable activities take place will be detailed in the EMP showing the operating schedule and opening times of these areas
58. All public-address systems shall be under the control of the premises licence holder or nominated representative so that broadcast messages can override the musical entertainment and can be delivered clearly and audibly to all parts of the site.
59. The maximum permitted number of 39,999 persons shall be permitted in the licensed area during the event. This number shall include all ticket sales, guests, artists, staff and any persons associated with the safe running of the event.
60. The Premises Licence Holder shall make suitable arrangements to enable people with disabilities to attend the event. Particular attention should be given to means of access and egress, means of escape/evacuation in an emergency and the viewing facilities for such people.
61. The event shall not commence until all required approvals are in place.

62. Any alterations or amendments to this licence, its terms, conditions or restrictions shall not be effective except with the approval of the Licensing Authority.
63. Where any question arises as to the interpretation of any standard or regulatory provision imposed by these conditions, the interpretation of Licensing Authority shall be final. This does not affect the right of the Premises Licence Holder to appeal against the imposition of all or any conditions.
64. The premises licence holder shall ensure that no music will take place after 23:00.
65. Amplified music levels will be set by the Local Authority and must be managed by the premises licence holder.
66. The Music Noise Level (MNL) at agreed surrounding noise sensitive premises shall not exceed an MNL of up to 65 dBA over a 15 minute period.
67. The premises licence holder shall ensure that litter collections and disposal procedures are in place both inside and around the immediate vicinity of the event. The post event clean-up will be planned and discussed in advance with the relevant key stakeholders of the SAG.
68. The premises licence holder shall ensure that adequate advanced warning signage/event access signage is provided at the site to assist with and attempt to minimise and prevent traffic problems in the area.
69. The premises licence holder shall ensure that where possible deliveries/collections from site are undertaken at a reasonable time so as to have minimal impact on local residents.
70. The premises licence holder shall ensure that adequate sanitary provision is in place within the event and at agreed areas externally in the immediate vicinity.
71. The premises licence holder shall ensure that Pyrotechnic displays follow all current legislation and/or guidance.
72. The premises licence holder shall ensure that events are advertised to inform local residents of times and the nature of the each events
73. Where applicable and as agreed by the SAG, the Premises Licence Holder shall ensure that a telephone number is provided for residents to log complaints. Leaflets advising local residents of the detail of the telephone number shall be distributed.

74. The premises licence holder shall ensure that those attending the event are instructed to leave quietly so as not to disturb local residents.
75. The premises licence holder shall ensure that where applicable and as agreed by the SAG, qualified/experienced child welfare staff are in attendance to assist with the provision of lost children/parents as appropriate
76. The premises licence holder shall ensure that where applicable and as agreed by SAG, a lost child policy will be submitted as part of the EMP.
77. The premises shall operate a challenge 25 age policy.
78. The premises shall maintain a register of refusals detailing all refused sales of alcohol.
79. No adult entertainment will be permitted at the premises.
80. The premises licence holder shall ensure that where applicable suitable qualified medical personnel will be available to deal with any child related issues as appropriate.
81. The Premises licence holder shall ensure to keep up to date records available for inspection of staff training in respect of age related sales as outlined in the EMP.

### **Reason for Decision**

The committee grants the application ,subject to the conditions set out in appendix B (pages 11 to 20) and the additional conditions as recommended by EVH's representation (page 21) as amended and agreed by the Applicant, as it is satisfied that the grant would not undermine the Licensing Objectives (LO).

1. The application is modified and the following conditions are added:-
  - a. No events, which are of the large scale concert type event with audience members over 5000, where amplified music is the main component, which go on into the evening, shall take place on 3 consecutive weekends;
  - b. Events which are of the large scale concert type event with audience members over 5000, which go on into the evening, where amplified music is the main component, shall be restricted to no more than **8 days** per annum (calendar year 1<sup>st</sup> January to 31<sup>st</sup> December) any music other than agreed ancillary music at these events will operate between 1200 and 2300 hrs. Ancillary music must be agreed in writing with key stakeholders of the SAG.

- c. Existing condition 66 in appendix B (page 19)
- d. The premises licence holder shall ensure that no music is played by the funfair operatives whilst any other musical entertainment is taking place.
- e. The premises licence holder shall ensure that a professional noise monitoring team is employed to carry out noise propagation tests for sound checks and for the duration of the event when required by the Pollution Control Division. Any agreements to be made by the premises licence holder in writing at least 6 months prior to the event other than with the prior agreement of the key stakeholders of the SAG.

### **Reasons**

The reasons for the grant as set out above reflect:-

1. the changes made to the application by the Applicant at Statutory Licensing Sub-Committee.
2. the representations from the Other Persons who attended, the Pollution Control Officer and the Applicant.
3. The Statutory Licensing Sub-Committee considered its decision reflected the balance required by its duty under section 5 of the Licensing Act 2003 to promote the Licensing Objectives and with the guidance para 1.5 and the principles set out in the case of R (on the application of Hope & Glory Public House Ltd) v City of Westminster Magistrates Court and Others (2011) EWCA Civ 312).
4. When reaching its decision the Statutory Licensing Committee was mindful of the following. An event had been held in the premises last year for 39,999 and the Applicant had been operating events of up to 19,999 since 2007. There had been very few complaints received according to the Applicant, and confirmed by the Pollution Control Officer, which fact was not challenged by the Other Persons. There were also only a small number of representations made bearing in mind the highly populated residential area surrounding the premises. There were no representations made by the Police
5. Only 15 representations from Other Persons were received against the grant and of those only 3 attended. No additional documentation or information was provided in support of the representations although the Other Persons did expand their written representations as allowed. The Statutory Licensing Sub Committee noted the majority did not object to a grant per se but were concerned about the wide nature of the application which would be very different to the current limited licence.
6. Various issues were raised in the representations from Other Persons at pages 22 to 45 of the report and the SLC found as follows :-



### Limited Use of Parts of the Park (Premises) During Events

A number of Other Persons objected to their access to parts of the premises being limited in their representations. The Committee felt this did not strictly fall within any of the Licensing Objectives but accepted parts of the park would be inaccessible. However, the Park was never fully closed to the public as a result of events held under the current authorisation and the park was an amenity for all of Swansea and could be used for such events. The Committee noted the Applicants evidence that in fact holding events meant revenue for the City and County of Swansea which was used to improve the park and areas previously too boggy to walk on have had drainage works undertaken making them accessible. The Committee noted comments made by Other Persons that the use of HGV had caused the issues. In the absence of any evidence to support this the concession made to limit the days where the most restrictions might apply would minimise this issue and no complaints have been received regarding previous events.

### Car Parking Issues

The Committee formed the view that this was not within the aim of the Licensing Objectives. Other legislation provided remedies for the issues that might arise from illegal or indiscriminate parking and it should therefore not duplicate that legislation. Any road closures were notified to the residents affected beforehand and alternative parking was provided. No issues have been raised by the relevant bodies or the Police that suggested the current parking legislation was not sufficient.

### Disruption to Sunday Service /Hospital

The Committee heard from the Applicant that he made visits to the church and met with the curator there to discuss issues. No complaints have been received and it was the decision of the curator to not hold the evening song service. The Applicant also said he had met with the hospital and again had received no complaints in respect of events held at the premises to date. In light of this the Committee did not feel it was appropriate to place a condition on the licence to not allow events to take place on a Sunday.

### Rubbish

The Committee heard from the Applicant regarding rubbish collections. The Applicant advised that a leaflet and letter drop had provided residents in the immediate vicinity with contact details to make any complaints about rubbish. One Other Person in attendance confirmed he had received such a letter whilst the 2 others had not. The Applicant said it was a limited drop. The Committee were satisfied therefore that the rubbish accumulating would be dealt with so as to not undermine the Licensing Objectives.

### Anti-Social Behaviour

There were numerous plans as set out in condition 7 of appendix B which would address as far as possible behaviour at the event and in the immediate vicinity. An Other Person had said how good the security staff provided were. The Committee were mindful of the Statutory Guidance para 2.21 that when dealing with anti-social behaviour the Applicant could only be responsible for those persons over which it could exercise control. Once past the immediate vicinity of the premises persons are responsible for their own behaviour. The Police did not make any representations or raise any concerns in this respect. Therefore the Committee were satisfied the proposed conditions would manage the position so as to promote the Licensing Objectives.

### Noise

The Pollution Control Officer gave detailed advice regarding conditions agreed and how they would be monitored. She advised the increased footprint would not affect the level to be set and it would be monitored. Phones for reporting issues were kept open when events took place. Only limited issues and complaints had been raised previously about noise from events. The Committee were satisfied the conditions agreed and being added to the licence would ensure noise would be limited. The limit on the number of days per year a large scale event could take place also promoted the Licensing Objectives. The Committee accepted the Pollution Control Officer's remarks that the conditions as drafted were clear and enforceable. The Committee also noted that the amplified music would in nearly all cases cease well before 23.00 hours.

### Protection Of Children

The Committee were satisfied that the safety of children within the aim of the Licensing Objectives would be promoted by the conditions in appendix B and were appropriate to deal with the issues raised by Other Persons.

### Conclusion

Overall the Committee were satisfied that the comprehensive list of conditions to go on the licence and that the Applicant would be a good premises licence holder who would ensure compliance with the conditions and deal appropriately with any issues if they arose as a result of the additional capacity for the premises .

Further the 2003 Act provided remedies for the residents if the conditions were breached and undermined the Licensing Objectives.

The meeting ended at 2.45 pm

**Chair**