



City and County of Swansea

Minutes of the **Statutory Licensing Sub Committee**

**Multi-Location Meeting - Lilian Hopkin Room, Guildhall / MS
Teams**

Wednesday, 4 December 2024 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)
S Joy

Councillor(s)
L V Walton

Officer(s)

Samantha Jenkins
Lindsey Stock
Darren Murphy

Democratic Services Officer
Licensing Officer
Licensing Officer

Also present

Matthew Phipps – Solicitor, Love Trials
Sarah Pritchard – Applicant, Love Trials
Theo Larn-Jones – Applicant, Love Trials
Michael Havard - DPS, Love Trials
Bob Singh – Acoustician, Love Trials

Councillor R D Lewis (Observing)

D Thomas – Other Persons
L Pearce – Other Persons
V Pearce – Other Persons
D Cowley – Other Persons
R Davies – Other Persons
R Morgan – Other Persons
J Allister – Other Persons

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 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 and requested that all present introduced themselves.

The Licensing Officer reported on the application to vary a Premises Licence in respect of Love Trails Festivals Ltd, Weobley Castle, Llanrhidian, Swansea, SA3 1HB which had been received by the Authority on 11 October, 2024.

The application proposed to increase the hours for late night refreshment on the following days:

Late Night Refreshment

Thursday 2300 hours to 0030 hours (currently until 0000 hours)

Friday 2300 hours to 0300 hours (currently until 0200 hours)

Saturday 2300 hours to 0300 hours (currently until 0200 hours)

To increase the capacity of the event from 4000 to 4999 therefore amend condition 10 to read:

"The number of persons permitted at the premises at any one time shall not exceed 4999".

To add the following condition:

"A traffic management plan will be written and agreed in advance with Swansea Council and a subcontractor traffic management company".

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 for a premises licence at Appendix A. 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 and D1.

The Lead Lawyer referred to the supplementary information previously circulated from the Applicant.

Representations have been received from 7 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.

Representations in support of the application had been received from 20 other persons.

D Thomas further amplified her written representations in relation to the undermining of the Licensing Objections. She detailed her objections stating that an increase in

late night refreshment would create noise and affect the licensing objective of public nuisance.

L Pearce further amplified her written representations in relation to the undermining of the Licensing Objectives. She detailed her objections stating that an extra 999 people would inevitably cause further noise and will also affect the licensing objectives for crime and disorder and public safety.

L Pearce referred to the representation by M Kenyon who had requested that she speak on his behalf to highlight his concerns regarding the undermining of the Licensing Objectives in regard to the prevention of public nuisance.

D Cowley, on behalf of Llanrhidian Lower Community Council further amplified his written representations in relation to the undermining of the Licensing Objectives in relation to amplified sound. He detailed his objections in relation to prevention of public nuisance and public safety.

R Morgan further amplified his written representations in support of the Application. He detailed the benefits of the event to the local and wider community. He referred to the demographic of the event attendees and stated that the event was, in his opinion, more of a well-being event than a festival.

R Davies further amplified his written representations in support of the Application. He stated that, as a local resident, he was broadly supportive of the event and felt that the organisers were responsive to the concerns raised by the local community. He referred to the positive introduction of the traffic management plan. He welcomed the engagement of the noise management plan through the Joynes Nash Consultancy.

J Allister further amplified his written representations in support of the Application. He stated that he ran a local trail running group and was responsible for planning the routes for the Festival. He referred to the positive relationships with local landowners and the benefits to the local community.

Mr Phipps, Solicitor representing the Applicant, stated that in 2017 the Applicant had set up the first, and now leading, weekend event with trail running at the heart of the festival experience. Through the course of Covid the development of the business was interrupted but the event was a very significant success. Successful in the context of the commercial position and of the licensing objectives.

Furthermore, he highlighted the success from the attendee perspective. The existing ticket sales for 2025 say something significant, along with the comments from the supporting representations that had been submitted. Customer comments and details about reviews of the event were contained within the agenda papers. The Applicant seeking to increase capacity of the event was a reflection of this success.

He detailed the three elements of the application and referred to the supporting materials which included an introductory presentation document that highlighted the event and the issues that attach to the event.

An index to the Event Management Plan (EMP) was included which set out all the policies and procedures that help manage the affairs of the event on site. All these policies were provided to officers, who engage both as Responsible Authorities and through the Safety Advisory Group (SAG). A draft summary Noise Management Plan and traffic Management Plan was also included. Also included were the various communications with residents.

He referred to the presentation which attends to, experience, previous events, the nature of the activities, residential engagement, The Love Trails audience & community, economic impact, charities and partners, traffic and noise as well as environmental issues.

Mr Phipps provided a comprehensive overview of the following issues:

- Event Management Plan Index
- Noise Management
- Traffic Management
- Hours of Operation
- Conditions/Operating Schedule
- Pre-application Consultation and Dialogue
- Responsible Authorities
- South Wales Police
- Residents Engagement
- 2024 Debrief
- Objections
- Representations
- Resident Attendees
- Designated Premises Supervisor (DPS)
- National Guidance
- Licensing Policy
- Each application is to be determined on its individual merits
- Risk

In response to questions, Mr Phipps stated that:

- 1) Engagement with the organisers of the Iron Man Event would be undertaken over the intervening seven months.
- 2) A comprehensive noise complaints procedure was contained within the Noise Management Plan. The Noise Management Plan had taken into consideration the comments raised last year and sought to improve the situation. The appointment of Joynes Nash as professional acoustic consultants highlighted the organisers commitment.
- 3) Signage left from the previous festival would be removed and all other issues raised during the event debrief would be addressed.
- 4) The organisers were entirely committed to delivering an event that everyone considered to be successful.

In conclusion, Mr Phipps stated in his submission that it could not fairly be suggested that providing food, at a relatively isolated festival site, in the Gower, for an additional

hour, was something that could be said to likely undermine the licensing objectives. Nor a measured increase to capacity, with the premises having established itself and the integrity of its operations.

The Application, for the reasons stated above, was unlikely to undermine the licensing objectives. The application, including the proposed conditions, were sufficiently robust to offer the Licensing Sub-Committee satisfaction that the applicants and operators understand how to promote the licensing objectives.

For the above reasons, it was respectfully submitted that should the Licensing Sub-Committee be satisfied that there will be no likely undermining of the licensing objectives, then there does not seem to be any good reason to refuse the application.

He stated that this was precisely the sort of activity that could and should be encouraged. The Event Operating Plans disclosed an experience and expertise perfectly in keeping with the legitimate conduct of these activities. This will benefit the community, the Gower, Swansea, the attendees and local businesses.

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 Lawyer advising the Sub-Committee gave a comprehensive overview of the legal advice tendered.

The Chair indicated that the Sub-Committee had considered the application, and all representations made and the needs and interests of all parties in terms of the Council's Statement of Licensing Policy, Statutory Guidance, and the requirements of the Licensing Act 2003.

The Sub-Committee **Resolved** to **Grant** the application to vary 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 vary

Late Night Refreshment

Thursday	2300 hours to 0030 hours
Friday	2300 hours to 0300 hours
Saturday	2300 hours to 0300 hours

Increase the capacity

From 4000 to 4999

Traffic management plan

To add the condition: "A traffic management plan will be written and agreed in advance with Swansea council and a subcontractor traffic management company".

New licence

Supply of Alcohol

Thursday	1200 hours to 0000 hours
Friday	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
Friday	1000 hours to 0100 hours
Saturday	1000 hours to 0200 hours
Sunday	1000 hours to 2300 hours

Playback of Recorded Music

Thursday	1600 hours to 0000 hours
Friday	1000 hours to 0100 hours
Saturday	1000 hours to 0200 hours
Sunday	1000 hours to 2300 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 0030 hours
Friday	2300 hours to 0300 hours
Saturday	2300 hours to 0300 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 **4,999 persons.**

Conditions as modified

1. There shall be a personal license holder on duty on the premises at all times when the premises are authorised to sell alcohol.

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Cont'd

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.
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 4999.
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.

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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.

39. A traffic management plan will be written and agreed in advance with Swansea council and a subcontractor traffic management company.

Reason for decision:

The Committee noted that no representations had been received from South Wales Police, Trading Standards, Mid and West Wales Fire Authority, Health and Safety, Planning Authority, Pollution Division, Child Protection, Primary Care Trust/Local Health Board, Licensing Authority, or Immigration.

The Committee noted Representations have been received from seven Other Persons in opposition to the variation and Representations in support of the application have been received from twenty Other Persons.

The representations in objection received from Other Persons were based on the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm and many gave written reasoning for each objection under the licensing objectives.

During the Committee the representatives in attendance further developed those written representations in objection and/or repeated what had been submitted in writing.

The prominent basis of the further developed representations in opposition were the nuisance emanating from amplified sound into the evening and the detrimental effect such sound would have on persons' sleep; albeit this application was not to extend the hours of amplified music nor was the committee conducting a review outside of the matters of the variation.

The representations questioned the necessity and reasoning of an increase in the hours of late-night refreshment stating that additional hours of refreshment would not promote the objectives.

Further representations in opposition related to the increased footfall and the associated increase in traffic by way of an increase of the capacity by 999 persons.

The Other Persons also provided representations in relation to past events at this location which had resulted in trespass, damage, defecation and loss of earnings to their businesses.

The Committee noted that the applicant had engaged with the responsible authorities prior to the Committee and that no representations had been received from responsible authorities.

The Committee noted that the applicant had employed acoustic consultants and that they had learnt from previous events. The applicant acknowledged that a part manned phone and email was insufficient means of dealing with complaints and will set up a hotline to deal with complaints for future events.

Additionally, the applicant had held pre-event meetings with local residents and provided an email address for those who could not attend to have an opportunity to voice their views. In doing so Committee noted that the applicant acknowledged representations and during the committee voiced a willingness to work with and/or to engage with local residents with the view of mitigating local issues emanating from the event.

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The Committee noted the applicant had put forward a condition specifically to deal with the management of traffic, evidencing 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.

The Committee viewed the applicants reasoning and/or justification for the extension of the Late-Night Refreshment hours with the applicant indicating the extension would promote the objectives in providing hydration and substance thereby dealing with the effects of alcohol intake.

The Committee viewed the applicants reasoning and/or justification for the increase of the capacity regarding profitability as not relevant to the objectives. However, it was noted that the applicant set out that the increased income was being used to adopt additional means of event structure and management of the event as a whole which would promote the objectives.

It is a Licensing Committee's role to ensure that the licensing objectives are promoted, and that those objectives are not undermined by the grant of a licence, regardless of the viability of an event.

In conclusion, the Committee were satisfied that the applicant's reasoning and justification for the increase in capacity and the extension of the late-night refreshment hours were significant and sufficient enough to promote the licensing objectives to agree a grant of the application in its entirety.

The meeting ended at 12.00 pm

Chair