

DECISION NOTICE

Northern Area Licensing Sub Committee

Decision made on 4 June 2013

In respect of an application for Temporary Events Notices at WOMAD Festival, Charlton Park, Charlton, Malmesbury

Decision:

The Sub Committee were informed that the applications had been amended so that Regulated Entertainment at the Backstage Bar and the San Frans Disco bar had been reduced to end at 02:00.

The Northern Area Licensing Sub Committee has considered the Objection Notices submitted by Wiltshire Police and Wiltshire Council's Public Protection Team.

The Sub Committee has decided not to issue Counter Notices in respect of any of the Temporary Events Notices and therefore to allow the four Temporary Events Notices as follows:

Core Crew Camping Bar	Sale of alcohol from 18:00 on Tuesday 23 July to 04:00 each day until Monday 29 July 2013. Provision of late night refreshment from 23:00 to 04:00 each day until Monday 29 July 2013.
Backstage Bar	All licensable activities from 12:00 on Wednesday 24 July to 04:00 on Monday 29 July 2013 with the exception of Regulated Entertainment from Friday 26 July to Monday 29 July 2013 which will end at 02:00.
San Frans Disco Bar	All licensable activities from 23:00 on Thursday 25 July through to 04:00 on Monday 29 July 2013 with the exception of Regulated Entertainment from Friday 26 July to Monday 29 July 2013 which will end at 02:00.
Molly's Bar	Sale of alcohol and provision of late night refreshment from 23:00 on Thursday 25 July through to 04:00 on Monday 29 July 2013.

The Sub Committee decided to impose the following conditions which are part of the existing Premises Licence:-

1. In relation to the Backstage Bar the following noise condition – That at monitoring points A B and C on the map the daytime criteria will be 50dB LAeq, 15 minutes (+/- 3 dB) and the night time criteria at these locations will be 45dB LAeq, 15 minutes. At point X the criteria will be 55 dB LAeq 15 minutes (+/- 3dB), daytime and 45 dB LAeq, 15 minutes (+/-) night time. The 3 dB leeway is to allow for demonstrable influence from residual noise sources, (night time criteria to take effect from 23.00 hours).

In relation to all of the four Temporary Events Notices:-

2. The Event shall be managed in accordance with the Event Management Plan.
3. Each bar where alcohol is being sold at the Event shall be under the direct supervision of a Personal Licence Holder and a Schedule of Personal Licence Holders detailing which areas each is responsible for shall be provided to the Licensing Authority at least one week prior to the event.
4. An effective staff and public communication system including radio communication for all key staff and means of communication with all spectators shall be provided.
5. A recognised proof of age, which includes a photograph, is to be required for anyone who appears to be under the age of 21 and who wishes to purchase or consume alcohol.
6. The Licence Holder shall provide to Wiltshire Police and the Licensing Authority a list of names of all Security Staff working at the event together with their SIA Badge Numbers at least one month prior to the event.
7. The Licence Holder shall provide and maintain a CCTV system to the satisfaction of Wiltshire Police.
8. The Licence Holder shall ensure that the Statement Policy on drugs as detailed in the Operation Schedule is followed throughout the Event.
9. A Risk Assessment from the Security Company is to be provided to Wiltshire Police at least one month prior to the event.
10. The Premises Licence Holder is to provide a full schedule of security manning numbers, hours and areas of operation at least one month prior to the event.
11. Radio Womad must be fully operational prior to the commencement of the event, and during the event.

Reasons:

The Sub Committee considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 105); the guidance issued under Section 182 of the Act, in particular part 7, paragraph 7.23, and the licensing policy of Wiltshire Council.

The Sub Committee reached their decision after consideration of the written evidence presented together with the oral evidence on behalf of the Police and Environmental Protection given at the hearing.

Right of Appeal

The Premises User may appeal to the Magistrates Court against the Sub Committee's decision to issue a Counter Notice. The Chief Officer of Police and or/Environmental Health Officer may appeal against a decision not to issue a Counter Notice. Any appeal must be lodged within 21 days beginning with the day of notification of the decision. No appeal may be brought later than five working days before the day of the proposed temporary events.