

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 20 May 2014

PRESENT: Councillors Clive Skelton (Chair), Nikki Bond and Denise Reaney

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received. Councillor Neale Gibson attended as a reserve, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - SK 2792 FIELD NO. 0850, KIRK EDGE ROAD, HIGH BRADFIELD, SHEFFIELD S6 6LG

4.1 The Chief Licensing Officer submitted a report to consider an application for the grant of a premises licence made under Section 17 of the Licensing Act 2003, in respect of SK2792, Field No. 0850, Kirk Edge Road, High Bradfield, Sheffield S6 6LG.

4.2 Present at the meeting were Gemma Cook (Event Safety Officer, FGOWI Limited), Carly Whitfield (Event Organiser, FGOWI) (applicants), Richard Nortcliffe and Andrew Nortcliffe (representing the objectors), Clive Stephenson, (Principal Licensing Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Marie-Claire Frankie outlined the procedure which would be followed at the meeting.

4.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that four objections had been received and were attached at Appendix "B" to the report. Licence conditions imposed by the Health Protection Service and Environmental Protection Service had been agreed by the applicant and were attached at Appendices "C" and "D", respectively.

4.5 The Chair asked those present if there were any comments regarding the accuracy of the report, to which Clive Stephenson reported that there had been an amendment submitted by the applicant to Appendix A at paragraph P(e), relating to the promotion of the four licensing objectives and which removed steps intended to be taken to promote the protection of children from harm. He added

that although the change to the licensing objective had been submitted on the 16th April, it had not been circulated to responsible authorities nor advertised.

- 4.6 RESOLVED: That the public, press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.7 Marie-Claire Frankie reported orally, giving legal advice on the matter.
- 4.8 Following discussion with the applicants of the legal advice given by the Solicitor, the applicants agreed that the application as advertised and circulated be considered and the request to remove the content of Section P(e) be set aside. The applicants stated that they had submitted the amendment on the recommendation of South Yorkshire Police who advised that if they were satisfied with their ability to manage proxy sales and safeguarding issues it may be easier for them to remove the condition and manage young people rather than having to check ID and manage potential queues forming on the course.
- 4.9 Andrew Nortcliffe stated that he and his brother were representing their elderly parents whose land is adjacent to the field where the proposed event was to take place. He said that his parents were in poor health and were extremely concerned that matters of public safety, environmental issues and access and egress to the site had been overlooked. He stated that his parents' property is protected only by a crumbling low stone wall and an electric fence and that the public could easily stray onto their property. Mr. Nortcliffe went on to add that other residents in the area had received letters providing information about the proposed event but his parents had received no such information. He felt that the application was incomplete and asked for clarification of the opening times, how the number of persons coming to the event could be regulated, was the security company to be engaged by the Event organisers a reputable company, and the fact that the Event website was asking for volunteers, in what capacity would these volunteers be used. Mr. Nortcliffe expressed his concern regarding the protection of wildlife with such a large number of visitors to the area and the amount of litter generated from the sale of food and alcohol, and also whether the toilet facilities would be sufficient.
- 4.10 Mr. Nortcliffe also referred to the Event being advertised as a rock and beer festival and raised concerns over possible noise nuisance by loud music from rock bands and that children may be put at risk by the sale of alcohol. He stated that he and his family were disappointed at the lack of consultation with them by the Event organisers.
- 4.11 In response to questions, Andrew Nortcliffe replied that he and his brother had asked their parents if they wanted to move out of the area for the weekend, to which they had stated that they too wanted to enjoy the Tour de France from their own home, and on the basis that they believed that the criminally inclined would be attracted to such a large event, his parents had felt the need to install CCTV to protect themselves and their property.

- 4.12 Gemma Cook stated that FGOWI Limited were not a new company and had 10 years' experience organising events. She stated that although the Event was advertised as a "music and beer festival", the majority of the music would be acoustic and folk music played through a small P.A. system. There will be a beer tent and a music tent but inside the music tent it is intended that a small platform, rather than a stage, will be erected and the tent will be a gazebo covering the platform. She further stated that the hours of opening will be from 10.00 a.m. to 11 p.m. on Saturday and 10.00 a.m. to 10.00 p.m. on Sunday and although the field will be open during the whole weekend, no licensable activities will take place outside of these hours. She added that barrier fencing will be placed around the site which will be stewarded at all times by paid security staff and supported by volunteers. She further added that there would be ample toilet facilities, provided by the City Council, and these would be serviced on a daily basis. There would be regular litter picks and temporary lighting towers were to be erected for added security during the night.
- 4.13 Gemma Cook said that the Company had attended many site visits with the relevant Authorities and staff of the Tour de France. She added that the Company had a Route Safety Officer and that all aspects of health and safety regarding the Event would be covered. She further added that counter clickers will be used to count people in and out of the Event. Gemma Cook stated that it was unfortunate that the objectors had not received any information about the Event but this was due to their mistake with post codes in the area.
- 4.14 In response to questions, Gemma Cook responded by stating that the event was a free event and that the main access was via Kirk Edge Road. Car parking will be from Loxley Road which is a private access road owned by Bradfield Brewery She added that a Noise Co-ordinator will be employed within four weeks of the event to monitor sound levels throughout the event. She further added that although events organised by them are outdoor events, this one is the first of its kind. She stated that letters were sent to local residents last September inviting them to contact the Company with any issues they may have and further stated that the Company would do their utmost to make the event as safe as possible and extended an invitation to the objectors to address their concerns and apologised again for the misunderstanding in not contacting them beforehand
- 4.15 Both the applicants and the objectors were given the opportunity to sum up their respective cases.
- 4.16 Clive Stephenson outlined the options open to the Sub-Committee.
- 4.17 RESOLVED: That the public, press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.18 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.

- 4.19 At this stage in the proceedings, the meeting was re-opened to the public, press and attendees.
- 4.20 RESOLVED: That (a) the application for a premises licence in respect of SK2792, Field No.0850, Kirk Edge Road, High Bradfield, Sheffield S6 6LG be granted in the terms requested and (b) the Company be requested to keep the objectors involved in future discussions regarding the event, as the Sub-Committee believes that dialogue with them should have been opened earlier.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the written Notice of Determination).