

## LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

FRIDAY, 6 MAY 2022

PRESENT: Councillors David Cannon, John Baldwin and Gurpreet Bhangra

Also in attendance: Councillor Mandy Brar

Officers: Rebecca Oates, Oran Norris-Browne, Jane Cryer, Craig Hawkings and Desmond Michael

### APPOINTMENT OF CHAIRMAN

Councillor Bhangra proposed that Councillor Cannon be Chairman. Councillor Baldwin seconded this motion.

**RESOLVED UNANIMOUSLY: That Councillor Cannon be Chairman for the remainder of the hearing.**

### APOLOGIES FOR ABSENCE

No apologies for absence were received.

### DECLARATIONS OF INTEREST

No declarations of interest were made.

### PROCEDURES FOR SUB COMMITTEE

Members noted the procedures for the sub-committee.

### CONSIDERATION OF APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

Craig Hawkings, Reporting Officer for the Royal Borough of Windsor & Maidenhead introduced the report and outlined the information that the Sub-Committee were to consider. A summary of the application was as follows:

To licence two fields to the south of Long Lane, Cookham. These fields would only be used for Let's Rock the Moor if they were unable to use Marsh Meadow.

- Exhibition of Films: Saturday from 11:00 – 22:30
- Live Music: Saturday from 11:55 to 22:30
- Recorded Music: Saturday from 10:30 to 22:30
- Performance of Dance: Saturday from 11:55 to 22:30
- Supply of alcohol (on the premises): Saturday from 11:00 to 22:00

Craig Hawkings stated that where relevant representations had been made, the Licensing Authority must hold a hearing to consider them, unless agreed by the parties. The Licensing and Public Space Protection Order Sub-Committee could take steps as are appropriate for the promotion of the licensing objectives as relevant. To be 'relevant', the representation had to relate to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives which were set out in the Licensing Act 2003.

He stated that the four licensing objectives were:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

With regards to responsible authorities, Craig Hawkings stated that no representations had been made. Written representations had been received from Councillor Mandy Brar, Ward Councillor for Bisham and Cookham, and Ms. Claire Wright.

Councillor Baldwin asked Craig Hawkings if the license would be perpetual should it be granted.

Craig Hawkings stated that so long as the annual fee was paid, the license would be ongoing.

Edward Grant, Head of Safety at Symphotech, presented the applicant's case to the Sub-Committee. Symphotech were employed by the applicant, UK Live, as consultants to advise and support UK Live on safety and licensing.

Edward Grant stated that the new premises on Long Lane would only be used in the event that Marsh Meadow was unable to be used. There were no current plans to hold the event on Marsh Meadow, and this application was part of a contingency plan. Edward Grant stated that UK Live prioritised public safety above all else, citing the cancellation of the most recently planned event in Cookham in October 2021. He additionally stated that no representations had been made by relevant authorities, including the Royal Borough of Windsor and Maidenhead and the Police.

Edward Grant addressed the two representations that had been made by Councillor Brar and Ms. Wright. He summarised both representations as being concerned about highways and the public moving to and from the licensed premises. These concerns focused on issues such as no pavements, no lighting, the wider impact on the community and the traffic levels. Ms. Smith

also expressed concerns about noise pollution. Edward Grant stated that a noise management plan was in place and the applicant would happily accept mirrored conditions. There was evidence of compliance with the Code of Practice for noise management produced by the Noise Council. Independent noise consultants had been employed by the applicant to ensure that volumes were lowered. There was a full record of noise levels both front of house and at the nearest noise sensitive buildings for Let's Rock the Moor. The applicant had worked with Environmental Health and residents and was committed to reducing noise pollution and minimising disruption. Shows were scheduled to finish at 22:30 and the applicant had volunteered to mirror these conditions on the new application.

With regards to traffic safety, Edward Grant referred to section 8.1 of the Royal Borough's Statement of Licensing Policy which states that conditions which may be proposed to promote public safety. He noted that these conditions did not specifically identify or authorise safety management beyond the licensed premises but stated that public safety was one of the applicant's key priorities. Edward Grant noted that Councillor Brar stated that the event was well organised, which he stated was a result of working closely with responsible authorities. Several measurements had been implemented by working with the Highways authority. The correct legislation was used for road closures to lawfully manage traffic. Special event traffic restriction orders were used to manage traffic. A request for special police services had not been made, but the applicant had worked with the wider policing family. Edward Grant welcomed questions from the panel.

Councillor Bhangra asked how UK Live enforced the Challenge 25 policy on the supply of alcohol.

Edward Grant stated that ID was checked upon entry to the event and wristbands were issued to those people who may be challenged under the policy. Each bar within the premises had a personal license holder present as well as refusal register. Additionally, there was both a management and security team that would monitor events within the bars and the festival as a whole. Edward Grant noted that the genre of music at the festival meant that the event was not heavily attended by younger people.

Councillor Bhangra asked about measures in place if cases of spiking were reported.

Edward Grant stated that bars were monitored and on-site medical teams were present at the festival. The priority, should an incident occur, was the treatment and welfare of the person to ensure they were safe. The applicant would assist police in the investigation of any potential incident and noted that CCTV was used across the site and at bars. Edward Grant noted that there had been no recorded incidents at any event so far.

Councillor Baldwin noted that the smooth operation of the festival on its current site may not translate to the new premises. Councillor Baldwin asked about the different challenges that may be faced if the site was to be moved.

Edward Grant noted that 30 shows were held across the UK, with each venue holding its own challenges. The best solution was working with local authorities which have local knowledge of the area, which would be the case if the venue were to be moved. Edward Grant noted that the application for the new premises was part of a contingency plan.

Councillor Baldwin asked if the applicant had considered the potential changing nature of the site over the coming years, considering that the license would be perpetual if granted.

Edward Grant stated that in terms of development of the site, the applicant would continue to look at and work with plans as the area developed. The applicant would be unable to anticipate these plans but would be able to accommodate and respond to them. Edward Grant noted that Let's Rock the Moor was the flagship event for UK Live and should the original site one day become unavailable, other venues within the area would be looked at.

The Chairman asked for clarification that this application was a back-up plan should the original site be unable to hold the event, and the event would not be moved if this was not the case.

Edward Grant confirmed that this application was part of a back-up plan in the event of being unable to use the original site. He also confirmed that the applicant had nothing further to add.

Craig Hawkings stated in summary that the Sub-Committee was obliged to determine this application with a view to promoting the four licensing objectives. In making its decision, the Sub-Committee was obliged to have regard to national guidance and the Council's own Licensing Policy. The Sub-Committee must also have regard to all the representations made and the evidence that it hears.

Craig Hawkings stated that the options available to the Sub-Committee were as follows:

- Reject the application
- Refuse to specify a person in the licence as the premise's supervisor
- Grant the application but modify the activities and/or the hours and/or the conditions of the licence
- Grant the application

Craig Hawkings stated that where conditions were attached to a license, the reasons for those conditions must be given in writing.

Craig Hawkings then stated that any party to the hearing may appeal against the decision of the Sub-Committee to the Magistrates' Court within 21 days of the notification of the determination.

The Chairman thanked everybody for their time and attendance and informed the Sub-Committee that a letter would be sent out within 5 working days of the hearing informing participants of the decision.

During their deliberations, the Sub-Committee considered the written representations provided by the applicant and those making relevant representations. The Panel also heard oral evidence from the applicant and Craig Hawkings, Reporting Officer at the Royal Borough of Windsor & Maidenhead.

After careful consideration of all the evidence provided, the Sub-Committee decided to allow the application in full. In making their decision, the Sub-Committee had regards to its duty to promote and uphold the four licensing objectives.

The meeting, which began at 10.00 am, finished at 10.45 am

CHAIRMAN.....

DATE.....