

TORRIDGE DISTRICT COUNCILLICENSING SUB-COMMITTEE MEETINGCaddsdow Business Support Centre - Caddsdow Bideford EX39 3BEFriday, 19 January 2024 - 10.00 am

PRESENT	Councillors C Bright, P Hackett and P Pennington	
ALSO PRESENT	S Dorey	- Head of Legal & Governance (Monitoring Officer)
	C Parkhouse	- Lead Licensing Officer
	J Mann	- Environmental & Licensing Team Leader
	T Vanstone	- Senior Electoral & Democratic Services Officer
	K Brown	- Democratic Services Officer
	P Butler	- Police Licensing Officer
APPLICANT	A Phillips	
WITNESSES	D Phillips	
	S Allen	
OBJECTORS	A Finley	
	O Mustafa	
	A Tucker	

14 members of the public.

The Chair welcomed everyone to the meeting.

27. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - CORNWALL EVENT HIRE

The Chair opened the meeting, introducing the Licensing Sub-Committee Members. He advised that the hearing had been convened to consider an application for a premises licence – Cornwall Event Hire.

The Councillors present declared they had no personal or prejudicial interests in the application.

The Lead Licensing Officer introduced all Officers present including Paul Butler, Police Licensing Officer, who was representing the Police as a Responsible Authority.

The Chair asked the applicant to identify himself along with any representatives and witnesses.

The Chair asked the objectors to identify themselves.

The three objectors identified themselves confirming they all wished to speak, and their objection was personal.

The Chair explained the procedure and purpose of the hearing.

**The Lead Licensing Officer presented the report, the purpose of which was to provide the sub-Committee with information relating to an application for a premises licence for Cornwall Event Hire to enable the sub-Committee to determine the application.**

The Chair thanked the Lead Licensing Officer for his report and asked the panel if they had any questions for the Lead Licensing Officer.

There were no questions from the panel.

The applicant and his representatives were invited to put forward their case.

Mr A Phillips addressed the panel advising that the location was within the agreed employment land area of the Winkleigh Neighbourhood Plan. He then proceeded to provide the sub-Committee with the history of the business and how it had developed over the years. Mr A Phillips continued to advise of the staff he employed, and work carried out during the Covid-19 Pandemic. Examples of how the business supports the local community, parish and events were given. Details of events they have supported at Westpoint and St James Park, Exeter were advised and how then had improved their venue in Crediton, from a nightclub to an established restaurant and accommodation. Mr A Phillips advised of SAG meetings he had attended and that it was the intention of the business to work with the authorities. Vehicle management was explained along with people management and nuisance. During the presentation of his case Mr A Phillips also identified family members who are employed as part of the business and specified their roles.

Following the mention of the event that was due to be held in December 2023 for Young Farmers, Councillor P Pennington declared a personal interest as his son is part of Tarka Young Farmers.

Mr D Phillips addressed the sub-committee and gave an overview of the history of events he had helped to organise and licences he held. He detailed all the organisations that he is involved with, and positions gained.

Ms S Allen provided information on her and the management teams experience that contributed to the operation of Cornwall Event Hire and indicated how this experience helped to de-escalate any problematic issues.

The Chair asked the panel if they had any questions.

In response to queries from the panel regarding access, Mr A Philips provided details of the agreement already in place with DCC Highways which guarantees arctic lorries turn left out of the site and this would not change. CSAS (Community Safety Accreditation Scheme) operatives would be on site to manage the

movement of coaches at an event. Entrances on the A3124 are owned by one of the objectors.

Following a question on how the Young Farmers event would only allow coaches to enter, Mr A Phillips explained how the Young Farmers organisation operate for events such as these. It was also confirmed that a management plan was in place for vehicles and intoxicated people.

Mr A Phillips explained that the licence application was for 7 days due to the warehouse operations however he was open to have events restricted to the weekend. Mr A Phillips clarified that the event previously scheduled was purely a one off for Young Farmers and as the event was not covered by a temporary event notice a premises licence was necessary. Potential events that may be held in the future were discussed.

Following a query regarding noise, the Lead Licencing Officer confirmed the guidelines from the environmental noise code of practice.

It was confirmed that the maximum capacity would have been 1800 for the Young Farmers event due to space, access and fire regulations. Mr A Phillips was happy to have capacity restrictions in the conditions of the licence.

No trees would be removed.

In response to a query regarding the cleanliness of the site, Mr A Phillips advised the site would be suitably cleared for an event. It was confirmed that the scaffold tower was on the land of an objector, however had since been removed.

Confirmation was given that guests would be drug tested.

The Chair invited the objectors to make their representation.

The first objector to address the sub-Committee was Mr A Tucker who detailed the concerns he had with the application which included the size of the tarmacked area not being big enough for a Marquette and would be too close to the road. Another concern included vehicles for staff that would not be included with in rule of only coaches. Mr A Tucker expressed that he was not consulted regarding the use of his yard for access and was worried the affect an event would have on nearby animals. He stated that the road was not suitable for coaches and was concerned where all the coaches would park while the event was in process.

Mrs Angela Findlay addressed the sub-Committee and confirmed she is a Parish Councillor for Winkleigh Parish Council; however, she was not speaking on their behalf and her objection was purely personal. Her concerns included the following:

- Public safety, environment – light and noise, pollution, increase in traffic, parking of coaches, access to and egress of the site, pedestrian safety, increased crime, and violence due to drink and drugs, livestock close by and the state of the site.

Mr Osmond Mustafa re-iterated what Mrs A Findlay had said and that his main concerns were noise, traffic, access, and anti-social behaviour and referred to a recent altercation that occurred at the local leisure centre.

The Chair advised that Cornwall Event Hire would have to provide security for events, and it would not be the responsibility of the police to do so.

Following a question from Councillor P Pennington, the amount, and types of properties on Butchers Moor Lane was confirmed. It was also confirmed that one farm has access to Butchers Moor Lane from the back of their property, however, it was not known how often it was used.

Councillor P Hackett asked for assistance from Mr P Butler, Police Licensing Officer on some of the concerns raised by the objectors. Mr P Butler introduced himself to the room and provided an overview of the application process. He advised he had carried out a site visit to look at concerns raised and concluded there were no concerns for him following confirmation from the applicant on how the vehicle would enter and exit the site. Crime and disorder can occur at any event no matter how good the security and organisers however when good SIA and organisers work well, they can identify problematic individuals early enough to help prevent any disruption or anti-social behaviour. If businesses abide by the four licensing objectives, then he sees no issue.

Coaches would have parked in Winkleigh Community Sports Centre for the Young Farmers event in December if it had gone ahead.

Mrs A Findlay proceeded to read out a statement on behalf of Mrs CML Kimberley who was against the application. Again, her concerns centred on noise, the application was not clearly displayed on the premises which did not allow sufficient time to object, venue was not needed in the village as there are currently other venues that are adequate, water contamination, environmental issues, animal welfare, parking, planning, access, and safety to pedestrians.

The Chair advised planning concerns and animal welfare were not a consideration for the sub-Committee.

Mr A Phillips clarified how the coaches would be managed in and out of the site and depending on the event there could be approximately 30 coaches which would not stay on site for the event.

The applicant was invited to have a final reply to the objectors.

Mr A Phillips responded by providing assurance regarding the fencing for the maquette and that the Police would not be required to attend events as he has security staff. Regarding school concerns it was advised that there was already an agreement in place with DCC highways that the business does not travel at the same the school children are taxied in therefore event times do not interfere with school times. The site would have been cleared if the event in December had gone ahead. There is a specific requirement for the number of toilets needed at an event and this is set in the management plan. Vehicles must turn left out of the site and

then turn around at a junction to come back on themselves. The advert was printed on the wrong-coloured paper and positioned incorrectly; both issues were rectified. Mr A Phillips confirmed he is a Winkleigh Parish Councillor however this is separate and is not speaking on behalf of the Parish Council.

At 11.24am the sub-Committee retired to consider the application.

At 12.02pm the sub-Committee returned.

The Chair stated that the sub-Committee had carefully considered the matter and oral evidence of all parties. They believed that the relevant licensing objectives identified in the representations received included:

- The prevention of crime & disorder
- The prevention of public nuisance
- Public safety

And their deliberations had focused on the steps they believed were appropriate for the promotion of these objectives.

The decision was made to grant the licence with additional conditions/amended timings that included:

- Any event will be managed in accordance with an Event Management Plan (EMP) agreed with the Police and Local Authority. The EMP will be submitted to the Police and Local Authority three (3) calendar months prior to the event.
- The licence holder will ensure that any part of the site used to hold an event will be cleared with sufficient space to ensure that it is safe for all involved in accessing, attending, and egressing the event.
- The licence holder will ensure that any part of the site not being used for events will be suitably cordoned off to prevent unauthorised access by users of the site to protect from potential harm.
- The traffic management on the highway must only be undertaken by accredited Chapter 8 trained operatives and in the plan, it must explain where coaches/buses are parked during the event or know which coaches/buses are not staying in the area.
- The operations centre must only be used for the storage and despatch of orders received in connection with the licence holder's events business.
- The licence will only allow a maximum of 3 public events per 12-month period.
- The noise levels to be monitored throughout the event at below 65 decibels at the nearest dwelling.

The decision was unanimous.

Any party may appeal to the magistrate's court within 21 days.

The meeting opened at 10am and closed at 12.07pm.

The meeting commenced at 10.00 am and closed at 12.07 pm

Chair:

Date: