



Licensing Sub-Committee

Date: Monday, 16 September 2019
Time: 2.00 pm
Venue: Committee Room 1, County Hall, Dorchester, Dorset

Membership: (Quorum 3)
Councillors Les Fry, Emma Parker and David Taylor

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please telephone Democratic Services on 01305 or Kate Critchel 01305 252234 kate.critchel@dorsetcouncil.gov.uk



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Members of the public are welcome to attend this meeting with the exception of any items listed in the exempt part of this agenda. **Please note** that if you attend a committee meeting and are invited to make oral representations your name, together with a summary of your comments will be recorded in the minutes of the meeting. Please refer to the guide to public participation at committee meetings for more information about speaking at meetings.

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A G E N D A

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1 APOLOGIES

To receive any apologies for absence.

2 WELCOME FROM THE CHAIRMAN

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To set out the procedure for the meeting.

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

**4 OBJECTION TO TEMPORARY EVENT NOTICE FOR SIKUTA
FESTIVAL, WIMBORNE**

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To consider a report of the Team Leader, Licensing on an application for a temporary event notice.

5 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

6 EXEMPT BUSINESS

There is no exempt business scheduled for this meeting.

THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to leave, and may refuse that person to return, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

FOOTNOTE:

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Department at West Dorset District Council and they will be provided with a full copy of the regulations on request.

LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
 - the members of the sub-committee

- the council officers present
 - the parties and their representatives
2. The Chairman will then deal with any appropriate agenda items.
 3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
 4. The applicant or their representative is then invited to present their case.
 5. Committee members will be invited to ask questions.
 6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
 7. The Chairman may then allow an opportunity for questions.
 8. The Chairman will ask any person who has made representations, who have already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
 9. The Local Ward Member, if present, will be given an opportunity to address the sub-committee.
 10. All parties will be given the opportunity to “sum up” their case.
 11. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the sub-committee will withdraw from the meeting to consider its decision in private. The sub-committee will be accompanied by the Democratic Services Officer and the Legal Advisor can be called upon to offer legal guidance.
 12. On returning the Chairman will:
 - Notify all those present of the sub-committee’s decision (or indicate when it will be made)
 - Give brief details of any conditions attached to the licence approval;
 Or
 - Outline the reasons for the refusal
 - Inform that detailed reasons will follow in writing (unless given on the day)
 - Inform those present of their right to appeal to the Magistrates’ Court

NOTE

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting will take place in public. However, the public can be excluded from all or part of the meeting where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

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**Objection to Temporary Event Notice for
Sikuta Festival, Wimborne**

Date of Meeting: 16th September 2019

Portfolio Holder: Cllr Tony Alford

Lead Officer: Aileen Powell

Executive Summary:

To consider a temporary event notice served on Dorset Council by the premises user Miss Danielle Case, for a field at the Showground, Merley Hill Farm, Wimborne, following objections from a responsible authority namely Dorset Police.

Equalities Impact Assessment:

No equalities impact assessment associated with this report.

Budget:

No budget associated with this report.

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: HIGH
Residual Risk: HIGH

Other Implications:

No other implications associated with this report.

Options:

1. Members can decide to:
 - 1.1 Allow the temporary event notice as served,
 - 1.2 Issue a counter notice if they believe that the event would undermine the licensing objectives and should not take place.
2. Members may only consider matters that are linked to one or more of the licensing objectives. Members should give full reasons for their decision.

Reason for Options:

3. Where objection notices have been received from the Police and/or Environmental Health in relation to a temporary event notice, Dorset Council's scheme of delegation set out in the Constitution state that these applications should be dealt with by the Licensing Sub Committee.

Appendices:

- Appendix 1 - Map
- Appendix 2 - Temporary event notice
- Appendix 3 - Objection notice from Dorset Police
- Appendix 4 - Notice of Hearing with request for further information
- Appendix 5 - Information relating to the festival

Background Papers:

4. Licensing Act 2003: <http://www.legislation.gov.uk/ukpga/2003/17/contents>

The Former East Dorset District Council's Statement of Licensing Policy

The Home Office Statutory Section 182 Guidance:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

[Dorset Council Small Event Guide](#)

Officer Contact

Name: Aileen Powell

Tel: 01258 484022

Email: aileen.powell@dorsetcouncil.gov.uk

Background

5. A temporary event notice (TEN) was served on the Licensing Authority on 31 August 2019 notifying the Council of the premises users' intent to undertake the following licensable activities the retail sale of alcohol on the premises, the provision of regulated entertainment and the provision of late night refreshment' at Merley Hill Farm on the 21 and 22 September between 1800hrs and 0200hrs. The "Showground" is a field situated on the Lake Gates roundabout where Julians Road joins the A31 between Wimborne and Corfe Mullen. A location map is attached at appendix 1.
6. The TEN has been served for a music event called Sikuta Festival at the venue, which will feature DJs playing music, a pay bar and a food trailer. A copy of the TEN is attached at appendix 2.
7. The premises is a field that is used several times a year for a variety of reasons including a campsite for the Wimborne Folk Festival, a circus, a car boot sale and other mini festivals. These events have been subject to noise complaints and are normally put before a Safety Advisory Group.

8. An Objection Notice to the TEN has been served by Dorset Police within the statutory three working days consultation period.

The objection is attached at Appendix 3.

9. When an Objection Notice is received, a hearing is arranged and in preparation for the hearing a Notice is sent out within which officers may request additional information to be supplied in order that the matter can be fully considered. In this instance the notice included a list of matters which would normally be asked of anyone who was organising a festival of this size.
10. Officers have concerns about the closeness of the serving of the TEN to the event, and the lack of preparations that appear to have been undertaken by the organisers. Dorset Council has a "Guidance to Assist Organisers of Small Events" on its website which outlines the matters that need to be taken into account. The Guide also states that it

"does not replace the need for event organisers to seek advice from other sources and particularly for consultation with relevant Local Authority officers and the emergency services. These officers will be prepared to offer advice and assistance including whether a Premises Licence is required or not."

No advice has been sought from either the Authority or the Police by the organisers of this event.

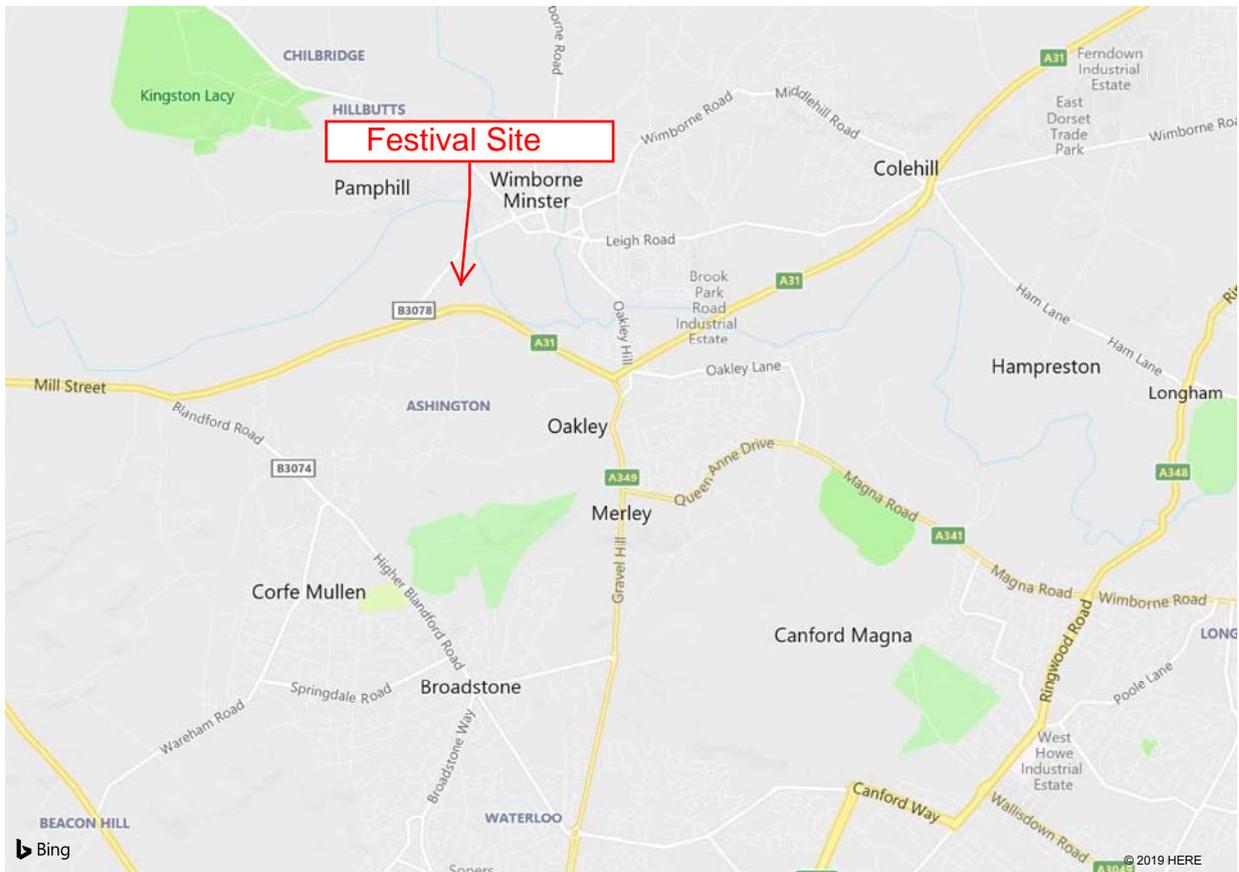
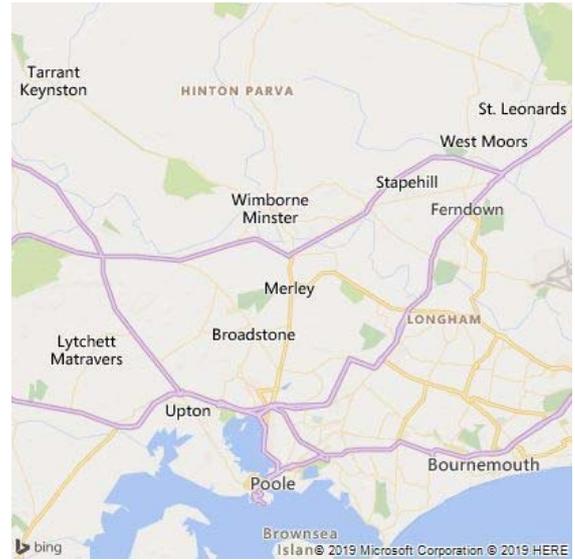
11. The website selling the tickets for the event [Sikuta](#) show it as a sell-out which equates to 450 tickets, although the location is stated as being in Fordingbridge the date is the same, and officers believe this is the same event. The ticket site shows the event is for the 16+ age group, it is a house, techno, bassline, D'n'B event which means there will be loud music with a significant bass element which is the sort of event that can lead to a significant number of noise complaints. There is overnight camping and this is the first outdoor festival that the organisers have put on. All of this points to this being a high risk event.
12. The decision of the Sub-Committee is whether, having had regard to the objection notice, it considers it appropriate for the promotion of the licensing objectives to give a Counter Notice to the premises user together with a notice stating the reasons that decision was made. The effect of this would be that there was no permission in place and would render the organisers liable to prosecution if the event were to go ahead.
13. If the Authority decides not to give a Counter Notice a decision notice will have to be provided to both the premises user and the Police.

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bing maps

Notes

Location of TEN



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Aileen Powell

From: Kathryn Miller
Sent: 04 September 2019 14:12
To: Aileen Powell
Subject: FW: TEN
Attachments: d case.pdf

From: Busfield, Louise [mailto:Louise.Busfield@dorset.pnn.police.uk]
Sent: 04 September 2019 13:30
To: Kathryn Miller <KMiller@dorset.gov.uk>
Cc: Gosling, Gareth <Gareth.Gosling@Dorset.PNN.Police.uk>
Subject: FW: TEN

Good afternoon Kathryn,

Further to our conversation earlier, please be advised that our objection to this TEN is made under the Licensing Objectives of Public Safety and Crime & Disorder. I spoke briefly to the applicant's mother yesterday, although the applicant was in the background she chose not to speak.

Notwithstanding this conversation, we are not assured by the applicant's schedule that they have considered the implications of having a paid bar, or how this will be managed. We have not been advised in relation to SIA, there is no dispersal policy, no detail as to whether they will be adhering to Challenge 25, no detail of a search policy. The applicant's mother did not know whether this event would be held in a marquee or in an open field; this raises serious concern in relation to welfare considerations in the event of inclement weather and any welfare /medical provision for unwell or intoxicated patrons.

Therefore we consider that this event could pose a very real risk, could impact on the emergency services and add demand to already stretched resources.

Until such time the concerns as above are addressed to satisfy Dorset Police that the licensing objectives will be upheld, the objection will stand.

Kind regards,
Louise

Louise Busfield 8952
Licensing Officer
Drug and Alcohol Harm Reduction Team
Prevention Department Bournemouth Police Station Dorset Police
E: louise.busfield@dorset.pnn.police.uk T: 01202 222445 M: 07912 899315

Connect with Dorset Police: [Online](#) | [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Youtube](#)



From: Busfield, Louise
Sent: 03 September 2019 16:49
To: licensingteamb@dorsetcouncil.gov.uk
Cc: daniellec97@hotmail.com
Subject: FW: TEN

Dear Licensing

Please be advised that Dorset Police is objecting to this TEN.
There is nothing contained within this application to evidence that the Licensing objectives will be upheld.
I have phoned and emailed the applicant asking for further information but have not received a response.

Kind regards,
Louise

Louise Busfield 8952
Licensing Officer
Drug and Alcohol Harm Reduction Team
Prevention Department Bournemouth Police Station Dorset Police
E: louise.busfield@dorset.pnn.police.uk T: 01202 222445 M: 07912 899315

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From: Licensing Inbox <licensingteamb@dorsetcouncil.gov.uk>
Sent: 02 September 2019 14:01
To: .Licensing <Licensing@Dorset.PNN.Police.uk>
Subject: FW: TEN

Please find attached a TEN for A31 Wimborne Roundabout, Merley.

Many thanks

Kathryn Miller
Licensing Officer
Licensing

Dorset Council

01305 252214
Kathryn.miller@dorsetcouncil.gov.uk

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To receive the latest news from Dorset Council by email, visit
dorsetcouncil.gov.uk/e-newsletter

From: Lesley Johnson [<mailto:lesley.johnson@bcpcouncil.gov.uk>]
Sent: 02 September 2019 09:12
To: Licensing Inbox <Licensing@dorset.gov.uk>
Subject: FW: TEN



Lesley Johnson
Consumer Protection Officer
Communities
T: 01202 261765
lesley.johnson@bcpcouncil.gov.uk
bcpcouncil.gov.uk

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From: Lesley Johnson
Sent: 02 September 2019 09:10
To: Louise Gosnold
Subject: TEN

Hi Louise

I received this TEN on Friday, I have been trying to contact Danielle and did email her but no response. There was no fee enclosed.
She may well have already contacted you?

Regards



Lesley Johnson
Consumer Protection Officer
Communities
T: 01202 261765
lesley.johnson@bcpcouncil.gov.uk
bcpcouncil.gov.uk

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Miss Danielle Case
92 Iford Lane
Bournemouth
BH6 5QZ

NOTICE OF HEARING Licensing Act 2003 (Hearings) Regulations 2005 Paragraph 6(1)	
Premises to which hearing relates	Merley Hall Farm, Wimborne
Date of hearing	16 September 2019
Time of hearing	14.00
Where hearing will be	Committee Room 1, Dorset Council Offices, County Hall, Colliton Park, Dorchester, DT1 1XJ
<p>The Sub-Committee will make available all representations (unless the relevant committee consider the representations to be vexatious or frivolous) to the applicant and any person who has made representations (unless the relevant committee consider the representations to be vexatious or frivolous).</p>	
<p>The Authority has identified the following additional points on which it would like clarification at the hearing (if applicable):-</p> <ul style="list-style-type: none">• A response to all of the points raised by the Police in their Notice of Objection (attached)• Details of the type of music that will be played (for instance pop, dance, garage, folk, indie etc)• The age profile of the audience• Any previous experience of arranging an event• First Aid provision• Toilet provision• Whether it is one night or two nights• Will people be camping• What will happen if there is bad weather• Who will be running the bar• A plan for how you will manage the escape of Noise from the event (a Noise Management Plan) Which will include the following;- <p>Statement of intent - this should explain the purpose of the NMP.</p> <p>Introduction - this should detail what is proposed and what noise criteria are to be achieved.</p>	

Potential noise sources and proposed controls – this should state all potential sound sources including:

- the main outdoor stage
- marquees and tents (including camping)
- sound checks
- generators
- impromptu parties - staff and guests
- departing patron noise

Public relations – the issue of how local residents, parish and town councils will be informed of the event. A telephone hotline should be provided and maintained throughout the event hours so that members of the public can contact the organisers. A note of all telephone calls made should be made using a log sheet. Also attendees to the event should be clearly communicated in advance about the expectations of the event organiser.

Noise monitoring of the event - this section should explain in detail how all noise sources will be monitored and controlled on the event days, including a chain of command (i.e. who has the authority to reduce noise levels throughout the hours the entertainment will be taking place). Will the noise consultant be present on site throughout the duration of the event? A note of all monitoring details should be made using a log sheet

Communication – it is essential that there are adequate communications both on the site and in the surrounding area so that relevant persons can contact one another. You will need to consider mobile phone reception and audibility once there is music playing when it becomes difficult to have telephone conversations, or even to hear the phone ringing.

Follow-up report - within a short period of time following the event (e.g. 21 days) the event organiser or his noise consultant. Should produce an evaluation report detailing the impact on local residents, results of all monitoring, compliance with conditions and recommendations for the improvements if events are to be held at this site in the future.

Company Name-

Sikuta

What is the event? -

It is a one night festival on 21st September 2019. Entry begins at 4pm. Music will begin at 6pm and finish at 12pm, by several different DJs who will have pre-recorded music. A selection of the ticket holders will be camping. Where we will provide a section of the site for campers only. There will also be car parking for the campers to park their cars. They will need specific car parking tickets in order to park. Everyone will be off the whole site by 2pm on 22nd September and all non-campers will be off-site by 1am 22nd September.

Medical Provisions

- Medical tent with first aiders

Communication

- Radio walkie talkies to communicate with security and staff

Dispersal – leaving the site

- Specific area for drop off only.
- Only one entrance.
- Entrance will be manned by security during the festival and after.

Noise Control

- All music will finish at midnight
- Only one stage with amplified music.

Count numbers – ID

- Ticketed event, no ticket no entry. Only 450 tickets sold on skiddle
- No alcohol allowed onto the site, everyone will be searched at the door by licensed stewards.
- Drinks van providing alcohol (plush slush) will check ID every time a consumer buys an alcoholic drink. Making sure they are over the age of 18.

Fencing and Barriers

- Harras fencing through the middle of the site. Rest of site is closed in by bushes. With entries for tickets to be checked, bodied by security.

Security

- Fully licensed security team
- Female security included.
- Two security members are dog handlers and will have their dogs on site with the relevant signage to state that there are dogs on the site. They won't come out the vehicles unless needed.
- Security will be bag checking and pat downs.

Waste Management

- Ringwood and Fordingbridge skip hire and we can provide all relevant waste management certificates for this.
- No glass will be allowed on to the site.

- We have allocated staff who will walk around the site for the whole of the evening, making sure as much rubbish is cleared as possible.
- Bin Outside of each refreshment van
- Bin in the carpark
- Bin in the camping area
- Bins provided around the site
- After everyone has left the site, all staff will clear the site of any rubbish.

Sanitation – toilets

- 10 portable toilets provided by a company who will dispense of them after the event.

Welfare

- We will not allow any fires on sites.
- All tents will be placed in a separate area to the rest of the site.
- The stage will be sectioned off.

Incident book

- We will provide an incident book. The main security person will be the keeper of the incident book. Communicating with all the site workers to make sure all incidents are recorded.

Food, drink and Water provision

- One drinks van which will be provided by plush slush, they will hold a refusal book for people that have been denied alcohol.
- There will only be one food van provided by Craig Robinson. He has a fully licensed burger van and can provide breakfast in the morning.

External Contractors

- Food van – Craigos Catering
(https://www.facebook.com/craig.robinson.520900?fref=search&__tn__=%2Cd%2CP-R&eid=ARBbXOXd8vnTJbJVC0oRHYrdGb8RvuJaHKOPsLS258rgV2xeKr3X2hMePchDRnKDUa7vp0qVRcwU-VBx)
- Drinks van – Plush Slush
(<https://www.facebook.com/plushslush/>)

Tickets

- Online tickets sold on Skiddle.
- All ticket holders will receive a specific coloured wristband.
- Staff will receive a different coloured wrist band.

Generator

- 64kva generator for power
- Will power everything for the site and cabling will be fully covered and protected

Complaints

- It is in a secluded area with houses in the distance. To make sure there are no noise complaints the music will

stop at 12pm and the stage will be facing the A31 so no noise projects over the fields. Facing away from all nearby housing.

- All car drivers will only be allowed to come out of the event and turn left to stop any traffic congestions.

On Thursday 5th after a site observation, a risk assessment will be put in place by the team.

We have linked our list of rules that will be sent out on our social medias.

We have also attached licensing from the security.

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Sikuta Festival Rules

- To get to Wimborne you must turn right on foot and cross Julian's bridge. Please be aware this is a very dangerous and busy road. If you need assistance please ask.
- We will be operating a one way exit for all motor vehicles which will take you left out of the venue, please only turn left and use the roundabout at the end of the road to come back towards Wimborne.
- No open fires will be permitted on site, if you are caught with a fire or BBQ you will be asked to leave.
- Please put all rubbish in bins provided! There are plenty so there is no excuses.
- Anyone creating a disturbance will be removed from the premises and will not be able to re-enter.
- If you need any assistance please don't hesitate to speak with a member of our security/steward team who will be happy to help.
- No ticket, no entry.
- All over 18s will need genuine ID in order to purchase alcohol.

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