



Date of Meeting: 16<sup>th</sup> 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

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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.