

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Sub Committee A held at Barum Room - Brynsworthy on Wednesday, 29th March, 2023 at 10.30 am

PRESENT: Members:

Councillor

Councillors D. Spear, L. Spear and York

Officers:

Legal Advisor, Solicitor and Licensing Officer

23. APPOINTMENT OF CHAIR

The Corporate and Community Services Officer requested nominations for Chair.

RESOLVED that Councillor York be appointed Chair.

24. APOLOGIES FOR ABSENCE

There were no apologies for absence.

25. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

26. TO AGREE THE AGENDA BETWEEN PART 'A' AND PART 'B'

RECOMMENDED:

- (a) That under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item as it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to the financial or business affairs of any particular person (including the authority holding that information).
- (b) That all documents and reports relating to the item be confirmed as 2 "Not for Publication".

**27. APPLICATION FOR THE GRANT OF A PREMISES LICENCE:
HANDGLIDERS FIELD, WOOLACOMBE DOWN, CHALLACOMBE
HILL, WOOLACOMBE, DEVON, EX34 7BG. REFERENCE: 055786**

The applicant confirmed that he is happy the person making representations today, Mrs. Black, to remain in attendance whilst the 'Part B' business of the hearing is conducted.

The Chair introduced the Committee Members and those present.

Mr Mulchrone, the representative of the applicant, Mr Liney Lewis, was accompanied by Mr Hayler (a business associate of Mr Linley Lewis).

The Solicitor summarised the process to those present.

The Licensing Officer addressed the Committee and advised of the following:

- The application was being considered under 'Part B' as the document provided held commercially sensitive information.
- The applicant's held a license to carry out the event. Which was for Friday to Sunday, for one event per year. This was a new application to hold the event from Thursday to Sunday. Therefore to increase the duration by one day.
- It was not an amendment to an existing licence, but for a new licence.
- The event could still be held, even if this new application was not granted, although it would be for Friday to Sunday.
- A summary sheet of the proposed licence had been included. This clearly showed the operation times for each element of the licence, for each day, alongside the timings on the existing licence, against the proposed changes. This covered the changes proposed within the application on appendix b.
- Appendix a was the application for the licence previously awarded
- Appendix b was the application for the new licence.
- Since publication of the agenda, the Licensing Officer had been advised that the National Trust had opened a new car park on the site which would alleviate any parking issues.

Mr William Hayler addressed the Committee and advised of the following:

- The background of the origins of the festival, and their company. He confirmed that it had been 'born' out of Wavelength, a surfing magazine.
- The National Trust gave permission for them to use the site. This permission had been granted again for this year. The land had been well looked-after last year and the location was returned to the condition it had been prior to the festival.
- Their ethos was to be sensitive to the local environment and be of benefit to the town.
- The majority of attendees were local residents.
- Feedback from attendees had been that the festival had been a huge success.

Mr Laurence Mulchrone addressed the Committee and advised of the following:

- He was an experienced production manager / contractor and had worked on many events across the country.
- A licence was already in place to allow the applicant to hold one event per year.
- Maximum occupancy of the site was 4999. In 2022 the event saw 2500 campers, 1000 day tickets were sold for Saturday and 500 on Sunday.
- If the new licence was granted, with the addition of Thursday to the event, this would be open to camping ticket holders only. Also, only the smaller stages would be in use, with a less substantial sound system.
- They had been unable to remediate concerns received from residents.
- Decibel limits, and a maximum volume allowed would be agreed if restricted by the Authorities Environmental Health Officer.
- A Noise Manager would be employed to ensure all levels were monitored at pre-determined locations around the perimeter. Georgeham could be included in those locations. This manager would be in communication with the sound engineers.
- There would be a hotline number for the local residents to call if any issues with noise.
- Operating hours had not been exceeding in 2022.
- A Traffic Management scheme (produced by an external organisation) stated that, based on traffic modelling, there would be 1000 vehicles expected (camping), and 500 vehicles from day attendees on Saturday and 250 on Sunday. It was expected that the opening of the site a day earlier would reduce the traffic numbers of campers – as would be split over two days.
- Signage would be in place to direct attendees via the A361.
- The dates of the event had been moved in agreement with Morteheo Parish Council.
- No representations had been made by the emergency services.
- Increased number of shuttle bus services would be provided which would transport attendees to the site from various locations including other holiday parks.

In response to a question from the Chair, Mr Mulchrone advised that there had been a few noise complaints during the event in 2022, however, the Council's officer had been satisfied that there were no issues or breaches of conditions.

Mrs Black, of Parkin Estates, addressed the Committee and advised of the following concerns of Parkin Estates:

- The strain to the road network due to increase traffic during the school holiday period.
- Public safety – pedestrians on poorly lit roads and lack of access to medical facilities.
- Effects of noise on nesting birds in Woolacombe, along with the effects of grass cutting prior to the event which would discourage ground-nesting birds.

Mr Muclhrone, Mr Hayler, and Mrs Black each summed-up with their closing statements.

Mr Muclhrone confirmed that:

- The event would need to be held during a holiday period to ensure it could be well-attended and commercially successful.
- The site would be artificially lit.
- Private medical services had been employed to provide any assistance required on site.
- He anticipated that many vehicles would remain on site for the whole weekend, and attendees would either walk or use the shuttle bus service to travel around the area.

Mrs Black confirmed that traffic was a concern due to increased awareness of the area for tourism but would support the application if the event was not being held during school holidays.

The Licensing Officer summarised the application to those present.

In response to a question from the Solicitor, Mr Mulchrone confirmed that the applicant would accept a compromise in relation to the start times for each element – so that the Thursday's starting times would match those currently in place for the Sunday and that Georgeham would be added to the list of locations for Noise monitoring.

In response to a question from the Committee Mr Mulchrone confirmed that the customer were approximately 50% families, and 50% older adults (late 20's onwards).

RESOLVED that everyone be excluded from the meeting with the exception of the Members, Solicitor, and Corporate and Community Services Officer in order for the Sub-Committee to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED that everyone be re-admitted to the meeting,

The Chair requested that the Corporate and Community Services Officer read the proposed decision, which was voted on, and agreed.

RESOLVED that the application for a licence be granted with the conditions put forward. Particular consideration was given by the Committee of the robust Event Safety Management Plan and the Transport, Traffic and Pedestrian Management Plan, in terms of meeting the licensing objective. The Committee was satisfied that the applicant has taken into account any future potential issues, for example, pedestrian safety, by way of providing an increased shuttle-bus service, and potential noise issues, with the addition of Georgeham as a noise-sensitive location.

The Chair thanked everyone for their attendance and hoped that the applicants, and the representative of Parkin Estates, would continue to communicate regarding the event.

Chair

The meeting ended at 2.17 pm

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.