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Cherwell District Council

Licensing Sub Committee

Minutes of a meeting of the Licensing Sub Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 21 January 2020 at 10.00 am

Present:

Councillor Richard Mould
Councillor George Reynolds
Councillor Douglas Webb

Officers: Richard Barlow, Solicitor
Aaron Hetherington, Democratic and Elections Team Leader
Emma Faulkner, Democratic and Elections Officer
Michael Sands, Licensing Technical Officer

7 **Appointment of Chairman of the Sub-Committee**

Resolved

That Councillor Douglas Webb be appointed Chairman of the Sub-Committee.

8 **Declarations of Interest**

There were no declarations of interest.

9 **Premises Licence Application Hearing**

The Environmental Health & Licensing Manager submitted a report to consider an application for a Licensing Act 2003 Premises Licence for Kirtlington Park, Kirtlington, Oxfordshire, OX5 3JN

Resolved

(1) As set out in the attached determination letter

The meeting ended at 11.28 am

Please ask for: Licensing

Direct Dial: 01295 753744

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Our Ref:

Premises Licence Application for Kirtlington Park, Kirtlington, Oxfordshire OX5 3JN Licensing Sub Committee: 21 January 2020

I write to confirm the outcome of the above hearing.

Report of the Licensing Officer

The Licensing Sub-committee listened carefully to the presentation of the report by the Licensing Officer. The Licensing Officer confirmed that two representations had been received during the consultation period objecting to the application; one representation from the Licensing Authority and one representation from a local resident.

Following discussions regarding the conditions proposed for the licence, the Licensing Authority had decided to withdraw its objection to the grant of the licence.

The Licensing Officer confirmed the statutory licensing objectives as:-

1. The prevention of crime and disorder;
2. Public safety;
3. The prevention of public nuisance;
4. The protection of children from harm.

The Licensing Officer explained that the proposed festival at Kirtlington Park is planned to be open for three days and three nights. The licence application seeks the sale of alcohol until 02.00 on each of the three nights.

The Licensing Authority

Ms Pegler explained that, initially the Authority had objected to this licence. Since the formulation of the objection, the Authority had received the draft Event Plan and had entered into discussions with



the applicant resulting in the conditions being proposed for approval by the Sub-Committee, upon which basis the Licensing Authority had decided to withdraw its objection to this application.

The Environmental Health Officer

Mr Whitton stated that he was satisfied that issues of noise from the festival are capable of being addressed in preparation for the event.

The Application

The Licensing Sub Committee carefully listened to the application submitted on behalf of the applicant by Mr Simon Taylor.

He explained that the applicant has been a successful operator since 2009, having a special focus on outdoor events for the past eight years. The applicant is experienced at running the proposed type of festival having operated similar festivals at Blenheim Palace, the Sundown Festival in Norfolk and the long road festival in Market Harborough in recent years.

Mr Taylor emphasized the importance to the applicant of working with the community and the responsible authorities. Specialist noise and traffic consultants are working on the plans for the festival and liaising with the relevant officers.

The festival is planned to have a main stage which will close at 11.00pm. There is to be an indoor stage within a tent with a capacity for 800 people and this is designed to be operated through to 2.00am. There is no expectation that music could be a nuisance after 11.00pm.

A wide range of conditions have been proposed and many of these conditions require more detailed plans to be submitted for approval and thereafter the approved plans are to be implemented. It is recognized that the detailed plans will be submitted to and scrutinized by the Safety Advisory Group.

Questions

A series of questions were posed by members of the Sub-Committee. It was explained that the traffic management and noise plans will inform the final site layout, with a key consideration being the desire to keep both traffic and noise away from the village of Kirtlington.

Should the event be sold out, the applicant will deploy measures to deter speculative festival goers without tickets attending. The proposal for semi-nudity is not to facilitate stripping but to admit of films with such content being shown to over 18 audiences.

Summing Up & Deliberation

All parties summed up their arguments and confirmed that they had had sufficient opportunity to address the Sub-committee, subsequent to which the Sub-committee retired to make its decision.

The Determination

The Licensing Sub-committee has carefully considered the written application and the written representation opposing the application received during the consultation period. The Sub-Committee noted that the Licensing Authority had withdrawn its objection.

The Sub-committee carefully listened to the oral representations made to it.

The Sub-committee recognised that it must consider the application by reference to the objectives of the Licensing Act 2003; the statutory section 182 Licensing Act 2003 guidance, the Council's licensing policy and judicial authority.



The Sub-committee considered that Kirtlington Park is a, potentially suitable, location for an event of the nature proposed and that on the basis of the material before the Sub-Committee, its suitability appears to be acceptable. The Sub-Committee is satisfied that should any difficulties with the operation of the licence arise, then there is provision for review of the licence.

The Sub-Committee resolved to grant the licence with two alterations to the conditions proposed as follows:

4. The Licensee will attend a Parish Council meeting prior to each Event and will provide a monthly update to the Parish Council upon the plans for delivery of the Event for each of the three months prior to the event and will attend a Parish Council meeting after each Event to share information and receive local community feedback.

6. The EMP shall be subject to scrutiny by SAG and shall be discussed with and approved by the Licensing Authority at least one month prior to each Event.

Appeal

The applicant, a responsible authority or any other person has a right to appeal this decision by giving notice to the magistrates' court within a period of 21 days beginning with the day upon which notification of the determination was given.

Any appeal should be made to Banbury Magistrates Court, The Court House, Warwick Road, Banbury, Oxfordshire, OX16 2AW.

Yours sincerely,



Trevor Dixon
Environmental Health & Licensing Manager