



## LICENSING SUB-COMMITTEE

Wednesday 31 August 2022

### APPLICATION DETAILS

<b>Type:</b>	New – Premises Licence
<b>Name of Applicant(s):</b>	UK Live Limited
<b>Address of Applicant(s):</b>	Fourth Floor, 100 Gray's Inn Road, London, WC1X 8AL
<b>Type of applicant (Premises Only):</b>	Company
<b>Name of Premises:</b>	UK Live
<b>Address of premises:</b>	Trinity Park Fields, Trinity Park, Felixstowe Road, Purdis Farm, IP3 8UH
<b>Description of Premises:</b>	This will be a 1–3-day concert at Trinity Park

### EXECUTIVE SUMMARY:

- This is an application for a new premises licence.
- The application seeks to allow the on sales of alcohol; live and recorded music as well as performances of dance outdoors; and the showing of films inside and outside. The licence would allow up to 14,999.

Is the report Open or Exempt?	Open
<b>Wards Affected:</b>	Martlesham and Purdis Farm
<b>Cabinet Member:</b>	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health

<b>Supporting Officer:</b>	Leonie Houlton Licensing Officer 01502 523624 <a href="mailto:Leonie.Houlton@eastsoffolk.gov.uk">Leonie.Houlton@eastsoffolk.gov.uk</a>
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## 1. PROPOSED LICENSABLE ACTIVITIES

### **Supply of Alcohol (on sales)**

Friday to Sunday 11:00 to 23:00

### **Live Music & Performances of Dance (outdoors)**

Friday to Sunday 11:55 to 23:00

### **Recorded Music (indoors)**

Friday to Sunday 10:00 to 23:00

### **Films (indoors & outdoors)**

Friday to Sunday 10:00 to 23:00

## 2. PROPOSED OPENING HOURS

Friday to Sunday 10:00 to 23:15

This is only for one weekend per calendar year and is for a one-to-three-day concert.

This licence will allow up to 14,999 people to be partaking in licensable activities at any one time.

There are two fields that form part of the licenced area for this premises licence application however, only one field would be used for the event (dependant on which field is available).

## 3. OPERATING SCHEDULE

- 3.1 The following steps have been proposed in order to promote the four licensing objectives. These are proposals offered by the applicant and in their own words. Some submissions may already form part of the licence, as mandatory conditions; others may be re-worded by officers to form meaningful, enforceable conditions on the licence.

### **General**

This licence application is for one weekend per year only, subject to landowner (Trinity Park) permission.

Experience in running large events across the UK. Proven track record. Qualified and event experienced Safety Officer, Security Manager and Operations Team.

Certified Stewards & SIA on site in the main festival site and surrounding areas before, during and after the event. Stewards for Customer Services will also be on site during the event public opening times.

Please see our Event Management Plan and Risk Assessments for further details.

### **Prevention of crime and disorder**

Plenty of SIA Security will be present on site before, during and after the event, reporting in to the Security Manager. 24 Hour SIA Security on site during build and break days. Full details in Event Management Plan and Risk Assessments.

All SIA and Stewards will be instructed to:

- Look out for any alcohol or drug related issues
- Look out for any unusual or suspect behaviour, violence or thefts
- General safety of the crowd in the main arena and surrounding areas as per Risk Assessments

#### **Assessments**

- Report any issues to the Security Manager, Licensee's and Suffolk Police if required
- Ensure no alcoholic drinks are brought in to or out of the arena
- Policy on sensible drinking to be applied by all bar staff

#### **Public safety**

- A comprehensive Risk Assessment & Fire Risk Assessment has been completed. This includes all fire associated risks and the measures UK Live will be taking to reduce the risk of fire and its spread.
- We will work closely with the East Suffolk Council Safety Advisory Group as required.
- The main arena will be under the jurisdiction of the Security Manager & Safety Officer and they will work with all contractors and UK Live staff to oversee the safe construction of the site and associated areas. All suppliers to the event will be checked to ensure that they have the relevant Insurance, Method Statements and Health & Safety documentation, including up to date Risk Assessments.
- The Security Manager/Safety Officer will be responsible for the safety of the Public in the main arena during the event. No glass, alcohol or sharp objects are allowed in to or out of the arena.

Full details in Event Management Plan and Risk Assessments.

#### **Prevention of public nuisance**

SIA and Stewards patrolling the main arena and other areas within the site before, during and after the event days to deter any possible issues.

- Noise to be controlled as per other Lets Rock events and best industry practice (see separate Noise Management Plan) and in consultation with a Noise Consultant.
- All litter to be removed from Trinity Park and the surrounding areas after the event.

Full details in our Event Management Plan, Noise Management Plan and Risk Assessments.

#### **Protection of children from harm**

- The Bar(s) will be run by professional bar staff and they will ask for any photo ID as required, adopting Challenge 25 as standard
- Full range of soft drinks to be provided & free tap water
- Stewards/ Security will be looking out for child safety and welfare
- Briefing to all Bar staff & Stewards/ Marshalls before the event on the importance of child welfare
- Comprehensive Lost Child Policy in Event Management Plan

Full details in our Event Management Plan and Risk Assessments.

3.2 Following discussions with the Environmental Health Officer, the applicant agreed to these further conditions:

1. Supply the Food and Safety Team with an Event Management Plan applicable to an event, being held by UK Live at Trinity Park, Felixstowe Road, Ipswich, where more than 500 people are expected to attend, at least 28 days before the event.
2. Supply the Food and Safety Team with health and safety risks assessments applicable to an event, being held by UK Live at Trinity Park, Felixstowe Road, Ipswich, where more than 500 people are expected to attend, at least 28 days before the event and
3. For all events being held by UK Live at Trinity Park, Felixstowe Road, Ipswich, ensure that all food outlets are registered with a local authority.

The plan of the premises which accompanies the application is attached as **Appendix A** this shows the two fields that could be used as part of this premises licence. Also attached is **Appendix A1** which is the plan for the licenced area for the 2022 event.

#### **4. REASON FOR HEARING**

4.1 One representation against the application have been received from the Environmental Protection Team at East Suffolk Council, which is a responsible authority.

4.2 The applicant has been provided with a copy of the representation and this is attached as **Appendix B** for members of the Sub-Committee.

4.3 Summary of grounds for representation:

There are already a number of other premises licences which apply to various parts of the Trinity Park site (including the fields), and in particular premises licence reference PREM2060 for an annual two-day music concert event. This raises concerns as the Environmental Protection Team have had cause to investigate noise complaints from local residents about loud music in association with both indoor and outdoor activities and events at the site. These complaints have tended to relate to music and the use of tannoy systems.

There are dwellings, therefore noise sensitive receptors in most directions around the site boundary and although the site is recognised as an events venue, the site is generally very flat and open, and therefore good noise control and practice must be demonstrated and practiced in order to prevent unreasonable disturbance to the occupiers of neighbouring dwellings.

The Environmental Protection Team are currently in receipt of a number of noise complaints from residents about a recent event held at the site. The annual two-day music concert (Sugar Beats Festival) is due on 27th and 28th August this year which it is understood will feature dance music.

The Environmental Protection Team have been in contact with the applicant for this licence (UK Live Ltd), expressing their concerns with the proposed licence, and seeking clarification on differences between the application details, and the Noise Management Plan that has been sent to the Environmental Protection Team.

The key differences are that the applications seek up to 3 days of concerts for a significant number of people taking place on one of two potential fields, whilst the NMP refers to a single day concert on one of the fields.

Environmental Protection believe that a one-day concert is possible as set out in the NMP submitted with the application, though this will be technically challenging for an outdoor concert to achieve the music noise levels set out at all noise sensitive receptors. A two- or three-day music concert however would increase the number of outdoor music concert events at Trinity Park to 4 or 5. In accordance with relevant guidance on music noise levels for all venues with 4 – 12 concert days per year, then the music noise level should not exceed the background noise level by more than 15 dBA. This is likely to be lower than the 65 dBA set out in the NMP, and could well mean that satisfactory audience levels cannot be achieved and the

event therefore nonviable. They have suggested for 2022 that the application is amended to only be for a one-day concert and that some suitable conditions are agreed.

As an agreement has not been reached an objection has been raised however, it is hoped that during ongoing discussions an agreement can be reached.

## **5. POINTS FOR CONSIDERATION**

5.1 In exercising its licensing functions, the Licensing Authority has stated in its licensing policy that it will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.

5.2 The attention of the Sub-Committee is drawn to the following:

- a) The Licensing Act 2003 Section 4 requires the Sub-Committee to have regard to:
  - Guidance Issued under Section 182 of the Licensing Act 2003.
  - The Council's Statement of Licensing Policy

If the Sub-Committee has reason to depart from the above it is asked to give full reasons for so doing.

- b) Human Rights Act 1998

The Human Rights Act 1998 came into force on the 2 October 2000. The Sub-Committee is urged to have careful regard of its provisions.

It is unlawful for a public authority (this expression includes local authorities) to act in a way which is incompatible with a human right.

As far as the applicant's right to a fair hearing is concerned (Article 6), the applicant has a right to be heard by the Licensing Sub-Committee. If this application is refused or granted subject to modification, the applicant has a right of appeal to the Magistrates' Court.

In assessing the impact of human rights, the Sub-Committee must seek to strike a balance between the right of the proprietors in the business to conduct it as they wish and local residents who may find its activities intrusive. In this context a business is a "possession" and the human right is expressed to be for the "peaceful enjoyment" of it. A rider to this human right empowers the Council to control the enjoyment of that business by its proprietors in the general interest. At the same time, local residents are entitled to the peaceful enjoyment of their homes.

5.3 The relevant notices about this hearing have been served on the applicant and other persons and they have until 23 August 2022 to confirm that they intend to attend, or not, as the case may be and give notice that they wish to call witnesses.

## **6. CONCLUSION**

6.1 The applicant has been advised of the representations that have been made and there may be mediation between the applicant and the other persons before the hearing in order to

achieve agreement. In the event that an agreement is not possible, the Sub-Committee will be asked to determine this application by:

- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application and any condition which must be included in the licence in accordance with the Licensing Act 2003.
- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives (for example, by excluding a licensable activity or restricting the hours when a licensable activity can take place), and any condition which must be included in the licence in accordance with the Licensing Act 2003.
- Rejecting the application.

6.2 If the decision reached by the Sub-Committee results in differences between the conditions attached to the licence and the planning permission currently in force for these premises, the applicant should be advised that the planning permission must be adhered to unless and until it is amended to reflect the conditions attached to the licence.

6.3 Depending on the decision of the Sub-Committee, the applicant and / or responsible authority and interested parties that have made representations have rights of appeal to the Magistrates Court.

6.4 When announcing its decision, the Sub-Committee is asked to state its reasons.

<b>APPENDICES</b>	
<b>Appendix A</b>	Plan of the premises which accompanies the application
<b>Appendix A1</b>	Plan for the 2022 event
<b>Appendix B</b>	Representation (private document for the Sub-Committee only)

<b>BACKGROUND PAPERS</b>	
None	