

Licensing Sub-Committee

Tuesday, 8th December, 2020

PRESENT: Councillor P Wray in the Chair

Councillors H Bithell and A Hutchison

1 Election of the Chair

RESOLVED – Councillor Paul Wray was elected as Chair for the hearing.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, Appendix C and D, as well as pages 27 – END contained in the Supplementary Pack be designated as being exempt from publication in accordance with 9.2 (b) and 10.4(3) of Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 because it contained information relating to business affairs.

4 Late Items

There were no formal late items. Supplementary information had been submitted with regard to Agenda Item 6 – Application for the Grant of a Premises Licence for Mint Festival, Newsam Green Farm, Newsam Green, Pontefract Lane, Leeds, LS15 9AD. This information had been distributed to all parties and published alongside the agenda prior to the hearing.

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Application for the Grant of a Premises Licence for Mint Festival, Newsam Green Farm, Newsam Green, Pontefract Lane, Leeds, LS15 9AD

The report of the Chief Officer (Elections and Regulatory) set out an application for the grant of a premises licence, made by Mint Festival Limited for Mint Festival, Newsam Green Farm, Newsam Green, Pontefract Lane, Leeds, LS15 9AD.

In attendance for this item were:

- Christopher Rees-Gay, Pinsent Masons LLP (Applicant's Representative)
- Shane Graham, Mint Festival Limited (Director)
- Therese McMullen, Mint Festival Limited
- Baz Arjomand, Mint Festival Limited
- Bobby Sagoo, Proposed DPS/Grace & Tailor
- Andy McKinnon, SEP Events (Transport)
- James Silson, SEP Events (Transport)
- David Bellas, G4S Security
- Warren King, Noise Expert
- Richard Harrington, Medical
- Councillor Mark Dobson, Objector

The Legal Adviser to the Sub-Committee outlined the procedure for the hearing.

The Licensing Officer presented the application, providing Members with the following information:

- Changes have been made to the application since submission, and as such an amendment has been made to the Operating Schedule, to limit the premises licence to one event per year to take place on a Saturday. The hours open have also been amended from 10am until 1am the following morning to allow for dispersal;
- For Year 2 and onwards the capacity of any event will be limited to 19,999;
- Extensive planning of the event has been undertaken by the applicant including ongoing consultation with the Safety Advisory Group (SAG), consultation with individual SAG partners, discussions with the emergency services/ other relevant agencies and the submission of event management plan/ risk assessments;
- There will be no camping provisions;
- Agreements had been reached with West Yorkshire Police (WYP) and the Environmental Protection Team (EPT) in their capacity as responsible authorities. Additional measures form part of the operating schedule;
- The Highways Department had submitted comments, and these can be found in the supplementary pack provided to Members prior to the hearing.

The Applicant's Representative informed the Sub-Committee of the following points:

- Mint Festival has operated for 20 years and is a dance and house music festival, with live bands;
- Mint Festival is student orientated, for ages 20 – 25 years;
- The Director also owns Mint Nightclub situated in the centre of Leeds, and is also responsible for Cocoon in the Park;
- Close liaison will continue to take place with the SAG – page 247 of the submitted report sets out key timings;
- The application was initially for a 4 day weekend camping event, however due to the representations received, the event has been reduced to a 1 day event;
- Mint Festival wishes to incorporate the same opening hours as the previous year due to its successes with dispersal. It was confirmed that noise from the licensed site, will be inaudible inside the nearest noise sensitive premise after 23:00;
- Consultation has been undertaken with local ward councillors and additional notices had been put up in the local area. A community engagement plan has been produced and details a letter to local residents will be circulated 4 weeks prior to the event;
- No representations have been received from responsible authorities following reached agreements with West Yorkshire Police and the Environmental Protection Team. Further liaison would be undertaken with the SAG and the Highways Department;
- In response to the 35 representations received, it was confirmed that:
 - The event is for over 18 year olds only, and any attendee unable to provide proof of their age, would be refused entry to the site;
 - Noise levels would be monitored, and a direct telephone helpline would be provided to neighbouring residents;

- A litter clean-up will be undertaken, onsite and around the local area. The site will have an adequate number of litter bins and signage. Additionally, any mud caused by the site will be cleaned;
- Anti-social behaviour will not be tolerated, and those demonstrating this type of behaviour would be refused entry into the event. There will also be an incident report register, as well as CCTV in place;
- There is a 0 tolerance towards drug nuisance and there would be a search policy in place to ensure any prohibited items are not brought into the event;
- Shuttle and mini bus provision;
- The majority of ticket sales will be pre-sold and there is a limited number of tickets on the gate. It was confirmed this hasn't been an issue with previous events;
- An insurance policy would be in place to deal with criminal damage, although it was envisaged there would not be any;
- Parking restrictions will be in place along the access and egress routes, as well as marshals and CCTV.

Councillor Dobson, addressed the Sub-Committee and expressed that the event being reduced to 1 day, had alleviated some of his concerns. Concerns were raised in regards to an event that had previously taken place on Council property, at Lotherton Hall. Whilst acknowledging the positive report made on behalf of Selby Local Authority regarding an event held by the operator in the vicinity, the event at Lotherton Hall subsequently caused issues in terms of the Licensing Objectives. Some of the issues highlighted were in relation to dispersal, the way the site had been left and disorder in terms of illegal substances. In the view of Councillor Dobson, the proposed location allowed easier dispersal. Whilst acknowledging the operators had come on a journey since those events, Councillor Dobson requested assurances around the objectives being met and asked the Sub-Committee to consider historic events that had previously taken place.

In response to questions from the Sub-Committee, the following was discussed:

- Consultation and engagement with local residents;
- How CCTV will be monitored, and liaison with West Yorkshire Police and the Licensing Department to identify hotspots;
- 50% of the overall amount SIA Registered door staff would be employed;
- Clarity on the noise measurements in terms of the Noise Management Strategy. Additionally it was confirmed that a telephone number would be provided to residents dealing with noise complaints, and a typical response time being an hour;
- Clarity on the location and number of provisions for disabled person/s on site – from experience 2 toilet blocks had been sufficient and would be placed between welfare points on site;
- Parking restrictions on egress routes and considerations for local villages – cones will be visible for up to 3 kilometres, and it was expected that visitors would predominantly travel via shuttle buses;
- Clarity was sought on the length of time records are kept, particularly in relation to crimes which could potentially be reported later in the year. The applicant agreed to keep records for longer subject to data protection;

- The capacity of the event would be 14,999, increasing to 19,999 in subsequent years.

(The Sub-Committee resolved to hold this part of the meeting in closed session, including the applicant, to discuss aspects of the exempt information contained within the agenda and supplementary pack. The objector in attendance did not appeal to this approach)

(The objector withdrew from the meeting at this point)

The Sub-Committee (in liaison with the Chair of the Licensing Committee) suggested that the applicant be invited to attend a meeting to provide an update following the event. The applicant agreed to attend.

The Licensing Sub-Committee carefully considered the report of the Chief Officer (Elections and Regulatory), the Statement of Licensing Policy and the representations submitted and made at the hearing on behalf of the applicant and the objector. The Sub Committee also had regard to the agreements reached prior to the hearing with the Responsible Authorities.

RESOLVED – To grant the amended application as applied for.