

**Report of**    **Head of Elections & Regulatory**

**Report to**    **Licensing Committee**

**Date:**        **13<sup>th</sup> August 2019**

**Subject:**    **Premises Licence, Licensing Act 2003 - Leeds Festival 2019**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Wetherby & Harewood		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
NB: See para      of the report		
If relevant, Access to Information Procedure Rule number: 10.4(3) & 10.4(7)		
Appendix number: A. See additional reference in para 1.3 of the report.		

## Summary

### 1. Main issues

The Leeds Festival is an annual event held within the grounds of Bramham Park over the August Bank Holiday weekend. The event is held under the authorisation of a premises licence issued under the Licensing Act 2003.

The Licensing Committee is provided with an annual report to provide information on the forthcoming event and to delegate approval of the final Event Management Plan (EMP).

### 2. Best Council Plan Implications

The licensing regime contributes to Best City Priorities 2019/20:-

- Culture
- Safe, Strong Communities
- Inclusive Growth

### 3. Resource implications

No resource implications for the licensing authority are identified.

## **Recommendations**

The Licensing Committee is required to consider this report, and to delegate approval of the final Event Management Plan (EMP) to the Chief Officer, Elections and Regulatory.

### **1. Purpose of this report**

- 1.1 This report is to provide Members with an update of the agency liaison via the safety advisory group and licensing process in preparation for the Leeds Festival 2019.
- 1.2 Mr Melvin Benn of Festival Republic will be in attendance at the meeting.
- 1.3 In addition to the exempt item at Appendix A, Members may consider it appropriate for the public to be excluded from the meeting to allow Mr Benn provide Members with confidential information associated with the Festival which fall under the Access to Information Procedure Rules 10.4(3) as this includes information relating to the financial or business affairs of any particular person; and 10.4 (7), information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime as in all the circumstances of the matter the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **2. Background information**

- 2.1 The premises licence for the Leeds Festival was considered and approved by the Members of the Licensing Committee on the 28 April 2006.
- 2.2 The licence is held for Bramham Park and provides for the Festival to be on occasions as agreed within the multi-agency forum, which historically has been every August Bank Holiday weekend.
- 2.3 Members resolved to grant the application as requested and accepted the applicant's offer to include the following additional three conditions:
  - 1) There shall be an Event Management Plan which incorporates the operating schedule submitted to the Licensing Authority at least 6 months prior to the Festival each year.
  - 2) The Event Management Plan and any revisions to the Event Management Plan must be approved by the Licensing Authority prior to the Festival.
  - 3) The Premises Licence Holder shall comply with the terms and requirements of the Event Management Plan each year.
- 2.4 The Committee reserved the right to determine how the final EMP for the festival should be agreed. As the final version may not be available until the week before the Festival the practice has been for the Licensing Committee to delegate authority to the Chief Officer, Elections and Regulatory upon confirmation that all agencies are satisfied with the EMP contents and final preparations for the event.
- 2.5 Should there be any unresolved matters associated with the EMP then the matter will be referred back to a special meeting of the Licensing Committee before the commencement of the Festival.

2.6 The current Premises Licence allows for a capacity upto 89,999 persons, and is for the following activities, days and hours:

Sale by retail of alcohol 00:01 – 00:00

Provision of late night refreshment 23:00 – 05:00

Regulated Entertainment

Thursday 19:00 – 03:00

Friday to Sunday 12:00 – 06:00

(with the exception of films and performance of dance finishing at 03:00)

Provision of late night refreshment 23:00 – 05:00

Between the hours of 03:00 and 06:00 the provision of regulated entertainment will be confined to the campsites.

### 3 Main issues

3.1 The 2019 event will take place from Friday 23<sup>rd</sup> until Sunday 25<sup>th</sup> August 2019, although the campsites will be opened for early arrivals from Wednesday 21<sup>st</sup> August 2019 from when low key entertainment for campers will be provided.

3.2 Festival Republic supplied the first draft of the EMP in February 2019. This was served on agencies and the safety advisory group of Leeds City Council. In addition Festival Republic provided a summary to identify changes for ease of comparison to the 2018 EMP.

3.3 A report was brought to the Licensing Committee on the 2<sup>nd</sup> April 2019, the purpose being to provide Members with a briefing from the 2018 event and furthermore to present the summary of changes to the EMP for the 2019 event.

3.4 Members heard that no matters of note had been raised at the de-brief meeting and the draft 2019 EMP did not identify any major change to that for 2018.

3.5 Attached at Appendix A for Members information is a summary of the debrief meeting.

3.6 It should be noted that the contents of appendix A is potentially exempt information under Access to Information Procedure Rules 10.4(3) as this includes information relating to the financial or business affairs of any particular person, and 10.4 (7), information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime as in all the circumstances of the matter the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Traffic management

3.7 For Members recollection, the 2018 event saw changes to the traffic management plan and during the planning process of the 2018 event Members were provided with full details of the new traffic arrangements in particular affecting the hackney carriage and private hire drop off and pick up arrangements.

- 3.8 A review of previous arrangements had been deemed necessary to address public safety considerations, and to reduce confusion.
- 3.9 In previous years customers would be dropped off in the main car parks (red car parks) but then picked up from the opposite side of the site near yellow gate. This led to confusion and created traffic congestion near the shuttle bus terminus (yellow gate) and encouraged people to walk along Thorner Road bringing danger to pedestrians and motorists.
- 3.10 The change in 2018, which was fully supported by the police and relevant agencies, saw the hackney carriage and private hire drop off and pick up arrangements moved to the red car park. Dedicated fenced areas and egress routes were set aside for hackney carriage and private hire vehicles.
- 3.11 On the busiest night for egress Sunday evening, hackney carriage and private hire vehicles had two routes available for accessing the red car park. They had a choice of either travelling with all other vehicles approaching the car park west bound from the A64, or an alternative dedicated route was available via Thorner Road and accessing the designated area direct via an internal road, Mangrill Lane. All hackney carriage and private hire vehicles were then allowed to leave the site by turning right on to the A64 towards Leeds, whereas all other vehicles were directed east bound along the A64.
- 3.12 Copies of the site map showing the on-site arrangements for hackney carriage and private hire vehicles will be available at the meeting for Members assistance.
- 3.13 Following the 2018 event Entertainment Licensing received email correspondence from a member of the private hire trade complimenting the new arrangement.
- 3.14 Shortly before the date of the Licensing Committee meeting on the 2<sup>nd</sup> April representation was received from Eurocabs, the content raising various faults with the new traffic arrangements. In summary the Eurocabs representation raised the following matters:
- That the new arrangements do not provide suitable access for people with mobility issues as the new drop off/pick up arrangements were at the furthest point of the site.
  - The legality of providing an area for private hire vehicles, which would effectively allow them to rank up.
  - That previous concerns for congestion on the A1/M1 on the Sunday evening when the new traffic plan came into effect was ignored.
  - The original layout plan for the hackney carriage/private hire area was changed without notice, and that the new layout encouraged private hire touting.
  - There was no enforcement activity by the Taxi & Private Hire enforcement section and West Yorkshire Police was observed apart from the first day (Wednesday)
  - It had been reported by hackney carriage drivers that private hire vehicles were constantly ranked up along with Uber vehicles with the clear intent to ply for hire.

- Drivers clearly touting for business, ie approaching customers and agreeing a price.
- One hackney carriage driver reported of being refused access along Mangrill Lane post 6pm Sunday evening, despite showing the security the information that had been supplied for drivers by Festival Republic. On this contact was made with the police to enquire whether the traffic plan had been changed. The advice provided was that all taxis should use the A64. On this a message was sent to all drivers (by the trade) to ignore the use of Mangrill Lane.
- Drivers reported a 45 minute to 1 hour delay in arriving at the red car park

3.15 Officers from Entertainment Licensing and Taxi and Private Hire Licensing were involved in the pre event traffic management planning meetings with particular focus on the new taxi/private hire drop off and pick up arrangements.

3.16 Officers from Entertainment Licensing monitored the new taxi/private hire area on the Friday, Saturday and Sunday evenings from approximately 10.30am until beyond midnight. Apart from some minor remedial work that was identified and carried out by Festival Republic at the time, from officer experience it was considered that the new arrangements worked well and were an improvement on previous years, in particular bringing benefits for public safety.

3.17 Officers from Taxi and Private Hire Licensing did attend the festival on an ad hoc basis during the day on the Friday and one evening over the weekend, and maintained the team's usual enforcement activity from 8pm to 4am in Leeds city centre. Only two complaints were made to the council from the public about taxi and private hire vehicles over the weekend of the festival.

3.18 At the debrief meeting following the 2018 event, no concerns were raised, and all relevant agencies were supportive of a repeat of the 2018 traffic management plan for 2019.

3.19 On the basis of the representation by Eurocabs concerning the prohibited access via Mangrill Lane on the Sunday evening, it has been requested of Festival Republic that security are fully briefed to ensure that hackney carriage and private hire vehicles are able to use this route post 6pm Sunday evening.

3.20 The first meeting of the safety advisory group was held in February 2018 and these meetings have continued on a regular basis to-date.

3.21 In addition Festival Republic have held sub group meetings, including traffic management sub groups attended by the West Yorkshire Police, Leeds City Council (Highways, Taxi & Private Hire, and Entertainment Licensing), Highways England and Balfour Beatty.

3.22 A table exercise will be held on the 6<sup>th</sup> August with the provision for a meeting of the safety advisory group to be held on the same date as necessary.

The final EMP will be supplied no later than seven days in advance of the event.

3.23 Relevant agencies will be visiting the site and reviewing the contents of the EMP in advance of Wednesday 21st August, in readiness for confirming that the EMP and all preparations are to their satisfaction.

- 3.24 Should there be unresolved matters associated with the EMP, then the matter will be brought back to a special meeting of the Licensing Committee.
- 3.25 As in previous years, safety meetings will continue throughout the duration of the event.

## **4. Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The application for a premises licence considered in 2006 underwent the full 28 day consultation process as prescribed under the Licensing Act 2003.
- 4.1.2 Full liaison was also held with the Ward Members and responsible authorities.
- 4.1.3 Festival Republic continue to maintain regular liaison with community representatives.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 There are no identified implications for equality and diversity. Any decision taken by the Licensing Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003 and the Council's Statement of Licensing Policy (Licensing Act 2003).

### **4.3 Council Priorities and Best Council Plan**

- 4.3.1 Through the promotion of the four statutory licensing objectives:
- The prevention of crime and disorder
  - The prevention of public nuisance
  - The protection of children from harm, and
  - Public Safety.

the Statement of Licensing Policy 2019-2023, and partnership working the licensing regime contributes to the Best City Priorities 2019/20:-

#### **Culture**

- Enhancing the image of Leeds through major events and attractions
- Ensuring that culture can be created and experienced by anyone
- Enhancing the image of Leeds through major events and attractions

#### **Safe, Strong Communities**

- Tackling crime and antisocial behaviour
- Promoting community respect and resilience

#### **Inclusive Growth**

- Supporting growth and investment, helping everyone benefit from the economy to their full potential
- Supporting business and residents to improve skills, helping people into work and into better jobs

#### **Climate Emergency**

4.3.2 Festival Republic's Staying Green Campaign with links to associated information, including Julie's Bicycle, a not-for profit organisation working on sustainability within the creative industries, may be accessed via their dedicated website at:  
<https://www.leedsfestival.com/information-category/staying-green>

4.3.3 Festival Republic and Leeds City Council's Waste Management are currently in liaison to identify appropriate disposal methods of the non-recyclable items left on site by attendees, where possible turning these in to efficiencies for Leeds..

#### **4.4 Resources, Procurement and value for money**

4.4.1 There are no resource implications to the licensing authority. The premises licence is subject to an annual maintenance fee as prescribed under the Licensing Act 2003.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 There are no legal implications identified at the time of writing this report.

4.5.2 There is no provision for the premises licence to be open for consideration at this point of time given that the licence and subsequent revisions to the terms of the licence have been previously approved.

#### **4.6 Risk Management**

4.6.1 Preparation for the event is subject to a number of multi-agency meetings coordinated through the safety advisory group.

#### **5.0 Conclusions**

5.1 The safety advisory group process has not highlighted any issues of concern in respect of the 2018 event.

#### **6.0 Recommendations**

6.1 Members are requested to determine how the Event Management Plan and any revisions to the Event Management Plan may be approved by the Licensing Authority.

6.2 Whilst there should be no major amendments to the Event Management Plan there is still scope for minor changes in accordance with the relevant agency approval. It would therefore not be appropriate for members to approve the Event Management Plan today.

6.3 Members may therefore consider it more appropriate, as in previous years to give delegated authority to the Chief Officer of Elections and Regulatory to approve the Event Management Plan prior to the start of the event.

6.4 Should there be any unresolved matters associated with the Event Management Plan then the matter will be referred back to a special meeting of the Licensing Committee before the commencement of the Festival.

## **7 Background documents<sup>1</sup>**

- 7.1 Home Office Guidance issued under s182 Licensing Act 2003  
Leeds City Council Statement of Licensing Policy 2019 to 2023 – Licensing Act 2003

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.