

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday 15th February 2022

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

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Garforth & Swillington		
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
If relevant, Access to Information Procedure Rule number:		

Summary of Main Issues

This is 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 December 2020 Mint Festival Limited were granted a premises licence for Newsam Green Farm authorising licensable activities on one Saturday per year for a capacity up to 19,999 people. That licensed event took place on Saturday 25th September 2021 between the hours of 10:00am and 11:45pm.

The application on this occasion is made for a two and a half day music event for up to 19,999 people each day. The premises licence will be limited to a one weekend event (a total of 3 days in all) per year only and there will be no camping provisions.

Responsible authorities and ward members have been notified of this application.

The application has attracted outright representations from West Yorkshire Police and the Licensing Authority, prompting discussions with the applicant that has resulted in the applicant offering a revised operating schedule limiting the event to two days in total per year (to take place over one weekend on a Saturday and Sunday). Should the application be successful Year 1 of the event will be limited to a one day event only, to take place on a Saturday, and Year 2 will be a two day event. The representations from the police and the Licensing Authority remain outstanding.

In addition representations have been received from a local ward councillor and eight other persons i.e. local residents.

The Environmental Protection Team has reached an agreement with applicant resulting in an additional noise limiting measure being incorporated into the operating schedule.

1 Purpose of this Report

- 1.1 To advise Members of an application made under Section 17 of the Licensing Act 2003 ("the Act") for a new premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

2 Background Information

- 2.1 Events under the branding 'Mint Festival' have taken place previously within the Leeds authority.
- 2.2 An application for a time-limited premises licence to hold the event at Wetherby Racecourse on an annual basis over a four day period, was granted at hearing in April 2015. The Licensing Sub Committee were required to consider the application due to an outstanding representation from a local ward councillor who raised a need for consultation between event organisers and the local community.
- 2.3 The Licensing Sub-Committee decided to grant the application, subject to the inclusion of a number of conditions aimed at regulating the submission of an event management plan, liaisons with the Safety Advisory group and local ward/parish councillors throughout the planning process, and a review of the event to come before the full Licensing Committee on an annual basis.
- 2.4 The event was only held on the one occasion at this site and the licence was subsequently suspended.
- 2.5 In May 201 a new application for the grant of a premises licence was made by Mint Festival Limited. On this occasion the event site was 27 & 67 - 71 Kirkstall Road, and the application was granted as requested without the need for a hearing as it attracted no representations.
- 2.6 The event on Kirkstall Road, proposed for September 2016, did not take place and the licence was surrendered by the premises licence holder in June 2017.
- 2.7 It is understood that Mint Festival events have taken place in other licensing authorities after 2016.
- 2.8 On the 3rd March 2020 an application for the grant of a new premises licence was submitted by Mint Festival Ltd for Newsam Green Farm, LS15, proposing two weekend events per year with provision for camping.

- 2.9 The application was brought before the Licensing Sub Committee due to the receipt of relevant representations and at the hearing, the applicant's representative reduced the application to a one day event with no camping. The Licensing Sub-Committee unanimously resolved to grant the amended application, as applied for.
- 2.10 Following the 2021 event a debrief meeting was held via the Safety Advisory Group process. At that debrief meeting agencies comments included concerns regarding public safety relating to highways and noise nuisance issues.

3 The Application

- 3.1 The applicant's name is Mint Festival Limited.
- 3.2 The proposed designated premises supervisor is Shalinder Sagoo.
- 3.3 In summary the application is for:

Sale by Retail of Alcohol (for consumption both on and off the premises) and Recorded Music

<i>Friday</i>	<i>12:00 until 23:45 hours</i>
<i>Saturday</i>	<i>10:00 until 23:45 hours</i>
<i>Sunday</i>	<i>10:00 until 22:45 hours</i>

Late Night Refreshment

<i>Friday and Saturday</i>	<i>23:00 until 00:00 hours</i>
----------------------------	--------------------------------

Performance of Plays, Films, Live Music, Performance of Dance, Entertainment of a Similar Description

<i>Friday</i>	<i>12:00 until 23:00 hours</i>
<i>Saturday</i>	<i>10:00 until 23:00 hours</i>
<i>Sunday</i>	<i>10:00 until 22:00 hours</i>

Hours the premises will be open to the public

<i>Friday</i>	<i>12:00 until 01:00 hours</i>
<i>Saturday</i>	<i>10:00 until 01:00 hours</i>
<i>Sunday</i>	<i>10:00 until 00:00 hours</i>

Non standard timings

No non-standard timings for bank holidays or special occasions are proposed.

- 3.4 The application proposes a maximum capacity of 19,999 persons.
- 3.5 A copy of the application is available at **Appendix A**.
- 3.6 Further to the receipt of representations from West Yorkshire Police and the Licensing Authority, the applicant has offered to revise the application limiting the event to two days in total per year (to take place over one weekend on a Saturday and Sunday), setting out the following:

- a) For Year 1, it will be limited to a one day event only, to take place on a Saturday. All measures raised in the SAG and the Meeting of 18 January 2022 will be addressed, as well as, further ongoing liaison through the SAG process; and
- b) For Year 2 and onwards, to have a two day event (to take place over one weekend on a Saturday and Sunday). This will be dependent on the feedback from the SAG after the Year 1 event and the consent of the Licensing Authority.

3.7 Additionally the current premises licence will be surrendered upon the grant of the new premises licence, subject to the new licence being granted on similar terms to the above proposals.

3.8 At the time of writing no agreements have been reached in relation to the amended application and the responsible authorities confirm that their outright representations remain.

4 Operating Schedule

4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in Section 18 of the premises licence application form.

4.2 The planning process involves on-going engagement with the Safety Advisory Group (SAG) through formal group meetings, along with discussions with individual SAG partners such as representatives of Leeds City Council, the emergency services and other relevant agencies.

4.3 The applicant has developed a draft Event Management Plan that is available to all Members of the Safety Advisory Group via Resilience Direct, a secure government platform developed for posting and sharing such documents.

4.4 The applicant informs that steps have been taken to liaise with local parish and ward councilors with an aim to address concerns raised by local residents and to provide further information on the event.

5 Location

5.1 A map which identifies the location of these premises is attached at **Appendix B**.

6 Representations

6.1 Under the Act representations can be received from anyone but they must be relevant to one of the four licensing objectives, which are:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public Safety
- The protection of children from harm

Representations in the case of a member of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 6.2 Representations have been received from West Yorkshire Police, the Licensing Authority and the Environmental Protection Team.
- 6.3 West Yorkshire Police are of the opinion that the event cannot be held safely subject a number of incidents following the event in 2021. These incidents are outlined in a copy of the representation and supported by the additional information attached at **Appendix C** to the report.
- 6.4 A representation has been received from the Licensing Authority who are of the view that the application will likely undermine the public safety licensing objective based on findings from the event in 2021. Member's attention is drawn to a copy of the representation at **Appendix D**.
- 6.5 The representation by the Environmental Protection Team offered an additional measure to promote the prevention of public nuisance licensing objective. The applicant has agreed to incorporate the condition into the operating schedule and consequently the representation has been withdrawn. A copy of the representation and agreement is available at **Appendix E**.
- 6.6 The event planning has and will continue to be subject to multi-agency meetings through the Safety Advisory Group.

Other representations

- 6.7 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 6.8 Entertainment Licensing is in receipt of nine individual representations in opposition to the application, one of which has been submitted by a Local Ward Councillor. The representations set out the concerns for the negative impact of large scale events on the local area under the public nuisance, crime and disorder and public safety objectives.
- 6.9 Copies of the representation submitted by the Local Ward Councillor may be found at **Appendix F**, whilst those submitted by other persons are available at **Appendix G**. For the purpose of protecting personal data public representations have been redacted and original copies will be circulated to Members of the Licensing Sub Committee in advance of the hearing.

7 Corporate Considerations

7.1 Consultation and Engagement

- 7.1.1 The application has been subject to the statutory consultation process involving a newspaper advertisement and public notices displayed around the site for 28 days. The public consultation period ran between the 22nd December 2021 and the 18th January 2022.
- 7.1.2 Ward members of Garforth & Swillington, Rothwell and Temple Newsam have been notified of the application.

7.1.3 Responsible Authorities have been served with copies and consulted on the application.

7.1.4 The applicant confirms that they have engaged with relevant local parish councils and elected members for Garforth & Swillington, Rothwell and Temple Newsam wards.

7.2 Equality and Diversity/Cohesion and Integration

7.2.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the licensing subcommittee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

7.3 Council Policies and Priorities

7.3.1 This application is to be considered in accordance with the Licensing Act 2003 and the Council's Statement of Licensing Policy 2019-2023 (Licensing Act 2003).

7.3.2 The licensing regime contributes to the following outcomes as set out in the Best Council Plan 2020-2025:

- Be safe and feel safe;
- Enjoy greater access to green spaces, leisure and the arts;
- Move easily around a well-planned, sustainable city that's working towards being carbon neutral.

7.4 Resources and Value for Money

7.4.1 There are no resource implications to the licensing authority. The application was subject to the relevant fee as prescribed under the Licensing Act 2003.

7.5 Legal Implications

7.5.1 There are no legal implications known to the Council in terms of its responsibilities held under the Licensing Act 2003.

7.6 Risk Management

7.6.1 The Event Management Plan and all aspects of the event are taken through the Safety Advisory Group/Multi Agency process.

8 Options Available to Members

8.1 The licensing subcommittee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Refuse to specify the said person as the designated premises supervisor.

- Reject the whole or part of the application.

8.2 Members of the licensing subcommittee are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

9 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy