

Meeting	Licensing Hearing
Date	19 September 2013
Present	Councillors Boyce, Gillies and McIlveen

31. Chair

Resolved: That Councillor Boyce be elected as Chair of the meeting.

32. Introductions**33. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests in the business on the agenda. None were declared.

34. Minutes

Resolved: That the minutes of the licensing hearings held on 9th May 2013 and 3rd June 2013 be approved and signed by the Chair as a correct record.

35. The Determination of an Application by P. Smith, Commercial Services Operations Manager, University of York for a Premises Licence Section 18(3)(a) in respect of Heslington East Campus, Heslington, York, YO10 5GE. (CYC-022409)

Members considered an application by the University of York (Commercial Services) for a premises licence in respect of Heslington East Campus.

In coming to their decision, Members took into consideration all of the evidence and submissions that were presented to them

and determined their relevance to the issues raised and the licensing objectives.

The following were taken into account:

1. The application form.
2. The Licensing Managers report and her comments made at the hearing. She advised that the application was to licence an area of land at the University campus. The premises was not located within the special policy area. A number of conditions had been agreed with North Yorkshire Police prior to the hearing. Consultation had been carried out successfully.
3. The applicants representations. Members were advised that in previous years the University had run a succession of events using Temporary Events Notices and the application was in order to have a licence in place with conditions that would benefit the University and the interests of local residents. The Commercial Services Manager had worked with a noise control company in order to minimise any noise issues. In relation to concerns raised about Anti Social Behaviour it was advised that SIA qualified staff would be on duty at events and buses were used to transport students back to their accommodation.
4. The representations made by the Councils Environmental Protection Officer (EPU) who advised that representations had been made on the ground of public nuisance. Due to a lack of time prior to the hearing, negotiations had not been completed with the applicant on the suggested noise management plan to be implemented at events and the EPU Officer would continue to work with the University on this. An amendment to the suggested condition 3 and two extra conditions were accepted by the applicant during the course of the hearing.
5. The representations made at the hearing by local residents who raised concerns about the proximity of the proposed licensed area to their properties and the potential for public nuisance caused by loud music and by students being in the area late at night. They advised that they had already experienced some noise nuisance from past events and although they did not wish to stop the University from holding events for the students, they wanted the University to operate responsibly.

6. Written representations made by local residents during the consultation period.

In coming to their decision, the Sub-Committee were presented with the following 4 options:

Option 1 Grant the Licence in the terms applied for.

Option 2 Grant the Licence with modified/additional conditions imposed by the Licensing Committee.

Option 3 Grant the Licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.

Option 4 Reject the application.

Members chose Option 2 and agreed to grant the licence with modified/additional conditions as follows:

1. An Event Management Plan shall be submitted to the Police, Environmental Protection Unit and the local Safety Advisory Group at least 8 full weeks prior to the event.
2. The Event Management Plan shall include the following:
 - Details of the event to include:-
 - Venue design
 - Structures
 - Audience profile
 - Capacity
 - Duration
 - Toilets
 - Music levels
 - The event safety policy statement detailing the organisational chart and levels of safety responsibility.
 - The event risk assessment.
 - The site safety plan to include:-
 - Details of the safety co-ordinator
 - The site safety rules
 - Structural safety calculations and drawings
 - The crowd management plan to include:-
 - The numbers and types of stewards and SIA Door Staff

- Method of working
 - Chain of command
 - The emergency plan to include actions to be taken by designated people in the event of a major incident or contingency.
 - The first aid plan detailing procedures for administering first aid on site.
3. An Incident Log shall be kept documenting all incidents/issues dealt with on the day of the event.
 4. A two way radio system between the Event Organiser, Stewards and Door Staff shall be in operation at all times the event is in operation.
 5. There shall be a pre-nominated Event Management team who shall be contactable on a staffed mobile phone number at all times the event is in operation.
 6. A representative of the premises licence holder shall attend a Safety Advisory Group meeting which will be held after the Event Management Plan has been submitted.
 7. The event shall be completely fenced off with only one entrance/exit point (save for statutory emergency exits).
 8. Non glass vessels shall be utilised for all drinks; this will include the decanting of all bottled beverages.

For all other events the following shall apply:-

9. There shall be a personal licence holder on site throughout the duration of the event.
10. SIA Door Staff shall be deployed throughout the event.
11. Details of the event shall be submitted in writing to North Yorkshire Police at least 28 days in advance of the event. For the purpose of clarity, the 28 days shall not include the date of notification or the date of the event.
12. Details of the event to include:-
 - Venue design
 - Structures
 - Audience profile
 - Capacity

- Duration
- Music levels
- SIA Door Staff being deployed (as per condition 10 above)
- First aid provision
- Staff training
- Personal licence holder deployed (as per condition 9 above)

13. All live music and recorded events with a capacity of more than 500 people shall finish by midnight.
14. The number of outdoor events providing live or recorded music shall not exceed 12 in any calendar year, of which, only one event shall have capacity of more than 500 people. Each event shall be no longer than 24 hours.
15. The City of York Council's Environmental Protection Unit shall be consulted about the layout of each event, to agree the orientation of any stage or sound system.
16. The music noise level when assessed at a noise sensitive premises during any sound checks and during events shall not exceed 65 dB (A) over a 15 minute period.
17. Staff training shall be given and documented regarding all matters relating to the licence and its conditions. Records of training shall be kept available for 3 years.
18. An event specific noise management plan shall be prepared and submitted by the premises licence holder, not less than 28 days before an event for less than 500 people and at least 8 weeks before an event for over 500 people and agreed with the licensing authority. Once agreed with the licensing authority the noise management plan shall be implemented during the specified event.
19. For the event planned for 5th October 2013, an event specific noise management plan shall be submitted by the premises licence holder and agreed with the licensing authority prior to the event. Once agreed with the licensing authority the noise management plan shall be implemented during the event.

All relevant mandatory conditions shall apply.

Reason for the decision:

The Sub-Committee concluded that the application was acceptable with the above additional/modified conditions as it addressed representations made both in writing and at the hearing, and it met all the licensing objectives. The Sub-Committee made this decision taking into consideration the representations, the Licensing Objectives, the City of York Council's Statement of Licensing Policy and the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

Resolved: That the application be granted in line with Option 2.

Reason: To address the issues raised.

Councillor Boyce, Chair
[The meeting started at 10.00 am and finished at 12.15 pm].