

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of the Licensing and Enforcement Sub Committee held online via the Zoom app on 11 August 2021**

#### **Attendance list at end of document**

The meeting started at 9.30 am and ended at 10.40 am

#### **11 Minutes of the previous meeting held on 7 July 2021**

The minutes of the previous meeting held on 7 July 2021 were agreed as a correct record.

#### **12 Declarations of interest**

There were no declarations of interest.

#### **13 Matters of urgency**

There were no matters of urgency.

#### **14 Confidential/exempt items**

There were no confidential / exempt items.

#### **15 Determination of an application for the grant of a premises licence to allow the provision of regulated entertainment, provision of late night refreshment and the sale of alcohol for consumption ON the premises at 'Hawkfest', Hills Farm, Whitford Road, Kilmington, EX13 7NS. The application is to cover the period of 26 – 30 August 2021**

The Sub Committee considered the application for the grant of a premises licence to allow the provision of regulated entertainment, provision of late night refreshment and the sale of alcohol for consumption ON the premises at 'Hawkfest', Hills Farm, Whitford Road, Kilmington, EX13 7NS. The application is to cover the period of 26 – 30 August 2021. The meeting was a hearing to consider the application for a premises licence under the Licensing Act 2003.

The Chair introduced the members of the Sub Committee.

The applicant, present and entitled to make representations, was Steve Littley, accompanied by Kris Tait of the Hawkfest Event Management Team.

The interested party, present and entitled to make representations was Cllr Peter Ball, Kilmington Parish Council, also representing Richard Quincey, Louise Quincey, John Thorne, Jean Thorne, Simon Buse and Samantha Buse.

There were no representations from any of the responsible bodies.

The Sub Committee's legal advisor, Giles Salter, outlined the procedure for the meeting.

The Licensing Manager, Steve Saunders, presented his report and summarised the application. Informal mediation had taken place and none of the representations had been withdrawn. Interested parties making representations had agreed that Cllr Peter Ball would represent them at the meeting. There had been no further updates to the report and the appendices since publication prior to the meeting.

In response to a question from a Member, Mr Saunders confirmed that there had not been any previous complaints regarding the premises and its current licence.

The applicant's case, presented by Kris Tait and Steve Littley, made the following points:

- The licence application was for up to 1,000 attendees although it was anticipated that attendance would be considerably less
- Tickets for the event are sold in advance through a fan club website only with no tickets available at the gate
- The band, Hawkwind, had been in existence for 52 years and the event management team knew the demographic of its fans well. The majority of those attending the event would be in the 50+ age range and families who had followed the band for many years
- The event schedule planned for bands to stop at approximately 11pm and the organisers were committed to ensuring that noise levels always remained within agreed levels
- Directions to the event are provided with tickets and a holding car park would ensure that traffic entering the site would not need to queue on Whitford Road, Kilmington village
- The event is family orientated with magic shows and other family friendly activities

In response to questions from the Sub Committee, the applicant advised the following:

- The application sought to license the marquee for up to 1,000 people and once live music had ended in the marquee, late night music would continue in the function room which was sound proofed
- To date approximately 530 tickets had been sold and tickets are for the whole weekend with no day tickets available
- An emergency telephone number would be available for local residents during the weekend with the Parish Council assisting in communicating this to residents
- The provision of stewards / security for the event was outlined together with first attenders and a first aid centre in the event office. It was noted that a defibrillator is available nearby in Kilmington
- Covid-19 safety measures will be in place
- There would be food available at the event and attendees would also bring their own food and could access local facilities which are within easy reach of the site
- There would be no traffic movement within the site for the duration of the event and attendees wishing to leave during the weekend would be required to use a separate car park
- It was anticipated that bands would start playing at approximately 2pm on Saturday and 3pm on Sunday

The interested party, Cllr Peter Ball, addressed the Sub Committee and made the following points:

- Kilmington Parish Council had held meetings and had good discussions with the applicant regarding concerns raised by local residents

- There were concerns about the size of the event in relation to the size of Kilmington with a small population of approximately 830 and traffic safety for residents and those accessing the site
- Local residents had experienced difficulty in obtaining more information and details of what was being proposed and some concerns would have been alleviated sooner if information had been more readily available
- Concerns remained regarding noise and traffic and residents were seeking greater certainty that noise levels would be monitored and that all possible actions would be taken to ensure the safety of all road users
- There is an increase in traffic generally due to the number of 'staycations' and the A35 at Kilmington is a known accident black spot. Whitford Road has a 30mph speed limit and is used by horse riders, cyclists and residents accessing the children's playground

Regarding traffic management measures, the legal advisor clarified that the Sub Committee's remit when determining licence applications only covered the application site itself and that conditions could not be imposed on the highways. The Sub Committee noted the concerns of local residents and suggested that the Parish Council contacts the Police regarding signage to the event should the licence be granted, and also continues to hold discussions with the event organiser. The applicant advised that 'no access' signage would be in place at various points to ensure that event traffic followed the agreed route.

In response to a question from Members, Cllr Ball confirmed that the Parish Council would make the emergency phone number available to residents through all available social media channels.

In their closing statement the applicant advised that, as a local venue, they wished to maintain a good relationship with neighbouring residents. The focus of the event was as a family festival with a good reputation which had been built up and which all those involved wanted to maintain.

The Chair thanked all participants for attending the meeting and advised that the decision of the Sub Committee would be notified to all parties in writing within five working days.

### **Attendance List**

#### **Councillors present:**

K Bloxham (Vice-Chair)

A Dent

J Whibley (Chair)

#### **Councillors also present (for some or all the meeting)**

None

#### **Officers in attendance:**

Giles Salter, Solicitor

Stephen Saunders, Licensing Manager

Wendy Harris, Democratic Services Officer

Rebecca Heal, Solicitor

Sarah Jenkins, Democratic Services Officer

**Councillor apologies:**

None

Chair .....

Date: .....