

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, Spennymoor - Council Offices, Spennymoor on **Wednesday 16 May 2018 at 10.00 am**

Present:

Councillor P Crathorne (Chair)

Members of the Committee:

Councillors C Hampson and I McLean

Also Present:

Councillor L Brown

Councillor G Darkes

H Johnson – Licensing Team Leader

K Coulson-Patel – Solicitor, DCC

Mr M Metcalf – Durham Pride UK – Event Organiser

Councillor D Freeman – other person

Ms R Zakrzewski – other person

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Declarations of Interest

Councillor L Brown declared that she knew ‘other person’ Rosemary Zakrzewski of St Nicholas Community Forum, in her capacity as a Councillor, and would take no part in the decision.

4 Application for the Grant of a Premises Licence - Durham Pride UK, The Sands, Durham

The Committee considered the report of the Licensing Team Leader regarding an application for the grant of a Premises Licence in respect of Durham Pride UK, The Sands, Durham (for copy see file of Minutes).

A copy of the application and supporting information had been circulated to all parties, together with additional information provided by the Applicant. In presenting

the report the Licensing Team Leader advised that the Applicant Ruth Ashton had submitted her apologies but the Events Organiser Mr Mel Metcalf was present.

Members were informed that an Environmental Health Officer would be in attendance throughout the event to monitor sound levels.

The Sub-Committee was also informed of an e-mail submitted on behalf of the Applicant from a resident of The Sands which had been verified, and all parties had agreed to its submission. The Licensing Team Leader read out the e-mail which stated that the resident and her family were pleased to have such a vibrant and diverse event in the City.

Members were informed that there had been some changes to Section 182 Guidance with effect from 1 April 2018 but that the sections included in the report were relevant.

Councillor David Freeman, local member was invited to address the Sub-Committee on behalf of local residents. He stated that Durham Pride was a very welcome event which brought 10,000 visitors and demonstrated that Durham was a vibrant and diverse City. However following the event last year he had been approached by a number of residents with concerns, as had been summarised in his letter of representation.

The Councillor referred to the location plan contained in the Bundle which showed that the event was located in a heavily residential area and that the site was not a huge space. Residents had thought that it had been held in the racecourse previously but he understood now that it had not. Each year The Sands hosted a circus and fairground but these were in a small part of the site at the furthest point from residential properties.

With regard to the layout of the event, in view of the complaints received last year, he had thought that the organisers might have looked at how the attractions/facilities were placed on site.

Noise had been a key concern last year and he suggested that the stage be re-located to the fairground area which would impact less on residents. Last year noise levels had reached between 95 -100 decibels which he felt had shown that there must have been no monitoring by the organisers during the event. He was reassured that Environmental Health would be on-site this year but asked how residents would know who to contact, and suggested that these details should be included in the flyer for the event.

A further concern was traffic and parking. Last year vehicles were parked in resident parking bays and he noted that parking control staff did not operate on Sundays.

Residents had also expressed concern about litter left on the site but he had met with Mr Metcalf after the event last year and was satisfied that it had been removed within a reasonable timeframe.

In response to a question from Councillor Darkes the Member was informed that the fairground would operate between the hours of 11.00 and 19.00 on Saturday and 11.30 – 19.00 on the day of the event. Councillor Darkes made the point therefore that if the fairground was re-located to the stage area this would have a greater impact on residents in terms of noise and the length of time they would be subjected to it.

Mr Metcalf was asked about the positioning of the speakers and he advised that these had been positioned on advice from Environmental Health.

Following a question from Councillor Brown, the Solicitor advised that Durham City had a Public Space Protection Order for the consumption of alcohol which was formerly the Designated Public Place Order.

Rosemary Zakrzewski was invited to address the Sub-Committee on behalf of St Nicholas Community Forum. She stated events that supported diversity in Durham were welcomed but the Forum was concerned about noise levels following last year. She was pleased to note that Environmental Health would be in attendance, and sought an assurance that there would be regular monitoring throughout.

The fairground generated noise and according to the map covered a larger area than when it visited at Easter. She asked if this amount of space was needed. If it was located in a smaller area then the stage could be moved further away from residential properties.

She also noted that the event organisers had issued a flyer which she had not received, despite living near the site.

Rosemary Zakrzewski noted that last year the generator truck for the stage had been parked on the road and was larger than the width of the parking bay, causing problems. She was concerned that emergency vehicles may not be able to gain access if it parked in the same location.

The Licensing Team Leader explained that parking was not within the remit of the Sub-Committee, or the responsibility of the event organisers, however the Police would deal with any obstructions.

Mr Metcalf confirmed that any obstructions would be removed and he would ensure that the truck was not parked in the parking bays this year.

Mr Metcalf then addressed the Sub-Committee. He explained that the event had previously been held at Walkergate but because it had grown in popularity the SAG had requested that it be located elsewhere. Alternative venues had been discussed, including the racecourse which had been discounted because of the number of road closures that would be required. The Sands was owned by the Freemen and Durham County Council, and as part of the Lease Agreement the organisers had to ensure that the site was left litter free or face a £2000 penalty. There had been issues with the contractor used last year, including a complaint from Crook Hall where noise had been measured at 85-90 decibels. As soon as they had been aware of this the music had been reduced. A noise monitor would

be installed at the house and gardens this year. This was the only complaint the event had received about noise. A different stage contractor had been appointed for this year's event and Environmental Health would be on site throughout. He apologised for the disturbance caused last year and appreciated that the event should not be held at the cost of the residents' quality of life.

He explained that although the event was expected to attract 10,000 visitors only 2-3,000 were expected on the field at any one time.

Mr Metcalf proceeded to address the individual complaints as set out in the letter of Councillor Freeman contained in the Bundle. He explained that the damaged fencing was not caused by the event but the lease with the Freemen ensured that any damage would be repaired.

With regard to litter, any rubbish in front of the stage would be collected the following day once the equipment had been removed. Regular picks would be carried out during the event at other points on the field and a skip had been hired.

In terms of notifying residents he acknowledged that some residents may have been missed but he would address this and arrange for the leaflets to be circulated again.

With regard to the stage he advised that the suggestion that it was inflatable was incorrect.

He was concerned by the statement that the Police were 'bewildered by the event and ignored incidents that would be picked up on a normal day' as it may be considered offensive in tone. The event had the full support of the Police.

Fencing erected alongside the stage should deter groups of youths from gathering, and 10 SIA employees would be on duty patrolling the field. He added that last year there had been no complaints reported to the Police in this regard.

He explained that signs would be erected asking people to leave the event quietly, although visitors would be encouraged to exit the site at the end of the field away from residential properties.

He concluded by stating that the arrangements in place should help the organisers to manage the event on the field effectively. The Police, Fire Brigade and Ambulance Service were all in support of the event, and whilst he was disappointed by the comments received he would endeavour to ensure that there were no issues this year.

Mr Metcalf was asked if there would be a hotline number on the day and he confirmed that there would be which he could promote on social media and in the amended flyers.

At 11.35am the Sub-Committee **Resolved** to retire to deliberate the application in private. After re-convening at 12 noon the Chair delivered the Sub-Committee's decision.

In reaching its decision the Sub-Committee had considered the report of the Licensing Team Leader and additional information submitted by the Applicant, the written representations of other person Councillor Ormerod, and the verbal and written representations of the event organiser on behalf of the Applicant, together with 'other persons' Councillor Freeman and Rosemary Zakrzewski of St Nicholas Community Forum. Members had also taken into account the Council's Statement of Licensing Policy and Section 182 Guidance issued by the Secretary of State.

Resolved:

That the application be granted as follows:-

Activities	Days & Hours Requested
Provision of live music and recorded music, Provision of performances of dance (Outdoors)	Sunday only (Annually): 12:00 - 19:00 hrs. The event will take place annually on the Sunday of every last May bank holiday weekend.
Supply of Alcohol	

The following conditions be imposed upon the Premises Licence:-

The Prevention of Crime and Disorder

- (i) Durham Pride UK will work closely with the Durham Constabulary and Durham PCC throughout the planning of the event.
- (ii) Security will be appointed to manage security at the event. They are experienced and are part of the planning process.
- (iii) A risk assessment will be in place which covers the risk of violence, aggression and the event of a major incident. This will be detailed within the Event Manual.

Public Safety

- (i) All health and safety considerations are reviewed during the event planning and documented in the Events Manual.
- (ii) Durham Pride UK work closely with the Safety Advisory Group to develop the Event Manual and ensure the safety procedures are fit for purpose.

- (iii) A designated safety officer will be on site throughout the event to ensure the agreed procedures are followed and to respond to any event arising on the day. This will be documented in the Event Manual.
- (iv) All available Pride personnel will be redeployed to help manage any site-specific overcrowding problems, and key personnel will be briefed on the strategies to deal with both gradual and sudden overcrowding problems prior to the event.

The Prevention of Public Nuisance

- (i) The Event Manual and Risk Assessment will covers actions to be taken to prevent public nuisance in relation to crowd management, potential violence and aggression and noise.
- (ii) There will be a controlled area for viewing the stage of about 200 square metres allowing for approximately 3000 people at any one time.

Protection of Children from Harm

- (i) The Event Manual will detail the policy for the Protection of Children from Harm.
- (ii) The chair shall ensure that adequate child protection and vulnerable person procedures are in place and all Pride Angels/Commissioned services are adequately briefed regarding their responsibility for safeguarding and our procedures for reporting concerns.

Following mediation with the Local Safeguarding Children Board the following conditions be imposed upon the Premises Licence:

Protection of Children from Harm

- (i) Verification of age – safeguards to be in place to see that alcohol is not served to, or purchased on behalf of under age children. A ‘Challenge 25’ age verification policy is operated which requires anyone looking under the age of 25 to produce photographic evidence of proof of age from a passport, driving licence or PASS accredited scheme before any alcohol is supplied. The actions of staff operating the policy to be regularly monitored.

- (ii) Maintain a refusals register - where a sale of alcohol is refused if a person appears intoxicated or appears to be under 18, a refusal register/log to be updated. The register to be made available to the police on request.
- (iii) Training of staff – all staff responsible for selling age restricted goods to be trained to implement the age verification policy. Staff training to include the risk from proxy sales, (this is alcohol purchased or obtained for young people by relatives or older friends). Training records for staff to be maintained and refresher training to be provided annually.

Prevention of Public of Nuisance

- (i) The Licence Holder will adopt and follow the Noise Management Plan agreed with Durham County Council Environmental Health (Noise Action Team).

The following conditions be also imposed upon the Premises Licence:

Prevention of Public Nuisance

- (i) The Licence Holder will engage where possible and mediate were necessary with local residents regarding the event.
- (ii) The Licence Holder will engage where possible and mediate were necessary with Crook Hall regarding the event.