



LICENSING BOARD – SUB – COMMITTEE

Worksheet Number: 202102300

Date: 12th May 2021

PREAMBLE

Mendip District Council is the Licensing Authority for the Mendip area in connection with the Licensing Act 2003 (2003 Act). Where an application is made under the 2003 Act and relevant representations are received a hearing may be required to determine the application. However, this may not be the case where mediation is possible to bring the matter to a satisfactory conclusion, for all relevant parties.

The Licensing Authority has a duty to promote the Licensing Objectives in its decision-making process and these are the sole grounds for determining the application. These objectives are as follows: -

- **Prevention of crime and disorder**
- **Public safety**
- **Prevention of public nuisance**
- **Protection of children from harm**

In addition, under Section 17 of the Crime and Disorder Act 1998, local authorities must have regard to the likely effect of carrying out of their functions on crime, disorder and anti-social behaviour; doing all they reasonably can to prevent these matters occurring.

BACKGROUND

The requirements governing the advertisement of applications for the grant, variation or review of premises licences and club premises certificates are contained in the regulations made under the 2003 Act which are published on the Government's legislation website.

APPLICATION

Type of Application: **Application for a premises licence to be granted under the Licensing Act 2003**

Premises Licence: **September Event PRL823**

Address: **Worthy Farm, Worthy Lane, Pilton, Shepton Mallet, Somerset, BA4 4BY**

Applicant: **Glastonbury Festival Events Limited, Worthy Farm, Worthy Lane, Pilton, Shepton Mallet, Somerset, BA4 4BY**

Details of Application: **The sale by retail of alcohol – Friday and Saturday 14:00 to 23:00 hours**

Live music – Friday and Saturday 16:00 to 23:00 hours

Recorded music – Friday and Saturday 14:00 to 23:49 hours

Anything of a similar description – Friday and Saturday 14:00 to 23:59 hours

Late night refreshment – Friday and Saturday 23:00 to 23:59 hours

The proposed event(s) are for multi-artist, live music concerts to be delivered on the Pyramid stage at Worthy Farm. The event(s) will be over a maximum of two consecutive nights, Friday and Saturday, on a weekend to be agreed a minimum of 120 days in advance. The event will not be held in the same calendar year as the main Glastonbury Festival and no public camping will be provided.

The maximum capacity of this event will be 49,999 which includes all staff, traders, performers and crew.

The application was considered as received by the Licensing Department on the 19th March 2021 and correctly advertised at the premises, in the local paper, on the MDC website and sent to all responsible authorities. The latest date for representations was deemed to be 17th April 2019.

The application form is attached at **Annex 1** and I draw members attention to Section M where the applicant describes the steps they intend to take to promote the four licensing objectives. This is the third revision, the text in red was added as a result of a Multi-Agency Partnership meeting and the text in yellow was added as a result of a meeting with Public Protection.

Several conditions have been prepared from Section M and have been agreed by GFEL to form part of the licence if granted. These are attached at **Annex 4**.

Plans of the licensable area is attached at **Annex 2 & 3**.

Pilton Party Licence PRL739 is attached at **Annex 5**.

RELEVANT REPRESENTATIONS

Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant, the licensing authority's discretion will be engaged. It will also be engaged if any other person makes relevant representations to the licensing authority, which are also not frivolous or vexatious.

Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

Three representations were received from Responsible Authorities, one of which has since been withdrawn as a result of negotiations with the applicant. The two remaining representations from Responsible Authorities are;

1. Curtis Lakin – Environmental Protection Mendip District Council – **Annex 6**
2. Marietta Gill – Public Protection Mendip District Council – **Annex 7**

Three representations have been received from other persons;

- 1 Nick Hall – Local resident – **Annex 8**
- 2 Carolyn Griffiths – Local resident – **Annex 9**
- 3 Joanna Benner – Local Resident – **Annex 10**

DECISION MAKING PROCESS

The sub-committee must consider the application on its merits. The options available to the committee are as follows: -

- Grant the application with no modifications, and only attach conditions as required by the 2003 Act. These shall include mandatory conditions and conditions consistent with the operating schedule.
- Grant the application, modified to such an extent as the Licensing Authority considers appropriate for the promotion of the Licensing Objectives
- Refuse the application, giving reasons for its decision.
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POLICY CONSIDERATIONS

In its decision-making process, the Licensing Sub-Committee must have regard to the;

- Licensing Act 2003
- The Statutory Guidance issued under Section 182 of the Licensing Act 2003.

- Mendip District Council's Statement of Licensing Policy. The policy is available on request and from the Mendip District Council website at <https://www.mendip.gov.uk/article/7550/Premises-Licence-Application>

RIGHT OF APPEAL

All relevant parties to the decision of the Licensing Authority have the right of appeal to Magistrates Court, in connection with this matter. This must be done within 21 days of being notified in writing of the relevant decision.

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