

MINUTES of a meeting of the LICENSING COMMITTEE held in the Board Room, Council Offices, Coalville on WEDNESDAY, 10TH MARCH 2004

Present: Councillor P A Hyde (Chairman) (In the Chair)

Councillors R A Evans, P Holland, D Howe, J T Male, E J Purver, G Tacey, J B Webster and D H Wintle.

Officers: Messrs G Crossley, R Eaton, J E Peters and Miss M Lister.

In respect of the Download Festival 2004:

Mr J Probyn, Production Director of Clear Channel Entertainment
Mr I Baker, Symonds Consultants

Apologies: Councillor A C Saffell.

Councillor D H Wintle declared an interest in the Download Festival 2004 as a Castle Donington ward member. He advised the committee that he would leave the meeting if any motions were proposed.

Mr Eaton informed the Committee that the Download Festival item was purely investigative and listed in order to give members an opportunity to hear details of the organisation for the Festival. The application would be considered at the next Licensing Committee in April.

#. MINUTES

... Consideration was given to the minutes of the meeting held on 21 January 2004 (copy previously circulated and retained with the official copy of the minutes).

RESOLVED:

That the minutes of the meeting held on 21 January 2004 be approved and signed as a correct record.

#. LICENSING ACT 2003

(a) Resolution over fees

... Consideration was given to copies of a motion to be presented to the Right Honourable Tessa Jowell MP, a letter to the Secretary of State and an e-mail from the Head of Administration to the Manager of Central Support (copies circulated at the meeting and retained with the official copy of the minutes).

Mr Eaton delivered a verbal report on his and the Chairman's attendance at a meeting at Mansfield District Council in February where representatives from local authorities discussed the resource implications of the Licensing Act 2003 to licensing authorities. The authorities attending the Mansfield District Council meeting recognised that the proposed fees under the Licensing Act 2003 were unlikely to recover the costs of administration, inspection and enforcement for licensing authorities, thereby requiring a substantial proportion of costs to be imposed on local council tax payers.

Chairman's initials

The widespread concern expressed by delegates at the meeting lead to a resolution being passed, reflecting a collective view endorsed by 111 local authorities, urging the Secretary of State to allow councils to set their own fees with a view to recovering the real costs to each licensing authority of the implementation of the Licensing Act 2003.

The Licensing Committee endorsed the Chairman's support of the resolution to be presented to the Right Honourable Tessa Jowell MP.

Mr Eaton next referred to his e-mail to the Manager of Central Support highlighting a major income problem resulting from the continuing delays with the implementation of the Licensing Act. Based on the estimated first and second appointed days, the delays would mean that there would be no core funding from existing establishments between July 2005 and July 2006. Income would be restricted to variation fees and new licence fees.

Members felt that it was reasonable to express the Council's concern on the implications of the delay with the law's implementation to the Government.

RESOLVED:

That the Head of Administration send a letter to the Secretary of State, Department for Culture, Media and Sport, expressing the Licensing Committee's concerns with the continuing delays with the implementation of the Act and drawing attention to the problem of a severe reduction in licence fee income during the financial year 2005/06.

(b) General Progress

Mr Eaton gave a verbal update on progress for implementation of the Licensing Act.

Members noted that Joanne Brookbanks had been appointed to the remaining vacancy in the Council's Licensing Section and would be starting employment at the District Council on Monday, 15 March 2004.

In response to a question, Mr Eaton speculated on the possible scale of licence application fees for initial and renewal applications. Members discussed the proposed fees and their "value for money" terms.

Mr Eaton clarified the various enforcement responsibilities under the Licensing Act and members recognised the opportunity presented for joint working with Charnwood Borough Council and Leicestershire Constabulary through an enforcement protocol.

Finally Mr Eaton gave the particular details of the statutory provisions of the Licensing Act on a local authority's discretion to waive all or part of an application fee.

Chairman's initials

#. DOWNLOAD FESTIVAL 2004, DONINGTON PARK

Mr Crossley introduced the agenda item. He asked members to note that the Council had received an application for an outdoor public entertainment licence in respect of the Download Festival 2004 to be held at Donington Park on Saturday, 5 and Sunday, 6 June 2004. In advance of the application's determination by the Licensing Committee at its meeting on Wednesday, 21 April 2004, he had invited Mr Probyn, Production Director of Clear Channel Entertainment and festival manager for the Download Festival, to speak with members about last year's festival and the forthcoming festival. Mr Probyn's attendance at the committee meeting gave members an opportunity to ask questions about this year's festival. In turn, this would enable Mr Probyn to address any potential concerns at an early stage in the event's organisation and during the application's consultation stage.

Mr Probyn started with a brief description of the festival history at Donington Park and went on to describe his own personal involvement with last year's successful event. He continued by presenting members with some details about last year's festival including the audience profile and crime figures and how he was hoping to build on his experiences from last year's event. A new traffic management company was being employed this year. The same company undertook traffic management at major race meetings at Donington Park. Symonds Consultants had been appointed to manage noise levels at and arising from the festival and site security would be overseen by the same companies as last year.

The festival organisers had agreed on an improved site layout with more open spaces, better access and increased toilet facilities. In addition improved shower facilities would be provided and there would be 120 water points. Experienced youth welfare service staff would be on site and the festival organisers were repeating their efforts to keep customers out of Castle Donington village by providing a cinema, cafes and shops. A shuttle bus service would also operate to bring customers to the site from transport terminals. Discussions were also taking place with local taxi businesses.

Mr Probyn stressed that the festival organisers wanted to work with Leicestershire Constabulary, the District Council and, most importantly, the local community to make Download Festival 2004 as successful as the 2003 event.

Members did have a number of comments to make in respect of last year's event. There was concern at the filter and parallel line entry systems. Additional problems had resulted because of immediate entry delays for wrist banding and searching. Mr Probyn confirmed that the organisers were reviewing access arrangements to the campsite and to the main arena. A new scheme for wrist banding and searching would be instituted this year and should speed up the movement of people.

The supply and use of drugs invited concern and attention. Police, welfare officers and security reports recorded a low percentage of people under the influence of drugs at last year's festival. The organisers were taking additional steps to maintain last year's success with the use of honesty bins and other devices to promote a zero tolerance to the presence of drugs on the site. Mr Probyn welcomed the opportunity to join any local initiatives aimed at curtailing drug availability and its use.

Chairman's initials

Mr Crossley reported that a Sunday market was likely to take place on 6 June 2004. Independent of any Council pressure to cancel the market event that decision rested with the site owners. It was appreciated that the only traffic management problems at last year's event had occurred on the market day and the festival organisers feared a repeat of that problem unless the market was cancelled.

In respect of the closure and re-prioritising of roads, Mr Probyn confirmed that Melbourne Lane would be a focus of traffic management controls.

The ward councillor voiced particular concerns regarding the behaviour of performers, access to East Midlands Airport and the diversion of public rights of way. Mr Probyn accepted that there was a true need to monitor the on stage conduct of the performers and the organisers had written to all the agents representing this year's artists to remind them of the expected standard of behaviour and that the artists would be held personally responsible for any profane, obscene or indecent behaviour.

In respect of the other matters raised by the ward member, Mr Probyn undertook to ensure that all diverted public rights of way would be sign posted and accessible and he offered to meet with a working party from the village area to solve any difficulties with rights of way access and road congestion impeding access to the East Midlands Airport.

Finally the Committee discussed the Police's responsibility at this year's festival event. It was recognised that the police had a right and proper role in the organisation and management of such a large entertainment but there was a general feeling that a greater responsibility was now resting with the festival's organisers. Mr Probyn described the police assistance that was being given to the organisers. Referring back to the drugs issue and the possible use of trained police dogs at entrance points to the site, Mr Probyn agreed to take up this suggestion but explained how important it was to avoid projecting a hostile environment to festival goers. It was a fact that public disorder sometimes resulted from a perceived hostility.

Members noted that no organised firework display was planned although one particular performing band may request an outburst on their arrival on stage. Mr Probyn would try to dissuade them from this request and on a more general note he confirmed that security staff and stewards were instructed to confiscate fireworks found on festival goers.

The Chairman thanked Mr Probyn, Mr Baker and officers for attending the meeting and reminded members that the application would be determined at the Committee's next meeting in April after the expiry of the consultation period on the application.

The meeting terminated at 7.30pm.

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