

SPECIAL ANGUS LICENSING BOARD – 29 APRIL 2016

APPLICATION FOR AN OCCASIONAL LICENCE – FESTIVAL OF HOUSE

REPORT BY SHEONA C HUNTER CLERK TO THE BOARD

ABSTRACT

The purpose of this report is to present an application for an occasional licence under the Licensing (Scotland) Act 2005 which requires to be determined by the Board.

1. RECOMMENDATIONS

It is recommended that the Board consider and determine this Application in terms of one of the following options:-

- (i) to grant the application, subject to the Mandatory Conditions and any other discretionary or local conditions which the Board may wish to impose; or
- (ii) to refuse the application on one or more of the grounds referred to in Paragraph 3.

2. BACKGROUND

The Board has received an application(s) in respect of an occasional licence under the Licensing (Scotland) Act 2005 which require to be determined by the Board. The matters referred to in this report are not subject to delegation and must be determined by the Licensing Board. The Board at its meeting on 31 March 2016 agreed to defer consideration of this application to allow members to visit the proposed site.

3. LEGAL IMPLICATIONS

The Board must consider whether any of the grounds for refusal applies and—

- (a) if none of them applies, the Board must grant the application;
- (b) if any of them applies, the Board must refuse the application.

The grounds for refusal are—

- (a) that the premises to which the application relates are excluded premises,
- (b) that the application must be refused under section 64(2) (if application is granted it would allow alcohol to be sold in the premises for a continuous period of 24 hours) or 65(3) (Licensed hours – off-sales.
- (c) that the Licensing Board considers the granting of the application would be inconsistent with one or more of the licensing objectives,
- (d) that, having regard to—
 - (i) the nature of the activities proposed to be carried on in the premises to which the application relates,
 - (ii) the location, character and condition of the premises, and
 - (iii) the persons likely to frequent the premises, the Board considers that the premises are unsuitable for use for the sale of alcohol. In considering, for the purposes of the ground for refusal specified in subsection (c), whether the granting of the application would be inconsistent with the crime prevention objective, the Licensing Board must, in particular, take into account any notice given by the appropriate chief constable under section 57(2).

In determining any application which is to be determined in accordance with paragraph 3, the Board must take into account any report from a Licensing Standards Officer under section 57(3).

4. INFORMATION

The Licensing Standards Officer has raised a report as detailed in **Appendix 1** to this Report.

5. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

6. HUMAN RIGHTS IMPLICATIONS

In dealing with the matters set out in this report the Board will have regard to any human rights issues to the applicant/applicants.

7. CONSULTATION

The Divisional Commander, Tayside Division of Police Scotland has been consulted in the preparation of this Report.

8. NOTIFICATION

The applicant(s) and the persons submitting representations have been notified of the terms of this report. They have also been advised of their entitlement to attend the Board should they wish.

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Licensing Standards Officer's Report - Occasional Licence Application - Enclosed area at Panmure Estate, Carnoustie***Applicant Details***

<i>Applicant:</i>	Stuart Hutton
<i>Applying as:</i>	Personal Licence Holder
<i>Premises or area to be licenced:</i>	Enclosed Area at Panmure Estate
<i>Date(s) required:</i>	Thursday 9 th , Friday 10 th & Saturday 11 th June 2016
<i>Times required:</i>	Thursday 9 th June 17.00 – Midnight (amended from original end time of 01.00 at applicant/organisers request) Friday 10 th & Saturday 11 th June 12.00 – 00.45 (amended from original end time of 01.00 with the agreement of applicant/organisers)
<i>On/off-sales:</i>	On-sales
<i>Children & Young People Access:</i>	No. Over 18s only.

Address or Location of Premises

Enclosed area at Panmure Estate, Carnoustie, plan provided

Reason for Occasional

Outdoor Music Festival

LSO Comments

Jigsaw Events and Management Limited in conjunction with Red Pepper Events are staging an outdoor music festival at Panmure Estate, Carnoustie. This is an all ticketed event with an anticipated maximum attendance of 15,000.

An occasional licence application has been received from Stuart Hutton, who is a personal licence holder. The occasional licence is for an enclosed arena area at Panmure Estate. All campsites are outwith the licensed area. **The site plan and arena layout plan are attached in Appendix 2.**

The dates requested are 9th, 10th & 11th June 2016; the licensed hours requested are: - 9th June 17.00 – Midnight 10th & 11th June 12.00 – 00.45. The applicant/organisers have agreed to reduce the licensed hours on the Friday and Saturday evenings to close the bars before the end of performances to assist with a controlled, staged shutdown and clearance of the arena.

The Bottle Bar (Bar 1 on arena layout plan) and surrounding area are scheduled to open from 17.00 - Midnight on Thursday 9th June to provide entertainment for those accommodated within the campsites. There will be no access to the remainder of the main arena during this time.

The main arena is scheduled to open at 12.00 on Friday 10th & Saturday 11th June 2016 with music scheduled to be provided until 01.00. Security staff will carry out a sweep to clear the main arena after the music has ceased.

During a planning meeting with licensing staff, the event organisers indicated that there would be 150 - 200 SIA stewards employed during the event.

The applicant and organisers have been extremely cooperative and have complied with my requests for further information. They have submitted an Alcohol Management Plan and confirmed the following:-

There will be 5 bars within the main arena as identified within the alcohol management plan:

Main Bar 1 (Bar 2 on arena layout plan)
Main Bar 2 (Bar 3 on arena layout plan)
Bottle Bar (Bar 1 on arena layout plan)
Cocktail Bar
VIP Bar

All bars will have lane-style queuing systems managed by SIA badged stewards.

The 2 Main Bars and Bottle Bar will be open air whilst the Cocktail and VIP bars will be contained within Tents/Marquees; the capacity of the Cocktail Bar will be 350, the capacity of the VIP has still to be incorporated into the organisers' Alcohol Management Plan; SIA badged stewards will manage numbers within each marquee using a 'clicker' system.

The applicant will supervise all bars within the arena and will have a Personal Licence Holder located at each bar at all times. All bar staff will receive a minimum of 2 hours training to the standard provided for in the Licensing (Scotland) Act 2005 Schedule 3 Paragraph 6 and a record of that training kept on site. All bar staff and security personnel will be briefed on acceptable forms of ID.

A Challenge-25 policy will be implemented at the entrance to the event, at the queue for the bars and at the point of sale. To avoid cash security issues, no cash will be taken over the bars, tokens for alcoholic drinks will be sold from ticket booths. Challenge-25 will also take place at these booths. Soft drinks will be available from food and drink vendors and free drinking water will be available around the venue; from bars and drinking boards in the main arena and campsite.

There will be no glass on site; all drinks will be decanted into plastic containers at the point of sale.

SIA badged stewards will carry out bag checks at the entrance to the arena to ensure alcohol is not brought into the licensed area. SIA badged stewards will also ensure no alcohol is removed from the licensed area.

Each bar will clearly display it's opening times and, at the request of Police Scotland, will also display the contact details for the bar manager.

Security will be within the area 24 hours a day.

An updated alcohol management plan (v1.9) along with site layout plans, marquee descriptions, a media and communications plan (v1.2) and a crowd management plan (v11) were submitted on 18 April 2016 and can be found at Appendix 2.

A public entertainment licence application has been lodged with Angus Council for this event and meetings have taken place between Angus Council's Safe Events Planning Team and the organisers.

If the Board are minded to grant the application I would recommend the following conditions are attached:-

- Occasional licence to be operated in accordance with the Festival of House Alcohol Management Plan.
- Sufficient SIA badged stewards and event staff to be employed to the satisfaction of the Festival Director and Police Scotland.
- All bar staff to be briefed prior to commencing each shift on any conditions or requirements of their role and any changes to event conditions that may have occurred.
- Bar staff, SIA badged stewards and event staff to be briefed on event command and control structures.
- All SIA badged stewards and event staff to be briefed on layout of site, how to direct patrons and about their own role.
- Challenge 25 signage to be clearly displayed at token sales point and all bar areas.
- Clear signage to be displayed throughout the licensed area to direct patrons.
- Sufficient SIA badged stewards and event staff to be deployed at all times at bar areas to assist bar management in the control of patrons to the satisfaction of the Festival Director.
- SIA badged stewards and event staff to control flow of patrons between music venues and/or bar areas to the satisfaction of Festival Director.
- Bag searches to take place at the entrance to the area to prevent any glass or drugs being introduced to licensed area.
- Sufficient number of female members of staff to be deployed to search female patrons.

- SIA badged stewards and event staff to deal appropriately with criminal or anti-social behaviour.
- Numbers within marquees to be managed at all times. Capacities are never to be exceeded.

Reasons for referring application to Licensing Board

I would ask the Licensing Board to consider this application for the following reasons:

The Safe Events Group have yet to make comment on the final plans for the event and, until these comments are received, I cannot give an informed opinion on whether the plans are fit for purpose.

Although the organisers have indicated that there will be in excess of 150 SIA Badged Stewards employed at the event, at the time of finalising this report, the organisers' Crowd Management Plan was still in draft form with no definitive numbers and no indication of how security and stewarding staff will be deployed.

I would ask the Board to consider how the applicant/organisers are going to address the licensing objectives of prevention of crime and disorder, preventing public nuisance, including noise, securing public safety and protecting and improving public health.

I would also ask the Board, should they move to grant this request, to make the event Alcohol Management Plan, detailed in **Appendix 2**, a condition of the licence in support of the licensing objectives.

Recommended Conditions for Occasional Licence:

Conditions of licence:

- Occasional licence to be operated in accordance with the Festival of House Alcohol Management Plan.
- Sufficient SIA badged stewards and event staff to be employed to the satisfaction of the Festival Director and Police Scotland.
- All bar staff to be briefed prior to commencing each shift on any conditions or requirements of their role and any changes to event conditions that may have occurred.
- Bar staff, SIA badged stewards and event staff to be briefed on event command and control structures.
- All SIA badged stewards and event staff to be briefed on layout of site, how to direct patrons and about their own role.
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- SIA badged stewards and event staff to control flow of patrons between music venues and/or bar areas to the satisfaction of Festival Director.
- Bag searches to take place at the entrance to the area to prevent any glass or drugs being introduced to licensed area.
- Sufficient number of female members of staff to be deployed to search female patrons.
- SIA badged stewards and event staff to deal appropriately with criminal or anti-social behaviour.
- Numbers within marquee to be managed at all times. Capacities' are never to be exceeded.