



# STROUD DISTRICT COUNCIL

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## LICENSING ACT 2003

### APPLICATION FOR A NEW PREMISES LICENCE (TIME LIMITED)

<b>PREMISES ADDRESS</b>	HOLLOW FARM, ELMORE, GLOUCESTER, GL2 3SG
<b>APPLICANT NAME/S</b>	SOUL CIRCUS LIMITED
<b>APPLICATION TYPE</b>	NEW PREMISES LICENCE (TIME LIMITED)
<b>APPLICATION REFERENCE</b>	19/00411/LAPRNW
<b>DATE OF HEARING</b>	17 <sup>th</sup> MAY 2019
<b>DATE OF DECISION</b>	17 <sup>th</sup> MAY 2019
<b>DECISION</b>	APPLICATION GRANTED

#### PRESENT:

Cllrs. Mattie Ross (Chair), Gordon Craig, Steve Robinson (Panel)

Mike Wallbank, Solicitor (Clerk to the Panel)  
Rachel Andrew, Principal Licensing Officer

Ms Emma Godfrey, Soul Circus Front of House Manager (On behalf of the Applicant)

#### Apologies:

Mr Roman Wroath, Managing Director, Soul Circus

Mr and Mrs Hill (Representors)

#### BACKGROUND

On 26<sup>th</sup> February 2019, Stroud District Council ("the Council"), being the relevant Licensing Authority, received an application for a new premises licence in respect of the above Premises pursuant to section 17 of the Licensing Act 2003. The application is for a time limited premises licence for the sale of alcohol and the provision of regulated entertainment at Hollow Farm during the period 16<sup>th</sup>- 18<sup>th</sup> August 2019 inclusive.

Following a representation from Mr and Mrs Hill, objecting to the granting of a licence, a hearing took place on 17<sup>th</sup> May 2019 in order to determine the application.

## **REPRESENTATIONS**

One representation was received, from Mr and Mrs Hill. Mr and Mrs Hill were not present at the hearing but they submitted further comments on the day prior to the hearing, which were read by the Panel and the applicant.

Mr and Mrs Hill expressed concerns about noise arising from the event. They confirmed that they live about a third of a mile away from the premises. Their concerns included the following:

- Last year, late-night music from the event was audible inside their home in Quedgeley, even with the doors and windows shut;
- The daytime music played during last year's event was noisier than that in earlier years;
- Promises made by the applicant regarding the control of noise at last year's event were not honoured and the applicant did not organise a public meeting or distribute a telephone number for complaints, despite promising to do so; and
- A large number of properties in Quedgeley would be affected by noise from the event and the area that they live in does not have a great deal of background noise.

In their representation, Mr and Mrs Hill stated that they did not consider that the site was suitable for the proposed event. They also stated that in their view, the sale of alcohol and the playing of recorded music should be limited to 11pm.

Mr and Mrs Hill's further comments stated that there should be additional noise measurements to the ones proposed in the event management plan, suggested a number of streets which should receive a leaflet drop and reiterated that they did not consider that this was a suitable site for the event.

## **APPLICANT'S REPRESENTATIONS**

The Applicant was represented by Ms Emma Godfrey, who has taken over as the front of house manager at the event.

EG stated that this event is a family friendly yoga and wellness festival, with a projected attendance of 2,000-2,500 people over the course of the weekend. There has been engagement with the community and the applicant considers that the event has had a positive impact on the local community, with many local residents in the past having taken up an offer of free tickets.

The Panel queried the nature of the ambient music that would be played after 11pm on the Friday and Saturday evenings. EG explained that this would be background music in the café/bar area and that it would be possible to have a conversation over such music without the need for raised voices. EG showed the Panel the location of the café/bar on the site location plan and it was noted that this is on the part of the site which is further away from Quedgeley.

EG explained that a noise officer had been appointed, who will carry out monitoring of the sound levels around the perimeter of the site, with a view to ensuring that no

music is audible at the perimeter of the site after 11pm. EG agreed that a condition requiring the results of such monitoring to be provided to the Council after the event would be feasible.

EG also explained that the majority of attendees retire to their tents at around 2300 and that noise in the campsite area is not permitted, with security patrols enforcing this.

With regard to the various numbers available should local residents need to contact the applicant regarding excessive noise during the event, EG confirmed that there are no problems with the mobile telephone reception at the site and that last year staff had used mobile phones to communicate with each other at the event and to coordinate deliveries.

The Panel queried the level of public engagement from the Applicant, EG stated that a number of notices had been placed on public notice boards at supermarkets and church halls in the area and a notice will be placed in the Quedgeley News on 31<sup>st</sup> July 2019. EG confirmed that last year, the applicant contacted Quedgeley Town Council for advice as to where to advertise the event. In addition, a public meeting was offered but nobody attended.

It was agreed that an announcement would be made at 11pm each night when the main entertainment finishes to remind attendees that the site is not far from a residential area and to respect the peace and quiet of local residents.

EG stated, in summary, that the applicant sets out to work with the local community. Last year, there were no complaints received from local residents during the event. The timings of each entertainments set are strictly monitored. Decibel readings are recorded and maintained in line with the conditions set out in the noise management plan.

## **DECISION**

The Panel decided to **GRANT** the application with the operating schedule and volunteered conditions as per the application form, which are set out in the Schedule. The Panel also decided to impose a condition requiring the late-night noise monitoring readings from the perimeter of the site to be provided to the Council.

In granting the application, the Panel considered the comments of both the Representor and the Applicant. They agreed that the Representors' concerns were valid, however, they concluded that the volunteered and imposed conditions would be sufficient to adequately mitigate any public nuisance arising from the event.

In communicating this decision, the Chair of the Panel reiterated the Panel's request that an announcement be made at the conclusion of the entertainment on the Friday and Saturday evenings in order to remind attendees to respect the peace and quiet of local residents during the night.

*Mike Wallbank  
Clerk to the Panel*

17<sup>th</sup> May 2019

## **SCHEDULE**

### **IMPOSED CONDITION**

1. All records of the monitoring carried out in accordance with paragraph 5.4 of the Noise Management Plan (Appendix 4 to the Event Management Plan referred to below) shall be provided to the Council's Environmental Protection Manager not later than 25<sup>th</sup> August 2019.

### **VOLUNTEERED CONDITIONS**

2. The event shall be operated in accordance with Version 1 of the document entitled "Elmore Event Management Plan – 2019 Final";
3. No variation to the document referred to in Condition 1 shall be made without the prior written consent of the Council's Principal Licensing Officer;
4. The Production Manager and the dedicated noise complaint line (onsite production office) shall be contactable by telephone at all times during the event on a number provided to the Council's Environmental Protection Team in advance of the event. This will be the same number provided on all leaflets and posters prior to the event;
5. Roman Wroath, the managing director of the applicant company shall be contactable by telephone for the entirety of the duration of the event on 07464 074964; and
6. The Applicant, the Production Team and the Noise Officer shall comply without delay with all directions in connection with noise mitigation given by any authorised officer of the Council during the event.