

NORTHAMPTON BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

Monday, 31 January 2011

- COUNCILLORS PRESENT:** Councillors Wilson (Chair)
Councillors Woods and Varnsverry
- OFFICERS:** Mohammed Rahman (NBC Solicitor)
Phillip Bayliss (Principle Licensing Officer)
- FOR THE APPLICANT:** Mark Tagg (Northamptonshire County Cricket Club)
Jim Griffiths (Director – Acoustics Vanguardia Consulting)
Perry Deakin (Northamptonshire County Cricket Club)
- FOR THE REPRESENTORS:** PC Dave Bryan (Northamptonshire Police)
P Mallard (Environmental Health)

1. NORTHANTS CRICKET CLUB, THE COUNTY GROUND, ABINGTON AVENUE, NORTHAMPTON, NN1 4PR

The Licensing Officer outlined the purpose of the hearing and explained that an application had been received from Northants Cricket Club for a fixed period licence to cover the period from 1st June 2011 to 10th August 2011 to include the playing area and all associated outdoor areas and the former bowling club at the County Ground. He explained that two objections had been received one from Northants Police and one from the Senior Environmental Health Officer, which were judged to satisfy one or more of the Licensing Objectives. He then explained the procedure for the hearing.

Representation by the Police

Pc Bryan (Northants Police) explained that their original objection to the application had been on the grounds of Crime and Disorder as it was regarded that the operating schedule was too vague. However, since the original submission of the objection a number of meetings had been held with the Police and the Northants Cricket Club and the problem had been resolved with both parties in agreement of the conditions that had been put in place.

Representation by Environmental Health

The Senior Environmental Health Officer explained that there had been continued discussion with the representative from the Cricket Club and they were now reasonably satisfied that noise levels could be managed and controlled but that a number of conditions should be placed on the license to ensure that the noise levels were not unacceptable. He reported that the proposed noise level would be above the Code of Practices recommended noise level. He explained that there had been a number of concerts held at similar venues and there had been a limited number of problems as a result and stated he did not recommend that the license be refused but that a number of conditions should be put on the license to ensure that any excessive noise would not be a problem to local residents.

Questions to Environmental Health

In response to a question asked by Councillor Pam Varnsberry, Mr Mallard confirmed that the levels of noise would not be constant in exceeding the Code or Practice's noise levels, but it would most likely occur intermittently as music would crescendo at various times of the day which he explained was the experience had at similar events. In response to a question asked by the Chair, it was explained that excess noise would most likely to occur at the mixing desk but houses in close proximity would be most probable to endure a level of between 5 and 10 decibels over the Code of Practice recommendations of 75 decibels. However, he commented that having any less than 85 decibels would take away the essence of the concert. One of the conditions offered was 'The Premises License shall only allow for regulated entertainment on one day through out the duration of the Premises License'. The solicitor and chair pointed out that it seemed very onerous and asked whether the applicants understood this to which they agreed.

Representation by the Applicants

Representing the Applicant, Mr Tagg confirmed that the application was for a fixed period licence of Live Music, recorded Music and the supply of alcohol. He explained that they had worked with a number of different agencies in order to establish a good relationship with residents and an understanding of issues in order to enable the concert to go ahead. He reported that a number of former Northamptonshire Cricket players had been involved in local community activities in order to help build relations and residents had been mailed and asked for feedback and response to the proposed concerts with a forum having been established with the Cricket Club to discuss any concerns.

Mr Griffiths (Vanguardia Consulting) spoke on behalf of the applicant and explained that once the sound test had been carried out on the day, potential hotspots would be identified and the noise control would be examined at the mixer tower and outside the venue at local residential areas within close proximity of the venue.

Questions to the Applicant

Councillor Woods questioned whether any further license would be required. The Licensing Officer confirmed that the license applied for would be suitable to cover all the activities they had wanted to be covered. In response to a question asked by the Chair, it was explained that the CCTV would be used on a temporary basis as a means of monitoring the atypically large crowd. In response to questions asked about the parking arrangements, it was commented that the issue would be taken before a Safety Advisory Group on the 7th February and that there would be a general encouragement of directing people to park in designated parking areas, which would be provided within close proximity of the venue. It was further commented on that over 50% of the tickets sold had come from the NN1 district of Northampton and therefore, the number of people who would be travelling by car would be less significant than those held in more rural areas.

In response to a further question asked, it was noted that the reason that the application for a 10-week period was to cover a number of 20/20 cricket matches. In answer to another question the Members were informed that the license was predominantly for the concert but extending the license to the bowls club would bring it under the 'umbrella' of the existent Cricket Club licence.

Summing up by the Senior Environmental Health Officer

The Senior Environmental Health Officer reported that he had not further comment to make.

Summing up by the Police

The Police confirmed that since the conditions had been agreed with the Cricket Club, not further comment was necessary.

Summing Up by the Applicant

Mr Deakin, on behalf of the applicant reported that the concert provided a fabulous opportunity for Northampton and as yet no member of the public has complained about the concert. He described the act as a much-respected musician whose followers and fans have always maintained respectful and dignified at other concerts and therefore the granting of the license would be of benefit to the people of Northampton.

The Determination

There being no further questions, the Committee adjourned at 14.44 to make a decision and the Solicitor was called for advice.

The Committee reconvened at 15.12.

Having regard to the Licensing Act 2003 and the guidance thereunder the Council's Licensing Policy statement and the representations made. The following decision was made:

That the application to for a fixed period licence to cover the period from the 1st June 2011 to 10th August 2011 to include the playing area and all associated outdoor areas and the former bowling club at the County Ground be granted to include Live Music, Recorded Music and the supply of alcohol be granted.

Live music will be licensed from 1600hrs until 2300 hrs and recorded music from 1000 hrs until 2215hrs.

The supply of alcohol was granted as follows:

Monday to Saturday 1030hrs to 2230hrs, Sunday 1100 hrs to 2230hrs for consumption on the premises only.

During the deliberation, it was noted that the Northampton Liberal Democrats HQ was located on Clarke Road, very close to the premises in question. It was made clear that the sub-committee sat to consider Licensing matters and the Members would not and did not have any political bearing or influence over any licensing decision made.

The Committee considered the application for a Premises Licence for Northants Cricket Club, The County Ground, Northampton made by Mr Tagg on behalf of Northamptonshire County cricket Club Limited.

The Sub Committee noted that there were representations made by Northamptonshire Police and Northampton Borough Council's Public Protection Department based on the prevention of Crime and Disorder, Public Safety, the prevention of Public Nuisance and the Protection of Children from Harm.

It was noted that various meetings had taken place and both the Police and Public Protection had put a number of proposals forward. It was also noted that the applicants had agreed the proposals made. Therefore, the Committee granted the application as made, with all the operating schedules and conditions as agreed by all parties. The reasons for the

decision was that the Sub Committee felt that after working with the objectors, the Applicants had demonstrated that on a balance of probability, they would uphold and promote the four licensing objectives.

The Chair commented that it would be advisable for the Applicants to liaise with all those residents in the local vicinity on the matters raised and not just the immediate neighbours.

The Chair explained that the Applicant had the right to appeal the decision after 21 days.

The meeting concluded at 15.16