

BARNSELEY METROPOLITAN BOROUGH COUNCIL

**Report of the Assistant
Director of Regulatory
Services to the meeting of
the Statutory Licensing
Regulatory Board Sub
Committee to be held on the
18 June 2014**

LICENSING ACT 2003**APPLICATION FOR A PREMISES LICENCE**

**Pinkfields Festival, Cuckold Carr Farm, Coachgate Lane, Gunthwaite,
Penistone S36 7GE**

1. Background

- 1.1 On 7 April 2014, an application under the provisions of the Licensing Act 2003 was made by Andrew R Edmondson on behalf of Pinkfields Festival, Cuckold Carr Farm, Coachgate Lane, Gunthwaite, Penistone S36 7GE. A copy of this application is attached as Appendix 1.
- 1.2 Members are requested to determine the application for a premises licence.
- 1.3 The application concerned is located in a field set within rural surroundings and within close proximity to a small number of residential dwellings.

2 Application for a Premises Licence

- 2.1 The original application requested the licence to take effect as soon as possible and requested the following licensable activities and opening times:

a) Live Music (Indoors/Outdoors)

Saturday 12.00 - 03.00

Sunday 11.30 - 17.00

* We intend on playing music in a rural field partially covered by a marquee tents.

b) Performance of Dance (Outdoors)

Saturday 12.00 - 03.00

Sunday 11.30 - 17.00

* Hired live dancers, these are professionals dance groups all carrying their own liability insurance.

c) Late Night Refreshment (Outdoors)

Saturday 23.00 - 05.00

* 24 hour refreshment will be available for soft drinks. 24 hour food provisions will also be in place. Some of this will be under canvas but all will be in an open field.

c) Supply of Alcohol (Indoors/Outdoors)

Saturday 12.00 - 03.00

* Please note that the applicant has made a change to the original application submitted and requested sales of alcohol on Saturday only.

d) Opening Times

Saturday to Sunday 08.00 - 20.30

3 Promotion of Licensing Objectives

- 3.1 The applicant has outlined steps intended to be taken in order to promote the four licensing objectives, subject to the licence being granted.

The licensing objectives have been considered in light of the proposed application, taking into account the premises and its site location.

Details of any measures considered necessary to promote the four licensing objectives are detailed overleaf.

a) General – all four licensing objectives (b,c,d,e)

'We are operating a Challenge 25 Policy throughout the whole weekend with regards to the purchase of alcohol. We will SIA badge holders looking after personal security and covering the festival showground. Their remit is a zero tolerance. All attendees have been told proof of age will be required, should minors be found consuming alcohol, irrespective as to who purchased it, it will be confiscated. All alcohol traders will display relevant posters too. Each bar unit will have direct ear piece contact with a security details should they encounter any problems. Along with the SIA security, we also have 15 personal licence holders supporting them, their job is to circulate the festival grounds indentifying alcohol or drug related issues. This is a pre sold ticket event only with no day passes available. By having people turning up on site from 08.00 on the 24th and remain in the festival grounds until 17.30 on the 25th prevents people wandering around rural Yorkshire. Each festival goer will have a bar coded ticket, this ticket will be exchanged for a wrist band once you've passed through a security check. You remain on site until you choose to go home or the festival finishes'.

b) The Prevention of Crime and Disorder

'Besides SIA security teams we will also have a dog unit security team for late night early morning cover. These are there to ensure the festival show ground remains secure during the few hours it is closed, ensuring the safety of goods and equipment. The team of personal licence holders will also be supported by 50 stewards. All of our team will have Wi-Fi ear piece contact. This is a pre sold ticket event only with no day passes available. By having people turning up on site from 08.00 on the 24th and remain in the festival grounds until 17.30 on the 25th prevents people wandering around rural Yorkshire. Each festival goer will have a bar coded ticket, this ticket will be exchanged for a wrist band once you've passed

through a security check. You remain on site until you choose to go home or the festival finishes’.

c) Public Safety

‘We have ST Johns Ambulance in attendance, due to the geographical spread of the vent we have chosen to exceed the minimum requirements on this. We are offering a free shuttle bus from Denby Dale station either side of the festival. To help ensure a smooth passage we have a security and steward detail at the station to assist in the management of people’.

d) The Prevention of Public Nuisance

‘We intend on having a high visibility approach with secure boundaries. We are working closely with our sound engineers to reduce the impact of low level frequency base, with sound deadening barriers, strategically placement of rides and tents will help direct music noise. We are only working with professional licensed bodies with regards any safety and security issues. Our finish time of 17.00 on the 25th has been implemented so we can have the majority of the festival goers on the road back into towns for public transport before 20.30. Again to facilitate this we will have a security details round the shuttle bus system’.

e) The Protection of Children from Harm

‘With children not being the main demographic for this festival they will be easily identified and their car and provisions looked after. We will have lost child tent and non of our festival content is directly aimed at the adult market. Our security teams remit will include identifying families at the festival, ensuring their parents remain in a state of personal control throughout the event. This will be conducted in a friendly manner’.

4 Responsible Authorities

- 4.1 Comments have been received from Mr Denton, Senior Pollution Control Officer, Regulatory Services who has considered the application and

recommended the submission a noise management plan and this be conditioned to the licence as set out in Appendix 2.

- 4.2 Representations have not been received from any other Responsible Authority in this matter, however, Mrs Diane Clough, Health & Safety Officer, Regulatory Services has requested sight of the event management plan and any risk assessments closer to the event taking place as set out in Appendix 3.

5 Interested Parties

- 5.1 Following publication of the statutory notice detailing the premises licence application in the local press and the display of notices at the premises, representations have been received from Interested Parties.
- 5.2 In total, seven representations have been received from local residents who live within close proximity to the premises, of which five have been discounted. Letters have been sent to those whose letters have been discounted, detailing reasoning behind the invalidity of their representation.
- 5.3 Valid representations has been received from:
- Mr P Moody, Far Broad Oak, Gunthwaite, Penistone, S36 7GE
- Mr A Tolan, Middle Broad Oak, Broad Oak Lane, Gunthwaite S36 7GE
- 5.4 A copy of the representations received relating to one of more of the four licensing objectives is attached as Appendix 4.
- 5.5 Under the provisions of the Licensing Act 2003, representations can be made by anyone whether or not they live or have a business interest within the vicinity of the premises where the application has been made. However, in this case the interested parties concerned do reside within the vicinity of where the application has been made.
- 5.6 Each representation sets out a number of areas of concerns in relation to the licensing objectives and a précis of these are given below:

- a) 'The proposed period for licensed activity is particularly inappropriate with regard to public safety as it coincides with a period of high traffic activity for local farmers (silage production) and its also a bank holiday weekend when the visitor levels to the area are particularly high. '
- b) 'It is essential for the reasonable running of the business to have easy access throughout the day, seven days per week for employees with cars, and clients with cars or horse transport and the delivery of essential supplies.'
- c) 'Three footpaths run through or on the boundary of the site and reasonable access to these would not be possible with such a festival.'
- d) Levels of noise and general disturbance in an area where at least 5 residences are within a few hundred yards of a festival site will cause disproportionate and unreasonable disruption to normal rural living.'
- e) 'Number of locations where high value equipment (e.g. horse track) is kept in potentially vulnerable places. The influx of so many people into the area will give rise to many opportunities for premises to be checked out by criminal elements for later thefts.'
- f) 'Perimeter security on such an open site would be impossible to prevent un-ticketed access, therefore allowing unmanaged numbers of people access in and out without control.'
- g) 'Despite noise limiting measures employed for the music systems by some organisers, noise levels will be high enough to cause a nuisance both day and night.'
- h) 'Traffic across the area will cause public nuisance due to volume and congestion as well as increased risk to pedestrians due to narrow lanes, a lack of passing places and poor visibility.'
- i) 'High risk of fire within woodland venue which would undermine the objective to maintain public safety.'

N.B Members are minded to note that issues raised in respect of traffic flow/management does not relate to the four licensing objectives and therefore cannot be taken into consideration.

- 5.7 Mr Andrew Edmondson on behalf of Pinkfields Festival has been in close contact with the Licensing Service throughout the application process and has demonstrated a willingness to work with all parties involved, in order to seek a resolution to the issues which have arisen.
- 5.8 The applicant has agreed to produce a noise management plan and for this to be conditioned to the premise licence, if granted. Conditions which are designed to demonstrate how the applicant intends to control and monitor noise levels throughout the duration of the event. In addition, local residents will be notified and provided with details of the festival in a timely manner. Contact numbers will be made available during the proposed event detailing actions that will be taken in response to any complaints received.
- 5.9 Furthermore, to address issues raised in relation to access/egress of the event, the applicant is in the process of developing a traffic management plan in conjunction with the Council's Highways Department.
- 5.10 However, the Interested Parties concerned are not satisfied that reasonable steps have been made by the applicant and as such, wish to uphold their objection to this licence application.

6. Compatibility with the European Convention on Human Rights

The decision of the Board will amount to a determination of the Council and the rights of the applicant. Therefore, as far as it is possible to do so, the board must comply with the requirements of Article 6 (the right to a fair trial). This means the applicant and should be afforded the right to make oral representations at the meeting.

If Members determine to refuse the application, it is necessary for the reasons to be clearly stated.

7 Financial Implications

Not applicable.

8 List of Appendices

Appendix 1 - Premise Licence Application

Appendix 2 – Comments received from Pollution Control Section

Appendix 3 - Comments received from Health & Safety

Appendix 4 – Representations from Interested Parties

Officer Contact: Kate Liddall Tel: (01226) 774258 Date: 28 May 2014

APPENDIX 1

PREMISES LICENCE APPLICATION

[Insert name and address of relevant licensing authority and its reference number (optional).]

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Andrew Richard Edmondson
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Cuckold Carr Farm, Coachgate Ln, Gunthwaite, Penistone. S36 7GE			
Post town	Barnsley	Postcode	S36 7GE

Telephone number at premises (if any)	07786190608
Non-domestic rateable value of premises	£0.0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|--|
| a) an individual or individuals * | x <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |

- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Edmondson			First names Andrew Richard		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		246 Portland St, Southport. PR8 6LX			
Post town	Merseyside			Postcode	PR8 6LX
Daytime contact telephone number			07786190608		
E-mail address (optional)		Pinkfields2014@gmail.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Andrew Richard Edmondson
Address 246 Portland Street, Southport. PR8 ^LX
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any) 07768190608
E-mail address (optional) Pinkfields2014@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)
Rural farm land.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- | | |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | x |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | x |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

x

Supply of alcohol (if ticking yes, fill in box J)

x

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Fri					
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	x <input type="checkbox"/> x
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3) We intend on playing music in a rural field partially covered by marquee tenets.		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
	12:00	03:00			
Sun	11:30				
		17:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input checked="" type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3) Hired live dancers, these are professional dance groups all carrying their own liability insurance.		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
	12:00	03:00			
Sun	11:30				
		17:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Festival style entertainment, camping, toilets and showers		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance n 24hr refreshment will be available for soft drinks. 24hr food provisions will also be in place. Some of this will be under canvas but all will be in an open field.		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri					
Sat	23.00	05.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises <input checked="checked" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
	12:00	03:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun	10:00			
		17:30		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Andrew Edmondson	
Address 246 Portland Street, Southport. Pr8 6LX	
Postcode	PR8 6LX
Personal licence number (if known) 007325	
Issuing licensing authority (if known) Sefton MBC	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat	08:00		
Sun			
		20:30	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

We are operating a challenge 25 policy throughout the whole weekend with regards the purchase of alcohol. We will have SIA badge holders looking after personal security and covering the festival showground. Their remit is a zero tolerance. All attendees have been told proof of age will be required, should minors be found consuming alcohol, irrespective as to who purchased it, it will be confiscated. All alcohol traders will attend a pre festival meeting to confirm their remit and the challenge 25 policy in place. All traders will display relevant posters too. Each bar unit will have direct ear piece contact with a security detail should they encounter problems. Along with the SIA security we also have 15 personal licence holders supporting them, their job is to circulate the festival grounds identifying alcohol or drug related issues.

This is a pre sold ticket event only with no day passes available. By having people turn up on site from 08:00 on the 24th and remain in the festival grounds until 17:30 on the 25th prevents people wondering around rural Yorkshire. Each festival goer will have a bar coded ticket, this ticket will be exchanged for a wrist band once you've passed through a security check. You remain on site until you choose to go home or the festival finishes

b) The prevention of crime and disorder

Besides SIA security teams we will also have a dog unit security team for late night early morning cover. These are there to ensure the festival show ground remains secure during the few hours it is closed, ensuring the safety of goods and equipment. The team of personal licence holders will also be supported by 50 stewards. All our team will have wifi ear piece contact.

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c) Public safety

We have St Johns ambulance in attendance, due to the geographical spread of the event we have chosen to exceed their minimum requirements on this. We are offering a free shuttle bus from Denby Dale station either side of the festival. To help ensure smooth passage we have a security and steward detail at the station to assist in the management of people.

d) The prevention of public nuisance

We intend on having a high visibility approach with secure boundaries. We are working closely with our sound engineers to reduce the impact of low level frequency bass, with sound deadening barriers, strategical placement of rides and tents will help direct music noise.

We are only working with professional licensed bodies with regards any safety and security issues. Our finish time of 17:00 on the 25th has been implemented so we can have the majority of festival goers on the road or back into towns for public transport before 20:30. Again to facilitate this we will have a security detail round the shuttle bus system.

e) The protection of children from harm

With children not being the main demographic for this festival they will be easily identified and their car and provisions looked after. We will have a lost child tent and none of our festival content is directly aimed at the adult market. Our security teams remit will include identifying families at the festival, ensuring their parents remain in a state of personal control throughout the event. This will be conducted in a friendly manner.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
☐
- I have enclosed the plan of the premises. X
☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. X
☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	A. Edmondson
Date	6/4/2014
Capacity	applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

APPENDIX 2

Liddall , Kate

From: Denton , Paul
Sent: 10 April 2014 14:59
To: 'pinkfields2014@gmail.com'
Cc: Liddall , Kate
Subject: Premises Licence Application

Dear Andrew,

I am in receipt of your application for a premises licence for Cuckold Carr Farm. In line with other music festivals that have been held within the Borough and with the fact that there are residential properties within 500m of this location. You are required to submit a written noise management plan detailing how you intend to control and monitor the noise levels throughout the duration of the event. In addition I would expect to see details of how local residents are going to be notified of the festival, what contact numbers are going to be made available during the event and actions that will be taken in the receipt of any complaints.

I would be happy to discuss the requirements of the noise management plan and share examples of good practice from other festivals, please contact me on the details below.

Regards,

Paul Denton
Senior Pollution Officer
Regulatory Services
PO Box 602
Barnsley
S70 9FB

01226 77 (2860)

APPENDIX 3

Liddall , Kate

From: Health and Safety (Regs Services)
Sent: 11 April 2014 09:09
To: Licensing
Subject: 300686 Pinkfields Festival
Attachments: JDO30063.doc

Hello,

Health and Safety have no comments to make with regards to the application at this time, however we would like to see the event management plan and risk assessments closer to the time of the event.

Thank you
Diane

Diane Clough
Regulatory Services Field Officer
Health & Safety
Barnsley Metropolitan Borough Council
Regulatory Services
P.O. Box 634
Barnsley
S70 9GG

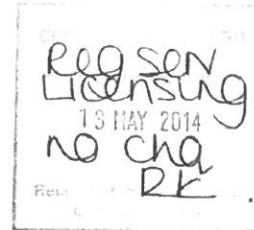
☎: 01226 775762 Fax: 01226 775699

Web: www.barnsley.gov.uk Twitter: [barnsleycouncil](https://twitter.com/barnsleycouncil) Facebook: [barnsleycouncil](https://www.facebook.com/barnsleycouncil) YouTube: [barnsleymbc](https://www.youtube.com/barnsleymbc) Flickr: [barnsleycouncil](https://www.flickr.com/photos/barnsleycouncil)

From: Dodds , Jacqueline
Sent: 09 April 2014 14:51
To: Health and Safety (Regs Services)
Subject: DCL JDO30063

APPENDIX 4

Far Broad Oak
Gunthwaite
Penistone
Sheffield
South Yorkshire S36 7GE



Phone: 01226 762074
Email: Patrick@moody-dressage.co.uk

Barnsley Council
Regulatory Services
PO Box 602
Barnsley
S70 9FB
08 May 2014

Dear Sir

Notice of Application for a New Premises Licence 15/04/2014 Andrew Edmondson Cuckold Carr Farm S36 7GE

This letter is a representation regarding the above application.

The basic representation can be summarised as follows. The Gunthwaite area (defined for this purpose as the land on the north and south sides of Gunthwaite Lane and Coachgate Lane from Upper Denby down to the A 635) is a rural area supporting some 5 to 6 farms, 3 equestrian businesses and a number of private residences. It is served by a network of single track roads. It is not possible to introduce a festival intended to attract 3500 people into this area without disproportionate and unreasonable detriment in terms of Public Nuisance and Public Safety with the added potential for an increase in crime and disorder.

Public Safety

The network of single track roads is already extensively used by farm vehicles, vehicles accessing the equestrian facilities, other residents, the many walkers using the public footpaths, and horse riders. There are already significant numbers of traffic incidents with this mix (happily so far nothing major) but the introduction of greatly increased amount of vehicles before, during and after the festival could not be achieved without raising the levels of danger to an unacceptable degree.

The proposed period for the licensed activity is particularly inappropriate with regard to Public Safety as it coincides with a period of high traffic activity for local farmers (silage production) and also a Bank Holiday weekend when the visitor levels to the area (riders and walkers) are particularly high.

Public Nuisance

3 areas are relevant.

1. Business interference. Using these premises as an example, it is essential for the reasonable running of the business to have easy access throughout the day, 7 days per week for employees with cars, and clients with cars or horse transport and the delivery of essential supplies. The weekend is especially important for business income as that is a key time for clients to attend. The inevitably reduced accessibility before, during and after the proposed festival would have an unacceptable impact on business activity and income. Other businesses will be similarly affected.

APPENDIX 4 cont...

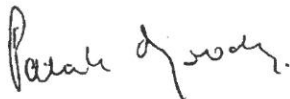
2. Interference with public footpaths. 3 public footpaths run through or on the boundary of the site and reasonable access to these would not be possible with such a festival. I am aware of no process taking place to have the footpaths officially closed.
3. Levels of noise and general disturbance. The levels of noise and general disturbance in an area where at least 5 residences are within a few hundred yards of a festival site will cause disproportionate and unreasonable disruption to normal rural living.

Prevention of Crime and Disorder

The area has a number of locations where high value equipment (for example horse tack) is kept in potentially vulnerable places. The influx of so many people into the area will give rise to many opportunities for premises to be checked out by criminal elements for later thefts.

I would also wish to put on record that I have been surprised by the way in which the licence application has so far been handled with, for example, confusion regarding the correct posting of notices and the timing for representations. Additionally the timescale between the closing of representations and the start of the proposed festival leaves a situation where it seems barely possible that the process can be carried out correctly according to the terms of the Licensing Act 2003 and the subsequent guidance.

Yours sincerely



Patrick Moody

APPENDIX 4 cont...

Alan Tolan
Middle Broad Oak
Broad Oak Lane
Gunthwaite
S36 7GE
13th May 2014

Representation for the proposed license for a Festival 24, 25 May 2014

Dear Sir / Madam

I am a local resident within a few hundred meters of the proposed festival site. I would like to set out below my concerns for the proposed license to allow events to take place here.

I have looked at the licensing objectives and believe that the proposed applicant will undermine the objective to **prevent crime and disorder** and to maintain **public safety** within or around the vicinity of the premises due to a lack of experience in managing these events. The applicant has told my neighbour he has not organised an event of this kind before. The research I have undertaken consistently points back to lack of preparation and experience as a primary cause for events failing to meet the licensing objectives.

My concern is perimeter security on such an open site would be impossible to prevent un-ticketed access therefor allowing unmanaged numbers of people access in and out without control. This leads to concerns that also include **Public Safety** because the volume of people would be unknown.

An example of this was the HD festival on a farm in Redbridge 2013 when 900 gate-crashed a 9000 capacity venue caused chaos, despite having a perimeter fence, the control measures were inadequate. This was on a farm. The license for this event was revoked.

I believe the location and site is wholly inadequate for such an event

Concern here also for the public footpaths which will I understand will remain open with escorted access. This is ok for a walker but my concern is other users gaining access to the venue by this vulnerable point causing overcrowding and risk and disturbance within the venue.

Redbridge Police Licensing Sergeant Dougie Fyfe, said: "We are supporting the local residents and reviewing the License for the HD Festival due to the crime and disorder and public nuisance caused to local residents and businesses in the area."

Police reported 'huge amounts of drug paraphernalia' left behind, as well as fights, assaults and thefts and said the festival was 'attracting criminal gangs' and taking up a 'huge amount of police resources', despite being a private event.

APPENDIX 4 cont...

My concern is that the applicant will undermine the objective to **prevent public nuisance**. I believe that the noise levels for the event will cause a nuisance and despite noise limiting measures employed for the music systems by some organisers, the noise level will be high enough to cause a nuisance both day and night. In addition the workforce who will be busy 24hrs a day servicing the site will also cause a noise nuisance due to traffic and machinery in and out of the site.

Traffic across the area will cause a **public nuisance** due to volume and congestion as well as increased risk to pedestrians due to narrow lanes, a lack of passing places and poor visibility. Again causing risk to **public safety**. I understand the site will be busy for well over a week setting up and dismantling facilities using machinery and heavy goods vehicles, which will interfere with the communities right to quiet enjoyment of their properties. There will be business interruption for the equestrian centres and immediate farms due to high levels of traffic.

Another concern is for the high risk of fire within the woodland venue which would undermine the objective to maintain **public safety**. I know there is also open water within the proposed site. Is the proposed management of an outbreak of fire adequate, what about access to the site for emergency vehicles and the lack of mains water to manage a fire. I have not seen the operating schedule to alleviate concerns in this area.

I also believe **public nuisance** will be caused due to the impedence on access to and from my home. There are directions on the organisers web site that will bring traffic from all directions to the site causing congestion, confusion and obstructions and will prevent my right to quiet enjoyment of my property.

I would like to take this opportunity to ask about due process. I have read the terms of advertisement and notice and do not believe the organiser has signposted the event correctly. The premise frontage is very long and I have only seen one sign on a post that accesses an adjacent field to the proposed site. Not on the site itself and there is no other notification along the some 600 – 800 metre frontage of the property. There is one other sign at the end of coach gate lane.

This may not be significant although the guidance is very specific in its requirements. I do question why the event organiser has chosen not to comply with this requirement.

Given the dates of the event and the dates for making representations, hearing and appeal rights, how does the authority ensure due process is adhered to.

As this is a first event I understand according to the Licensing Act 2003 that some assumptions or speculation is permissible as to the potential or possibility for action or inaction to undermine the licensing objectives.

Yours Faithfully

APPENDIX 4 cont...

A handwritten signature in black ink, appearing to be 'Alan Tolan', with a stylized, cursive script.

Alan Tolan