

Report of the Assistant Director Corporate Services to a Hearing before the Keighley/Shipley Area Licensing Panel to be held on 19 August 2008.

C

Subject:

Application for a Review of a Premises Licence for the Moor Music Festival, High House Farm, Straight Lane, Addingham Moorside.

Summary statement:

Application for review of a Premises Licence authorising the sale of alcohol and the provision of regulated entertainment and late night refreshment.

Suzan Hemingway
Assistant Director Corporate Services
(City Solicitor)

Report Contact: Melanie McGurk
Senior Licensing Officer
Phone: (01274) 431873
E-mail: melanie.mcgurk@bradford.gov.uk

Portfolio:

Corporate

Improvement Committee Area:

**Corporate Improvement Committee
Safer and Stronger Communities**



Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



1. Summary

1.1 Premises Licence Holder

Moor Music Ltd/The Project.

1.2 Designated Premises Supervisor

Daniel James Baxter

A copy of the Licence is included at Appendix 1.

Applications to transfer the Licence to Moor Music Ltd and vary the D.P.S. to Jonathan Matthew Smales were received on 23/7/08

1.3 The Premises

Moor Music Festival, High House Farm, Straight Lane, Addingham Moorside

1.4 The Current Licence

The premises have a Premises Licence allowing the sale by retail of alcohol for consumption on the premises and the provision of regulated entertainment (exhibition of films, performance of live music, playing of recorded music, performance of dance, entertainment of a similar description, facilities for making music and dancing) and late night refreshment from 23.00.

Hours of licensable activities:

Exhibition of films

Thursday:	19.00 to 03.00
Friday & Saturday:	20.00 to 06.00

Performance of live music/Recorded music

Thursday:	19.00 to midnight
Friday & Saturday:	Noon to 01.00

Performance of dance

Friday & Saturday:	Noon to 01.00
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Entertainment of a similar description/Provision of facilities for dancing

Thursday:	19.00 to midnight
Friday & Saturday:	Noon to 06.00

Provision of facilities for making music

Friday & Saturday:	Noon to midnight
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Late night refreshment

Thursday to Saturday: 23.00 to 05.00

Sale of alcohol

Thursday: 19.00 to 03.00

Friday: 09.00 to 05.00

Saturday: 09.00 to midnight

Sunday: Midnight to 02.00

1.4 Steps agreed in the Operating Schedule by the Licensee to address the Licensing Objectives

a) Prevention of crime and disorder

All security lighting shall be maintained in good working order and used where appropriate at all times when licensable activities are taking place.

The Licensee shall at all times maintain a “zero tolerance” policy with regard to illegal drugs including appropriate staff training in detection and prevention.

The Licensee shall not allow patrons holding glass bottles, glasses or similar receptacles entry into the site; nor shall patrons be sold opened glass bottles on the premises or be allowed to consume drinks therefrom while inside the premises.

The Licensing Authority shall be informed of any actual Event which will take place under this Licence at least 28 days prior to that Event taking place.

b) Public Safety

All first aid facilities shall be maintained in good working order and all staff adequately trained in their use.

The emergency lighting at the site shall be maintained in good working order.

The maximum number of persons attending events, where licensable activities are taking place at the site shall not exceed 4,999 at any one time.

c) Prevention of public nuisance

The Licensee shall ensure that staff monitor, on a regular basis, noise emanating from the site from regulated entertainment to ensure that any neighbouring residents are not disturbed.

The Licensee shall ensure that the site is kept clear of litter and refuse.

A notice shall be displayed in a prominent position near all exits reminding patrons to leave in a quiet and orderly manner.

The Licensee shall ensure that security and other external lighting used are maintained in such a position so as to avoid light pollution to nearby residents.

The Licensee shall ensure that deliveries and removal of refuse does not take place between 23.00 and 05.00 hours.

d) Protection of children from harm

The Licensee shall enforce an effective recognised “proof of age policy” at all times and ensure appropriate staff training in its operation.

Children under 16 years old shall only be allowed access into the premises when accompanied by an adult.

e) General – all four licensing objectives

A Personal Licence holder shall be present on the site when alcohol is being sold.

The Licensee shall ensure that adequate supervision of the site is maintained at all times during the carrying out of licensable activities and that any staff are trained in ensuring compliance with the licensing objectives at all times.

The Licensee shall comply with all safety standard recommendations as set out in the HSE Guide to Health, Safety and Welfare at music and similar events.

The Licensee shall ensure that adequate trained door staff are used during licensable activities in order to efficiently supervise the entrance/egress to the site.

1.6 Conditions Attached after Hearing

Not applicable.

2. Applications Received asking for a Review of the Licence

2.1 Interested Parties

A local resident has submitted an application for review due to alleged noise and disturbance and breaches of the Operating Schedule and permitted hours. Concern is also raised regarding alleged litter problems. Included with the application are letters from local residents detailing their concerns with the event.

A copy of the application for review is attached at Appendix 2.

3. Representations

Interested Parties

A letter of representation has been received detailing concerns in respect of restricted access to the emergency services.

A copy of the letter is attached at Appendix 3.

4. Legal Appraisal

4.1 The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

4.2 The Council must also have regard to the Guidance issued by the Department of Culture Media and Sport under Section 182 of the Licensing Act 2003. Regard must also be taken of the Council's statement of Licensing Policy for the District. Paragraph 5.99 to 5.111 of the Guidance specifically details how applications for review of licences should be determined.

An extract of the Guidance is attached to this report at Appendix 4.

4.3 Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.

4.4 Only "relevant representations" by or expressly on behalf of a defined "interested party" or "responsible authority" can be taken into account. In order to be "relevant" a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.

4.5 Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

5. Statement of Policy Issues

5.1 The following parts of the Licensing Policy are of particular importance; Part 6 (prevention of Public Nuisance).

5.2 The Annexes to the Policy sets out various types of model condition that could be considered.

6. Legal Options

6.1 Members may:

- (a) Refuse the application for review of the licence; or
- (b) Decide not to impose any further restrictions on the licence; or

- (c) Decide to impose additional restrictions or remove any licensable activities on the licence, where necessary in order to address the licensing objectives; or
- (d) Suspend the licence for a period not exceeding 3 months; or
- (e) Revoke the premises licence; or
- (f) Remove the named Designated Premises Supervisor from the Licence.

6.2 Should the licensee or any other party to the hearing feel aggrieved at any decision with regard to the licence or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court within 21 days of being notified of the decision.

7. **Financial and resource appraisal**

7.1 There are no apparent finance or resource implications.

8. **Other implications**

8.1 **Equal Rights**

There are no apparent equal rights implications.

8.2 **Community safety implications**

There are no apparent community safety implications.

8.3 **Human Rights Act**

The following rights are applicable:

Article 1 First Protocol to the Convention – Right to peaceful enjoyment of possessions subject to the state's right to control the use of property in accordance with the general interest.

The Council's powers set out in the recommendations fall within the states right. A fair balance must be struck between public safety and the applicant's rights.

Article 6 – A procedural right to a fair hearing. As refusal of the application is an option, adherence to the Panels' usual procedure of affording a hearing to the applicant is very important. The applicant should also be able to examine the requirements of the fire authority. If the decision is to refuse then reasons should be given.

9. **Not for publication documents**

9.1 None

10. **The Role of the Panel**

- 10.1 Members are invited to consider the information and documents referred to in this report and, after hearing interested parties, determine the related application for review of the premises licence.

11. **Appendices**

1. Premises Licence.
2. Application for Review.
3. Letter of representation.
4. Extract from the Government Guidance.

12. **Background documents**

Licence, representations etc

Licensing Act 2003
Premises Licence

BD/PRA1186

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Moor Music Festival

High House Farm, Straight Lane, Addingam Moorside, West Yorkshire, LS29 9JV.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Thursday	7:00pm	3:00am
	Friday and Saturday	8:00pm	6:00am
E. Performance of live music (Indoors)	Thursday	7:00pm	Midnight
	Friday and Saturday	Noon	1:00am
F. Playing of recorded music (Indoors)	Thursday	7:00pm	Midnight
	Friday and Saturday	Noon	1:00am
G. Performance of dance (Indoors & Outdoors)	Friday and Saturday	Noon	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Thursday	7:00pm	Midnight
	Friday and Saturday	Noon	6:00am
I. Provision of facilities for making music (Indoors & Outdoors)	Friday and Saturday	Noon	Midnight
J. Provision of facilities for dancing (Indoors)	Thursday	7:00pm	Midnight
	Friday and Saturday	Noon	6:00am
L. Late night refreshment (Indoors)	Thursday to Saturday	11:00pm	5:00am
M. The sale by retail of alcohol for consumption ON the premises only	Thursday	7:00pm	3:00am
	Friday	9:00am	5:00am

Licensing Act 2003 Premises Licence

BD/PRA1186

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES - continued ...

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only	continued ...		
	Saturday	9:00am	Midnight
	Sunday	Midnight	2:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
No restrictions		

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/ OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Moor Music Ltd/The Project High House Farm, Straight Lane, Addingham Moorside, Addingham, West Yorkshire, LS29 9JU.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Daniel James BAXTER 13 Cockshutt Drive, Beauchief, Sheffield, S8 7DW.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No. SY 1736 PER Issued by Sheffield

ANNEXES

Annex 1 - Mandatory Conditions

1. No supply of alcohol may be made under the premises licence;-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The Licensee must ensure that any film which has received a Classification Certificate from the British Board of Film Classification is viewed only by persons as specified in the suitability category of this Certificate.
4. Films which have not received a Classification Certificate from the British Board of Film Classification must not be

Licensing Act 2003

Premises Licence

BD/PRA1186

ANNEXES continued

exhibited (subject to the proviso in Condition 5 below) unless, if taken as a whole, they are exempted works within Section 2 of the Video Recordings Act, 1984 or are:

- (a) an event of local interest; or
- (b) a programme lawfully recorded for public viewing from a television broadcast exhibited by the television broadcasting authorities;
- (c) have been specifically approved by the Licensing Authority in writing.

5. Notwithstanding the conditions above, a film may be exhibited, or person, or any class of persons, may be admitted thereto if the permission in writing of the Licensing Authority is first obtained and any conditions of any such permission are complied with.
6. No advertisement displayed at the premises of a film to be exhibited at the premises shall depict as a scene or incident in the film any scene or incident which is not included in the film as certified by the British Board of Film Classification or approved for exhibition by the Licensing Authority, as the case may be.
7. All persons primarily engaged under or employed on the premises to vet, regulate and control persons entering the premises; or engaged, used or employed in the supervision of patrons once inside in order to ensure the maintenance of good order, public safety and internal security shall be licensed with the Security Industry Authority.

Annex 2 - Conditions Consistent with Operating Schedule

All four Licensing Objectives:

8. A Personal Licence holder shall be present on the site when alcohol is being sold.
9. The Licensee shall ensure that adequate supervision of the site is maintained at all times during the carrying out of licensable activities and that any staff are trained in ensuring compliance with the licensing objectives at all times.
10. The Licensee shall comply with all safety standard recommendations as set out in the HSE Guide to Health, Safety and Welfare at music and similar events.
11. The Licensee shall ensure that adequate trained door staff are used during licensable activities in order to efficiently supervise the entrance/egress to the site.

The Prevention of Crime & Disorder:

12. All security lighting shall be maintained in good working order and used where appropriate at all times when licensable activities are taking place.
13. The Licensee shall at all times maintain a "zero tolerance" policy with regard to illegal drugs including appropriate staff training in detection and prevention.
14. The Licensee shall not allow patrons holding glass bottles, glasses or similar receptacles entry into the site; nor shall patrons be sold opened glass bottles on the premises or be allowed to consume drinks therefrom while inside the premises.
15. The Licensing Authority shall be informed of any actual Event which will take place under this Licence at least 28 days prior to that Event taking place.

Licensing Act 2003

Premises Licence

BD/PRA1186

ANNEXES continued

Public Safety:

16. All first aid facilities shall be maintained in good working order and all staff adequately trained in their use.
17. The emergency lighting at the site shall be maintained in good working order.
18. The maximum number of persons attending events, where licensable activities are taking place at the site shall not exceed 4,999 at any one time.

The Prevention of Public Nuisance:

19. The Licensee shall ensure that staff monitor, on a regular basis, noise emanating from the site from regulated entertainment to ensure that any neighbouring residents are not disturbed.
20. The Licensee shall ensure that the site is kept clear of litter and refuse.
21. A notice shall be displayed in a prominent position near all exits reminding patrons to leave in a quiet and orderly manner.
22. The Licensee shall ensure that security and other external lighting used are maintained in such a position so as to avoid light pollution to nearby residents.
23. The Licensee shall ensure that deliveries and removal of refuse does not take place between 23.00 and 05.00 hours.

The Protection of Children from Harm:

24. The Licensee shall enforce an effective recognised "proof of age policy" at all times and ensure appropriate staff training in its operation.
25. Children under 16 years old shall only be allowed access into the premises when accompanied by an adult.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

Not Applicable.

G:\Legal Services\LLC & Licensing\Licensing\DEV\TEMPLATE\LIC.STD\LICENCE CONDITIONS\MOOR MUSIC FESTIVAL 07 - BDPRA1186

Licensing Act 2003

Premises Licence Summary

BD/PRA1186

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Moor Music Festival

High House Farm, Straight Lane, Addingam Moorside, West Yorkshire, LS29 9JV.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
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- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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F. Playing of recorded music (Indoors)	Thursday	7:00pm	Midnight
	Friday and Saturday	Noon	1:00am
G. Performance of dance (Indoors & Outdoors)	Friday and Saturday	Noon	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Thursday	7:00pm	Midnight
	Friday and Saturday	Noon	6:00am
I. Provision of facilities for making music (Indoors & Outdoors)	Friday and Saturday	Noon	Midnight
J. Provision of facilities for dancing (Indoors)	Thursday	7:00pm	Midnight
	Friday and Saturday	Noon	6:00am
L. Late night refreshment (Indoors)	Thursday to Saturday	11:00pm	5:00am

Licensing Act 2003

Premises Licence Summary

BD/PRA1186

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES *continued*

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only	Thursday	7:00pm	3:00am
	Friday	9:00am	5:00am
	Saturday	9:00am	Midnight
	Sunday	Midnight	2:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
No restrictions		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Moor Music Ltd/The Project High House Farm, Straight Lane, Addingham Moorside, Addingham, West Yorkshire, LS29 9JU.

REGISTERED NUMBER OF HOLDER FOR EXAMPLE COMPANY NUMBER-CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Daniel James BAXTER

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Children under 16 years old shall only be allowed access into the premises when accompanied by an adult.

Moor Music Festival.

Festival Dates-
20th - 21st July 2007.

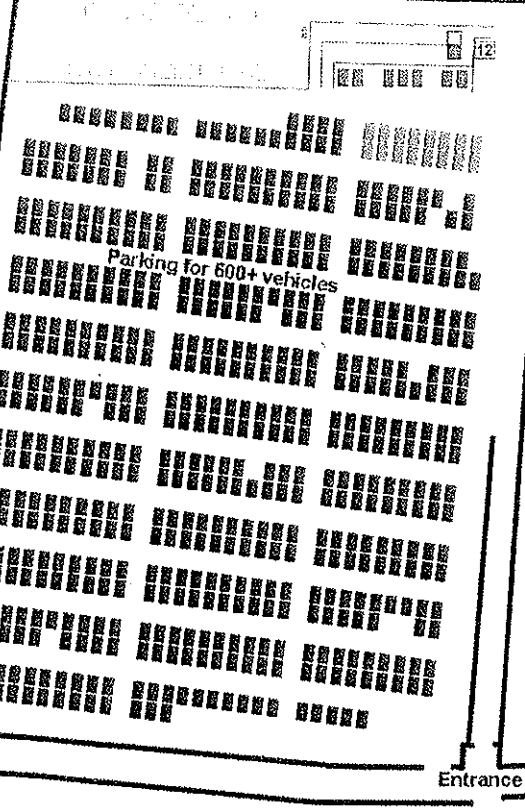
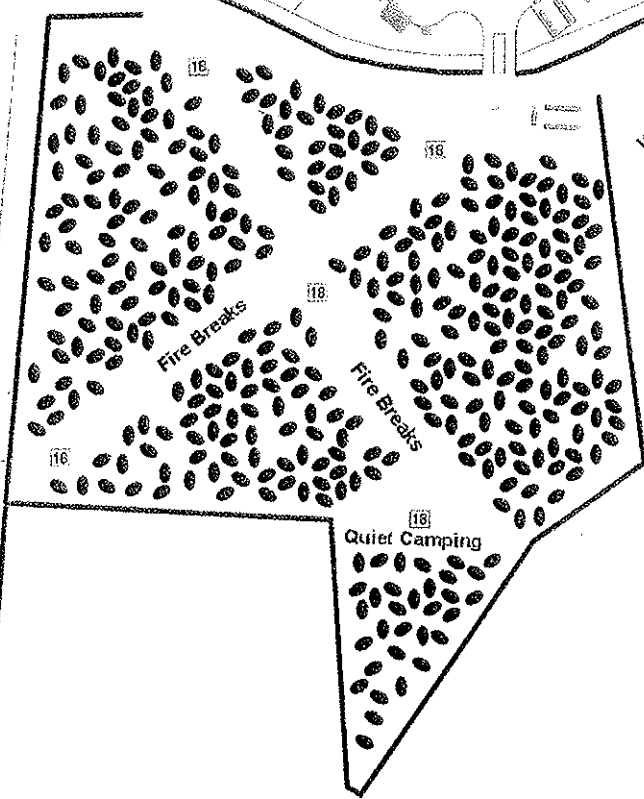
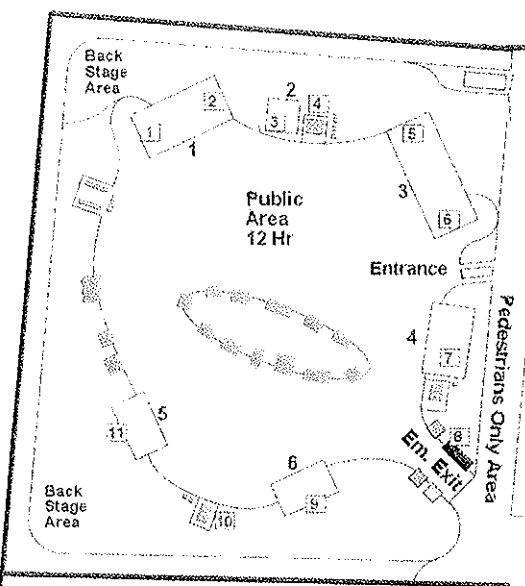
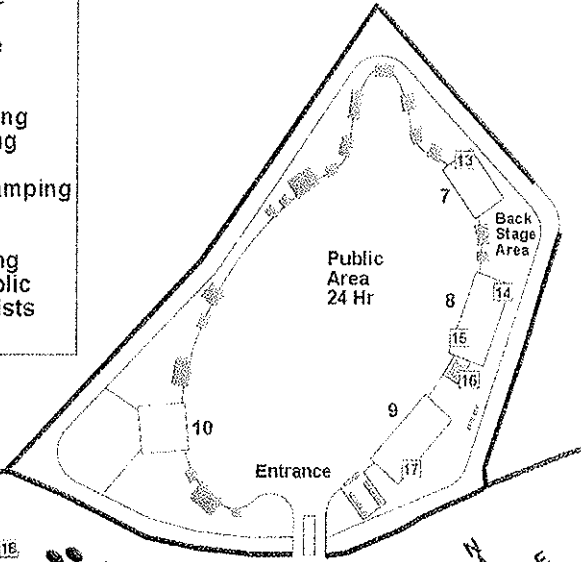
Site Address-
High House Farm.
Straight Lane,
Addingham Moorside.
LS29 9JU.

www.moormusicfestival.co.uk
www.myspace.com/moorfest

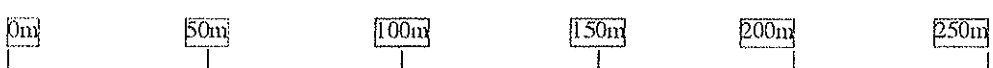
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- Main Tents
- 1 - MoorLive
 - 2 - Hospitality
 - 3 - HomeSpun
 - 4 - Main Bar 1
 - 5 - The Trench
 - 6 - Twisted Ballroom
 - 7 - The Green Room
 - 8 - Earl Hickey Tribute
 - 9 - Main Bar 2
 - 10 - Kid's Tent

- St John's First Aid
- Security Office
- Site Office
- Steward Office
- Traders
- Camping area
- Disabled Parking
- General Parking
- Artist Parking
- Motorhome Camping
- Refuse Area
- Generators
- Festoon lighting
- Box Office Public
- Box Office Artists
- Toilets



- FIRE POINTS**
- 1 - MoorLive Tent FOH - 1xCo2, 1xWater.
 - 2 - MoorLive Tent BS - 1xCo2, 1xWater.
 - 3 - Hospitality Tent - 1xCo2, 1xWater.
 - 4 - Generator Area - 1xMultiDryPowder.
 - 5 - HomeSpun Stage BS - 1xCo2, 1xWater.
 - 6 - HomeSpun Stage FOH - 1xCo2, 1xWater.
 - 7 - MainBar1 - 1xCo2, 1xWater, 1xMultiDryPowder.
 - 8 - Security Office - 1xWater, 1 x MultiDryPowder.
 - 9 - Twisted Ballroom - 1xCo2, 1xWater.
 - 10 - Generator Area - 1xMultiDryPowder.
 - 11 - The Trench - 1xCo2, 1xWater.
 - 12 - Box Office - 1xMultiDryPowder.
 - 13 - Green Room - 1xCo2, 1xWater.
 - 14 - Earl Hickey BS - 1xCo2, 1xWater.
 - 15 - Earl Hickey FOH 1xCo2, 1xWater.
 - 16 - Generator Area - 1xMultiDryPowder.
 - 17 - MainBar2 - 1xCo2, 1xWater.
 - 18 - Camping Field - 5xSandBuckets.



Licensing Team, Room 402, City Hall, Bradford, BD1 1HY

Application for a review of a premises licence or club premises certificate 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 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/WeKevin Johnson..... (insert name(s) of applicant) apply for the review of a premises licence under section 51/apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

High House farm Straight Lane Addingham Moorside	
Post town	Post code (if known)LS29 9JV

Name of premises licence holder or club holding club premises certificate (if known) Moor Music Festival

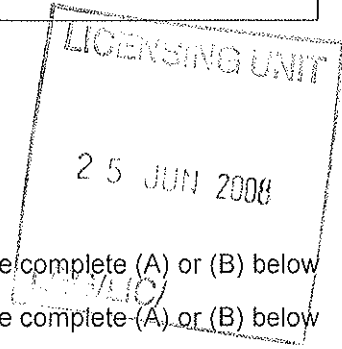
Number of premises licence or club premises certificate (if known) BD / PRA 1186

Part 2 – Applicant details

I am

Please tick ✓

- | | | |
|---|--|---|
| <p>1) An interested party:</p> <p>a) A person living in the vicinity of the premises</p> <p>b) A body representing persons living in the vicinity of the premises</p> <p>c) A person involved in business in the vicinity of the premises</p> <p>d) A body representing persons involved in business in the vicinity of the premises</p> <p>2) A responsible authority</p> <p>3) A member of the club to which this application relates</p> | <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/> | <p>please complete (A) or (B) below</p> <p>please complete (A) or (B) below</p> <p>please complete (A) or (B) below</p> <p>please complete (A) or (B) below</p> <p>please complete (C) below</p> <p>please complete (A) below</p> |
|---|--|---|



(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

Johnson

First names

Kevin

Please tick ✓

I am over 18 years old or over

Current address

Chynhalls
Light Bank Lane

Post Town

Silsden

Postcode

BD20 0NL

Daytime contact telephone number

07790 616504

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name

Address

Telephone number (if any)

E-mail (optional)

DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name
Address
Telephone number (if any)
E-mail (optional)

This application to review relates to the following licensing objectives(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

X
X
X
X

Please state the ground(s) for review (please read guidance note 1)

A large number of residents in the vicinity of the event have asked me to collate their views together in order to invoke a review of the licence.

A full supporting document is attached along with copies of complaint letters.

Please tick ✓

Have you made an application for review relating to this premises before?

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this premises please state what they were and when you made them

Please tick ✓


- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

X
X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date 23 June 2008

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
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. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Information on the Licensing Act 2003 is available on the website of the Department of Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment) or from Bradford Metropolitan District Council (<http://www.bradford.gov.uk/council/licensing>), your local licensing authority.

Premise Licence Review

Moor Music Festival

Ref BD/PRA1186

1. Introduction

This document will examine the history of the Moor Music Festival and the appropriateness of the existing licence. The aim is to provide information for a fully considered review of the licence.

The document will show that in relation to Bradford Council's own Licensing Policy the granting of the licence was flawed.

The document will also demonstrate that the licence holders (Moor Music Ltd., the organisers) have consistently failed to understand their duties under the licence or to manage previous events in a professional and safe manner

It will also demonstrate, using compelling tangible evidence and examples, why the licence should be withdrawn based on significant risk regarding the four licensing objectives;

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance**
- **The protection of children from harm**

2. Content overview

The concept

Explores the general principle of staging the event in this tranquil area and the application of the licensing process.

The organisers

Examines the background to Moor Music Ltd. Along with their history and approach to managing previous events.

The site

Looks at the layout and issues therewith.

Licensing objectives

Examines the four objectives in relation to previous events and the existing licence.

Conclusion and recommendations

Provides conclusions and recommendations

Appendices

Maps, letters of complaint, supporting evidence, photographs

3. Background

The organisers have run this event three times in the past;

- 2005** an illegal rave in fields, disruption and noise
- 2006** first licensed event. No residents were aware that a licence had been applied for. The event resulted in numerous complaints – see attached letters from residents
- 2007** once again residents have no knowledge of the event. This event caused considerable disruption and fear amongst the local community.

The residential and farming neighbourhood is a small community spread across the moor adjacent to the event site. As with all communities disruption issues may arise and be dealt with. It is with regret that this issue only appears to have one route to resolution, which is a review of the licence.

Many residents wish to make their voice heard, but realise in doing so they may cause friction both now and for the future. A number of letters appended to this document have been de-identified following a direct request of the writer. They have been forwarded separately to the licence office and are available in the same form via the Freedom of Information Act. The Licensing office can confirm for their validity as genuine letters from local residents.

4. The Concept

The site for this event is in rough exposed fields high on the moors above Addingham. People who live and work in, or visit, this area do so to enjoy its peace and tranquillity. The site is overlooked by a local popular walking area – The Nab. This is a ridge some 500 feet above the event. The sprawling mass of tents and vehicles can be easily seen from all along the ridge. The noise and music from the event is also heard all across the ridge and in the surrounding countryside throughout the four days of the event.

The concept of this type of event is alien to the area and community in which it takes place and constitutes a **public nuisance** to both the residents and visitors. To claim the event is an indoor event due to the use of marquees is to say the least tenuous. In terms of the Noise Act 1996 such a structure would not constitute a dwelling. Therefore to all intents and purposes the event is outdoor in relation to noise.

An extract from Bradford Council's licensing policy, 9.2 states

the success of such events depends on the quality, levels of safety, and consideration for the rights of people who live or work in the vicinity as well as the standard of facilities for those coming to enjoy the event.

It is clear from the evidence and views detailed within this document, along with other letters received by Bradford Council, that Bradford Council and the organisers paid little, if no, regard to the policy. This event has been classified as 'large' (based on council documents obtained under the Freedom of Information act). Therefore the majority of section 9 should have been applied. The key action defined within section 9 which has not been undertaken is :

At an early stage there should be liaison with and discussion with local residents on how to minimise disturbance and disruption to them.

It is also stated in an e-mail from the licensing office to a complainant that unless representations are received within 28 days then the authority must grant the licence applied for. The implication here is that the licensing office will not undertake a 'duty of care' to ensure a large event of this type is fully understood by neighbours. Nor would the office consult with any other interested bodies e.g. emergency service, emergency planning, environmental health. This is contrary to Bradford Council's Licensing Policy.

A licence condition also requests 28 days notice of an actual event. Bradford's Licensing Policy states;

The Council's Licensing Authority advises applicants to give at least three months notice for larger events as the West Yorkshire Police in particular need sufficient time to assess any crime and disorder implication of any proposal. This would ensure that the Police (or other interested party or responsible authorities) are less likely to object on the grounds of lack of information

Documents obtained under the Freedom of Information act indicate this event is classified as 'large'. As such the licensing department did not follow their own policy.

The application refers to the use of headphones. However the licence has no conditions imposed regarding this requirement to fulfil activity H.

The licence provides for a maximum of 4,999 at any one time. The submitted plan does not accommodate such numbers and therefore granting the licence is inherently flawed.

A number of complaints have been registered with the licensing office regarding the lack of a visible notice regarding the licence application. The office's response that they have been advised one was displayed, therefore this requirement was met. Further research indicates it is a licensing requirement to place notices at 50m intervals all along the boundary of the property where it abuts a public highway. Clearly this number of blue notices would not have been 'missed' by local residents. Whilst the exact boundary of the property is not known it is obvious this would have equated to at least 10.

It is apparent that the requirement to ensure local residents are aware of a licence application was not met, therefore the requirements of the act were not met. The granting of the licence is not sound and should be **revoked immediately without review.**

From research across the Internet it is apparent that other council's take more care and trouble to ensure this type of event does not cause problems within the local community and is safe for both workers and attendees. They demonstrate clear objectives regarding consultation, noise levels, inconvenience to residents and the quality of the operation in particular with respect to a full risk assessment.

Hopefully Bradford Council will learn from this particular licence application and put in place more robust mechanisms. It is not inconceivable that in the event of a major incident with loss of life etc. it could lead to significant financial claims, or prosecution, if the council were proved to be negligent in discharging their duties.

In particular we would direct the council to review the findings from the death of Andrew Hook in July 2007. The findings by West Yorkshire Police, published for the May 2008 Licence review, state:

"From the police inquiry that followed this incident, it became apparent that under-age persons were admitted to the premises and drug taking by them took place on the premises."

5. The organisers

A Companies' House search, carried out 11 June 2008, shows Moor Music Ltd to comprise of three directors and no employees. The accounts show assets of £3.00. This comprises of three shares in the company valued at £1.00 each.

On the event website they are advertising for unpaid volunteers to undertake stewarding. Based on industry standard guidance documents the event would require in excess of 200 volunteer stewards (based on the shift patterns the organisers have published on their event website).

In the event of insufficient suitable volunteers, or significant 'no shows' the event would require cancellation. In line with the HSE guide the organisers have to validate the age of volunteers and ensure their character and temperament is appropriate for the duties they are to undertake. There is no available plan to mitigate or deal with a potential last minute cancellation. To continue with the event is **NOT AN OPTION**.

This is a fundamental and significant risk to all four **licensing objectives; Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm**

There is no reference in the application, nor supporting materials, who will undertake the key duties of

- Chief Steward

- Stage Manager
- First Aid Manager
- Clean up and preparation Manager
- Child Care Manager
- Health and Safety Manager
- Fencing and Barrier Manager
- Traffic Manager
- Car Park Manager
- Site Structures Manager
- Security Manager

Many of these posts are specialist roles requiring considerable experience and qualifications. In the event of the company failing to appoint or 'recruit' appropriate numbers of, or inadequately qualified labour, then all the licensing objectives of **Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm** will be jeopardised.

There is no evidence of any risk assessment as defined within the HSE 'purple guide'. This is a key requirement for large events and is **not optional**. The organisers have very little experience of running this type event. In the first year they essentially ran it as a rave. They had no licences whatsoever. This is at best naive and clearly placed attendees and residents in danger and would have failed all elements of the licensing objectives; **prevention of crime and disorder** (it was in fact a crime); **public safety, prevention of public nuisance and protection of children from harm** (children were at the event).

In 2006 and 2007 the event attracted a significant number of complaints and it continues to do so in the run up to the 2008 event.

Based on the poor licence application and the number of complaints regarding previous events the organisers demonstrate a lack of competency in establishing and running this type of event. Major areas of weakness are:

- Created significant inconvenience to residents in terms of access to their properties
- Created a significant public nuisance with the sound levels and duration thereof
- Failed to protect children from harm
- Failed to produce a risk assessment for the event in line with HSE guidelines ('purple guide')
- Despite assurances in the application they failed to establish or maintain communication with neighbours before, during or after the 2007 event
- Failed to provide sufficient, if any, licensed door supervisors at key strategic points

- Changed the venue layout to 'split site' across a public road
- Endangered people by using a totally unacceptable impromptu car parking arrangement
- Created significant disruption with their approach to traffic management
- Endangered life by not creating appropriate exits in an emergency
- Did not provide appropriate emergency lighting in line with HSE guidelines
- Did not provide appropriate medical provision in line with the HSE 'purple guide'

The HSE 'purple guide' states;

Set up a proper management infrastructure with delegation of responsibility. The safety management team should include people with experience of previous or similar events. One of the issues that will be encountered with large events running over many days is one of fatigue among both management and contractors. All will be working long hours under stressful conditions and if this is not addressed, the quality of decisions, some of which may be critical, could be poor.

It is apparent the organisers cannot establish a safe event at the early planning stage. Therefore, it is inconceivable they could manage any incident effectively should it arise during an event?

There is no evidence that the organisers hold MCPS, PRS, PPL or VPL licences. Should not the licensing office remind all applicants of this requirement?

The following pages within this document will illustrate where on numerous occasions the organisers:

- ignored license conditions
- put residents, attendees and 'event staff' at risk – **public safety**
- **put children at risk**
- **created a public nuisance**
- failed to prevent or stop **crime** within the vicinity

6. The Site

Overview

The site comprises of two discrete areas in 'rough' fields on a sloping site separated by a public footpath/bridleway. The site is in a tranquil rural area close to residential and farming properties. A kennels and cattery business is close by. It is also close to two residential caravan and camping parks. Residents of these parks use these properties to escape the noise and pace of city life.

6.1 Traffic around the site and parking

The area is enjoyed by many visitors – walkers, runners, cyclists and horse riders, particularly during the summer week-ends. The event constitutes a danger to horse riders in that their animals may well be startled by the additional traffic and the extremely loud music. This constitutes a danger to **Public Safety** and is a **Public Nuisance**.

Cyclists have to contend with high levels of traffic on very narrow lanes. This constitutes a **public nuisance** and a danger to **Public Safety**.

There is no public transport passing the event site. The nearest bus stop is nearly two miles away. Therefore attendees, event staff, concessionaries use private cars or taxis. This is not simply one journey to the event and a journey to leave the event. Individuals come and go to the site many times during the lead up to the event, across the four days, and in breaking the event up.

The site is located part way down a very narrow cul-de-sac single access lane. Beyond the site entrance there are approximately 50 dwellings. There are no easy points to turn a vehicle around on the extremely narrow twisting lane without entering private land. Residents have in the past had to place physical obstacles (very large boulders) to prevent this activity. Never the less this does still take place and constitutes a **public nuisance**, is a danger to **public safety**, is **criminal trespass** and potentially **criminal damage**.

The narrow lane has no pavements. In terms of pedestrian access into and out of the site this rural location with a lack of pedestrian refuge is a **public nuisance** and a danger to **Public Safety**. There was considerable mud on the road during the 2007 event which constituted a real danger to pedestrians should cars 'slide when braking' or they themselves slip when trying to get out of the way of traffic. This is a risk to **public safety**. In particular children are at risk due to the lack of obvious 'direction of vehicles' impairing their judgment of safety. This is a risk to the **protection of children**.

The steep feeder roads to the site are also single lane for significant parts of their length and are not conducive to the additional traffic flows the event brings. In particular the large articulated vehicles required to transport the larger items; stage, fencing, marquees, toilets etc. This additional traffic, from attendees, event staff, concessionaries and large articulated vehicles is both a **Public Nuisance** and also a danger to **public safety**.

The application form shows entry traffic crossing exit traffic. This is contrary to all traffic management best practice. This causes delays, confusion and potentially endangers pedestrians, in particular due to the lack of foot paths referred to earlier. This also contributes to **Public Nuisance** and also a danger to **public safety**.

The land in this area is prone to 'bogging' in particular that the top soil is shallow and on a clay substrate. This type of soil does not drain easily and is subject to constant puddling during inclement weather. This makes the ground underfoot slippery and dangerous. The 2007 event site layout was changed (it is believed without any reference to the licensing authorities, safety organisations etc.) due to the lower field being un-usable following rain.

As a result the sound tents and 'public areas' were relocated. Alternative impromptu car parking was established across the public road thereby increasing passenger traffic to and from the entertainment and camping site thereby increasing **public nuisance** and impairing **public safety**. This also includes an additional, yet avoidable, risk in keeping **children safe from harm**.

The makeshift car park was entirely inappropriate. There was a single entrance with no facility to queue traffic to collect payment. Therefore, traffic backed up on the 'track and a half' lane causing gridlock for hours on end. The site is sloping and many vehicles became stuck in the poor terrain during the event and required assistance from local residents to effect a tractor towed recovery (no assistance was offered by the organisers). As you would expect a large number of people attempted to recover their own vehicles. They were tired, wet, cold and wished to leave the site. Passengers, probably still intoxicated from a late night bar of 5 a.m., were trying to push vehicles in a very muddy environment and were posing a significant risk both to themselves and others.

This is a significant **public safety** issue. The car park had no traffic flow, was unlit and had no safety equipment visible. This is in direct contravention of all guidelines on the provision of safe and secure car parking regarding event management. Camping was also allowed within the car park, once again this is not allowed due to **public safety** issues.

As in previous years, but particularly bad in 2007, people left 100s of cars and vans 'abandoned' at the side of already very narrow roads. They were sleeping in vehicles and leaving rubbish leaving general access for emergency services blocked. Police were 'booking' cars on the Saturday evening. Clearly this is evidence that the attendees were acting illegally, this is a **crime and disorder issue**.

It is well understood that a reasonable number of people will not camp out over the period but simply turn up late at night on the Friday and Saturday – 22:00, park up wherever possible. They would certainly not pay the required car parking fee of £4.00. They then attend the event until 05:00, return to their cars and vans to sleep the event off until mid-morning. On waking undertake their ablutions wherever possible, throw out their rubbish and return home. Evidence is available at the end of this report to substantiate this; both photographic and a statement from the local councillor.

It is apparent from the debris and rubbish left on the Sunday morning that the verges had been used as makeshift toilets, dry stone walls were damaged where some had climbed over for privacy. This type of activity is a **crime, disorderly, a public nuisance and risk to public health**.

No attempt by the organisers was made to ensure attendees parked within the nominated areas or at the very least did not constitute a danger to other road users and pedestrians. This carefree approach increased the possibility of **crime**, impaired **public safety** and caused a significant **public nuisance**.

The unlit, insecure and unmanaged car park constituted an additional target for **criminal** activity. The car parking arrangements compromised all four aspects of the licensing

objectives in the **prevention of crime and disorder, public safety, prevention of nuisance** and the **protection of children from harm**.

The approach of the stewards to managing access to the area was woefully short of expectations. Examples include;

- Closing off, by signage and aggressive/menacing stewarding, a public road serving around 50 properties and a static caravan site
- Stopping a school mini-bus to justify access to the properties and swearing at the driver in clear earshot of the primary school children on board
- Forcefully challenging residents when trying to get to their own properties
- Refusing access to an 18 year old who wished to visit their aunt
- A vet was unable to obtain timely access to fulfil a 'large animal' visit due to the turmoil and delays

The above activities are in breach of all four licensing objectives; **prevention of crime and disorder** (it is a crime to block access on public road); **public safety, prevention of public nuisance** and **protection of children from harm**

6.2 Pedestrians

In addition to areas already covered regarding the enjoyment of week-end visitors to the surrounding countryside the following issues exist and have been registered with the licensing office.

The event site is split by a public footpath. Access to this path was controlled by overzealous stewards in an attempt to intimidate people into justifying their right of access. This is a **criminal act**, is a **public nuisance** and can potentially lead to **public disorder**.

Due to the duration of the event the attendees will explore their surrounding area. There are no pavements in the area. Attendees were therefore forced to 'take their chances' with the normal and additional traffic the event brings. Inevitably some would stay to the left, others 50 yards further would take the right. Negotiating this pedestrian traffic in addition to the higher levels of motorised traffic increased the risk to **public safety** and is a **public nuisance**.

Many attendees walked down the quiet and tranquil roads past the houses and gardens of local residents. predictably they were in groups, consuming alcohol and talking loudly. This intrusion not only caused a **public nuisance** it also caused a number of elderly residents to be concerned for the **safety of their property and themselves**. This is potentially a **crime and disorder** issue and certainly compromises **public safety** as individuals feel 'imprisoned and concerned' over the four days.

There was evidence of the organisers burning plastic materials on the site on the Monday during 'clear down'. The smell of burning plastic in the air was both alarming in terms of the chemicals present and also the unpleasantness of this type of smell. The source was verified as emanating from the site – smoking fire visible from roadside. This is a **public nuisance** and a **crime**. It is also a potential **risk to both resident's and visitor's children**.

The site is bounded by dry stone walls. These will inevitably be seen by children as advanced climbing frames. Even in good condition this type of wall is dangerous to climb with a strong possibility of dislodging a 'top stone' onto yourself causing significant damage. Many of the walls are in poor condition and would pose a significant **danger to the children** climbing thereon. In addition they are a risk to **public safety** for anyone.

7. Licensing Objectives

7.1 Prevention of Crime and Disorder

Additional points to those exposed earlier in this report.

Regrettably, as clearly demonstrated at Glastonbury, Roundhay Park, Temple Newsome and many other locations, events of this nature always attract a criminal element. This type of event also attracts alcohol and drug abuse such that of those who arrive with the best of intentions many lose their inhibitions when high on drugs or alcohol. In consequence there will be a serious crime problem within the site and on the perimeter. This is a serious risk and requires management.

There are no policies or plans in place showing how the organisers are going to deal with, or identify, areas of disorder within the festival site. Especially any incident involving large numbers of people.

No drugs policy is in place showing how the organisers intend to deal with incidents where controlled substances are found

There is no policy or plan to say how the organisers are going to address weapons issues e.g. knives.

The licence does not indicate what powers are going to be used to ensure festival goers are not carrying drugs on entry into the grounds

The licence and application are unclear as to who will be responsible for control of any major incident and how control will be handed to any emergency service

It is unclear how the organisers will deal with rule transgressors or violent groups. It takes skilled and trained people to deal effectively with trouble at any venue. Especially if the people involved are high on drugs and alcohol. Bystanders will need to be adequately protected from risk during this process. Unless clear processes and responsibilities are laid down and rehearsed this presents a clear risk to **public safety** and the prevention of **public nuisance**. To expel them from this type of rural event will be a difficult task. How are they going to be kept from returning to the site? The camping and parking areas are protected only by dry stone walls. There is no evidence of a policy, nor an approach.

The ejected individuals may find themselves unable to drive through drink, without access to their sleeping area and with no public transport? It is not unusual for disaffected individuals to attempt to wreak their revenge upon the local communality and cause **Public Nuisance** or indeed **criminal activity**.

Lost and found property is not covered and what procedures are to be adopted for recording items, their security and return or disposal if not claimed

The license and application does not provide clear evidence in the difference between overall control, stewarding and security issues. This is a key requirement of the HSE 'purple

guide'. Unless this is clearly documented, understood by all concerned this constitutes a risk to all four licensing objectives; **Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm**

7.2 Public Safety

Additional points to those exposed earlier in this report.

There is no clear indication on who has overall responsibility for event public safety or their credentials. This is a very difficult role demanding significant experience. Unless this role is undertaken by a competent, experienced and qualified individual there are risks to all four of the licence objectives; **Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm**

The medical arrangements are not specific and using the 'purple guide' it is expected that an ambulance with two personnel is available throughout the event – shift work required. Section 728 also states that in the event a casualty needs to be removed from the site by ambulance arrangements must be in place to replace that vehicle. On at least one occasion in 2007 the on-site ambulance left the site with a casualty. Therefore, there were either two ambulances in attendance, or evidence can be provided that an alternative was on-site prior to departure?

The risk assessment model in the HSE 'purple guide' determines that eight fully qualified first aiders are to be available at any time throughout the event. These individuals must be dedicated to this task and may not be undertaking any other duties. It is not apparent that the organisers understand this requirement. No documentation supplied illustrates their detailed approach to the provision of medical aid. Until this can be established this presents a risk to **public safety** including the **protection of children from harm**.

The HSE 'purple guide' also states that for multi-day events it will not be sufficient to provide first-aid facility only. It refers to other facilities such as pharmacy facilities, dentistry and psychiatric facilities. Whilst these may not be on-site it is reasonable for the organisers to have details of how they would address these requirements should they arise – was there, and is there, a documented plan agreed with the external parties. Without this plan there is a risk to **public safety** including the **protection of children from harm**.

It is unclear from the application what provisions were made for potable water? The site is not mains fed, therefore water bowlers will probably have been utilised. How was the content protected from deliberate or accidental contamination? What checks were in place to check for cryptosporidium contamination? In particular as the event is held on farmland which is normally occupied by grazing animals this potentially exacerbates the potential problem / risk of contamination.

All bowser water older than 24 hours requires boiling prior to consumption. What provision was made to inform attendees and ensure compliance? What provision was made to provide clean, safe drinking water which is a basic mandatory requirement for this type of event – HSE 'purple guide'. The absence of such a policy and process renders the event woefully short on basic health and safety requirements and is a significant risk to **public safety**.

There is no indication of any segregated toilet facilities for the exclusive use of food handlers (including bar staff) with hot and cold hand washing facilities. This is a requirement in the HSE 'purple guide' and is a requirement regarding the safe handling of food for public

consumption. This omission is a major concern regarding **public safety**, not just for people on-site but others when they return home, and the potential outbreak of significant E-coli, or similar, incidents.

The application for the licence does not address how the restrictions on smoking in public places would be addressed. No areas are marked out to ensure segregation. The absence of such clearly marked areas compromises **public safety**. Photographic evidence is available on the Facebook web site for the event that smoking was allowed within the public tented area in direct contradiction of licensing laws. This was a **criminal activity** and compromised **public safety**.

It is clear from the plan that in the event of emergency vehicles entering the site the pedestrians would be undertaking evacuation by the same route. This is wholly unacceptable and poses a significant risk. The attendees would potentially be under the significant influence of alcohol, drugs. Disorientated due to high dancing activity and attempting to walk / run across rugged slippery ground in complete darkness. This is unacceptable and compromises two of the licensing requirements; **public safety** and **protection of children from harm**.

All facilities must be lit at night, yet the plan shows no provision for lighting the car park or the camping areas. This also begs the question of 'were emergency exit signs lit as per requirements'? This lack of basic safety provision compromises the licensing requirements; **public safety** and **protection of children from harm**.

There is scant reference to organising a team to manage event safety and the prevention of crime and disorder. There are no details regarding numbers of, and named, SIA qualified 'staff'. There is no information regarding a steward plan.

No details are registered on screening of stewards as to suitability. In particular as the organisers do not see the volunteers until the event they cannot gauge the suitability of the individuals.

There has in the past clearly been a problem with stewards not turning up for their shift, or being incapable; extracts from the 2008 website

All volunteers must register at the festival gate no later than 5pm on Thursday 7th August 2008

All volunteers will work up to 12hrs throughout the festival; this will involve 2 x 6 hour shifts over the duration of the weekend. Shifts are between 6pm on Thursday 7th August and 6pm on Sunday 10th August. Stewards are required on a 24hr rota so night work may be required

Failure to attend an assigned shift or attendance in an intoxicated state will result in your bond cheque being non-returned.

There is no mention in the license application on how volunteer stewards will be assessed for intoxication. Indeed a member of the council's Environmental Protection team can confirm that he has been met on site by 'drunk' stewards in the past.

It is also worth noting that the organisers appear to disregard all HSE guidelines on event management. The event starts on the Thursday, people will turn up throughout the day yet stewarding does not commence until 18:00 Thursday (from web site).

Stewards need not report to site until 17:00 Thursday (from web site). At best this allows one hour to become familiar with the site, first aid points, fire points, welfare, receive instruction on how to conduct a search, be issued appropriate clothing, torches and instruction on use of the radio and each of the safety protocols in place. In particular the HSE 'purple guide' is very specific that stewards need to understand the risk that an audience will be reluctant to use exits they are unfamiliar with and that it is essential to train stewards to recognise this fact. Section 319 of the HSE 'purple guide' covers this in more detail.

There is no reference in the license application on the number of stewards required. The event web site states each steward would be expected to work two 6 hour shifts. It is estimated, using the HSE 'purple guide' and other 'public guideline documents', that a steward workforce of over 200 would be required to meet the HSE recommendations. This is not an inconsiderable number of people. It also swells the number attending the event to a number well above that planned for.

As the organisers are allowing free access to the event they are in effect providing payment in kind. Therefore, the organisers have a duty to provide appropriate insurance which would not be covered by the public liability insurance referred to in the license application. It is probably a reasonable assumption that this has not been provisioned. Assuming this is the case then this is a risk to **public safety**.

The organisers also have a duty of care regarding the stewards hearing. In particular they are obligated by legislation to provide ear protection and to ensure their use by stewards in vulnerable noise areas e.g. near the open air stage where they will be required to patrol the pit. No reference is made to this in the license application.

There is no policy or plan on dealing with a shortfall of stewards either at the event start or throughout the event.

This casual approach by the organisers towards providing safe stewarding for the event is unprofessional and **significantly compromises** all four elements of the licensing objectives; **prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm**.

As the organisers have no staff nor assets it can be assumed the majority of services relating to prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm will be contracted out. Until information is available detailing whom is to undertake these services there can be no confidence that the contractors will deliver appropriate services or for the public authorities to be able to confirm the contracting company's veracity. Until this is established there remains a risk to all four licensing objectives; **prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm**.

The initial application and the management of previous events, the first not even being licensed, demonstrates the organisers have little experience of running large events and cannot be relied upon, or indeed have the knowledge, to engage contractors in a legal and safe manner. Promises and undertakings made to obtain the existing licence have been woefully short on delivery. It is likely the organisers have only managed two licensed events of this type, the first being considerably smaller. This **lack of experience and credibility** in the organisers undermines all the four licensing objectives of **prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm**.

There is no mention of what type of radio system will be used and is the system robust enough for the purpose taking into consideration the location, the poor mobile telephone communications in the area and the unfamiliarity of volunteer stewards with private 'push to talk' radio systems and protocols. How many simultaneous conversations can be made, is there a command and control position established. Until a safe, reliable and fully tested communications solution has been completed the four licensing objectives are compromised; **prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.**

There are no details of how the capacity of each entertainment tent will be managed for crowd flows. There is no breakdown of each public area in terms of safe crowd capacity as per 'the purple guide'.

The 2008 event states an out door stage will be utilised. This is not approved in the current licence. Based on the 2007 event it is a reasonable expectation that the organisers have made no provision to deal with adverse weather. Nor will the environmental noise impacts have been considered or assessed. Until this is addressed all four licensing objectives are compromised; **prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.**

The site plan does not indicate any emergency exit points. High metal fencing was used in 2007 to secure the public locations. A single entry and egress point is shown and photographic evidence supports this was the case for the 2007 event. The fenced site was also contained by dry stone walls which would prove very dangerous to negotiate in the event of an incident, in the dark and under the influence of alcohol etc.

Beyond the marked boundaries of the site lie rough unlit fields which in the event of an evacuation would constitute a significant secondary danger. There was clearly no emergency exit points, evacuation paths and assembly point plan documented or in place. This key omission renders the event a serious risk to **public safety and the protection of children from harm.** Consideration needs to be given to retrospective prosecution of the organisers and other associated parties for this **criminal negligence** during the 2007 event.

There is no reference to nominated Bronze, Silver and Gold commanders to deal with a major incident.

The camping area has no escape route from the top of the site. This would be a severe issue should a large fight, firearm or knife issue develop at the lower end of the field.

There is no reference to a fire-warning system for the temporary and moveable structures e.g. marquees. Nor are there fire watchtowers over the camping area.

There is no designated incident control room. Assuming the security office is to provide this function the location is inappropriate to provide a clear view over much of the event as per the HSE documentation. It is far too central and would need to be evacuated therefore rendering the event site with no logistical control centre. This constitutes a **risk to public safety and the protection of children from harm.**

There is no reference to the provision of external telephone lines in a control room for immediate telephone contact between the control room and emergency services. In the event of a major incident the public mobile phone system will become congested and access to make a call cannot be guaranteed. It is worth noting that 'running to the local farm' is not acceptable. The control room needs direct access to a landline telephone. This absence constitutes a **risk to public safety and the protection of children from harm.**

The extract from the organisers website indicates glass is to be allowed in the camping area.

You will be able to bring your own food and drink (including alcohol) whether you are camping or a day visitor. However, alcohol, glass bottles, jars or tins will not be allowed into the fenced festival enclosure. There will be checks at the entrances and you will be asked to return any objects like this to your vehicle or tent

This is a significant risk, in particular as children often play/walk in bare feet on grassed areas. This compromises **public safety and the protection of children from harm**.

Organisers need to ensure searching is only carried out by properly trained and supervised stewards. This will necessitate that a large number of SIA licensed people will be required. This is not referenced in the application however it is a condition (7) of the licence. Can the organiser provide evidence that they complied with the requirement on all entrances throughout the 2007 event? Failure to comply with this basic stipulation is evidence enough that the organisers are not capable of running this type of event.

If as per the licence conditions for the 2007 event the organisers adopted a 'zero tolerance' with regard illegal drugs can they provide evidence on the training provided for the detection and prevention. It is inconceivable that none were detected over the four days. These were presumably passed to the police, or the police attended the site. Once again evidence should be available.

7.3 Prevention of Public Nuisance

Additional points to those exposed earlier in this report.

The type of sound levels which emanate from the premise for this type of event poses a major **Public Nuisance** during the day and be totally unacceptable for even a short period of time. During the night is is also unacceptable and is a **public nuisance** and due to children's inability to feel safe and sleep is an issue regarding **the protection of children from harm**.

The license application references that assessment has been made with regards the noise levels. In no way is this assessment based on any scientific approach to noise assessment. It is simply an idea that if you point the source in the direction of fewest houses there is no problem. A comment in the application states

'By arranging the marquees, and therefore the speakers, in this way we hope to cause the least disturbance to the local area'.

Licensing legislation does not rely on 'hope' but a managed approach to ensuring no sound limits within those referenced in the Environmental Protection Act 1990 and the subsequent Noise Act 1996. This cavalier approach to noise control by the organisers is at best amateurish, at worst an attempt to fool licensing authorities that they know what they are doing. This lack of professional understanding or control of noise is a **public nuisance** and a danger to **public safety**.

By way of example the event could be heard on the Saturday night in Silsden centre which is some two and a half miles away. Numerous letters regarding noise have been sent to the licensing office. A number are attached. Of worthy note is that one resident of the static caravan park decided to leave and return to their mid-week home due to the disturbance. This is a **public nuisance**.

Bradford Council's own licensing policy states;

The Council's Licensing Authority will however, when considering relevant representations or review applications, look carefully at the impact of licensed premises and events with regard to potential noise and disturbance to nearby local residents or businesses. It is also recognised that the later the entertainment takes place, the greater may be the need to take steps to ensure that activities do not cause unreasonable disturbance. It is also recognised that nature of the neighborhood (sic) is also relevant.

It is evident that the licensing authority has not put in place any requirement regarding a 'sound plan'. This would be considered best practice in order to ensure attendees and in particular neighbours would be protected regarding **public safety** and **public nuisance**. A reference is made in the conditions to monitor sound levels but place no parameters regarding levels.

There is no mention in the application, nor evidence of, any measures to be put in place to monitor sound levels coming from the site. The majority of complaints in previous years have been regarding sound. In particular the fact that in summer householders will tend to prefer to have windows open and take advantage of the summer weather to enjoy the outside amenities of their properties to garden, sun bathe, BBQ or simply read in a quiet rural setting.

One letter from a resident points out the music on the Friday night/Saturday morning went on until 2:15 a.m. Another letter also refers to noise after 02:00. This is beyond that approved by the license of 1 a.m. All noise should have ceased and once again there is evidence of the organisers ignoring licence conditions. This is a **criminal act** and a **public nuisance**. It highlights once again the organisers are not capable of running an event or holding a premise license.

It is a condition of the licence is that staff monitor, on a regular basis, noise within and emanating from the site to ensure that neighbouring residents are not disturbed. The organisers therefore should be able to share their approach, defined parameters and provide evidence of the readings taken for the 2007 event? Any professional organisation would retain this information in order to refute any complaints made after the event and also to support the ongoing licence.

Due to the dispersed multiple tent/stage layout it is not possible for a single mixing desk to undertake this task. It is required on all the perimeters of the site. Failure to undertake this task is once again a failure to comply with the licence requirements. This is a risk to the licensing objectives; **prevention of public nuisance and the protection of children from harm**.

The license application refers to the fact that the organisers would maintain communication with neighbours before, during and after the event. There was no mechanism in place for the 2007 event to provide any contact with local residents including a pre-appointed escalation process in the event of a disagreement. A further example where the organisers say one thing to obtain a license, yet do not meet their obligations. This further undermines the **credibility** of the Moor Music Ltd as a responsible organiser.

There is no policy in place for festival goers between the ages of 12 and 18 years and the nuisance factor that young people of this age can cause. This is a risk to **public safety**

The application states headsets will be used. Whilst at first glance this may appear a solution to reducing noise problems with neighbours it is far from satisfactory. The crowd clap and cheer along to the music and DJs. They also 'sing the hook lines' at the top of their voice. This creates a very disturbing pattern of noise from ranging from periods of silence though to crescendo throughout the night. This is a **public nuisance**

7.4 Protection of young children from harm

Additional points above those exposed earlier in this report.

There is no requirement for children under 13 to have a ticket. Therefore the organisers have no knowledge of how many children, therefore people to manage. As a result the organisers cannot effectively predict resource requirements for camping, sizing the public areas for safety and stewarding/first aid for the event. This basic lack of knowledge compromises all four licensing objectives; **prevention of crime and disorder, public safety, prevention of public nuisance and in particular the protection of children from harm.**

The licence, clause 25, states children under the age of 16 shall only be allowed access into the premises when accompanied by an adult. There is no statement from the organisers on how this will be enforced. In particular that the site has two discrete public areas. This is potentially a **breach of the protection of children from harm.**

There are no documented plans in place regarding the availability of both drugs and alcohol to children. The temptations to imitate their elders etc is high at this type of event. Younger adults are also tempted to 'let them join in' and give them alcohol and illegal substances. There is no stated policy or approach to dealing with this high risk area regarding **the protection of children from harm.**

Whilst a policy is in place to restrict access to tents showing inappropriate films the sound track cannot be suppressed. Therefore children will potentially hear inappropriate language and content anywhere on the site, including the camping area. This is a risk to **the protection of children from harm.**

There are photographs on the Facebook entry for the event showing 'babes in arms' with headphones on inside an event tent. It is assumed these are to protect the baby from the effects of the noise. The very fact that the organisers allowed this young child into the public area which necessitates ear protection is below the reasonable level expected for **the protection of children.** What stewarding was undertaken to ensure all minors and babies were protected from undue noise both within the entertainment areas and the camping area?

There are no details as to when police will be informed of any lost or found children and the procedure to be undertaken.

8. Conclusion and recommendations

8.1 The requirement by law

The licence application and approval process was fundamentally unsound due to the lack of blue notices. The licence is therefore invalid and should be revoked with immediate effect. A new application should then be correctly issued including timely consultation with residents along with full consideration by Bradford's Public Safety Liaison Group and interested parties.

8.2 The requirement by process

The licence for the Moor Festival event should never have been granted. This paper has covered numerous and significant areas where the application was lacking. Hard evidence regarding failures, omissions and complete disregard for the law and existing licence conditions at previous events shows significant failings of the licence holders.

Failing a withdrawal of the licence due to Bradford Council not following the law of the land then a review must be undertaken. This, if at all possible, should include a consultation process with the local residents (within at least one mile radius). This consultation should acknowledge the fact that some residents may be reluctant to come forward if their identity is revealed. Therefore targeted uniquely numbered mail shots could be issued to each address thereby ensuring anonymity.

The key points supporting the revocation of the premise licence are;

- Bradford Council did not follow their own licensing policies
- The organisers are not credible in relation to organising or running this type of event
- Considerable disruption and inconvenience has been caused to local residents
- Considerable noise nuisance caused by previous events
- Playing extremely loud music at least 75 minutes beyond that approved within the licence. Licence limit 01:00, played until at least 02:15.
- Attendees and residents were put at significant risk, in particular regarding emergency evacuation and emergency services.
- The history of the event and this document makes obvious significant areas of unacceptability regarding the licensing objectives as stated in the Licensing Act 2003;
 - **the prevention of crime and disorder**
 - **public safety**
 - **the prevention of public nuisance**
 - **the protection of children from harm**

Appendix 1



- Approved event site
 - Unapproved impromptu car park
 - Main A road
 - Minor B road, single places in many parts
 - Minor B road, single places in MOST parts
 - Public footpath / bridleway
- ◆ 1 mile ◆

53°55'35.33" N 1°53'40.18" W

Image ©2008 The GeoInformation Group
©2008 Europa Technologies
©2008 e@Atlas
©2008 InCtera Ltd & BlueSky
elev 271 m

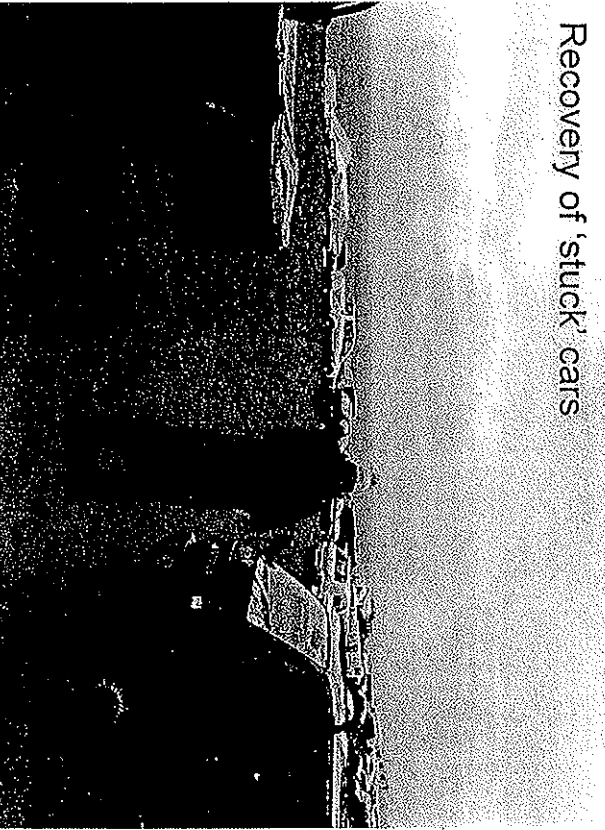
Google
Eye alt 5.17 km

Appendix 2



Appendix 3

Smoking in public area

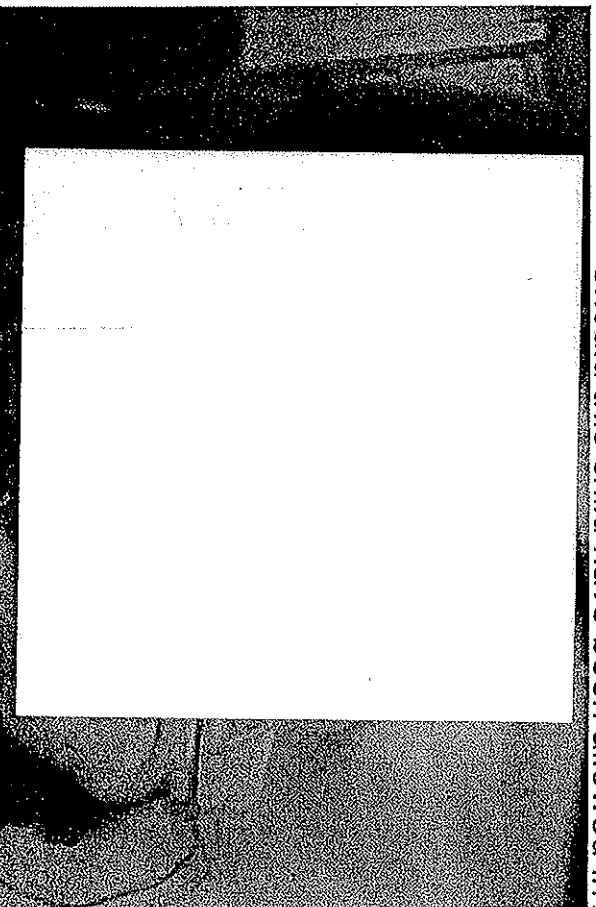


Recovery of 'stuck' cars



Is this a good evacuation surface?

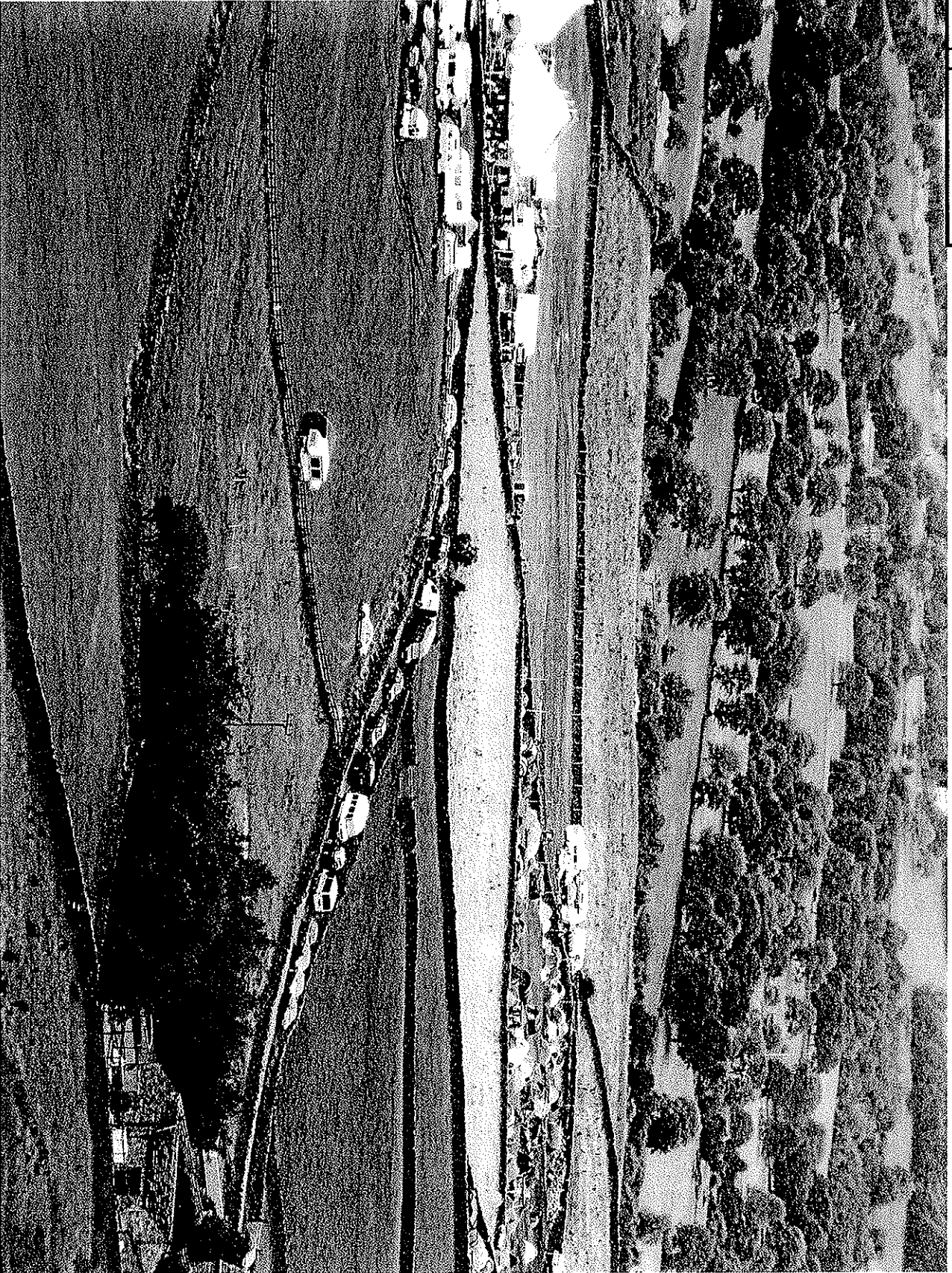
Should this child have been allowed in?



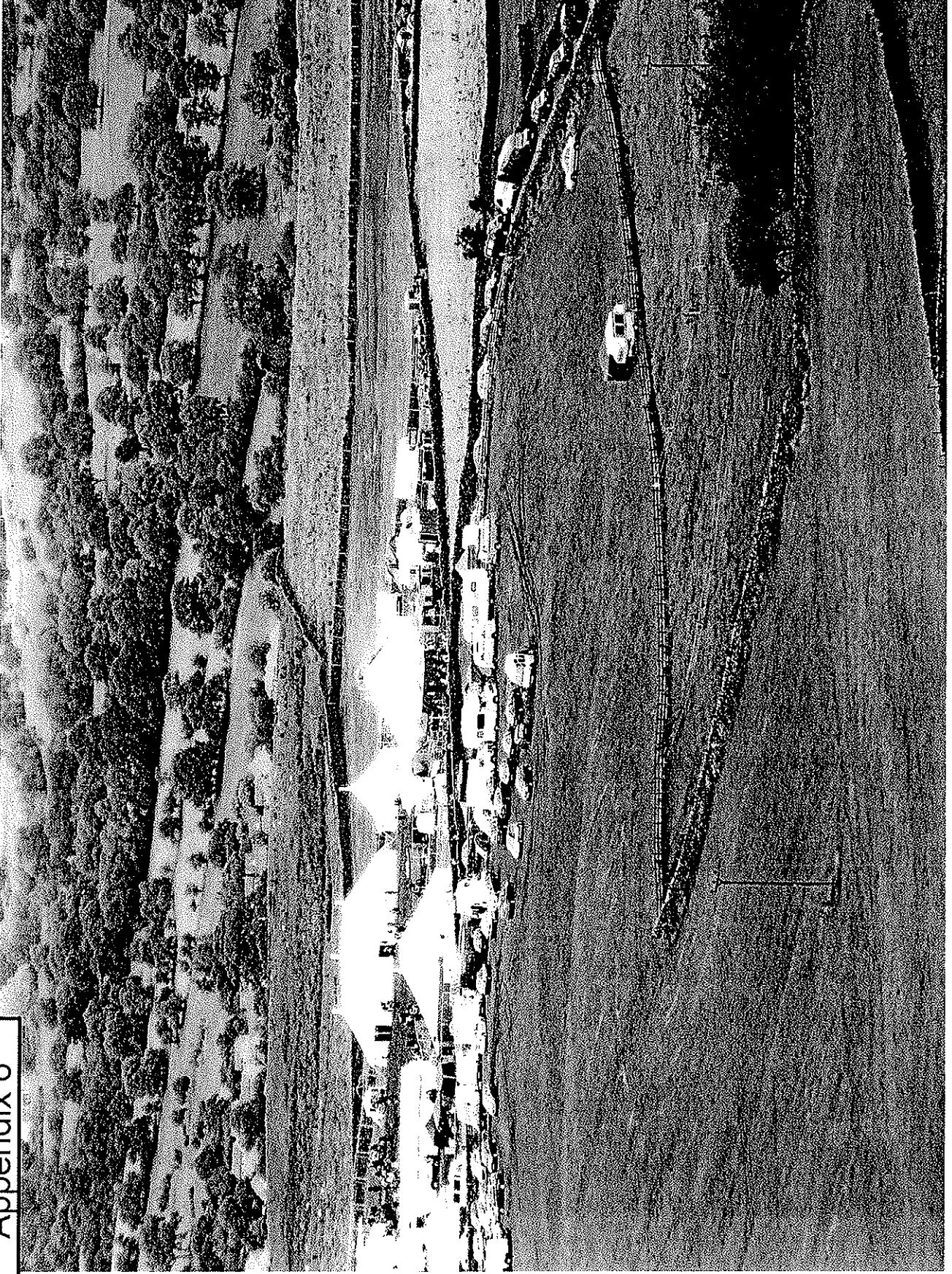
Appendix 4



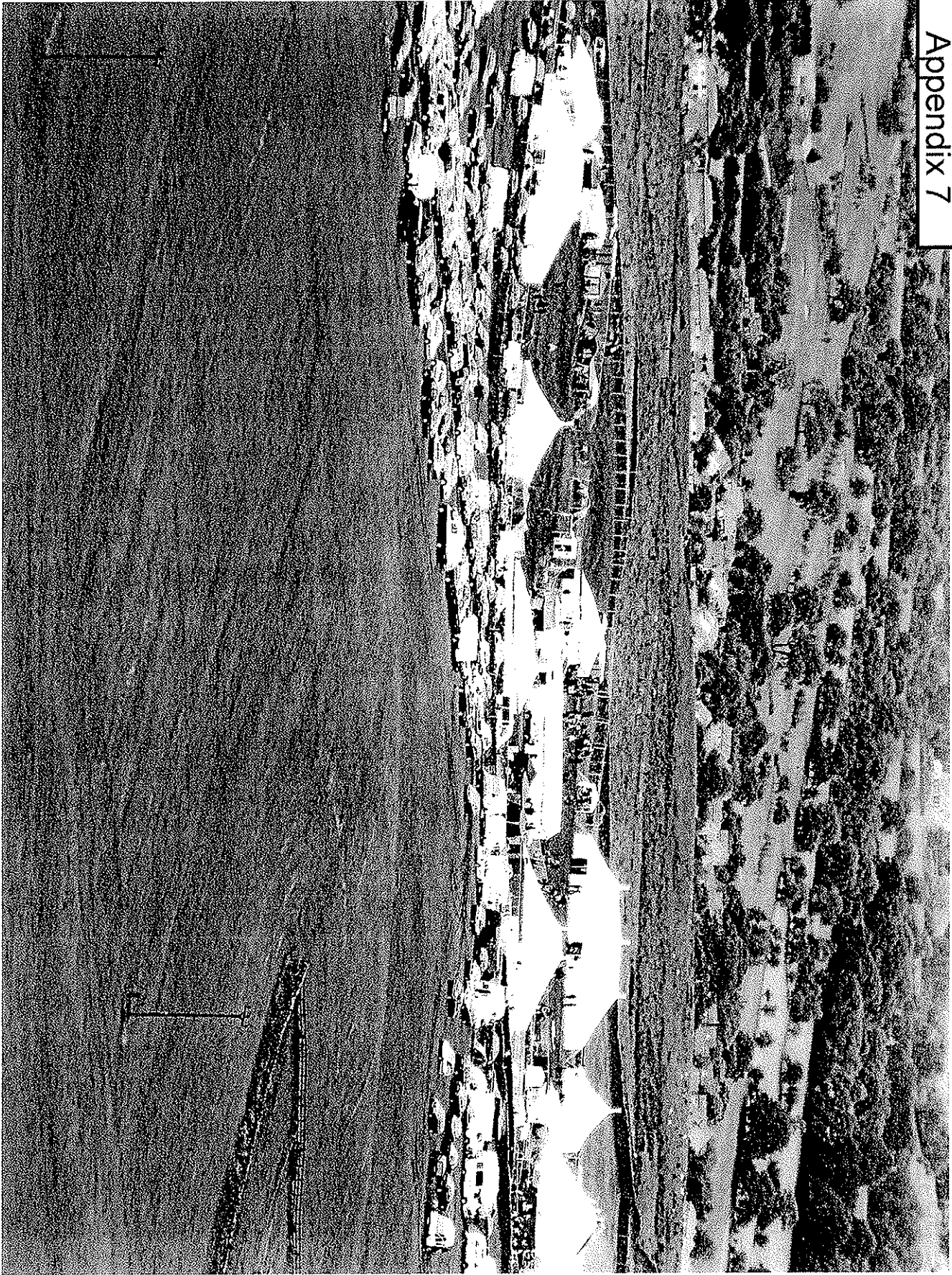
Appendix 5



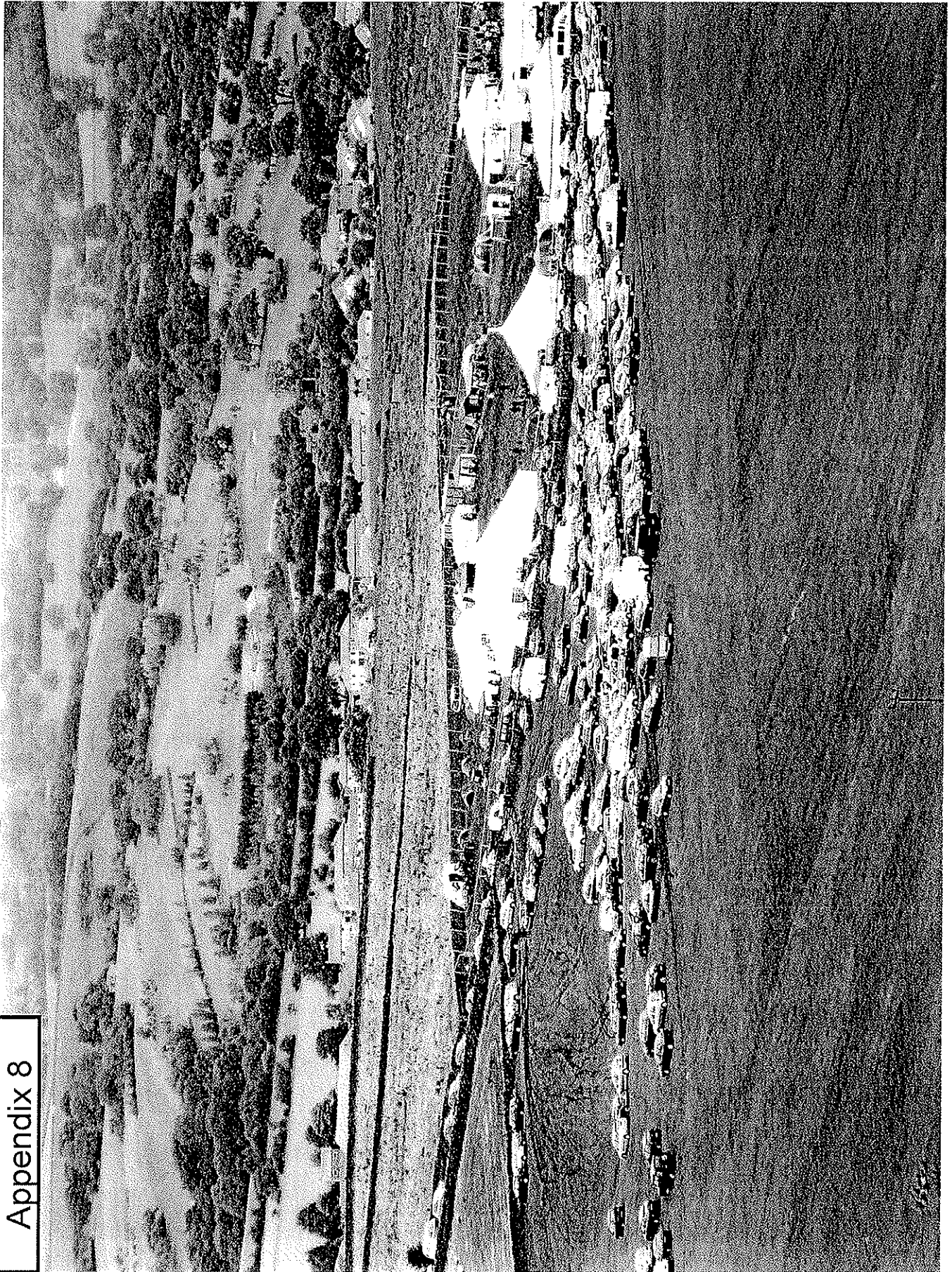
Appendix 6



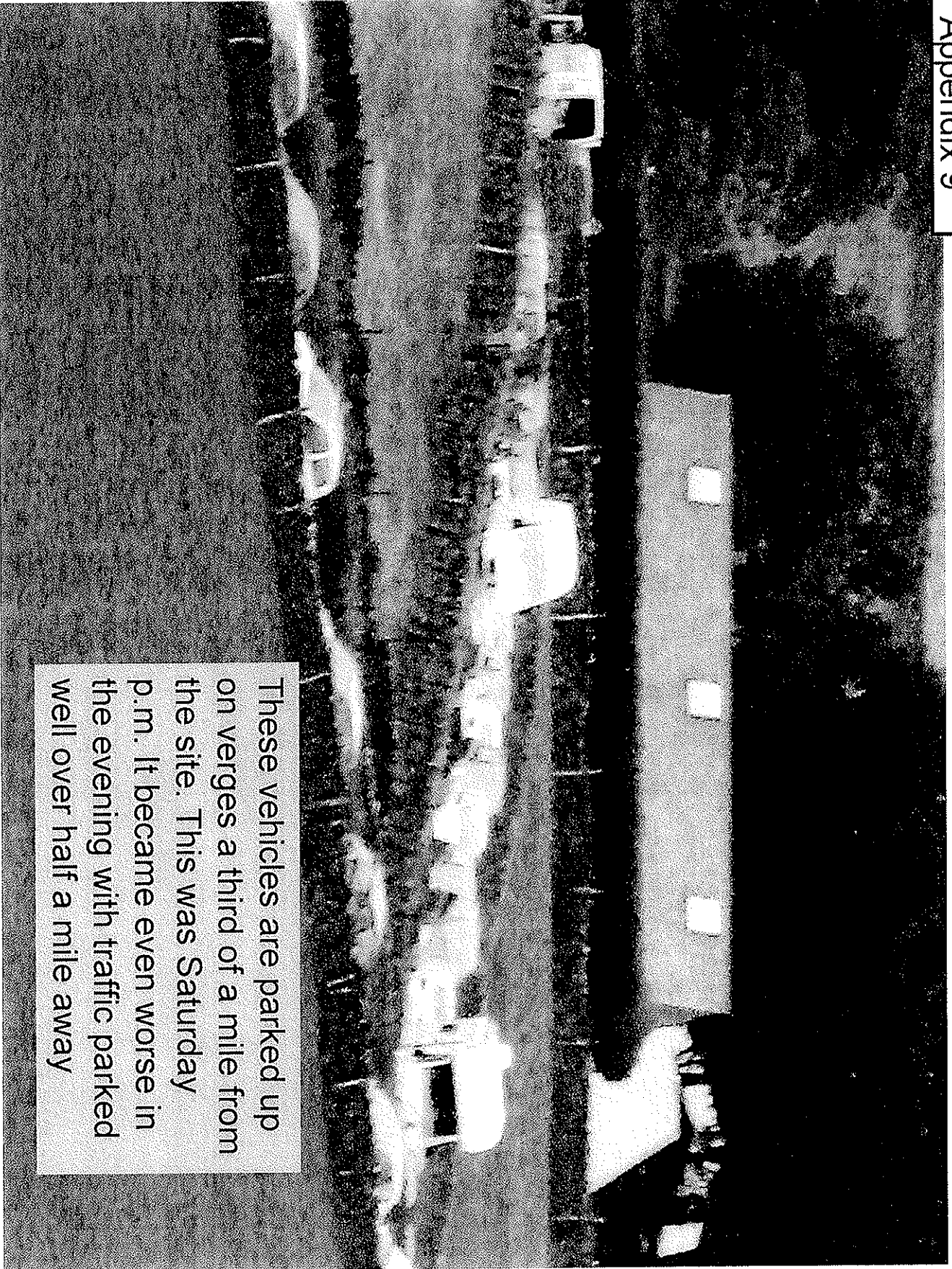
Appendix 7



Appendix 8

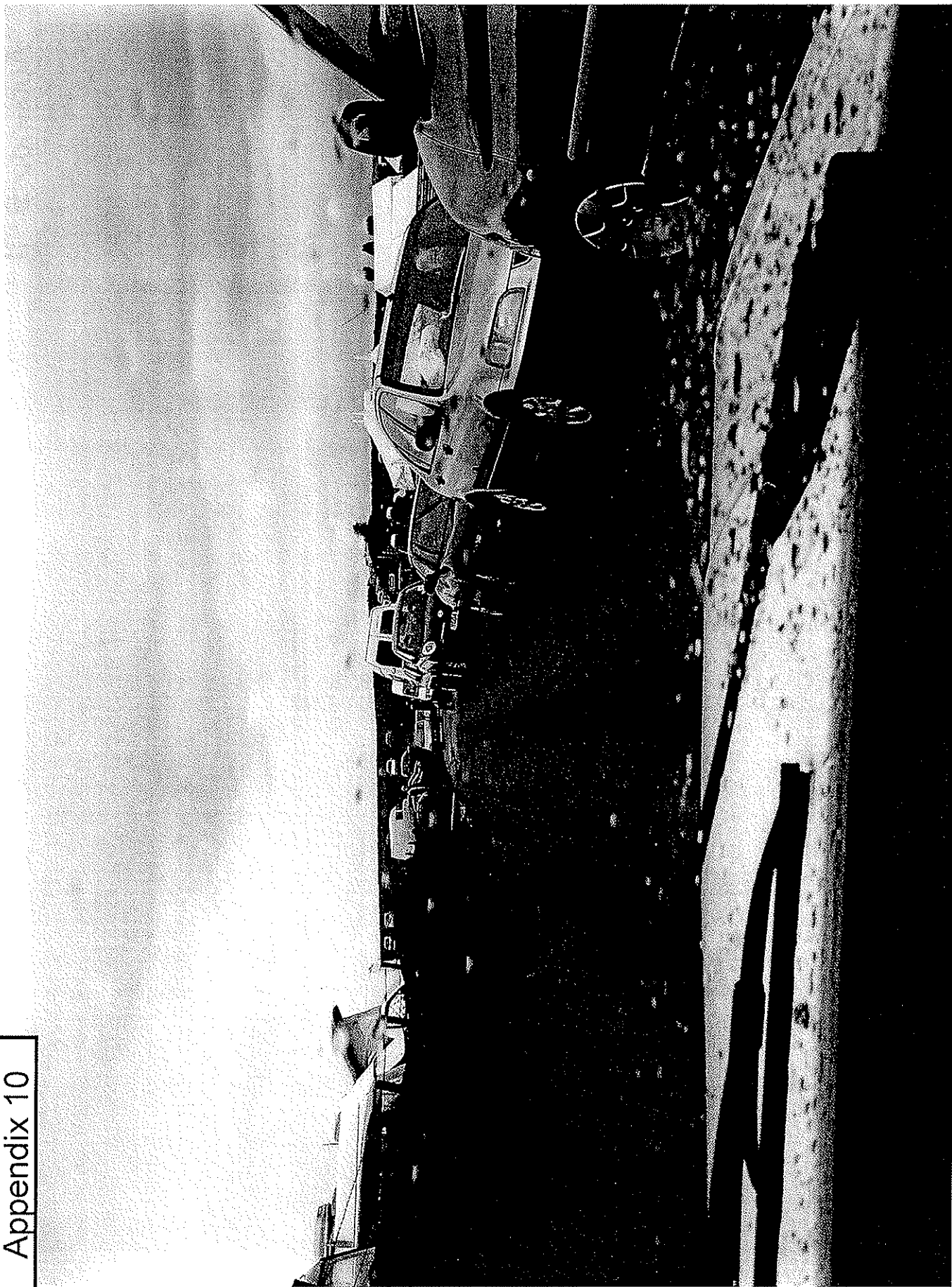


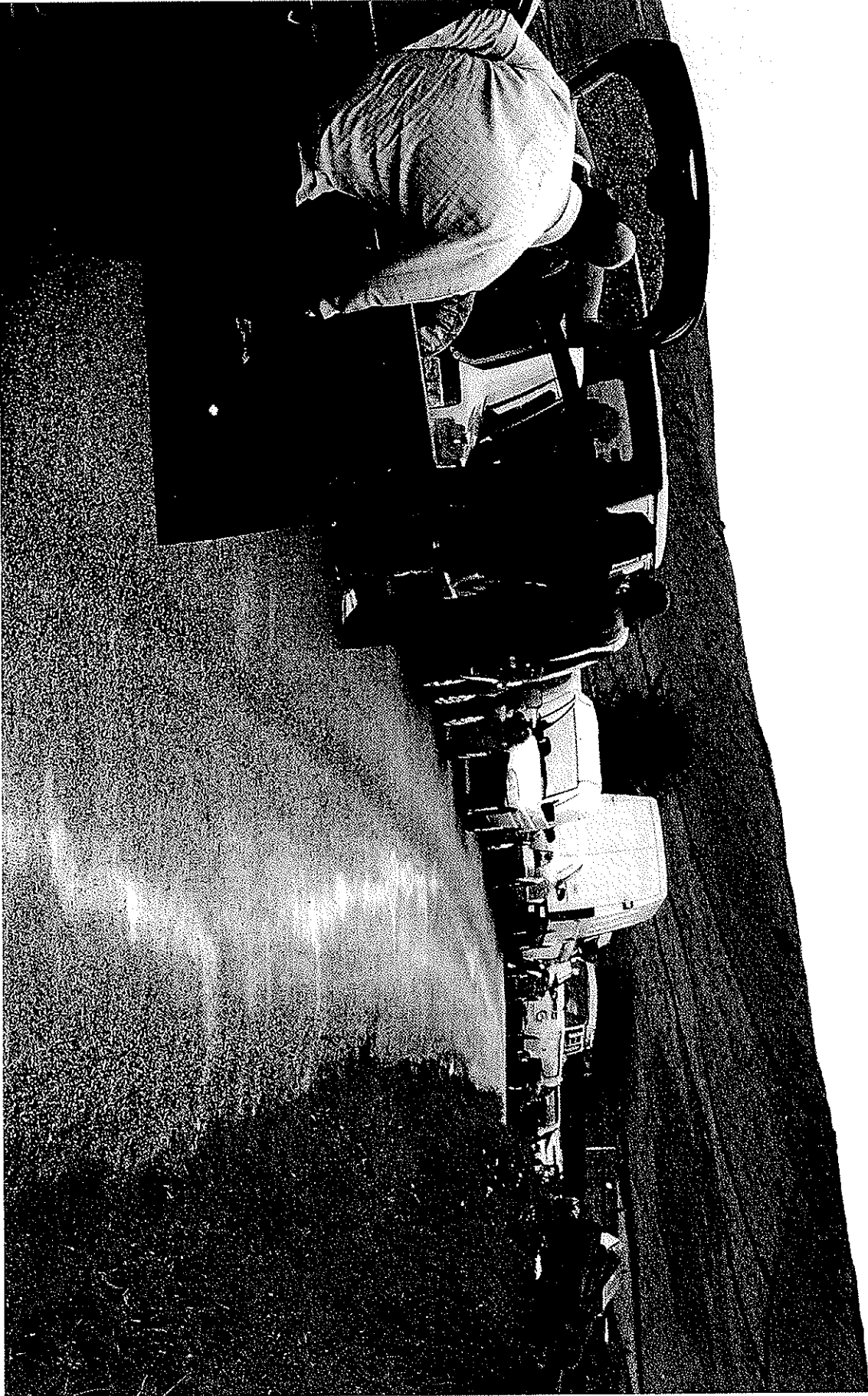
Appendix 9



These vehicles are parked up on verges a third of a mile from the site. This was Saturday p.m. It became even worse in the evening with traffic parked well over half a mile away

Appendix 10





From: Cllr Michael Kelly [mailto:michael.kelly@bradford.gov.uk]
Sent: 31 March 2008 22:53
To: Kevin
Subject: RE: Moor Festival

Dear Kevin

This is definitely on my list to see what I can do. I was appalled last year at the extent of people sleeping in cars on the road side, cars being abandoned and generally access to the Moorside for the emergency services totally blocked.

I am awaiting notification of a licence application when I will be able to make my objections known.

BR

Councillor Michael Kelly
(h) 01943 831208
(m) 07971 149569

19 SEP 2007

Dear Sir

I would like to register a complaint to your department about the Moor Music Festival in July.

We have recently purchased a static caravan on Brown Bank Caravan Park we bought the caravan to escape to the country for the peaceful location & scenery.

However we were stunned to hear the very loud noise the car generated over though it was situated a few fields away while we appreciate people have to enjoy themselves the music was far too loud & we

do not understand how an event such as this could have been passed to go ahead.

We think the local community should be consulted about these events as they are the ones who have to endure the noise & disruption the extra traffic generated on the usually quiet narrow lanes.

I would be very interested to receive your comments on this issue.

Yours faithfully,

FOR THE ATTN: OF MRS MELANIE

RE: THE MOORSIDE FESTIVAL AT AD

Dear Madam

I own a caravan which is on site at Brown Bank Caravan Park, and look forward to staying at the caravan as much as possible. I really appreciate walking along the many local footpaths there and enjoying the quietness of the area.

This however is not possible when The Moors Festival is being held.

The grievances I have about the Festival are:

1) The volume of the music and the base level beat made it impossible to rest/sleep until well into the night.

2) The amount of cars parked along Turner Lane, Brown Bank and Straight Lane made driving difficult at times and the staff they employed to direct/control the traffic had obviously had very little previous experience in doing this task.

3) Because of the wet weather the local roads were filthy with mud.

4) Dry stone walls were damaged.

5) I was approached several times, by people leaving the festival on foot, asking for lifts and had I not had my dogs in the car with me, I would have felt very intimidated.

Dear Mrs. Melanie McGurk,

I have been asked by my neighbours to put in writing my concerns regarding what has become a yearly event, the moors festival. As it may have already brought to your attention this event appears to be growing in size every year. Originally this event seems to have just appeared with no planning or consultation with the people whom have to live around the area in question causing disruption to our lives for the duration of the event.

The festival has always caused us concern regarding noise levels playing into the early hours of the morning but in particular I would like to point out some major concerns regarding last years event.

There is always some disruption with large arctic Lorries delivering marquee's etc at the beginning of the week. This is our cue to prepare ourselves for the onslaught. Due to the poor weather conditions the signs were not looking promising when these Lorries were struggling in the wet fields in which they were delivering to.

The access road causes major concerns to me due to the road being only one and a half width to one car width in some places (small country lane). This road is also a no through road which means that to access our properties we always have to pass the festival due to no other way being available.

Last year like previous years the festival was advertised Friday to Sun. What does happen is that people always begin to arrive on the evening before i.e. Thursday for an unofficial night of partying. This is when the problems began. It was a concern for us from the Thursday seeing people unable to access the field with their cars due to the wet ground. It was at this point that we approached the stewards to express our concerns over the parking issues and asked them what they planned to do. They reassured us that we would not be disrupted in anyway and that the parking situation would not become a problem. Although we remained worried we hoped that this would be the case. My opinion was that this being a big event that this would be professionally organised and a contingency plan would be put in place. Unfortunately we were to be proved wrong on this opinion.

Friday, official day one. People starting to arrive all day. By 3.30pm there was total mayhem. The stewards were stopping every car by this point with a view that all cars accessing the road were there for the festival. If you didn't stop you were verbally sworn at by the stewards. We have a school mini bus which brings all secondary and primary school children home. By the drivers second run onto the road he was stopped by the steward. It was obvious to all that this bus had school children on board. This steward made the bus driver stop. When the steward was challenged by the driver as to why he needed to stop he was also verbally sworn at by them within ear shot of the children on board. When I heard about this from my children I was furious that this had happened to them.

This made me feel insecure and apprehensive about having to go out past the festival, but what option do you have when it is your only access route?

At 5.15 that evening I had to take my son and husband to the village cricket ground with a view to meet up with them later in the evening. By this time the car parking was on the road side. This meant that meeting another car now was dangerous. With people still arriving meeting cars that had no idea where to park were obstructing the road. By the time I was trying to go back home again 10 mins. later I was nearly driven off the road by a food van who was driving around a blind corner at high speed. By this time the cars were now being parked along the road side and you just hoped and prayed that you didn't meet another car coming in the other direction.

This mayhem continued with the stewards quite clearly not having a clue as to what to do regarding the parking situation.

We again approached a steward that evening when we were yet again stopped trying to go home, to state our concerns regarding the lack of organisation about car parking and requested that they remove the cars from the roadside.

Saturday morning our plans were changed. Normally a friend will come to our home to collect my daughter to take her to dance class. This had to be changed due to the disruptions. On the way back home I was confronted with a road closed sign and two surely looking men in black coats. Again I was stopped and was not allowed through until I was given permission to do so. My niece whom was 18 at the time was refused access by these two men because they did not believe she lived on the moorside. This was unacceptable and was very intimidating. This left me feeling very shaky and I refused to go out again until the festival has finished. We had arranged to go out for the evening but we changed our plans and stayed in for the evening.

As we live on a farm we needed the vet to visit, not urgently, who attempted to come on Saturday with no success. He was unable to get through the turmoil of traffic, and returned later on in the week. The daily farm work had to be adjusted to accommodate the lack of access of the road by limiting jobs to just around the farm.

To summarise, this festival effects our human rites of not just the noise factor but also something as simple as driving home in a safe secure manner. Had there been an emergency whereby an emergency vehicle had been required last year they simply would have been unable to reach us. I also feel that we as residents had no idea that this festival would be a yearly event having seen no notification for us to object to, or consult with the council prior to the license being granted.

Dear Ms McGurk,

Re : Moor Music Festival – July 2007

We are writing to voice our observations of the last and previous festivals held on the Crabtree land at Addingham Moor Side. In short the events should never have been allowed. I have written and spoken to a number of council offices but it is apparent that you feel no obligation to look after the rights and 'care' of the local community. It appears all you wish to do is stamp another application through.

Unlike other councils you have no policy on dealing with this type of event in particular with the safety of the event attendees and local residents. The disturbance caused by the event both visual and environmental.

The issues as we see them (most already registered with your offices) are:

The event is run by 'amateurs' – in the first year they did not apply for, nor realise, they needed a license to sell drinks or entertain.

The layout of the site is not safe for attendees. In particular that many of the attendees will be in a drunken state for many hours and would be incapable of acting with consideration for others in an emergency. It is worth noting that the majority, if not all, of the event stewards are untrained members of the public.

The location of the event is not appropriate. The roads are too narrow to accommodate such an event.

What is probably worth listing is what impact the event has on ourselves:

Noise

Windows have to be kept shut – intolerable in the heat of summer. We cannot go outside to enjoy the summer – it is like having a teenager with a souped up hatchback waiting at the traffic lights next to you with the window down, music at top volume. Whilst the noise reduces slightly around mid-night you still get the low frequency incessant beating against the fabric of the house.

In 2006 we had to cancel a planned family BBQ due to the noise. In 2007 I had to re-arrange a visit by my 13 year old daughter as she would have been sleeping on the 'very noisy side of the house'

and would have been disturbed. We had to move the dogs to a different part of the house and leave a TV on all night as they could not settle and kept barking at the external noise.

We have had no support from the council regarding the noise. I have made many calls to the so called investigation team. The impression given is that they cannot be bothered. It is a long way to come – 'I'm having my tea and will be out in a few hours' was the response to one call. To cap it all when I rang in the early hours I'm told the service stops at 02:00 and no one is available. Great, the event ignores the licence rules on stopping, but no one is around to enforce. I spent many hours trying to 'google' what is the law and what I expect in support from the council.

I'm assured by someone that overnight will be Ok as they are using a headphone system. Has anyone any idea what it is like for over two thousand people to all 'cheer' and sing in unison on a moor side? Don't ever assume headphones equals no noise !

Due to this incessant noise, no volume limits etc I lost many hours sleep and was driven to distraction by the noise and worse still was put in a position by the event and Bradford council of wishing to take the law into my own hands. Why should we be subjected to this continuous barrage of noise over four days – this is not the same as a neighbour having a noisy party one night – this is 24x7 intrusion. This is an area where the background noise is almost zero. No limits were specified in the granting of the licence.

Due to the lack of support in measuring and controlling the noise I went to the Keighley police station on the Saturday. They informed me they had no knowledge of the event, nor are they responsible for the noise control. Once again I'm amazed that the local police did not know that in effect they have 2,500 people using drink, drugs and high tempo music on 'their patch'.

Traffic

I needed to see a friend on Straight Lane and was stopped by the stewards who had an air of menace about them and claimed I could not go down the road. They acted like trumped up militia and I felt very intimidated by them and needed to stand my ground. I could not understand under what rights they have to block a public road?

We decided to go out in Ilkley with friends on the Saturday night. We could not obtain a taxi as we were told they could not get to our house in reasonable time and would lose money. Therefore, we had to drive ourselves to Ilkley and could not enjoy a drink. Driving past the cars abandoned in the grass verges was to say the least 'interesting'. On the return journey it was very difficult to negotiate a path past the abandoned cars as no passing places were left. On one occasion I had to 'stand my ground' and in effect force the 'festival car' coming in the opposite direction to reverse – this is not a pleasant thing to have to do. The police were out and were placing some form of penalty notice on the cars.

On the Sunday morning the lanes around the site looked appalling. The verges were littered with beer cans, bottles, plastic bags etc. I have no doubt the individuals had also used the verges as make shift toilets as many of them slept in their cars. From discussions with younger people at my place of work it seems to be a well known fact that festival goers will arrive by car, dump them somewhere so they do not have to pay, return and sleep in them, turn out all their rubbish and drive away.

HEALTH

Safety

We also worried for our own safety, in particular as we were disturbed by two individuals asking to use our toilet as the ones on the site were filthy. We found it very difficult to say no, but felt distinctly uneasy should others request the same. We felt so threatened that we purchased additional locks in order to secure all the out buildings from people vaulting walls and taking shelter in the stables.

We were also very concerned that on the Monday after the event it was apparent that they were burning plastic materials. The acrid smell blew across the moor – what chemicals were we breathing in?

We have a number of observations on the clearly unprofessional way the event is organised and will make these known at the licence hearing. Yet another piece of work, worry and anxiety!

Lastly, what is the effect of this event on local wildlife? Our dogs were stressed and from discussions with others they too had problems. What of the local wildlife who cannot 'go inside' and shut all the windows. What was the effect on the local kennels? We suspect that they feel they cannot complain as they are neighbours of the land owners.

Please note this letter is signed by two named people and should be counted as TWO complaint letters.

Yours

Dear Mr. McGinn,

I'm sure by now you are fully aware that the voice of dismay and frustration on Addingham Moorside is getting louder.

We are about to face our fourth year of the Moorside Test and still cannot understand why or how this event is allowed to continue or even take place up here in such a quiet, unspoilt location.

Last year I spoke with you and we exchanged various emails because I was surprised a licence had been granted when no "blue notice" had been displayed for us to make a representation against. There is quite a community up here. Someone would have seen it somewhere on some wall or gate. This in itself seems grossly unfair as we all feel that the indefinite licence was sneaked through behind our backs.

I understand that no representations were made by any of the concerned Council Bodies and find this amazing. Believe me, if we had seen that "Blue Notice" you would have received plenty of representations from Addingham Moorside.

For me and my family living here right next door to the event it becomes a living nightmare!

The noise is awful, way too loud. It vibrates through

feel the beat in your chest all the time. It becomes distressing and disorientating as you are unable to concentrate properly. Our children hated it and were frightened by the enormity of the event. Surely this is noise pollution and therefore Public Nuisance. There has never been systems put in place to monitor the noise level coming from the area of the festival. Why was this never addressed by Environmental Health?

The Fest starts on Thursday. My husband, like most people, works on Friday. He needs to perform well at work. How can he do this when he is unable to sleep because of the noise and subliminal beat of the music? One night is tiring but three is exhausting and then, each day, all day is pure torture!

We have to keep our windows shut (in the summer!) to keep out the "music" and develop a siege mentality; too scared to leave our homes with thousands of strangers wandering around (they don't stay in the festival site) and yet desperate to escape.

It really is horrid but what really frightens me is that by being granted an indefinite licence this sort of event can take place every weekend in the field next to my property. Our quality of life is therefore in your hands. I feel so badly let down by the systems that are in place to protect us. Please can you help us?

Yours sincerely,

16 May 2008

Dear Tracey,

Ref: Moorside Festivals

As we discussed at our meeting we have provided a brief summary of our concerns and the history behind them.

In 2006 the festival was first held and the noise nuisance was unrelenting for the weekend. We called the council environmental health who agreed that the level of noise and the time it was going on for was unreasonable. He was very helpful, and expressed surprise that the organisers had been granted a licence. The organisers were planning to put on music until 6am.

At the time the organisers were repeatedly asked to control the noise, but with 2000 noisy inebriated revelers we were told that they could not be stopped without a risk of riot.

The following year the festival occurred again, it appeared to us without any consultation following our complaints from 2006. They did agree to a headphone concert after midnight.

Again the noise was unrelenting, and much of it at a subliminal base level that seems to go through walls and into your chest. Again the children had difficulty sleeping, as did we. Although as the wind was in a better direction, it was not as loud as 2006.

However our major concern was the level of traffic and illegal parking on what is a single track dead end country road. The stewards were officious, trying to stop our access to our own property, but at the same time made no significant effort to stop parking on both sides of the verge. The Police were present, but by midnight the two officers were effectively overwhelmed.

Our worry was that should medical or fire officers be needed for any of the many homes and businesses down Moorside Lane there was effectively no access for nearly 24 hours.

You will have seen pictures from the Sunday when the roads were effectively wrecked and the newly restored verges broken by the weight of traffic.

The organisers seemed to be overwhelmed by the level of attendance, and even if they had chosen a more suitable site for so many revelers could not have managed. The site itself does not lend itself well to an event on this scale.

Moreover the contrast between a charity weekend run by the Motorbike club the Sewer Rats and the Moorfestival highlights this. The attendees at the Sewer rats are considerate, and of course mostly turn up on two wheels taking up no road space; many of the attendees at the Moorfestival

don't seem to understand that other members of society have the right to a peaceful co-existence. As a commercial event we want to have some comfort that they could deal with trouble makers, that they have an anti drugs policy, that some proper attempt is made to ensure that the many many young people are not being sold alcohol under the age of 18, and that they can deal properly with drunks. Most importantly I have a real fear of what would happen in the event of a medical emergency, either at the festival or at any of the houses or caravans in the area.

With thanks

Robert Morse

4th June, 2008

TO WHOM IT MAY CONCERN

We are writing this letter to voice our concerns regarding the up coming Moorisde Music Festival, which is due to take place from the 7th August until the 10th August 2008.

Also last year we had a number of HGV vehicles turning on our gravel drive and then proceeding to block the road further up towards the end of straight lane and for a while, we could not leave or gain access to home. Even after the event the roads were left covered in mud and again this was not acceptable.

We have several other minor issues but the need of a clear road for access at all times is our primary concern.

Yours faithfully,

Mrs M Mc Gurk
Senior Licensing Officer
CBMDC
City Hall
BRADFORD

12 June 2008

Dear Mrs McGurk

**The Moor Music Festival, High House Farm, Straight Lane, Addingham
Moorside**

I write to strongly object to the grant of a premises licence at the above address and to support the application for the licence to be reviewed. As there was no site notice posted (as required by the Licensing Act 2003 and the Council's own licensing policy), it was not possible for local people to have their say before the licence was granted. Clearly, the applicant was not willing to publicise the application on site for fear that objections would arise – and obviously none of us scour the local paper each week to read the legal notices. How lucky for them and how unfortunate for those of us who have to endure the results!

My house is located less than 500 metres from the venue and my family and I have been forced to endure music so loud that our home actually resonates to the relentless beat. During the so-called festivals of the last three years this has gone on for hours on end, through whole days and into the early hours of the next day with no let up whatsoever. It renders pointless spending time outside in the garden because we can actually feel the beat going through our bodies which, after a while, becomes very wearing indeed. Quite honestly it gives you a headache after a while.

At night we are forced to close all windows tightly or else it is not possible to get relief from the noise and we are unable to sleep. We are effectively prisoners in our own homes. I note from the current licence that the organiser is actually allowed to do this from Thursday morning to early on Sunday morning, with seemingly short breaks to allow for sleep. Can you imagine what it would be like to have over three days of solid noise next to your home? It is devastating and at the moment local people see no prospect of it changing until the licence is properly reviewed.

Most reasonable people would turn a blind eye to the occasional day of noise and indeed none of us have ever objected to the charitable festival held on the same site each year by the 'Sewer Rats' bikers' group. However, the Moor Music Festival is much noisier and goes on for longer. We contend that this does constitute public nuisance on a significant and measurable scale.

Then there are the party goers themselves. With no Policing of the event those not allowed in, or those who have been thrown off the site, wander the lanes often in a drunken state. This scares my young children and worries parents because the drunks have on occasion wandered into people's gardens. How are we to know whether such people could prey on our children or may simply be casing our homes for theft? People have asked why we don't just go away while the Festival takes place but the truth is that we wouldn't dare – we simply wouldn't know what we might come back to.

As landowners, we are afraid to confine our livestock to buildings in case a stray (or intentional) match might set out buildings alight and we are powerless to stop people from clambering over our dry stone walls, which could result in injury or damage to the walls. In short we go from being a very small rural community to a community in fear of who is wandering about, day and night. Surely, in terms of the threat of crime and disorder we have a case for review?

In terms of the organisers themselves, we believe the whole set up to be amateurish with no plans in place to adequately cope with the influx of up to 4,999 people to a venue on a single track, no through road. Last year the parking was a fiasco. Faced with paying to park on a muddy field (where most vehicles became stuck) many just left their cars and vans on the roadside, further narrowing the predominantly single track road. With no plan in place for pedestrian safety either this led to a dangerous mix of parked vehicles, traffic and pedestrians. Again, this is a significant safety issue – together with the fact that we were unable to get to and from our homes without lengthy delays (40 minutes to travel just under a mile on the last day last year). This is especially upsetting given that we had already endured the noise for days on end, but would also have meant that the emergency services would not be able to get through. This compounded our feeling of being hostage in our own homes and is simply dangerous if anyone was taken ill or had an accident.

As before, the organisers promise us that this year will be different but we have lost faith in them and are looking for the Council to allow us, as residents, to start the review process to formally assess whether what we have to endure with is reasonable – and indeed whether it is safe for the wider public. I very much hope that we will be given a proper chance to represent our case.

Please note – I do not want my name or address to appear on public file for fear of reprisals by the organisers or landowner. Please ensure that my personal details are removed from this correspondence before filing.

Ms. M. McGurk,
Senior Licensing Officer,
CBMDC,
City Hall,
Bradford.

20-6-08

Dear Mrs McGurk,

I was going to write a long and detailed letter expressing my dismay and frustration at how your department continues to allow a licence for the Addingham Moor Music Festival which has contravened so many rules and regulations and causes so much distress to local residents, but I am losing faith in how Bradford Council appears unwilling to protect the interests of the rate-paying, law-abiding citizens it is supposed to represent.

I am fed-up of having two weekends every Summer spoilt by the excessive noise and disruption caused by two music festivals (Sewer Rats and Moor Music Festival) held in our neighbour's fields.

Rather than repeat what I and others have written before, please read the attached copy letter that I wrote to the Ilkley Gazette newspaper last July after the horrendous Moors Music Festival that you have, no doubt, seen and heard evidence of.

I eagerly await your reply to learn what you are doing about this. I want it stopped. If this is not

- possible, the absolute minimum I would expect is that:
- (a) It is moved to where it started about 4-5 years ago
ie. lower down Turner Lane away from our properties
 - (b) It becomes two nights only (Fri/Sat) as most 'normal' people have to work Monday-Friday and don't appreciate being kept awake on a Thursday night
 - (c) The noise level is turned down to a sensible/acceptable level. The pumping, constant beat goes right through you and even the house vibrates. Not much fun for three consecutive nights!
 - (d) We have written re-assurance from you that this is the last event that the farmer can hold on his land. By this I mean, what is to stop a third or fourth music event being held if he feels like it (or wants to make some 'easy' money with no regard whatsoever to his neighbours!)? When does it all stop?!!

Awaiting your reply.

Dear Mrs. McQuirk.

My wife and I have owned a caravan at Broombarrow Caravan Park for the past sixteen years. We chose this site for its situation in the beautiful Yorkshire countryside and so we would enjoy peace and solitude. We didn't choose a site with a bar or club for this reason.

Last year we were unfortunate to be at our caravan during the Moon Festival. The motor bikes on the usually quiet roads were bad enough but the main trouble was the excessive noise, booming bass especially, that we had to contend with until well after midnight. Festivals of this nature should only be allowed well away from human habitation and certainly not close to a caravan site.

We sincerely hope that a future application for a Moon Festival in this area will be refused.

Yours faithfully

Dear Mrs McGurk

I would like to express my anger and frustration to the unbelievable noise at the so called Moors Music Festival of 2007. From a quiet and peaceful area to live, and then be compelled to listen to that noise for three days nonstop, and not be able to escape it even with windows and doors shut.

It is a known fact that noise levels like that can damage your health and sanity and it makes you fearful of the people who attend, who roam around the area, so please can something be done. We dread the thought of that happening again for three days of sheer hell.

Could you please leave our details out as we are afraid of repercussions.

Yours sincerely,

My wife has said that she is not going stay here while the Festival is on, but I have to stay to protect our property from what I am sure is an undesirable element that goes to the point of arson.

Thank again.

Dear Mrs McGawk.

Thank you for giving me the opportunity to state my concern over the "Moon Festival"

last year, the noise was so bad that I thought it was coming from a nearby farm, and not, as it turned out, more than $\frac{3}{4}$ mile away. It wouldn't be too bad if it had a finishing time, but it lasted all night.

We might be a retired couple, with lots of spare time, but we should be allowed to get some sleep.

Dear Mrs. Ho. Gork.

I have lived at the above address for 45 years and have been very appreciative of being a country chucker and enjoying its peace and tranquillity that this affords. However, it seems that once in a while this atmosphere is ruined by the hoars festival disturbing not only the peaceful situation but giving us a need to be wary about the number of strangers roaring toward the countryside and the ranking of vehicles over the country lands. One cannot leave one's property unattended for long, not knowing who

is coming around the hills.

The noise is another great concern, I am 85 years old and haven't the best of hearing, but even at my noise level the noise becomes very intolerable making it more or less impossible to get to sleep, the boom, boom, boom getting an one's nerves.

During the years of having birds here, I had never seen a hawk experience such a noisy and unrelaxing intermission such as this. Surely, some well placed he put onto such situations.

Yours truly,

May 15^d

Dear Sir or Madam

I own a static caravan on the Brown Bank site, and I am writing to complain about the Moors Festival which is held on the Straight Lane, close to the Brown Bank Lane site. Last year I arrived on the Friday morning to hear very loud music being played at the festival. The noise continued continuously all day long and into the night until 2.30am on Saturday Morning. Both my wife and myself are very light sleepers and on that night got very little sleep. We are also concerned that many people who come to the festival maybe high on drugs and alcohol. Therefore we worry that our own privacy and caravans will be invaded by these people. Last year the roads, Brown Bank Lane, Cocking Lane, & Turner Lane were blocked by cars and vans, and rubbish was left around their vehicles causing a health hazard and spoiling such a beautiful part of the Dales

Yours Sincerely

17.05.08

Dear Mrs McGURK,

As We Are on Brown Bank CARAVAN PARK WE CAN UNDERSTAND THE CONCERN OF LOCAL PEOPLE REGARDING THE MOORSIDE FESTIVAL.

WHILST IT IS QUITE GOOD TO HAVE OPEN AIR FESTIVALS ETC, IT IS ALSO VERY IMPORTANT THAT EXTREME CONTROL IS TAKEN TO ENSURE THAT THE FOLLOWING POINTS ARE STRICTLY ADHERED TO SO THAT WE CAN STILL ENJOY OUR LOVELY COUNTRYSIDE IN THE STATES

Noise levels are kept to a decent level and a respectable time for music to cease!

Last year BAYS OF LITTER AND UNUSED FOOD - BOTTLES ETC WERE JUST ABANDONED IN THE LAKE AND LEFT FOR SOMEONE ELSE TO PICK UP!

PARKING ALSO CREATE PROBLEMS FOR BLOCKING OFF ENTRANCE ETC - PERHAPS EMERGENCY SERVICES WOULD HAVE NOT BEEN ABLE TO ACCESS A CAR OUT!

ALSO ALCOHOL LEVELS TEND TO BE HIGH WHEN PEOPLE CAN DRINK LARGE QUANTITIES OF THEIR OWN SUPPLY.

DURING THE SUMMER MONTHS IT IS NORMALLY A PLEASURE TO SIT OUT AND RELAX - WITH LOUD MUSIC GOING ON THE PACE RETURNS WHEN THE FESTIVALS ARE OVER.

WE HAVE TO LIVE IN A REMARKABLY WONDERFUL BEAUTY SPOT AND IT SHOULD BE RESPECTED & RETAINED.

Yours Sincerely

Mr & Mrs

AN PARK

Dear Mrs

to prevent a
place on Str
period I ha
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of the festiva
and even v
belonging to
Sides of Stro
traffic prob
occur in a
enjoy. Plea
taking pla

Dear Mrs McBurn,

With regard to last years
Moos Festival, I am just writing to say
we came all the way from Spain to enjoy
the quiet and beauty of the park and
to have a week-end spilt by continual
loud music was not pleasant.

The walk along the lanes was
also unnerving with all the extra traffic
and hazardous parking. Emergency vehicles
would have had difficulty getting
through.

Kind regards.

Bill Bayster

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THE RETURN OF 2007, PLUS THE YEAR'S BEFORE
HAVE BECOME TOO NOISY, THE MUSIC "LOUD"
AND THE LITTLE UNACCEPTABLE. GOD WENTHEL
LAST YEAR CAUSED NUMEROUS PROBLEMS AND
ABOARD THE FESTIVAL SITE. OUR WORK WERE
LIMITED, THE MOST STRESSING FACT TO THE WEEKEND
IS THE KNOWLEDGE THAT THE FESTIVAL WILL BE TAKING
PLACE. THE WORD "WHAT IF" COMES TO MIND, SO
THIS YEAR WE WERE AND STILL ARE THANKING
SHODU WE GAVE THE WEEKEND A MISS. AND
STAY AT HOME TILL THE FESTIVAL IS OVER!!

THINE PAID FOR THE PRIVILEGE OF BEING HERE
AT BROWN BANK CALHOUN PARK AND WAITING LEADER
AND BUIST, WE SHOULD BE AFFORDED THAT CHANCE
PLEASE LOVE MY WIFE AND I HOPE WE CAN
PERSONAL DEPART LEFT OUT AND YES WE WOULD
BE FORTUNATE TO RELEASURES WITH GUIDANCE, AS
WE HAVE STARTED WE COME ASK FOR PEACE AND
REST.

Re: MOBILE FESTIVAL 2007.

DAN AND MARIAN MOGOK. RONALD S.

WITH REFERENCE TO THE MOBILE FESTIVAL OF 2007
MY WIFE AND I DID FEEL THAT THE FESTIVAL WAS
VERY NOISY AND AT TIMES THE ROADS PAST THE
AREA WERE TOO CONGESTED FOR THE AMOUNT OF
TRAFFIC TRYING TO MOVE TO AND FROM THE SITE.

WE DURN A HOLIDAY CALHOUN AT BROWN BANK
CALHOUN PARK WHICH WE USE MOST WEEKENDS, OUR
MAIN CONCERN WAS THAT OUR PROBLEMS WOULD BE ASKED
FROM INTRUDERS BOTH DRINK OF SODA OF EVEN DELIVERED.

ESTER RECAUTIONS WERE INCREASED DUE TO THE
VALUE OF PROBLEMS WITHIN THE CALHOUN WHICH FACTOR
TO THE FESTIVAL WAS TAKEN BACK TO OUR HOME IN NORTH
KINCINNATI AND BARNETT BACK AGAIN AFTER THAT
MONTH.

WE COME TO THIS SITE AFTER A HARD WEEK'S
WORK BECAUSE WE ENJOY THE SCENE AND STABILITY
IT PROVIDES, WE ALSO LIKE TO WORK THE CONVENTION SIDE

AN PARK

15-5-08

Dear Mrs McGurk,

I am writing in support of your campaign to prevent a repeat of previous Moor Festival events which take place on Straight Lane, Addingham Moorside. During the festival period I have had to endure constant loud music from early in the morning to the early hours of the following morning on each day of the festival. I was unable to sleep properly because of the noise and even vibration on the caravan. Large number of vehicles belonging to people attending the festival were parked both sides of Straight Lane + Brown Bank Road causing extensive traffic problems and hazards. This event is not suitable to occur in a quiet countryside area that we all love and enjoy. Please do everything in your power to prevent this event taking place.

Yours sincerely,
1

BROWN BANK CARAVAN PARK
SILSDEN

Dear Mrs. McQuirk

We write in connection with the Folk Festival held at Straight Lane. We are concerned and rather surprised at a licence being granted without apparent consideration to the local community.

Although we are not permanent residents of the area but have a caravan on Brown Bank Caravan Park, we found the situation very annoying and distressing regarding these people and their complete disregard for the local community and the countryside. The purpose of our caravan is for peace and quiet and enjoyment of the countryside.

Last year's so called 'Festival' created havoc on our local roads with cars parked almost anywhere and completely blocking Straight Lane and Brown Bank Lane. Any emergency services would not have been able to get through and with hardly one car's width available, local traffic was at a standstill. In addition to this the roads and hedgerows were completely covered in litter and it was a depressing sight on what is usually beautiful clean countryside.

We were also concerned for the personal safety both for ourselves and our property with alcohol much in evidence and no doubt drug taking also present.

Then, of course, the so called continuous noise of the music morning, noon and night with no respite.

During the day we tried to escape this constant boom, boom, boom, by going for a car ride (when able to access the roads) but at night, despite having all windows and doors closed, it was impossible to sleep.

We cannot understand why this so called Festival is allowed to take place and cause so much disruption and unrest.

If allowed to continue we will have no alternative but to stay at home during this period. However, the permanent residents of the area can hardly do this!!

DEAR MRS M'GURK,

HAVING ALREADY WRITTEN TO BRADFORD COUNCIL TWICE LAST YEAR WITH THE USUAL NO ACTION RESPONSE. WE WERE PLEASED TO READ YOUR LETTER OF THE 13TH INST.

WE REMEMBER QUITE CLEARLY THE HORRENDOUS NOISE GOING ON DAILY AND INTO THE EARLY HOURS, THE THUMP, THUMP OF THE SO CALLED MUSIC MAKING IT IMPOSSIBLE TO SLEEP, EVEN WITH WINDOWS SHUT. THE DREADFUL CONGESTION ON THE NEARBY ROADS WITH VEHICLES PARKED ON THE VERGES SPILLING HALFWAY ACROSS THE ROAD.

AT THE END OF THIS "FESTIVAL" WE WERE ABSOLUTELY SHATTERED, NERVES ON END AND TIRED OUT.

ONLY THE YEAR BEFORE OUR CAR WAS STOLEN IN SILSDEN BY JOBS FROM OUTSIDE THE VILLAGE & TOTALLY WRECKED. WE DOUBLE CHECKED THE NEW CAR WAS LOCKED & DOORS SECURE BEFORE RETIRING, THOUGH UNABLE TO SLEEP.

WE HAVE COME TO BROWN BANK C.P. FOR OVER SEVEN YEARS, WE LOVE THE PEACE & QUIET OF THIS PART OF YORKSHIRE.

THE LICENCE SHOULD NEVER HAVE BEEN GRANTED WITHOUT

PROPER INSPECTIONS BY POLICE,
HEALTH & ENVIRONMENT
REPERCUSSION AS A RESULT OF
THIS LETTER WE DO NOT WANT
BUT PLEASE CARRY ON YOUR
CAMPAIGN.

you.

no Bank here

Dear Mrs Melanie McGork

It is with some dismay that I have been informed that the Moorside Festival is to be held again this year.

My husband and I have jobs that are very high pressure and our static caravan is our weekend Sanctuary.

The noise last year was dreadful and the constant traffic of and down the lane all day and night was unbearable. We also felt we needed to be more aware and had to ensure our car, caravan

and shed had to be secure at all times.

As for the parking in Straight Lane I felt the organisers did not ensure that the emergency vehicles could make their way up the lane should one be needed.

We do not wish to be bracketed as party poopers but there is a time and place for everything and this beautiful moorside is not it.



Dear Sirs,

Ref : Moor Music Festival, Fri 20th - Sat 21st July 2007

I am writing with regards the above event held in fields at Addingham Moorside. You may recall that I contacted your office prior to the event as I had concerns over the likely impact of noise. It became apparent that no consultation had taken place.

I was informed that no consultation with neighbours was required and that appropriate notices had been posted. This very simplistic approach to granting licenses to this type of event is flawed. The event was over two thousand people, in an open air rural setting in several music tents and had attracted numerous complaints the previous year. The music can be heard several miles away and depending on the wind can be a nuisance in Addingham or Silsden villages. The event lasted several days, yet your office still deemed it appropriate to treat this as a 'standard' license request.

Having investigated this issue in more detail your published policy 2005-2008 includes the following section:

When considering application for Premises Licences relating to relevant open-air events such as large scale concerts, and where relevant representations have been received, the Council's Licensing Authority will have regard to the "HSE Guide to Health, Safety and Welfare at music and similar events" and to the "Code of Practice on Environmental Noise Control at Concerts", published by The Noise Council 1995. Available from the Chartered Institute of Environmental Health Publications ISBN 0900103515.

Your policy also refers to consultation with various bodies which was not undertaken. It was apparent from telephone discussions that your policy had been completely disregarded. No noise restrictions were applied. In terms of adherence to the permitted hours it is unclear who monitors and enforces.

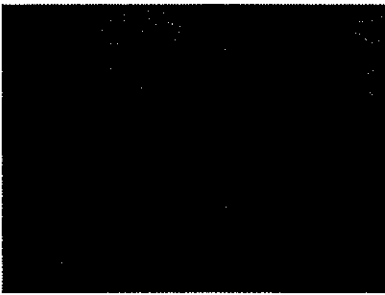
Your environmental team tell me it is not them, the police inform me it is not them, so who does? There was significantly loud music emanating from the site for numerous periods outside the permitted hours. I complained, but no one in Bradford Council would deal with the issue. Even during the permitted hours your environmental team were ineffective in dealing with the issues.


- Who is responsible for enforcing entertainment licensing hours for events of this type? This needs an answer around the fact that zero amplified noise should emanate from the event. This is not subjective as a 'nuisance' volume. This is an easy one to assess and enforce. I reported this as a nuisance and therefore I have difficulty reconciling that your section would not enforce

It appears to me that there is little consultation between departments within Bradford Council, none with the police (they knew nothing of the event) and no consultation with the local community. Treating this type of event in the same way as a license for a church hall etc. is an inappropriate and flawed approach.

I would welcome acknowledgment of receipt of this letter along with a considered reply in due course.

Yours sincerely,





Dear Sirs,

Ref : Moor Music Festival, Fri 20th - Sat 21st July 2007

I am writing with regards the above event held in fields at Addingham Moorside. You may recall that I contact your office prior to the event as I had concerns over the likely impact of noise. It was apparent that your offices had not been consulted in granting the licence nor warned of the event taking place. I was informed the 'duty officer' would be briefed.

In particular, I made several calls on the Friday evening and Saturday morning. Your 'duty officer' did not initially attend the location but attempted to resolve the issue from home by ringing the event organisers.

The situation did not improve and eventually your team did attend site following my complaint after mid-night. By this time the volume had decreased significantly, but was still an issue. I rang again after 02:00 as the noise was continuing after the licensing hours. I was told no one was available and it was not an issue for Bradford Council to enforce/monitor licensing. I was informed it was a police matter.

So it is now the early morning, music is keeping me awake (and I subsequently found out many others had similar problems) and Bradford Council in effect wash their hands of the matter.

A follow up call the following day confirmed that fact that you do not monitor licensing hours. Please remember this is a music festival with over two thousand attendees in several music marquees. There was noise all night outside the permitted hours.

I discussed this issue with the police on Saturday afternoon who after consultation within fellow officers advised that they do not deal with this; it is the responsibility of the council.

I would welcome some clarity on this issue around:

- Why there is not a 24 hour service
- Why no visit to site/venue for over six hours
- Who is responsible for setting and monitoring the noise levels of such an event (this was not a trivial event)

This approach by your office is wholly unacceptable and in no way meets your published service statement :

"To meet the public's expectation for quality and dependability in service delivery particularly with regard to the processing and enforcement of licensing functions."

I fail to see how you met this statement in terms of consultation and evaluation regarding the impact of this event. Myself and numerous neighbours were significantly inconvenienced by the event. A number of people who have static caravans close by felt it appropriate to return home due to the noise.

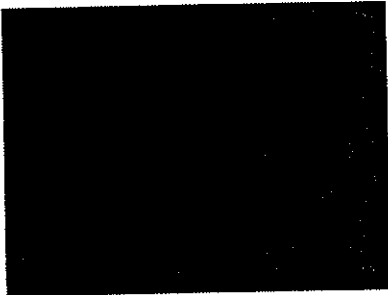
The issues as I see them are:

- No consultation with the local community
- No consultation with the relevant bodies e.g. police
- No setting of noise limits
- No monitoring (and enforcement) of noise limits or adherence to hours
- Total disregard for your policy

I would appreciate an explanation of your procedures and actions to better understand your approach and why your published approach was ignored.

I would welcome acknowledgment of receipt of this letter along with a considered reply in due course.

Yours sincerely,



Sent: 16 July 2007 13:40
To: Melanie McGurk
Cc: Scott Hardy
Subject: More Music

From: [redacted]
To: [redacted]
Sent: Monday, July 16, 2007 1:31 PM

Dear Melanie,
 Your colleague Scott asked me to e-mail you re our telecon of this morning.

I gather licences have been granted by your dept at Bradford Met for 2 events over 2 consecutive weekends in July at the same venue, which is not great news for anyone living within a couple of miles or so of the venue !

The 'venue' is a normally peaceful, green belt part of Wharefdale - Addingham Moorside.

We have just endured a full weekend's noise from the "Sewer Rats" - a meeting of bikers. Ver loud outdoor music going on all evening and into the early hours which was not a great deal of fun to be forced to have to listen to.

However, this coming weekend is the third Moors Music Festival, which the organisers are obviously trying to establish as an annual event much to the annoyance of the locals. This is the event that concerns and even frightens us most. The first year, neither your dept nor the police were even informed about it, despite it being advertised as an all night rave ! Fortunately, the late night music was stopped around midnight following complaints from angry neighbours. Last year the event was equally noisy and disruptive for locals but was, at least, more controlled only due to neighbours' complaints.

The organisers are hoping to sell 2000 tickets for this coming weekend and no doubt there will be additional gate-crashers parking outside the fields to save themselves money and jumping over and damaging our dry stone walls again. There are hundreds of tents pitched right alongside each other in the adjacent fields - god help them (and your dept) if there's a fire.

Last year, the music was horrendously loud again but the music was at least switched off at around midnight, I think it was. At least this allowed us and our children to sleep in the end. Also, last year, we only had to put up with the serious and offensive noise on Friday and Saturday nights. This year, the Moors Music Festival website and your colleague Scott tell me it is for 3 nights - it just gets worse for local residents ! Please read below :

Scott tells me the music licence you have agreed to for this coming weekend is as follows:

Thursday - 7 pm - midnight
 Friday - noon - 1 am
 Saturday - noon - 1 am
 Sunday - no music

Scott tells me the alcohol licence you have agreed to for this coming weekend is as follows :

Thursday - 7 pm - 3am !!! (surely completely unacceptable on a midweek night ?)
 Friday - 9 am - 5 am Saturday morning !
 Saturday - 9 am - 2 pm Sunday morning !
 Sunday - all morning until 2 pm Sunday afternoon !

Please look at the Moors Music Festival website where they appear to be advertising music from as follows :

Thursday evening until 3 am Friday morning !
Friday evening until 6 am Saturday morning !
Saturday evening until 6 am Sunday morning ! . I don't know whether they are referring to music **and** alcohol, but either way, it is not what your dept has agreed to !!!! So either you, or unfortunate local residents like myself are being mis-led.

For 9 consecutive evenings / nights in July, the residents of Addingham / Addingham Moorside have to put up with 5 evenings / nights of music pumping out as loud as the sound systems can manage to make it (not to mention the screaming and shouting, litter and excrement left on our property). **WHY SHOULD WE HAVE TO PUT UP WITH IT ?**

Please be so kind as to reply to all the points raised in my above e-mail and confirm who, at Bradford Met., is ultimately responsible for granting these 2 licences. Whoever it is , doesn't have to live next door to the events and try and sleep at night !

I would be delighted if you would come to listen to what we have to put up with every July. Two complete weekends ruined by noise pollution. The Moors Music festival in particular is purely a selfish, money-making event for the farmer - Jamie Crabtree - who, in pursuit of a quick buck, obviously has no regard for his neighbours in this particular matter whatsoever.

I will await your formal reply in the next 24 hours while you look in to the details, and then I will get in touch with the Ilkely Gazette / Telegraph and Argus / Yorkshire Post and local MP about this, as we are totally fed-up and upset about how this is being allowed to take place on our back door step.

As you can read, there are several issues here, the **most important** issue here is the extreme and totally unacceptable levels of noise pumping out of the sound systems !

I would really appreciate your co-operation on this matter, and await your urgent reply by tomorrow with eager anticipation.

With Thanks and Kind Regards

Moorside)

04e

ENVIRONMENTAL
29 AUG 2007
SHIPLEY

23 August 2007

209704

PVT
RIK
LIG

Dear Sirs

Re: The Moor Music Festival - 19th to 21 July 2007

I wish to express my concerns regarding the running of the Moor Music Festival.

I own a static caravan at the Brown Bank Lane Caravan site near Silsden. My wife and I use our caravan every week from March to October each year, and pay rates to Bradford Council. As a ratepayer, I would like to object to the licence granted to the festival organisers for the reasons shown below.

The festival which ran from Thursday 19th July to Saturday 21st July 2007, was a complete fiasco. The music was played at full volume all of the time and on Friday it went on until 2.15am the following morning.

I am sure that the terms of the licence would have stipulated that music should cease at midnight, therefore the organisers deliberately ignored this. Surely this is a breach of the licence terms and would be classed as both excessive noise pollution and anti-social behaviour. No one would consider it acceptable to listen to music at full volume until the early hours, particularly in such normally peaceful and tranquil surroundings.

Rubbish was strewn all over the place, and was left behind when the festival goes eventually departed on Sunday.

Cars and vans were parked all the way down Brown Bank and also down Turner, thus causing a danger to other road users.

The organisers showed little or no consideration to local residents and I would like you to consider this when considering renewing the licence.

The organisers are stating through the local press that this event will become bigger and better year upon year. If this means causing more disruption, upset and inconvenience to locals then something needs to be done about it.

City of Bradford
Environmental Protection
28 AUG 2007
RECEIVED

Melanie McGurk

From: Melanie McGurk
Sent: 18 July 2007 09:38
To:
Subject:

Dear Sir

I apologise for any misunderstanding, the final date for representations was 12 June 2007. However due to staff absences the Licence was not issued until July.

I have spoken to the applicant regarding the blue notice. The applicant confirmed that the notice was displayed on the land, until the end of the representation period. A notice was also placed in Wharfedale Newspapers on 17 May 2007; the applicant is required to publish a notice in a local newspaper circulating in the vicinity of the premises. Details of applications received are also placed on the Council's website.

If no representations are received within the 28 day representation period, then the Licensing Authority must grant the Licence as applied for.

The Licensing Authority can only deal with matters relating to licensable activities. Any problems regarding obstruction of the highway should be reported to the Highways Department, telephone 01274 431889.

At any stage, following the grant of a Premises Licence, an interested party (local resident) may apply to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. Licensing Authorities may not initiate their own review of Premises Licences. Any application must be relevant to the promotion of the licensing objectives. I have attached the application and guidance for your information.

If I can be of further assistance please do not hesitate to contact me.

Yours faithfully
Mrs M McGurk
Senior Licensing Officer

-----Original Message-----
From:
Sent: 16 July 2007 08:49
To: Melanie McGurk
Cc: Scott Hardy
Subject: Fw:

From:
To:
Sent: Wednesday, July 18, 2007 8:39 AM
Subject: FW:

Regards

Office no 0113 287 8808
Mobile no 0777 586 4743
Sent: 18 July 2007 07:50

Sent: Wednesday, July 18, 2007 8:39 AM
Subject: FW:

With Thanks and Kind Regards

Office no 0113 287 8808
Mobile no 0777 586 4743
Sent: 18 July 2007 07:50

Dear Mrs McGurk,
Many thanks for your prompt reply yesterday to my e-mail of 16/7/07 and for clarifying the permitted hours at this coming weekend's Moors Music Festival Event.

As I believe my wife pointed out to you by phone yesterday, we and all other locals were unaware that there was the possibility to make a "representation" to you, as no notices of the event were posted on Mr Crabtree's farm gate. I understand the applicant for a licence is supposed to do this, but clearly he didn't. I trust you will take issue with him about this ?

You state that any representation needed to be made by Sunday 15th July. May I ask why this particular date ? Are you saying that if we had known about the Moors Music Festival event and had contacted your dept on Friday 13 th July, as opposed to Monday 16th July, this would have made the slightest difference to whether or not it takes place ?

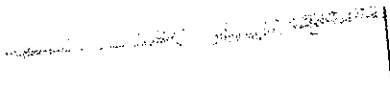
There is no way this would have been allowed to take place if this had been in the neighbouring communities of Addingham, Silsden or Ilkley. It seems to us that being where it is, it is a case of "out of sight, out of mind", but with no consideration for the scores of residents of Addingham Moorside / Small Banks. I do know that many residents of Addingham village (1.5 - 2 miles away) were also extremely unhappy with the high level of volume from last weekend's Sewer Rat's music and with it going on late into the night, as well.

The recent heavy rain combined with last weekend's Sewer Rats music event has made the field that was intended for the Moors Music Festival totally unusable. The various marquees were erected yesterday closer to the road than last year, and we now have no idea where the cars and tents will be going this time. There is certainly no room for the cars to be parked on the very narrow Straight Lane (as happened last weekend), which causes an obstruction for local residents and businesses and, more importantly for emergency services.

Yesterday, the very narrow Straight Lane was completely blocked for all traffic for quite some time by large articulated delivery lorries for the event being unable to turn round. This simply highlights the fact that this is not a suitable site for something on such a large scale, and I am absolutely amazed they have been allowed to get away with it.

I look forward to your reply to the above various points, and also to hearing from you exactly how this event can be prevented from happening again by both the responsible actions of your department and also, if necessary, by formal objections from local residents.

With Thanks and Kind Regards



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21.8.07. 24

Dad Sw,

Would you please write to me and explain how you could give a licence to the "Moo Music Festival 19-21 July 07.

The noise was unbearable and it goes on all night.

"Did you consult with any local people before issuing licences for this over the top noise?"

Yours Faithfully

LICENSING TEAM
LEGAL & DEMOCRATIC
SERVICES
ROOM 402
CITY HALL B
BRADFORD BD1 1HY

BD 1 1HY
24 AUG 07

DEAR SIRS, WE ARE PENSIONERS
& SUMMER RESIDENTS AT BROWN BANK
CARAVAN PARK, WHO HAVE BEEN MOST
UPSET BY THE HORRENDOUS NOISE AT
THE MOOR MUSIC FESTIVAL BETWEEN
THURS. 19TH & SAT. 21ST JULY THIS YEAR.
APART FROM THE DREADFUL NOISE GOING
ON HOUR AFTER HOUR AT NIGHT;
DOZENS OF CARS HAVE PARKED ON
THE NEARBY NARROW LANES CAUSING
CONGESTION. SERIOUS CONSIDERATION
SHOULD BE GIVEN TO WITHDRAWING THE
LICENCE FOR THIS OR SIMILAR TYPE
FESTIVALS TO BE REPEATED.

WE WOULD APPRECIATE
A REPLY AS TO HOW YOU ARE DEALING
WITH THIS MATTER

YOURS FAITHFULLY

30 AUG 2007

September 7, 2007

Bradford Metropolitan District Council
Licensing team
Legal and Democratic Services
Room 402
City Hall
Bradford
BD1 1HY

Dear Sirs:

Re: The Moors Music Festival 19th – 21st July 2007

I wish to inform you of my concern regarding the running of the Moors Music Festival. I own a static caravan at the Brown Bank Caravan site near Silsden which I use every week from March thro' to October each year and pay rates to Bradford Council.

As a ratepayer I would like to object to the license granted to the festival organizers for the following reasons

The music was played at full volume all night and on the Friday it went on until 2.15am the following morning. I am sure that the license stipulates that music must cease at midnight therefore if this was the case it was clearly a breach of the license, and can be classed as noise pollution and anti social behaviour as I would consider it totally unacceptable to have to listen to loud music until the early hours in what can only be classed as a normally tranquil and peaceful surroundings. In addition to this, rubbish was strewn all over the place and evident after the revellers had departed on the Sunday. Cars & vans were parked all the way down Brown Bank Lane and Turner Lane causing a danger to other road users.

I feel that the organizers showed little or no consideration to local residents in running this event and I would like you to seriously consider this when an application of renewal is applied for since they are advertising that this event "...will become bigger and better year upon year". If this is the case then local residents are going to be suffering more disruption and inconvenience and something needs to be done.

I am sure I am not the first resident to complain on this matter and I would appreciate if you could acknowledge your receipt of this letter and outline what action you can take to resolve this and future problems of staging this festival.

Yours Faithfully

10 SEP 2007

11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.4 Licensing authorities may not initiate their own reviews of premises licences. Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may however request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.5 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.6 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.7 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.8 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 11.9 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

11.10 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

11.11 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
- representations considered by the licensing authority when the premises licence was first granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

11.12 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.

11.13 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.

11.14 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.15 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

11.16 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing

objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.17 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.18 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.19 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.20 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.21 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.22 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.
- 11.23 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.
- 11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.
- 11.25 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;

- for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for unlawful gaming and gambling; and
- for the sale of smuggled tobacco and alcohol.

11.26 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.

11.27 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER

11.28 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review: The determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within 10 working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than 5 working days before the first hearing day. There must be five clear working days between the giving of the notice and the start of the hearing.