

<b>COMMITTEE:</b>	<b>CENTRAL LICENSING SUB-COMMITTEE</b>
<b>DATE:</b>	<b>22 APRIL 2013</b>
<b>TITLE:</b>	<b>APPLICATION FOR A PREMISES LICENCE – KAYA FESTIVAL, FAENOL ESTATE, BANGOR</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF REGULATORY DEPARTMENT</b>

## **APPLICATION**

An application is attached for a premises licence for the Kaya Festival, Faenol Estate, Bangor LL57 4BP from Kaya Festival Events Limited of 46 Chalkdell Path, Hitchin, SG5 2LG. The applicant aims to hold the Kaya Festival on the Faenol Estate grounds annually. The festival was held in 2012 using the licence of the Faenol estate at the time. As the festival's organisers intend to hold the festival annually at this location, a decision was made following advice from the Licensing Authority to apply for a premises licence specifically for the festival. The main aim of the festival is to introduce worldwide live music to an audience of no more than 5,000. The festival will be held this year from 24<sup>th</sup> May until the morning of 27<sup>th</sup> May.

<b>Licensable activities</b>	<b>Hours</b>
Showing films	00:00 – 23:59
Live music	09:00 – 02:00
Recorded music	09:00 – 02:00
Dance performances	09:00 – 02:00
Facilities for making music	09:00 – 02:00
Facilities for dance	09:00 – 02:00
Provision of late night refreshments	23:00 – 04:00
Supplying alcohol	11:00 – 02:00
Opening and closing hours for the public	00:00 – 23:59

As well as the above, we can see from page 12 of the application that it is intended to hold activities such as cabaret, comedy, spoken word, performed arts, circus performance and a fair-ground.

The Police have discussed the application with the applicant prior to submitting the application, and it is noted in the observations received by the Police that the application is in accordance with the discussions held, and therefore the Police does not object to the application.

## **CONSULTATIONS**

The application was consulted upon and the responses received were as follows –

<b>RESPONSES</b>	<b>OBSERVATIONS</b>
Local member	No observations
Community/Town Council	No observations
The Police	A letter – no objection
Neighbouring residents	Letter – observations
Fire and Rescue Service	E-mail – observations
Public Protection Officer, Gwynedd Council	Letter and report – object

See enclosed full details of the observations received.

## **SUMMARY OF THE OBSERVATIONS AND THE GROUNDS FOR OBJECTION**

### **Neighbouring Residents**

One letter was received containing observations which were relevant to the licensing objectives of

- Preventing public nuisance
- Preventing crime and disorder

The residents are concerned that music noise from the festival will affect them in the same manner in which noise from other large events on the Faenol estate have affected them in the past.

Concerns are also expressed regarding closing main entrance roads on the Faenol estate and directing pedestrians past dwellings, causing antisocial behaviour late at night.

### **Fire and Rescue Service**

Following a circulation of a draft application which was submitted to the relevant authorities, the Fire Service responded positively. The applicant has agreed to provide documents including risk assessments eight weeks prior to the event; it is noted that this is a positive step forward to ensure there is an opportunity for a discussion on any problems in good time before the start of the festival.

### **Observations of Public Protection Officers**

The objection is made to the application on the grounds that the applicant has failed to demonstrate that undermining the licensing objective of preventing public nuisance can be avoided.

If the Sub-committee decides to approve the application, the Public Protection officer's recommendation is to limit licensable activities to three days in any 12 month period.

The Sub-committee is also asked to include the noise conditions listed in appendix 3 of the Public Protection Officer's report if the Sub-committee decides to approve the application.

Observations were also received on the draft application for a licence from Officers with regard to Health and Safety and Food Safety issues. The importance of ensuring that relevant documents are received from the organisers in good time before the event was reiterated, to ensure there is an opportunity to resolve any problems that may arise.

## **RECOMMENDATION**

The Committee is requested to consider the application in accordance with the requirements of the Licensing Act 2003.