

# BIRMINGHAM CITY COUNCIL

<b>LICENSING SUB- COMMITTEE MONDAY, 23 JULY, 2018</b>
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**MINUTES OF A MEETING OF THE LICENSING  
SUB-COMMITTEE A HELD ON 23 JULY, 2018 AT  
0930 HOURS, IN ELLEN PINSENT ROOM, COUNCIL  
HOUSE, BIRMINGHAM, B1 1BB**

**PRESENT:** - Councillor Barbara Dring in the Chair.

Councillors Bob Beauchamp and Martin Straker Welds

**ALSO PRESENT**

Leo Charalambides – Committee Lawyer  
David Kennedy, Licensing Section  
Louisa Nisbett, Committee Services

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**NOTICE OF RECORDING**

1/230718 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**DECLARATIONS OF INTERESTS**

2/230718 The Chairman reminded Members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the Minutes of the meeting.

No declarations of interest were declared.

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**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3/230718 No apologies were received.

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**LICENSING ACT 2003 PREMISES LICENCE (GRANT) – SIMMER DOWN FESTIVAL, HANDSWORTH PARK, HOLLY ROAD, HANDSWORTH, BIRMINGHAM B20 2BY**

The following report of the Director of Regulation and Enforcement was submitted:-

(See document no. 1)

**On behalf of the Applicant**

Jesse Gerald – Chairman, Simmer Down CIC  
Jan Kimber – Vice-Chairman, Simmer Down CIC  
Sharon Palmer – Board Member, Simmer Down CIC

**On behalf of those Making Representations**

There was no one in attendance to make the representation.

Following introductions by the Chairman, the main points of the report were outlined by David Kennedy, Licensing Section.

Following a query from Councillor Bob Beauchamp it was confirmed that the address for the licence was Holly Road.

In presenting the report on behalf of applicant the following points were made with regards to the application and in response to questions from Members:-

1. The application was for an annual licence. If this was to be granted the annual festival would still need to satisfy the Safety Advisory Group (SAG) each year before it could go ahead.
2. It was felt that the organisation was now in a stable position to apply for a permanent licence and this would save time and money. Even though a permanent licence had been suggested this would not negate the input from licensing, the events team, environmental and the police etc.
3. They had held discussions with the police following the event previously to resolve any issues. They had always had a good relationship with the Neighbourhood Team and used a collaborative approach.
4. With regard to public nuisance, street parties etc being held after the event, they had worked closely with BCC and had paid for additional staff as follows:- 2 ¼ hours for additional police officers, 3 enforcement officers to work from 1215 to 2015 hours, 2 civil enforcement officers to control Hamstead Road and 2 civil enforcement officers for Grove Lane.
5. The southern end of the park was a restricted area but the park was covered well.

6. Feedback from the enforcement officers the previous year had been positive. Compared to other events they were managed well.
7. There will be 2 car parks on site. They had paid for a car park supervisor.
8. They had emailed the Head of Events regarding the complaint and he agreed that it was not practical to hold the organiser responsible for events at private dwellings following events. The police will patrol the area and take appropriate action.
9. They had met with the new Police Inspector for Handsworth and Perry Barr for a briefing which had been useful. He had visited the resident who had complained about the festival and explained the intentions of police in the case of illegal activities taking place.
10. The police had taken the concerns of the resident seriously and had visited particular premises to inform them that action would be taken should they sell alcohol etc. without a licence.
11. In relation to safeguarding children, the festival was a family event. The design and music programme, including artists for the event determined who attended and would attract a particular crowd. The event was a peaceful laid back event.
12. The issue of drugs was covered in the objectives. There was a search policy that had been previously been used by the security and to date there had not been any problems.
13. People would be turned away if they were from the wrong clientele. There were policies for searching for knives and there will be interaction between the police and security.
14. They had spoken to the Head of Events about public safety and it had been suggested as an extra fire precaution that they had a lot of sandbuckets for cigarette ends. There was no special smoking area as it was a public park. The litter pickers on duty on the day would speak to people throughout the day about their cigarette ends to minimise the risk.
15. They had considered everything that had been communicated from other festival organisers about their experiences,
16. It was confirmed that the parking areas on Hamstead and Hinstock Roads could hold approximately 700 cars and an in/out access system would be operated. This had been sufficient the previous year and there were no queues.
17. The Licence was for 19,999 people which they felt was sufficient. There were no plans to increase the numbers and in any case they would need to make an application to Licensing. They were asking for a rolling licence to keep the festival in perpetuity. Handsworth Park could hold 90,000 people, however they would not be interested in a festival for that amount of people.

18. Advertising for the event had been by word of mouth, social media, Newstyle and local radio stations, there were banners outside the park and in Perry Barr and Lozells and by the distribution of flyers.
19. First Aid plans were extensive. They had paid for a St John's Ambulance Station. There were 2 paramedics, 1 nurse, 1 doctor and 2 ambulance crews as recommended by the experts.
20. To date there had not been a problem with the public address system and noise. The stage will face the railway station line and allotments and the sound system will face away from Hinstock and Holly Roads.
21. The size of the festival was managed by the budget. There was a policy in place to control any potential overcrowding. They would monitor and feed back the numbers from the clicker system on each entrance. There were breach points for particular times of the day to assess the amount of people expected. If there was any potential overcrowding they would operate an one in/one out system similar to that used at pubs and clubs. The event areas were well away from the entrance.
22. They could not stop people holding private parties after the event, however they did take an interest in the local community. At the end of the event police would be on patrol to deal with parties etc.
23. Police numbers were influenced by other issues in Britain at the time. The police had assessed the risks using intelligence. They had good relationships with the local police and they would respond to any police advice.
24. Following previous experiences and to avoid a mass exodus at the end of the event, the main stage show would end at 1945 hours and the food stalls would close at 2030. People would then leave over a longer period of time.
25. Noise readings would be monitored throughout the day.

During the summing up the Sub-Committee were welcomed to attend the family event. It was hoped that the licence would be granted to secure the future of Simmer Down Festival. Assurance was given that proper searches would be undertaken by the Security staff and hand held wands would be used.

At 1025 hours the Chairman requested all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

After an adjournment and at 1055 hours, all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follow:-

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**RESOLVED:-**

That the application by Simmer Down CIC for a premises licence in respect of **Simmer Down Festival, Handsworth Park, Holly Road, Handsworth, Birmingham B20 2BY.**

**BE GRANTED**

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued together with the following:

The applicant is to supply an up-to date map showing the location of the designated licensed marquee each year to the licensing authority at least six weeks before the annual festival on the one Sunday in July or August in each year.

Members carefully considered the written representation made by the other person and were satisfied with the considered and detailed responses made by the applicant in respect of the questions raised by the licensing sub-committee.

The Sub Committee deliberated the operating schedule put forward by the applicant and the likely impact of the application, and concluded that by granting this application, the four Licensing Objectives contained in the Act will be properly promoted.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the application for a premises licence, the written representation received and the submissions made at the hearing by the applicant..

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

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**OTHER URGENT BUSINESS**

5/230718

There was no other urgent business.

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The meeting ended at 1057 hours.

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CHAIRMAN