

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



To: Cllr Tony Sharps (Chairman)

CS/NG

Councillors: Jim Falshaw and Mike Reece

23 February 2015

Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **FRIDAY, 27TH FEBRUARY, 2015** at **10.00 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

A G E N D A

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **APPLICATION FOR REVIEW OF A PREMISES LICENCE** (Pages 3 - 38)
For Members to consider and determine an application for a review of the premises licence at Maes Bodlonfa, Kendricks Field and the Ornamental Gardens, Mold.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **LICENSING SUB-COMMITTEE**

DATE: **FRIDAY, 27 FEBRUARY 2015**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **LICENSING ACT 2003 - APPLICATION FOR REVIEW OF A PREMISES LICENCE – MAES BODLONFA, KENDRICK'S FIELD & ORNAMENTAL GARDENS, MOLD**

1.00 PURPOSE OF REPORT

- 1.01 To request that Members consider and determine an application for a review of the premises licence at Maes Bodlonfa, Kendrick's Field and Ornamental Gardens, Mold.

2.00 BACKGROUND

- 2.01 Mr Glyn Holywell who resides in the immediate vicinity of Maes Bodlonfa, Kendrick's Field and the Ornamental Gardens has applied for a review of the premises licence at this location. The application is made on the grounds that the applicant does not feel the Licensing Objective of 'the prevention of public nuisance' was being met.

3.00 CONSIDERATIONS

- 3.01 The complete review application which was submitted by Mr Holywell on 12th January 2015 is shown as Appendix A
- 3.02 The review process must be advertised by the Authority in order to allow persons to make representations if they wish to do so as interested parties. The application was advertised by way of blue notice on the premises, in the reception areas of County Hall and on Flintshire County Council's website as required by the Licensing Act 2003
- 3.03 Relevant representations from interested parties are shown as Appendix B.
- 3.04 Relevant representations from responsible authorities are shown as Appendix C
- 3.05 The premises licence holder has submitted representations which include a proposed 'Draft Code of Practice for Noise'. These are shown as Appendix D

3.06 Location plans showing the proximity of Mr Holywell's property in relation to the premises is shown as Appendix E

4.00 RECOMMENDATIONS

4.01 That Members consider and determine the application for review of the premises licence at Maes Bodlonfa, Kendrick's Field and the Ornamental Gardens, Mold.

5.00 FINANCIAL IMPLICATIONS

5.01 None in respect of this report

6.00 ANTI POVERTY IMPACT

6.01 None

7.00 ENVIRONMENTAL IMPACT

7.01 The prevention of public nuisance is one of the four licensing objectives as laid out in the Licensing Act 2003

8.00 EQUALITIES IMPACT

8.01 None

9.00 PERSONNEL IMPLICATIONS

9.01 None

10.00 CONSULTATION REQUIRED

10.01 As determined by the Licensing Act 2003

11.00 CONSULTATION UNDERTAKEN

11.01 Carried out in accordance with Section 51 of the Licensing Act 2003

12.00 APPENDICES

12.01 Appendix A: Application for Review
Appendix B: Relevant representations from interested parties
Appendix C: Relevant representations from responsible authorities
Appendix D: Representations made by the premises licence holder.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Licensing Act 2003

Contact Officer: Gemma Potter
Telephone: 01352 703371
Email: gemma.potter@flintshire.gov.uk

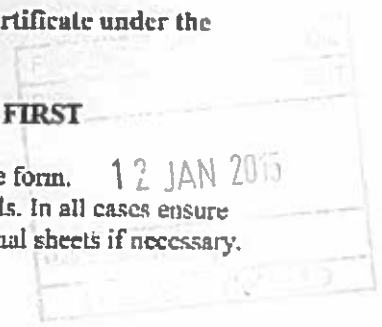
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[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the 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 that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.



I Glyn Hollywell

(Insert name 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

Postal address of premises or, if none, ordnance survey map reference or description Kendrick's Field Maes Bodlonfa	
Post town MOLD	Post code (if known)
Name of premises licence holder or club holding club premises certificate (if known) Town Centre Manager MOLD Town Council	
Number of premises licence or club premises certificate (if known)	

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

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

Please tick ✓ yes

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

Surname

HOLLYWELL

First names

GLYN

I am 18 years old or over

Please tick ✓ yes

Current postal
address if
different from
premises
address

HEULWEN
MAES BODLONFA

Post town

MOLD

Post Code

CH7 1DR

Daytime contact telephone number

01352758785

E-mail address
(optional)

g+hollywell@fsmail.net

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

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

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

Please tick one or more boxes ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

The volume of noise generated by the event over the period of 3 days in August 2014 had a significant adverse effect on the quality of our life.

The effect was cumulative, escalating to disruptive nuisance proportions over the weekend.

The effect of the event was in contravention of

- 1) Article 1 of the first protocol of the Human Rights Act viz. "every person is entitled to the peaceful enjoyment of his/her possessions"
- 2) Article 8 viz. "everyone has the right to respect for his/her home and private and family life"

Exposure to the high level of noise caused extensive and sustained changes in behaviour without the ability to mitigate the effect of the noise. The impact on our health and quality of life was such that, regardless of the intended benefits of the activity, it led to psychological stress and physiological effects.

Please provide as much information as possible to support the application (please read guidance note 3

There was no approach made to Environmental Dept of Public Protection by anyone involved with this licensing application. I have a written affidavit from Public Protection to that effect. The effect the volume of noise had on us was extremely adverse. We contacted PP to monitor the volume throughout the event. When the equipment was brought, the very location & its proximity to residential dwellings was met with dismay and incredulity by the PP official. Had the dept been consulted the very strong advice would have been to locate the event elsewhere. Measured before the event the background db level was recorded as 40dbA. The levels recorded inside our house were averaging 65dbA peaking at 70+ dbA. For every 10db increase the noise level doubles. So 70dbA represents 6 times louder. We could not sit outside in our back garden which is our usual place we enjoy. We found it extremely difficult to bear even inside with doors & windows closed. I could not listen to or enjoy a concert from the National Eisteddfod because the volume level needed on the TV had to be so loud as to be unbearable if it were to drown out the noise from outside. We became more and more agitated by the day, losing sleep with anticipating another round of thudding, inescapable, intrusive noise. My wife suffers from high blood pressure. I have had a heart attack and am on medication. We both experienced raised blood pressure ~ not a desirable state for either of us. Speaking normally was not possible. Enjoying any normal activity was impossible inside - outside was out of the question. The front garden was subjected to a similar noise level because of the reflected noise off the steel structure adjacent. **NO ESCAPE.** It was a most unpleasant period of time in what should have been a time for us to enjoy the peace, privacy and normality of our home. We suffered a significant loss of amenity and intrusion into our private life. We could not mitigate the effect of the noise due to a significant change in the acoustic character of the area. There was no escape, no remission, no relief, no respite, no refuge from the relentless, intrusive, disruptive **noise** that invaded our lives. It amounted to a persistent physical and mental assault. We don't want to experience that ever again. Anticipation of a repeat experience is sufficient to cause hypertension.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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

Please tick ✓

yes

- 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

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 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Edy J. Peggwell

Date

08. 01. 2015

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

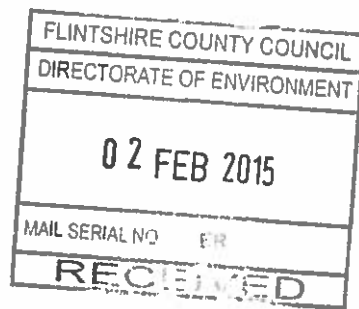
Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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Mrs P. Evans,
"Kingswood",
7 Hen Blas,
MOLD,
Flintshire.
CH7 1UZ

28 January 2015

Dear Sir/Madam,

Review of Premises Licence - Kendrick's Field, Mold

I write in regard to the above. As a partially sighted and physically disabled resident of Hen Blas, I use the pathway to Maes Bodlonfa as my preferred route into town using a mobility scooter.

I should be obliged if the pathway was preserved as a public right of way especially when events are taking place on the field.

It has been very difficult to get into town since last October to Christmas 2014 when the path was closed for works to the tennis courts.

When carnival type events are happening on the field there is no denying the considerable 'noise' nuisance these events cause, not to mention the encroachment of some participants' equipment onto the pathway, blocking access altogether.

I should be grateful if, when organising future events, the pathway remains accessible at all times.

Thank you for your consideration in this matter.

Yours faithfully,

P. Evans

Chief Officer
(Planning and Environment)
Flintshire CC
County Hall
Mold
CH7 6NF



7 Tan Y Coed

Mold

Flintshire

CH7 1LS

Tel 01352 758321

handjwhite@tiscali.co.uk

Date: 15th January 2015

Dear Sir,

Review of Licence: Kendricks Field and Maes Bodlonfa Mold - existing tarmac all-ability Public path to be added to definitive map

I refer to the public notice posted on site concerning the "Review" of this licence granted in 2014.

I write on behalf of the Ramblers Association and local walkers to point out that a very considerable "nuisance" was caused throughout the duration of the Blues event in August 2014. This was because the well-used tarmac path from Llys Preswylfa to Maes Bodlonfa was totally closed for 4 days (from the Friday to Monday) to enable preparations and dismantling as well as for the actual event. This caused great inconvenience, because this path has been used by residents of this area for many, many years to access the town centre, Town Park and Recreation ground. I complained to the organisers at the time, but they were unable to alter the layout at that time. I reported this obstruction to the Flintshire Rights of way team, and after the event, FCC have informed me in writing that this path is to be added to the definitive map as a Public right of way on foot. In future it will therefore be a criminal offence to obstruct it.

I would also point out that this path was improved a few years ago to make it suitable for a local resident who uses an electric wheelchair. I understand the possible alternative routes via roads and footways were too long or too difficult.

The path is regularly used by local "Walks for Health" walkers, and I will be proposing it as an "Active Travel Route" under the new legislation, because of its importance in this area.

I trust this major factor will be taken fully into account in any Licence Review. I would suggest that either the licence application area is amended to exclude the public path, or that conditions are imposed to prevent any obstruction of the public path.

Yours Faithfully

Howard White
Ramblers Volunteer, Mold

ER 127091

FLINTSHIRE COUNTY COUNCIL
DIRECTORATE OF ENVIRONMENT
19 JAN 2015
MAIL SERIAL NO ER
RECEIVED

9 Henblas,
Mold,
Flintshire
CH7 1UZ

21.1.2015

Chief Officer (Planning & Environment),
FCC County Hall,
Mold
CH7 6NF

Dear Sir / Madam,

Re: Public Notice
Kendricks Field and Maes Bodlonfa Mold.

The above notice invites comments from local residents in respect of the premises license which was granted last year to authorize events on the Kendricks Field.

Whilst I support Flintshire County Council (FCC) efforts to bring in entertainment and business to the local community of Mold, I feel that holding the event on Kendricks Field, given the noise levels and public nuisance it caused – especially the closing of the footpath between Llys Preswylfa via the perimeter of Kendricks Field through to Maes Bodlonfa – did not take into account the inconvenience caused to local residents.

For example: The access from Llys Preswylfa via the said footpath offers wheelchair access direct to Mold town centre, whereas the alternative footpath at the top end of Llys Preswylfa although giving direct access through to the Ruthin road, does not cater for wheelchairs or prams etc. This is because the barriers are set too close together. Also the access via this alternative footpath is too steep for wheelchairs.

If the footpath is closed to Kendricks Field, the alternative route for wheelchairs into Mold town centre is via Greenside and Clayton Road. Not an easy option.

In respect of the noise levels at these events, it seems that the artists take great delight in trying to deafen everyone. During the August event, it was possible to clearly hear the music in Mynydd Isa.

It's the noise which is the nuisance, but equally on this occasion the footpath issue and access to Mold for residents as well.

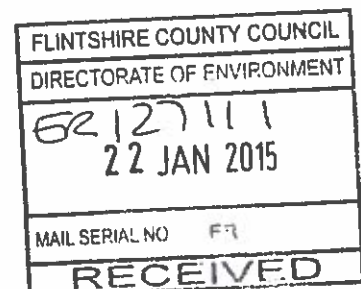
If this is going to be an annual event, then why not hold them well away from the town centre and residential areas, with a free park & ride service. Similar to when Mold hosted the eisteddfod event some years ago.

On a different issue, what is the new Daniel Owen Square going to be used for?

Yours truly,


.....
B.K.NORRIS

Email: bryanandmargaretnorris@talktalk.net

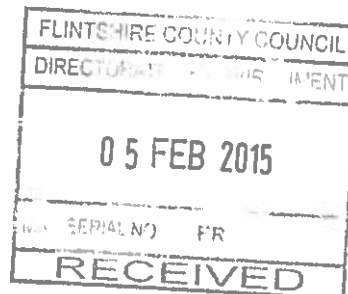


Licensing Section

MR A CATHERALL
16 RUTHIN ROAD MOLD FLINTSHIRE CH7 1QQ.

03 February 2015

Chief Planning Officer
Flintshire County Council
Phase 4
County Hall
Mold
Flintshire
CH7 6NF.



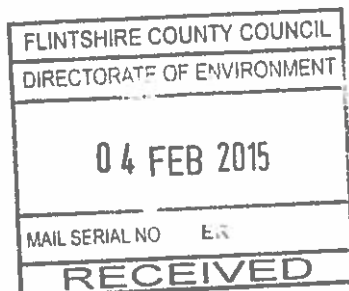
Prevention of Public Nuisance

Dear Sir

I support Mr Glyn Hollywell in his application for a review of the Club Premises Licence granted for Kendricks Field Mold. As a resident of Ruthin Road directly facing Kendricks Field I am in a position to complain about the noise levels generated during the 2014 Blues Festival which were excessive and unacceptable. It seems rather odd that Licence conditions for a Music Festival to be held in a residential area make no mention of noise as a possible problem therefore this review would provide an opportunity for conditions to be added to restrict entertainment noise levels to those that are permissible in residential areas in order to prevent a public nuisance. If there are Statutory Requirements that are relevant to these circumstances I trust Flintshire County Council will take steps to ensure that future events will give no cause for justifiable complaint for noise nuisance or loss of amenity.

Yours Faithfully

A Catherall



FLINTSHIRE COUNTY COUNCIL
DIRECTORATE OF ENVIRONMENT
09 FEB 2015
ER127276
MAIL SEPT NO ER
RECEIVED

29. Rethin Rd.
Mold.
Feb 28th.

Dear Sir,

I am writing to tell you my opinion of the Blues and Soul event held last year on Kendrick's field. As you can see by my address I live very close to the event site.

The event went on for three days, afternoon and evening. I found the music extremely loud, as the noise from the music was bouncing back off the houses across the road. It was so horrendously loud that by the evening I was really distressed. I thought I was going mad, as I felt just like a Zombi.

I hope you will consider my letter and my feelings about the Blue and Soul event.

Yours sincerely,

Ruthin Castle

75 New St,

Mold,

Flintshire CH7 1NY

FLINTSHIRE Tel: 01352 750749
DIRECTORATE NAME
FLINTSHIRE COUNTY COUNCIL 09 FEB 2015
MAIL SERIAL NO. ER
RECEIVED

2nd February 2015

Dear Sir

I am the licensee of the Ruthin Castle Pub in New Street, Mold and am writing in support of Mold Blues and Soul Festival and it continuing to run on Kendrick's Field in the town.

Last year the event really helped my trade for the first weekend in August and I know it had similar effects for other pubs in town. The pub business has struggled for some time now generally and Mold is no exception with a number of pubs closing in the town. Those of us that remain have to continually look for different ways to make a reasonable living – if we close then only the town and its residents will suffer. Events such as the Blues and Soul Festival must be encouraged and locations such as Kendrick's Field are ideal to hold them on.

During last year's festival I had one of my busiest weekends for a good while and welcomed visitors to the town from near and far, who also spent money in other pubs, shops and restaurants. Please allow it to continue.

Thank you,



To: James Lowe
Licensing Officer
Planning & Environment
Flintshire County Council
County Hall
Mold CH76NF



Kendricks field Licensing hearing
Martin Kirby to: Gemma M Potter
Cc: Scott Rowley

06/02/2015 09:33

History: This message has been replied to and forwarded.

Hi Gemma,

Based on the recordings obtained last year at Mr Holywells property, the actual noise level whilst the event was underway were generally around the 65 dBA mark, with louder acts peaking at 70 dBA. The noise level directly before and after the event was approx. 40 dBA.

The above results indicate that whilst the event was underway there was between 25 -30 dBA increase over residual noise at Mr Holywells property.

In my opinion the detrimental effect of the noise from the mold blues festival upon Mr Holywells property is large.

There is obviously an argument that this sort of event is for the benefit of the area etc. which is valid. However, I would suggest that if further events of this nature are planned that a more suitable venue be found if possible e.g. a venue with a far greater distance between the speaker system and surrounding residential property.

However, if the festival is to stay at Kendricks field I would advise that Mold Town Council adopts the CIEH/Noise Council code of practice for festival events, so as to minimise any detrimental effect on the surrounding residents. This is the same code of practice as Mold Town Council have recently forwarded to Licensing for approval.

This code of practice outlines a noise level of 65dBA/15min for the sort of area which Kendricks field falls into. This noise level is obtainable as recordings from last year show that they were nearly achieved, therefore, a slight reduction in speaker system output will achieve this.

I trust that this has been of assistance.

Regards

Martyn

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MOLD TOWN COUNCIL
CYNGOR TREF YR WYDDGRUG

Town Hall
Earl Road
Mold
Flintshire
CH7 1AB



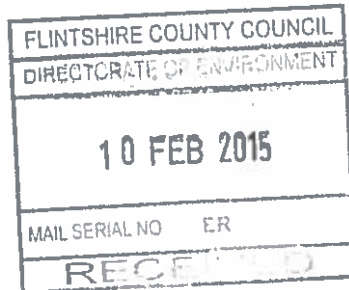
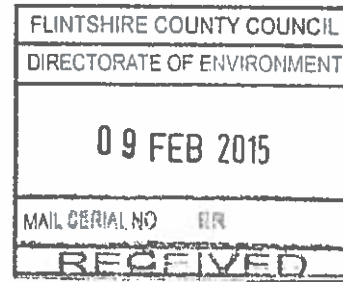
Neuadd y Dref
Ffordd yr Iarll
Yr Wyddgrug
Sir y Fflint
CH7 1AB

Telephone: 01352 758532
Fax: 01352 755804

Ffôn: 01352 758532
Ffacs: 01352 755804

www.moldtowncouncil.org.uk

Mr James Lowe
Licensing Officer
Planning & Environment
Flintshire County Council
County Hall
Mold
CH7 6NF



9 February 2015

Dear Mr Lowe

Review of Premise Licence – Kendrick's Field, Mold

Please find enclosed a copy of the Town Council's draft Code of Practice for Noise together with the summary report provided to Town Council members last September following the first Blues & Soul festival. The draft Code of Practice is subject to amendments and is due to be considered and approved at the next meeting of the Town Council on 25th February 2015.

Mold Town Council recognises the economic, social and environmental benefits of promoting Mold as a vibrant and successful market town. And in so doing, commissioned a study published in 2010 called "Mold Sense of Place Feasibility Study" in conjunction with Flintshire County Council and Cadwyn Clwyd, funded through the Rural Development Plan.

The link to the report is <http://cittaslowmold.co.uk/space-place/space-place-sidebar/sense-of-place-study.html>. Within the report it makes reference to an Events Ground Options Appraisal where you will find the process taken to determine Kendrick's field as the most suitable site for future events for Mold.

The report was agreed and approved by Mold Town Council and Flintshire County Council, and signed off by the then Mayor of Mold Councillor Chris Bithell and the then Executive Member for Regeneration and Tourism Councillor Matt Wright.



e-mail • e-bost:
townclerk@moldtowncouncil.org.uk
towncentremanager@moldtowncouncil.org.uk



I would be grateful if consideration could be given to the information provided when determining the continuation of the Premises Licence currently held for Kendrick's Field by Mr David Hill for Mold Town Council.

Yours sincerely,

A handwritten signature in cursive script that reads "S. Roberts".

Samantha Roberts
Clerk and Finance Officer



VOLUNTARY CODE OF PRACTICE CONTROL OF NOISE AT EVENTS IN MOLD

INTRODUCTION

1. Mold Town Council organises and supports entertainment and cultural events within the community that include music and other amplified sound. However, the Council is also keen to ensure that an appropriate balance is achieved between the organisers' objectives, an attendee's enjoyment of such events and the interests of the community at large, who may be affected by such functions.

2. The Town Council's overarching aim is to protect and whenever possible enhance Mold's ongoing vibrancy and vitality, through economic activity, social, religious, cultural and community experiences. It seeks to support the town's residents, visitors and workers in all instances by ensuring the greatest community benefit is realised in its undertakings and decisions.

3. By adopting this voluntary Code of Practice, the Town Council is following best practice identified within the national Code of Practice on Environmental Noise Control at Concerts issued by the UK Noise Council in 1995 (ISBN: 0900103515) and publications issued by various Local Authorities across the UK.

PURPOSE OF THE CODE

4. This document sets out the Council's approach in respect of controlling noise from outdoor events. The approach is essentially one based on active engagement with the town community potentially affected and close liaison with County Council's Environmental Protection Team, to ensure that the potential for noise disturbance is minimised at any town event. The document outlines a voluntary framework the Town Council will adopt with such events.

5. The Council hopes that by following this code of practice - as well as complying with identified best practice and relevant legislation - the right balance can be achieved between the needs of the event organiser, musicians who are performing, the wider town community and the right of the individual not to be unduly disturbed by noise emanating from such events.

APPROACH

Code of Practice on Environmental Noise Control at Concerts

6. This national Code of Practice was issued by the Noise Council and is the most up to date guidance on the control of noise from outdoor concerts. It is available from the Chartered Institute of Environmental Health.

7. The Code of Practice recommends the sound levels that should be achieved at noise sensitive premises for events that take place between the hours of 09:00 hrs and 23:00 hrs. The recommended sound levels are dependent upon the nature of the area and the number of events held in a year.

8. Noise sensitive premises includes premises used for residential purposes, hospitals or similar institutions, education establishments (when in use) or places of worship (during recognised times and days) or any premises used for any other purposes likely to be affected by the Music Noise. Allowance is made within the Code for the frequency venues are used to hold concerts.

9. The table below indicates the maximum Music Noise Levels (MNL) recommended by the code of practice for functions that do not go beyond 23:00 hours. MNL's are measured externally and at a distance of 1 metre from the façade of any noise sensitive premises.

Concert days per calendar year, at the same venue	Venue Category	Guideline
1 to 3	Urban Stadia or Arenas	The MNL expressed as an L_{Aeq} should not exceed 75dB(A) over a 15 minute period
1 to 3	Other Urban and Rural Venues	The MNL expressed as an L_{Aeq} should not exceed 65dB(A) over a 15 minute period
4 to 12	All Venues	The MNL expressed as an L_{Aeq} should not exceed the background noise level by more than 15dB(A) over a 15 minute period

10. The Town Council will adopt the Venue Category of sites within the town boundary being classified as "Other Urban and Rural Venues".

Operational Guidelines - Noise Conditions

11. All events organised within the town under the auspices of the Town Council will be properly licensed and the relevant landowners permission obtained.

12. Within the event plan for a music event in the Town, the following guidelines will be followed:

- a. All amplified music in an outside marquee or in the open air shall finish no later than 2200 hours.
- b. Rehearsals and sound checks are permitted only between 1100 and 2100 hours.
- c. Music from the concert or event is permitted only between 1100 and 2200 hours.
- d. Music from other sources (e.g. food traders, fairground rides) is permitted only

between 1100 hours and 2100 hours.

e. The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not at any noise sensitive premises, exceed 65dB(A) over a fifteen minute period throughout the duration of the concert or event, including during any rehearsal or sound check.

f. The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not at any noise sensitive premises, exceed the appropriate level over a fifteen minute period in the 63Hz and 125Hz octave frequency bands (the Bass Levels) throughout the duration of the concert or event, including during any rehearsal or sound check.

g. The Event Organiser shall liaise closely with any Event Sound Providers regarding acceptable sound levels and have full control in directing sound amplification volume levels provided.

h. The Event Sound Providers shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of the sound control limits and ensure that any instructions from the Event Organiser regarding noise levels are complied with.

i. An Event Noise Monitoring Officer will be appointed for all music events who will regularly monitor noise levels around the boundary of any site and particularly within the vicinity of any noise sensitive premises during the course of the event. S/he will respond as soon as possible to investigate any complaints of noise received.

j. The Event Noise Monitoring Officer will be competent in the use of any noise monitoring equipment and especially able to measure the following three parameters during the event to ensure compliance with the recommendations included in the Code of Practice on Environmental Noise Control at Concerts:

~ LAeq, 15 mins

~ LAeq, 1 min

~ monitoring frequency levels in octave bands, particularly the 63 and 125 Hertz octave bands (bass levels).

k. A Noise Complaints hotline will be maintained by the Event Organiser and all complaints about noise received by the hotline / site office / Event Organiser shall be logged and responded to by the Event Sound Provider within 10 minutes of the complaint being received.

l. The Event Organiser shall effect full control over traders or other organisations on site where there is amplified music being played and instruct volumes to be reduced or the playing to cease, or if necessary, equipment confiscated if volume levels are not reduced to a satisfactory level.

m. Generators will be placed away from residential properties and if possible behind a building or screen. The quietest generators available will be used.

n. The Event Organiser will ensure that any Event Sound Provider used for any concert or event in the town, is professionally competent, carries appropriate third party insurance liability cover, provides appropriate risk assessments for all of their activities together with method statements where required.

Bands and Live Music

13. The amplification of most bands consists of amplifiers and speakers for the instruments and vocalists. The sound is mixed and balanced by a Sound Engineer at a sound desk prior to the performance. The Sound Engineer will be instructed to:

- use noise limiters/compressors (where appropriate) to set the maximum volume for music
- set maximum levels for the low frequency levels (bass) as these cause the most disturbance to local residents
- ensure performers are aware of the sound around them by the use of a "backline" of speakers positioned on stage and set to ensure the agreed sound levels during performances. The Event Sound Provider will ensure that levels are set accordingly.
- The Event Sound Provider will ensure that the output of the sound system is appropriate to the expected crowd levels, i.e. the general rule is 1kw of output per 100 people in the expected audience numbers
- The Event Organiser and Event Sound Provider will ensure that performers booked to appear are aware of the need to be sensitive to potential noise problems and should accept restrictions that may be imposed.
- The Event Sound Provider will ideally engage a maximum of TWO sound engineers for any particular event, so that standards and common understanding are maintained throughout a concert or event.
- Where more than one entertainment venue is proposed they should be spread throughout the town or across the site. Simultaneous performances will be held at different places so as to minimise the likelihood of large crowds being drawn to one place and will avoid music from one sound system interfering with another and noise levels being increased as a result.
- The Event Organiser will pay particular attention to the potential slippage in performances and ensure that sufficient change over time is allowed between bands to allow for minimising the potential for any overrun of programmes.

Proactive Neighbour Management

14. To ensure the impact on neighbours of any event is minimised the Event Organiser will ensure properties in immediate vicinity are identified in good time and the occupiers written to. Neighbours will be advised of:

- Dates and times of any music event.
- The name and contact details of the Event Organiser.
- A summary of the Noise Management approach.
- The complaint procedure including a telephone hotline number for use during any event.
- Any agreed acknowledgement benefit (i.e. entitlement to complimentary admission) the Event Organiser has agreed.
- How they can provide their observations (positive or otherwise) on the event during or subsequent to the event.

15. Any noise complaints will be taken seriously and dealt with in a professional way. We will endeavour to:

- Ask the caller for their name, address and contact number;
- Advise the caller that their complaint will be investigated;
- Listen to noise levels near the caller's property
- Take action to deal with any noise problems;

- Call the person who made the complaint to let them know what has been done.
- Keep a proper record of the details of the complaint and action taken.

16. Noise issues will form part an Event Debrief, including any complaints received and action taken. Details will be referred back to the Town Council within any post event report for consideration by elected members.

CONCLUSION

17. Mold Town Council believes that the right balance can be achieved between the organiser's objectives, the attendee's enjoyment and the rights of the local community not to be unduly disturbed by noise through the adoption of the a foregoing voluntary Code of Practice.

Author: David G Hill - Mold Town Manager
Date: February 2015

Mold Town Council

UPDATE & DECISION PAPER

AUTHOR: David Hill – Mold Town Manager

DATE: 17th September 2014

SUBJECT: Mold Blues and Soul Festival

1. Background

The first Mold Blues and Soul Festival ran for the first time over the weekend 1st to 3rd August 2014 on Kendrick's Field, Mold. Kendrick's Field was chosen due to its size, well managed nature and proximity to the town – Kendrick's Field has been identified within the town Sense of Place study as the best location for events within Mold after consideration had been given to several other locations. To that end and whilst other events had been held here, the Blues and Soul Festival was the first occasion that an event of potential has taken place. It was very much therefore a learning curve by the those involved.

An Organising Group of volunteers (including a number of Town Councillors) under the Chair of the Town Manager was established, however it wasn't until Monday 19th May that Kendrick's Field became licensed by the Town Council for events. The lateness of gaining the necessary licence meant that timescales were tight, marketing opportunities reduced and organisational challenges increased in order to deliver a successful festival in 2014. If the event had not gone ahead this year however then secured grant funding would have been lost.

The Blues and Soul Festival had the following objectives/ proposed outcomes:

1. In Year One, to attract 3000 visitors to the town / rural area to attend the event.
2. In Year One, 10% (300) to either shop/stay/use services locally.
3. To generate an uplift in revenue for local relevant business.
4. To develop greater local satisfaction/cohesion/pride within the community.
5. To create a financially self-sustaining event within the Mold area.
6. In the longer term, to provide financial contributions to other community events and activity.

Grant funding was secured from the following sources:

Cadwyn Clwyd	£5,000.00
Flintshire County Council	£5,000.00
Mold Town Council	£2,000.00

Within the event business plan additional costs were to be met through admission charges, sales, sponsorship and concession charges based on securing 500 people per day attending during the first year.

2. Organisation and activities

The Festival took place from 5pm until 9.30pm on the Friday and from Midday until 9.30pm on the Saturday and Sunday as the venue has a condition on the Premises Licence of activities up to

10.00pm only and the Organising Group were desirous of helping trade in town centre hospitality venues. Nearly 1100 people attended over the weekend with the majority attending on the Saturday itself. The weather played an important part in limiting numbers attending for whilst the festival itself experienced only a few drops of rain over the 3 days, widespread downpours and even flooding occurred in north-east Wales and Cheshire. Many people commented that the weather forecast played a big part in their decision as to attending or not. Additionally, being a new event and for which marketing started relatively late in the day, many people stated that they didn't know about the festival until after they had made alternative plans.

The event was also supported by a large number of volunteers over the weekend. Where appropriate, professional services were provided by local companies who also offered support / financial commission towards the event.

Of particular note significant support from business was provided by:

- NWN Media
- Event Sound
- RAAR Bars
- Tents & Events
- Wall Signs

Not counting the Organising Group itself, 73 community volunteers came forward to provide 1130 hours of volunteer time, which equates to nearly £7500.00 of value at £6.50 per hour. This tremendous community contribution reflects the passion of the town to make the Blues and Soul Festival happen.

Four local pubs featured Blues and Soul performers in their premises during the Festival and the Town's Pubwatch has reported back saying:

"Feedback from local pubs is that the event was a success. The pubs that hosted bands would do so again given the opportunity. Levels of trade varied between the pubs with some having a big increase in trade (Ruthin Castle) and others saw increases in food trade during the day. No pubs reported a loss of trade as a result of the festival."

As a new event, pricing was deliberately kept affordable with an early booking offer and a family ticket included. It was commented by local people however, that perhaps an evening offer could have been included for the Saturday and Sunday. Visitors from further afield however, thought that the event represented extraordinarily good value for money, as more established festivals could easily charge from £35.00 upwards for the main days and the Mold Festival was only charging £12.00 in advance and £15.00 on the day for adults.

The whole event passed without incident and the County Council was happy with the state of the venue field post the festival.

3. Complaints

Two complaints of note were received about the Festival.

- **Complaint of Noise**

At the time of gaining the Premises Licence for Kendick's Field three local residents came forward with concerns and objections. Those concerns were addressed via the County Council Licensing Committee and also imposing conditions on the licence including; that events must be concluded by 10pm, no alcohol could be brought onto or leave the site and a maximum of 10 event days could be held per year.

The Festival organisers ensured that the above conditions were precisely kept, however were surprised to subsequently receive the attached letter (appendix A) from Flintshire County Council's Pollution Control Section. Not only was noise monitoring equipment installed in a

resident's house prior to the event itself, but also the organisers were not informed of this fact until later. The Town Council now has to respond to that letter.

Event Sound Limited who provided the festival stage and sound services, undertook as part of their event Standard Operating Procedures, pre-event and during event sound checks and also provided a report on their sound monitoring activities (full report available from Town Manager if required). The monitoring was undertaken in the immediate vicinity of neighbouring properties to the side and on the boundary of Kendrick's Field alongside Ruthin Road. The results showed that the background noise for the two properties were an average over 10 readings on 2 different days were 50.06dBA and 50.4dBA and alongside Ruthin Road 66.4dBA. During the event itself over 3 days noise levels over multiple readings were in-line with the levels reported by Flintshire County Council for the monitored property although understandably slightly higher alongside Ruthin Road.

To put the reading into context, a table showing decibel levels of common sounds (appendix B) is attached for information and comparison purposes.

Guidance for noise levels at concerts is included within the *Noise Council Code on Noise Control at Concerts (1995)*, which recommends that music concerts at venues similar to Kendrick's Field should not have music noise levels of more than 15dB(A) over a 15 minute period, above the background noise level taken at a 1 metre distance from the façade of a sensitive building. Background noise levels should also be taken externally and not internally to any building.

Whilst the precise location of the sound monitoring is not known, it is worth noting that one neighbour who had raised concerns and objections to the event taking place, was observed by a number of people to have their windows and doors open during the Festival. Additionally, the County Council Pollution Control Section have commented that the internal background noise levels before and after the event were approximately 40dBA, which equates to that experienced in a Library. The pertinent guidance suggests that monitoring should be external and not internal, which appears not to have been the case.

Of note, whilst one unidentified resident has obviously taken steps to bring-in the County Council's Pollution Control Section in advance of the event, the nearest and most affected neighbour has chosen to write to the Town Manager stating:

"I would just like to confirm that both my wife and I enjoyed the recently held Mold Music Festival held on Kendrick's Field which is next to our property".

That resident has also verbally commented that he had absolutely no problem with the volume levels of the music experienced during the Festival.

It is difficult therefore to understand or concur with the County Council officer's conclusion that *"this level of noise is significant in terms of disruption to the householder, whose property is very close to Kendrick's Field."*

- **Closure of footpath**

A complaint was received from the local Rambler's Association representative just before the day of set up for the Festival, regarding the closing of a footpath leading from Llys Preswylfa through to the Maes Bodlonfa via the Ornamental Gardens and alongside Kendrick's Field. The footpath was closed primarily for security reasons and also safety of pedestrians at the junction of the footpath with the main field entrance for vehicles to Kendrick's Field. Notices were put up one week prior to the event advising of the closure and alternative (if slightly longer) pedestrian routes are available.

The closure was identified within the licence granted by Flintshire County Council for the use of the venue, but on receipt of the complaint the situation was checked out with the County

Council's Footpath Access Officer to be told that the Town Council's actions were perfectly legitimate and legal as the footpath had never been designated by the Council itself. Since then however, the Ramblers Association have sought to have the footpath so designated which the County Council have agreed to approve as such. In future therefore, an acceptable alternative route has to be available AND the Town Council will have to apply for a closure order in advance of the event.

No further complaints and concerns have been expressed about the Festival; in fact the opposite has been true with many comments received on the excellent organisation and community consideration displayed by the organising group.

3. Survey of attendees and stakeholders observations

A Visitor Survey was undertaken both at the event and subsequently on-line via Social Media and the festival website. 156 questionnaires (which is a strong representative sample) were completed and additional comment received from a number of sources connected with or affected by the festival, some of which are highlighted above.

The definitive analysis is available if required, however the results can be summarised as:

- Attendees came primarily from the Mold area or within 45 minutes drive of the town. However attendees also visited from as far afield as Kent, London and Surrey with higher number attending from the Manchester and Liverpool areas.
- A number of visitors to the town stayed in local hospitality accommodation or camped in the area.
- 60% of Attendees came to Mold specifically for the festival and of those gone on to do other things in the town such as shopping, sightseeing, eating / drinking in the town. If the sample is representative then at least 350 additional people would have gone for a drink and 200 ate out locally.
- 15% of Attendees had never visited Mold previously and a further 9% only on 1 occasion.
- 88% of Attendees thought that the band line-up was excellent or very good, with 76% saying that they would definitely come again and a further 17% saying that they would probably come again.

The economic impact could be calculated if required, however this hasn't been undertaken currently.

Overwhelming numbers of positive comments were made which included:

- I go to a lot of festivals. I thought this was very well organised. I stayed in my motor home up at the camping site and it was a bit of a slog back there after a few Black Bart's!
- Make sure it happens every year!!
- Make it slightly cheaper... but otherwise brilliant.
- Advertise more widely – fantastic.
- Either make it a music festival, or a jazz/blues festival - for me it was a mixture and I came for what the title said it would be, that is jazz & blues.
- There was a little too much room; because it wasn't massively busy all the excess room made it look a little bare.
- Later finish
- I wouldn't change much to be honest. Keep going and the crowds will come.
- A boarded area for dancing would be a luxury as we found it hard work jiving on grass. However it was sunny so mud wasn't an issue!
- Maybe £10 entrance fee to encourage people to attend in the evening if unable to attend all day, £15 put people off coming just for the evening
- Atmosphere was lacking - difficult to engineer but perhaps more encouragement to stand and dance - difficult to dance in my seat but I did!

- Sound was superb. Great effort for first festival. Congratulations. £1 a programme would have been acceptable. Already looking forward to next year.
- Need to promote it earlier. We would have attended for three days had we known about the event earlier – we got there early Saturday and stayed overnight but had to leave on Sunday. I'm sure you'd get bigger numbers if you advertise earlier - we'll bring more people with us if you run it next year so fingers crossed.
- Cannot fault it. How to get more people to come along? Just to keep the line-up nicely balanced, with not too much of one 'genre'.
- First off, fantastic value for the ticket price and the acts were surprisingly good and varied. Well organised and food and drink reasonably priced also.
- Thought the Mold Blues and Soul Festival was absolutely amazing. What a wonderful warm hearted crowd & atmosphere. The festival was so well organised and thought out & the sound was flipping awesome.
- I'd just like to say a huge thank you and congratulations to all the organisers and volunteers. It was a wonderful event. Great music, fantastic atmosphere and well organised. Glad to see Hafod brewery there with my favourite ales! Excellent musicians and stalls, something for everyone. Still buzzing from it all!
- I live in Sale, Cheshire & found out about the festival through my friend who found out via the local auctioneers in Mold. Bought weekend tickets despite worries about weather (which turned out fantastic). I stayed locally in Pantymwyn, arrived for the start at 5pm Friday & was there till the end on Sun night. Even bought the T shirt!! Enjoyed every minute! All brilliantly talented musicians and fantastic vocals. From the bluesy chilled sounds to the funky dance sounds. The event was well organised and all went smoothly. No sound problems or issues. Food and drinks reasonably priced and was everything we needed. Well done ALL involved. Deffo looking forward to Mold Blues & Soul 2015. All I would say is advertise it further.

In addition, local news and the specialist website "Blues in the North-West" provided a great feature extolling the festival and seeking it to continue and grow in future years. That website has 30,000+ followers!

4. Budget and Finance

The total costs of putting on Mold Blues and Soul Festival for the first year amounted nearly £29,000 however the event secured grant funding of £12,000 as referenced above. Numbers attending were less than envisaged, mainly due to the weather, time for marketing / advertising and that this Festival was a brand new venture.

All involved with running festivals of this type state that it takes at least 3 years to start making them successful as an event become known and more established. Locally, it took Mold Food and Drink Festival 3 years before it began to become sustainable and even today (9 years on) receives grant assistance from a number of sources.

Whilst figures are still being finalised, Mold Blues and Soul Festival in 2014 will have made a small operational surplus, after VAT has been reclaimed by the Town Council. A full financial statement is available from the Town Clerk, if required. The surplus would not have occurred however without the grant funding and generous support of the businesses identified in Section 2 above. Whilst confident that the same businesses will continue to support the venture, the actual level of financial support experienced in 2014 cannot and should not be relied on. It is clear that should Mold Blues and Soul Festival become a regular feature in the Mold calendar that for the next 2-3 years that grant funding / sponsorship will need to be secured in the region of £12-15,000.

5. Conclusions

All those involved with organising the event have concluded that for the first year Mold Blues and Soul festival was a resounding success, especially given the challenging circumstances that had to be overcome to make it happen and of course the weather!

On comparing against the initial objectives the following is evident:

In Year One, to attract 3000 visitors to the town / rural area to attend the event.

-Not achieved

In Year One, 10% (300) to either shop/stay/use services locally.

- Achieved

To generate an uplift in revenue for local relevant business.

-Achieved

To develop greater local satisfaction/cohesion/pride within the community.

-Achieved

To create a financially self-sustaining event within the Mold area.

-Not achieved

In the longer term, to provide financial contributions to other community events and activity.

-Too early to tell

Organisational conclusions:

- a. The Organising Group believe that a Blues and Soul Festival in Mold, remaining true to its original intentions, has great potential for the town. Year 1 was a success, even though it has only just covered its costs, and requires at least 3 years effort and growth for the event to become established.
- b. Grant / sponsorship funding will be required for the next 2 years (at least).
- c. The Organising Group of volunteers must be encouraged if the event is to continue and ongoing Town Council support is vital to success.
- d. The complaints identified above have to be responded to appropriately by the Town Council.
- e. The Blues and Soul Festival can become a valued and sustainable asset to the town in terms of vibrancy and vitality. It has the potential for the future to generate revenue for other events and activities.
- f. Kendrick's Field is the best location in Mold for events of this type in the town and the necessary infrastructure needs to be developed further.

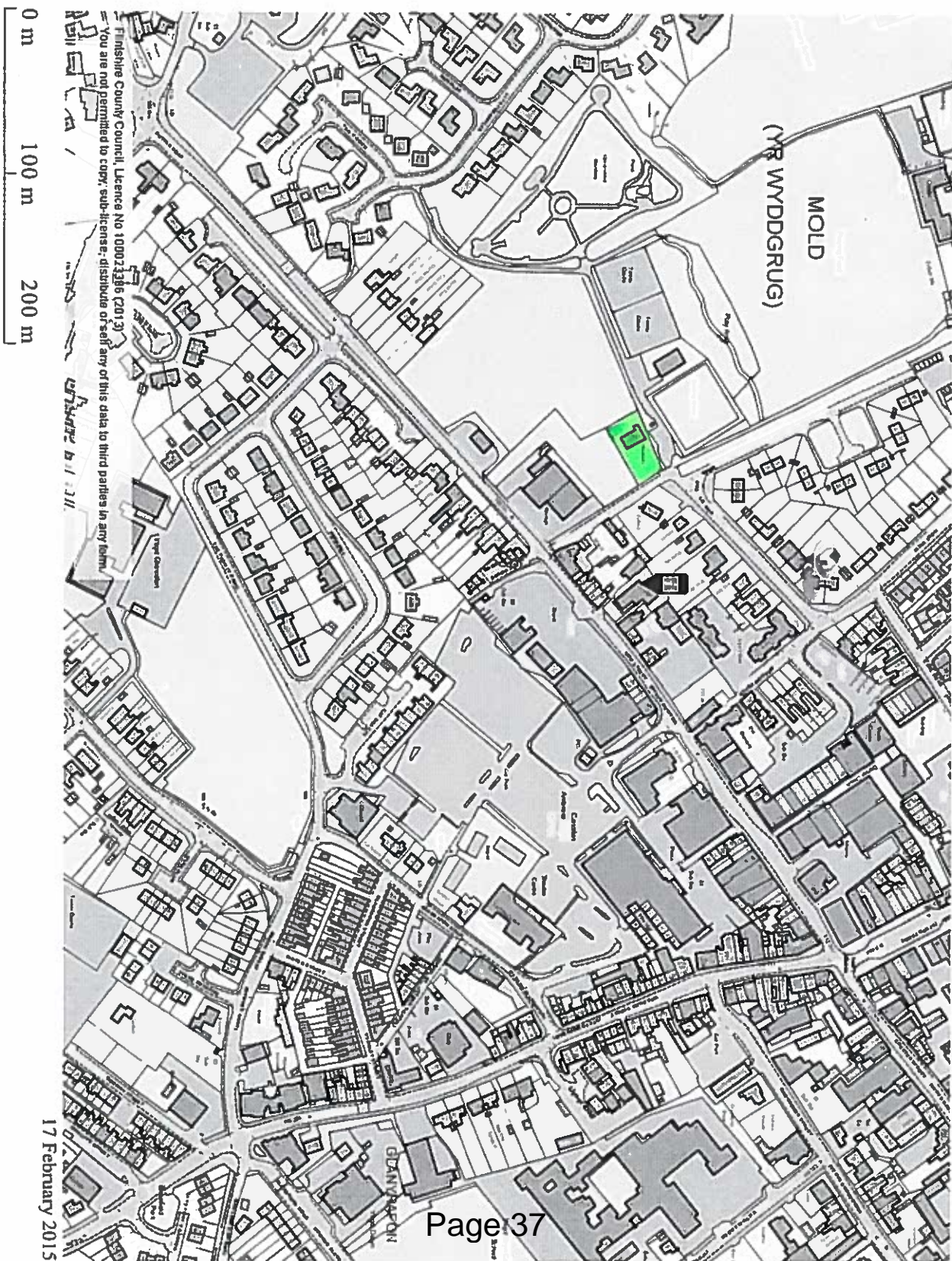
DECISIONS REQUIRED

- 1. To agree the conclusions (and any additional) identified.**
- 2. If agreed, to determine whether the Town Council supports the organising of a Blues and Soul Festival (in principle) for 2015 on Kendrick's Field.**
- 3. If agreed, to determine the level of Town Council support to be provided to the event.**
- 4. If agreed, to determine the nature of the response to the specific complaints identified.**

David G. Hill
Town Manager

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