Public Document Pack

Date of meeting Wednesday, 16th December, 2015

Time 10.00 am

Venue Council Chamber, Civic Offices, Merrial Street,

Newcastle-under-Lyme, Staffordshire, ST5 2AG

Contact Julia Cleary

Licensing Sub-Committee

AGENDA

PART 1 - OPEN AGENDA

5 Application Form and Conditions Consistent with the Operating Schedule - Supplementary Information (Pages 3 - 10)

6 Letters of Objection - Supplementary Information (Pages 11 - 40)

Members: Councillors Eastwood, Hambleton and Welsh

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums: - 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

FIELD_TITLE

Officers will be in attendance prior to the meeting for informal discussions on agenda items.



[Classification: NULBC UNCLASSIFIED]

Dear Licensing / Julia

Please could the email below be added to the supplementary evidence pack for Colourville Festival

Thanks, Claire Ryles

Licensing Enforcement Newcastle Under Lyme Borough Council (01782) 742524

www.newcastle-staffs.gov.uk

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From: Richard Buxton [mailto:hippyhippy@hotmail.co.uk]

Sent: 10 December 2015 20:40

To: Ryles, Claire

Subject: Re: [UNCLASSIFIED] Colourville LTD company details

Hi Claire

The 3 directors of Colourville Limited are Richard Buxton, Gavin Donlon & Edward Cavenagh-Mainwaring.

Thanks

Richard Colourville Ltd

From: Ryles, Claire < Claire < Claire.Ryles@newcastle-staffs.gov.uk

Sent: 10 December 2015 13:17 **To:** hippyhippy@hotmail.co.uk

Subject: [UNCLASSIFIED] Colourville LTD company details

[Classification: NULBC UNCLASSIFIED]

Dear Richard

I am aware that you are one of the Directors for Colourville LTD. Please could you provide the names of the other Directors and confirm that you are the person appointed to speak on behalf of Colourville LTD.?

Thanks, Claire Ryles

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Dear Julia

Please could the email below be added as supplementary evidence for the Colourville Festival.

Thanks, Claire Ryles
Licensing Enforcement
Newcastle Under Lyme Borough Council
(01782) 742524

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From: Richard Buxton [mailto:hippyhippy@hotmail.co.uk]

Sent: 09 December 2015 16:46

To: Ryles, Claire

Subject: Re: [UNCLASSIFIED] FW: Clarification of application for Colourville Limited Application

Claire

We agree that the information in your email is correct.

Richard Buxton Colourville Ltd

From: Ryles, Claire < Claire.Ryles@newcastle-staffs.gov.uk

Sent: 09 December 2015 09:40:11 **To:** hippyhippy@hotmail.co.uk

Subject: [UNCLASSIFIED] FW: Clarification of application for Colourville Limited Application

[Classification: NULBC UNCLASSIFIED]

Dear Mr Buxton

As per telephone conversation and for clarification purposes ahead of the Licensing Hearing to be held next week please could you confirm:

 That the appendices attached to the original application listing all 35 conditions agreed between Staffordshire Police and Environmental Health (a copy of which can be found on pages 51-59 of the public document pack) are to form part of the operating schedule for this application?

- Burlesque entertainment will only take place after 21:00 hours in the cabaret marquee. No Unders18's will be allowed in the cabaret marquee after 19:00 hours and this will be managed by SIA registered staff at each entrance of the cabaret marquee?
- At any time on any day this event will not involve full nudity, gaming machines or showing of films of any classification?

Please could you respond as soon as possible.

Thanks, Claire Ryles
Licensing Enforcement
Newcastle Under Lyme Borough Council
(01782) 742524

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Classification: NULBC UNCLASSIFIED

Model Conditions for Burlesque Entertainment at Colourville Festival Whitmore

- Any performance of burlesque dancing will take place in the Cabaret tent only between 21:00 hours and (insert license cut off time) hours.
- In the Cabaret tent there will be a break in the programme from 18:30 hours until 19:00 hours to encourage people to leave before the adult entertainment begins. Anyone people remaining in the tent will be subjected to the Challenge 25 policy to be enforced by SIA
- There will be no access to the cabaret tent for under 18's between 19:00 hours and (insert license cut off time) hours. All entrances and exits will be controlled by SIA registered staff.
- There will be a Challenge 25 policy in operation from 19:00 hours until (insert license cut off time) hours. In order to gain access to the Cabaret Tent a valid form of ID must be shown.
- At all entrances and exits of the Cabaret Tent there shall be prominent signs displayed from 19:00 hours and (insert license cut off time) hours, prohibiting entry to all persons under the age of 18.
- Advertisements placed outside the age restricted area, for the burlesque performance, will
 not be of a graphical nature.
- Employees under the age of 18 years shall not be permitted to work in the Cabaret Tent between 19:00 hours and (*insert license cut off time*) hours.
- The Cabaret tent shall be so arranged, that displays of Burlesque dancing shall not be visible at any time, to persons outside of the Cabaret Tent.
- The burlesque performance must not include any displays of nudity. In the case of a woman, it means exposure of her nipples, pubic area, genitals or anus and, in the case of a man; it means exposure of his pubic area, genitals or anus.
- Burlesque entertainment will not include lap dancing, pole dancing, table dancing, strip shows, peep shows or live sex shows.
- Members of the audience must not touch or attempt to touch the performers in any way, participate in the performance or simulate sexual acts.
- The audience will not be allowed to offer payments to performers.
- There will be a minimum of a 1 metre gap between the audience and the stage/performers.

Classification: NULBC **UNCLASSIFIED** Page 7



Classification: NULBC UNCLASSIFIED]

Dear Licensing / Julia

Please could both the email below, and the attached document listing 13 conditions, be added to the supplementary evidence for the Colourville Festival.

Thanks, Claire Ryles

Licensing Enforcement Newcastle Under Lyme Borough Council (01782) 742524

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From: Richard Buxton [mailto:hippyhippy@hotmail.co.uk]

Sent: 10 December 2015 20:43

To: Ryles, Claire

Subject: Re: [UNCLASSIFIED] Model Conditions for Burlesque Dancing at Colours Festival Whitmore

Hi Claire

The directors of Colourville Ltd agree to all of the conditions proposed with relation to Burlesque performances at Colourville Festival.

Richard Buxton Colourville Ltd

From: Ryles, Claire < Claire.Ryles@newcastle-staffs.gov.uk

Sent: 10 December 2015 14:36 To: hippyhippy@hotmail.co.uk

Cc: Washington, Paul; lisa.roberts@staffordshire.pnn.police.uk; Gardner, Nigel; Harvey, Gareth;

Walters, Darren; Cleary, Julia; bj.wain@btinternet.com

Subject: [UNCLASSIFIED] Model Conditions for Burlesque Dancing at Colours Festival Whitmore

[Classification: NULBC UNCLASSIFIED]

Dear Mr Buxton

As discussed, there are a number of objectors who are concerned about the Burlesque entertainment at Colourville Festival.

In order to protect the licensing conditions and to ensure the entertainment does not cross the boundary into sexual entertainment I would advise that you consider conditions in the attached document.

Please could you confirm as soon as possible, and in writing what your thoughts are in regards to these conditions and whether you would like them to form part of your operating schedule.

Thanks, Claire Ryles

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Classifier Attachment List:

[Model Conditions for Burlesque Dancing at Colours Festival Whitmore.docx - NULBC UNCLASSIFIED]

Josephine Parker
3 Heath Cottage
Coneygreave Lane
Whitmore Newcastle
Staffordshire
ST5 5HX

21 November 2015

Newcastle under Lyme Borough Council

Licensing Department

Civic Offices

Merrial Street

Newcastle-under-Lyme

Staffordshire

ST5 2AG

Dear Sirs,

Ref - Application number 012692 - Colourville Limited - Whitmore Music Festival July 2016

I write with deep concerns regarding the above proposal and wish to strongly object to the granting of a licence application.

When I initially heard about the Whitmore Music Festival I had no real concerns. However, having looked into the proposed plans, the initial details which I was originally lead to believe are not reflective of the proposed plans and many local residents are of the same understanding i.e. that the festival will be a small family type event with 'local talent' and minimal disruption. Quite the opposite, in fact, the proposed plans shockingly are more in the realms of Glastonbury and 'V' Festival set in 67 acres of land directly off the A53 with 9,000 visitors per day and burlesque performances...... not quite the family festival within the grounds of Whitmore Estate as portrayed. Ever likely it was quoted in the Evening Sentinel in August 2015, "there have been extremely limited objections from residents" The majority didn't know anything about it!

The proposed location of the festival is my main concern. Set in 67 acres off the A53 between Whitmore and Baldwins Gate with 3 access and drop off points for cars, vans, coaches and trucks directly on the A53! Is the council seriously considering this as a suitable and safe location for an event of this scale?

This road, already the second most dangerous in Staffordshire will be subject to additional hazard and having experience taking my daughter to similar festivals, I cannot see how any traffic management plan could relieve the massive disruption and mayhem that a festival of this scale will, without a doubt, incur. Furthermore, the A53 and surrounding villages of Baldwins Gate, Whitmore and Acton will be gridlocked causing major access problems particularly on the main route from Newcastle to Shrewsbury, causing major issues for local hauliers, bus routes and more importantly emergency services!!!

In addition to this there will presumably be access and parking for the trucks bringing in and out all the equipment, labour force, technicians, catering staff, staging, supplies etc., so the disruption will not only be for a 4 days period but for the duration of the set up and take down of the Festival – estimated 2 weeks!

My next concern is regarding public safety. We all must be aware of the behaviour associated with festivals of this size and the possible consequences. If the licence is granted you risk bringing to the surrounding area detrimental threat of increased crime and disorder, vandalism, antisocial behaviour, etc. Whilst it has been quoted that this is an opportunity to put Whitmore on the map have the consequences to local residents actually been considered? I very much doubt as consideration and effort to even make people aware of this event I believe has been restricted?

Furthermore, how can a licence be granted for 10 years? Surely an event of this scale would need testing to ascertain the disruption caused before subjecting local people to this long term?

I strongly feel this is an injustice to the parish and local residents of Whitmore, Baldwins Gate, Acton and surrounding areas. Under no circumstances should this licence application be granted until local people are properly advised of the scale of the event and have been given the opportunity to support or oppose accordingly – surely there is an obligation to the people who this will affect?

Yours faithfully

Josie Parker

REPORT re TRAFFIC MAMANGEMENT TRAFFIC PLAN

Introduction

I have been asked to comment upon a draft Traffic Management Plan, submitted by Croft Traffic Solutions.

I am now retired, but prior to retirement, I spent some 30 years in the Staffordshire Police, where the majority of my Police Service was on the Traffic Division, 19 years of which were in a Supervisory capacity. I have a number of specialist qualifications in the driving and examination of motor vehicles and the investigation of road traffic collisions. In addition, I have attended an Advanced Course in criminal investigation.

After retiring from the Police Service, I was the Sole Proprietor of G.P. Accident Consultants for some 20 years and I specialised in the investigation of road traffic collisions for both the insurance industry and firms of solicitors throughout the British Isles.

I have given expert evidence on numerous occasions, ranging from the local Magistrates Court to the Royal Courts of Justice.

Draft Traffic Management Plan - Roads and Parking

First and foremost I accept that this is only a DRAFT report and thus can be subject to alteration, nevertheless, this gives me great concern, as there a number of elementary errors in the report, together with suggestions that are not lawful and cannot be put into practice. Likewise, there are suggestions that without any doubt are extremely dangerous and in my expert opinion are likely to cause major disruption to traffic and the potential for serious road traffic collisions.

I will itemise these below:-

- 1. There are three individual entrances/exits for the proposed site off the A53, which is a notoriously dangerous road on which serious road traffic collisions occur on a very regular basis. The A53 is the main arterial route between Shrewsbury and Stoke on Trent/M6 motorway and carries a high volume of traffic at all times of the day. It is extremely well used by Large Goods Vehicles, in particular ones travelling to the Muller Factory at Market Drayton, where all drivers have specific 'slot times'. Many of the Large Goods Vehicles are from abroad. Thus, if a slot time is missed, a long delay may occur, which could quite easily mean a driver is either 'out of hours' or misses a return ferry. The road in question is a two way undivided carriageway and in the vicinity of the proposed site entrances/exits the speed limit is 60 miles per hour. (National/maximum speed limit for this type of road).
- 2. It is said that certain roads will have temporary no waiting conditions imposed and that Staffordshire Police will supply the no waiting cones. I

would point out that a considerable number of no waiting cones will be required and although I have not checked, I would sincerely believe that from past experience the Police will not have a sufficient number of cones to adequately sign all the suggested roads. Who is going to put these cones out and what is more so collect them in, because due to severe Police cutbacks, I would think it highly unlikely that the Police have sufficient manpower to perform these tasks. Quite often and from experience, such cones 'go missing', therefore who will be responsible for the cost of replacements, which of course have originally been purchased with tax payer's money.

- 3. Breaching parking regulations has been de-criminalised and is no longer the responsibility of the Police and can only be enforced by Council Traffic Wardens, thus if there are no Traffic Wardens on duty to enforce matters, nothing will happen to anyone who breaches the temporary no waiting orders being sought.
- 4. It is clearly stated that so called Response Crews will patrol the roads and remove parked vehicles. Such have **NO** powers at all to do such and only a Police Officer in uniform or a Traffic Warden has the power to do as suggested. One can see serious confrontation happening if any motorist objects and what is more so, Response Crews have **NO** power at all to remove a broken down or abandoned motor vehicle from the roadway.
- 5. It is suggested that vehicles *may* be removed from roads if causing an obstruction. I presume that the Response Crews will be given this duty if such takes place. Unfortunately, under the Removal and Disposal of Vehicles Regulations, such persons do *NOT* have the power to do so and this is the responsibility of the Police, who have authorised Agents to carry out this task, for set fees and such vehicles are removed to dedicated premises. Such an idea is fraught with danger, simply because of the accusations that could be made vehicle damaged and what is more so, where would any vehicle/s be taken to? It has to be to dedicated premises, where storage fees are accrued.
- 6. Paragraph 6. 1.3 states, quote, 'When exiting the site, vehicles will be directed to travel eastbound along the A53 Whitmore Road'. This is satisfactory for motor vehicles wishing to travel in that direction, but what happens to vehicles wanting to travel westbound towards Market Drayton. Do they have to travel to the roundabout at the junction with A5182, turn round then travel back towards Baldwins Gate, which of course would cause considerable congestion?
- 7. Paragraph 6.1.9 states, quote, 'When exiting the site vehicles will be directed to travel westbound along the A53 Whitmore Road, apart from shuttle buses, which will turn right if required by their routing'. This is satisfactory for motor vehicles wishing to travel towards Market Drayton, but what happens to motor vehicles wanting to travel towards Newcastle, Stoke on Trent or the M6 motorway. Do they have to travel into Baldwins Gate village and turn around in one of the very few side roads or the local

Public House forecourt, which would cause severe congestion in the village, let alone potential danger to both pedestrians and other vehicular traffic.

Maps and Dangers with Suggested Routes

- 1. The red route shows motor vehicles travelling westbound from Stone along the A51 and turning right at either Woodside or Sandy Lane, which on the traffic management plan states that both these roads will be closed, therefore one of these cannot be correct. The Traffic Management Plan states that motor vehicles will turn right at Blackbrook along the A53, but right turns are **NOT** permit at this junction and such is clearly signed and what is more so, is an offence that carries a fine and three penalty points on one's Driving Licence. Thus the only other right turn off the A51 onto the A53 is the very small, narrow, unnamed road off the A51 opposite to Warmadine Lane, which will only hold a maximum of 3 or 4 standard sized motor vehicles. The vision from this very small road is extremely poor onto the A53 and as such, this road is very rarely used and completing the right turn onto the A53 is an extremely dangerous manoeuvre and one which is fraught with danger and totally unsuitable for an event of this nature.
- 2. The green route for traffic travelling from Keele and Silverdale is routed along Three Mile Lane, to the A53, where it turns right onto the A53 and then on to the site entrance. Three Mile Lane and the junction opposite, Bent Lane form a crossroads with the A53 and without any doubt this particular crossroads is one of the most notorious 'accident black spots' in the whole of Staffordshire and over a considerable number of years has been the scene of some horrific road traffic collisions. It should be borne in mind that traffic travelling out of Three Mile Lane and turning right has to cross the path of eastbound traffic, which is a somewhat dangerous manoeuvre.
- 3. No consideration has been given to traffic travelling from the M6 motorway at junction 16, Crewe or Madeley areas, which will either use the Keele route or will use Manor Road and Madeley Road and then turn left onto the A53. No doubt anyone using a satellite navigation system will be directed along the Manor Road and Madeley Road route. Again both these roads are narrow country lanes where road traffic collisions are common place and to the right of the junction of Madeley Road and the A53 is a 90 degree bend, which seriously limits the vision from the junction.
- **4.** Paragraph 4.1.1 is applicable to the orange route, but it refers to the blue route, which is obviously an error.

Other Points of Interest

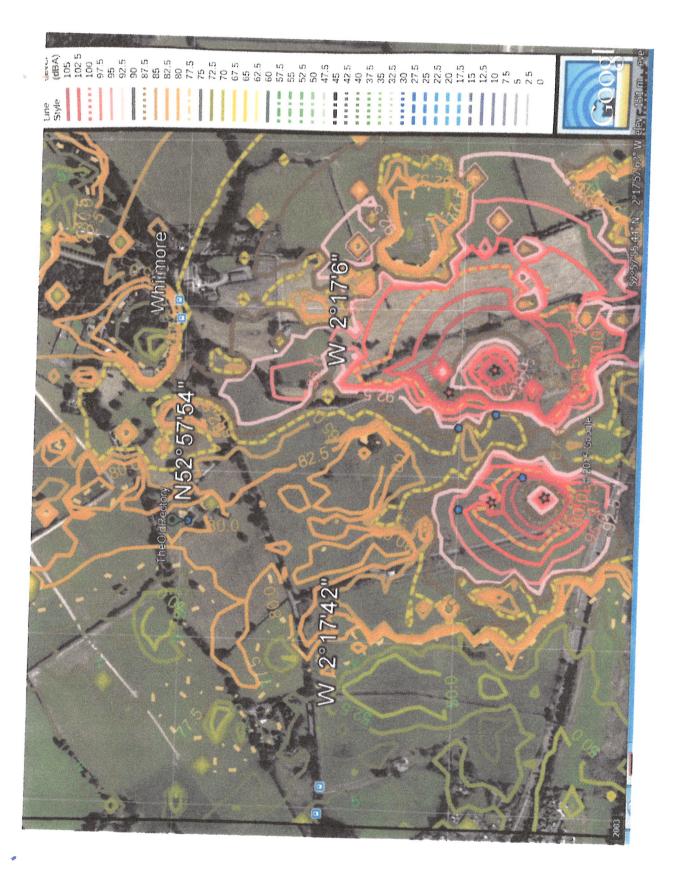
1. On the A51 between the junctions of Woodside and Sandy Lane, which will be closed for some 4 days, are located a number of business premises,

comprising of Slater's Public House and Slater's Village, which consists of a number of retail outlets. The majority of the persons visiting all these premises travel to the location either by Woodside or Sandy Lane and in my opinion, the businesses will suffer significant financial losses due to these two aforementioned named roads being closed.

- 2. The numbering of specific paragraphs in the Traffic Management Plan is somewhat confusing, as the numbering goes, 5, 5.2, 5.3, 5.4 5.1, then 5.2 again, then 5.1 again, then 6.
- 3. The Traffic Management Plan does not have a date on it, nor does it state who the Author of the report is and what qualifications that person has obtained. I am not suggesting that there is anything sinister in this, but as an expert in a particular field, I would most certainly have expected the Author of the report to refer to his/her qualifications and experience in preparing such reports.
- 4. Woodside is on the main bus route for the hourly bus service between Shrewsbury and Hanley, with a bus stop on the junction of A51 and Woodside. The service is provided by Arrivabus route 164.
- 5. On the diversionary route for traffic travelling from Keele and Silverdale is located, in Three Mile Lane, the very quaint and historic Whitmore Parish Church, where on virtually every Saturday and sometimes on a Sunday in the summer months, there is a wedding. If such was taking place on the Saturday of this proposed event it would really cause a major traffic problem and without any doubt could ruin totally the 'big day' of a bride and her groom.

Yours sincerely,

E. Graham Payne



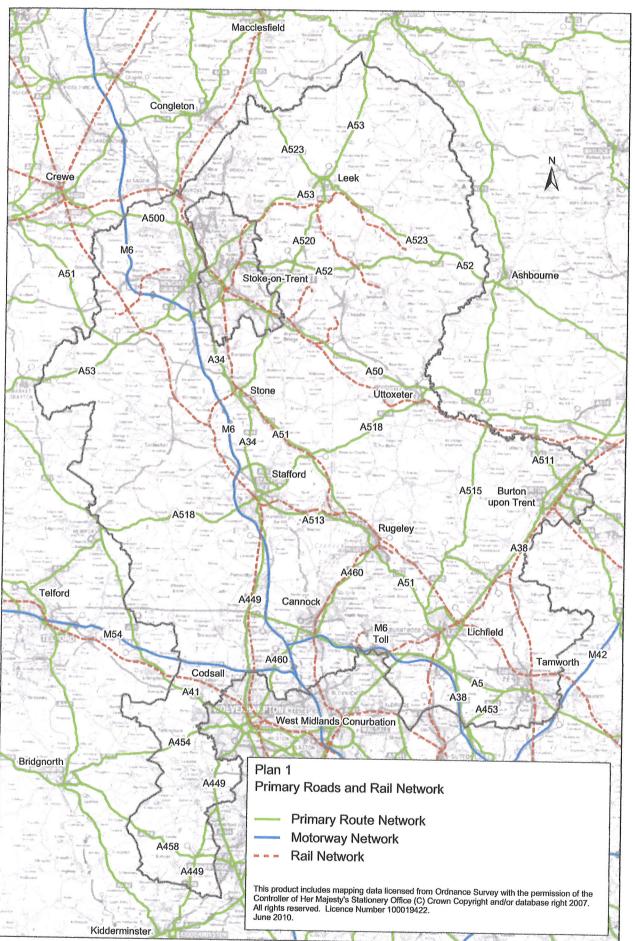


Staffordshire Freight Strategy

April 2011



Staffordshire Local Transport Plan 2011



Page 21

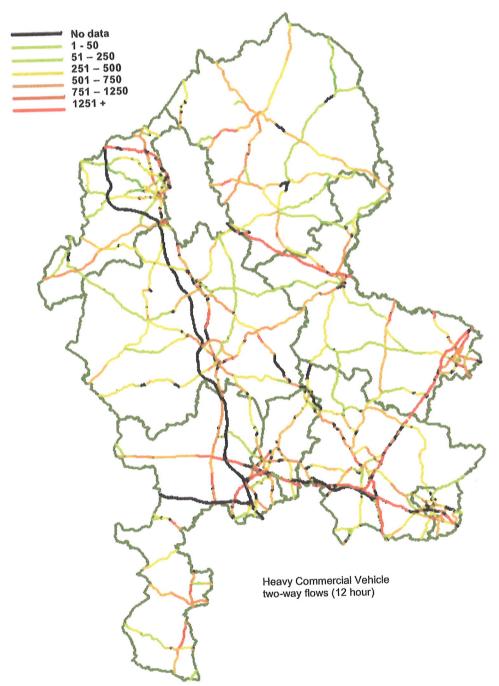
Problems and Issues

Impact of HGV's on the Local Network and Rural Areas

The available evidence of traffic flow across the Staffordshire network suggests that the majority of HGV's make full use of the motorway and strategic highway network. Map 1 shows flows of heavy commercial vehicles (HCV's) on A and B class roads in

Staffordshire. The data is from a number of traffic count sources and is the best available information of two-way flow. By comparison typical weekday HGV flows on the M6, A38, M54 and A5 through Staffordshire amount to 35,000-40,000, 6,000-7000, 11,000-12,000 and 5,500-6,500 respectively.

Map 1 Heavy Commercial Vehicle Flows on the County Highway Network





On the right is the proposed entrance to Whitmore Festival. View from Baldwins Gate. Main entrance is on the brow of the hill between Baldwins Gate and Whitmore (photo perspective angle indicates it is a level road when in fact this the brow of the hill). Pleas e note:

- 1. Very narrow entrance. No space to stack waiting vehicles. No turning space for vehicles which are refused entry.
- 2. Footpath only on one side of the road opposite to the Festival entrance potential for major accident. Visitors carrying tents etc.
- 3. Vehicles (cars, coaches, skips, catering sales vans, trucks transporting generators, stage equipment, marquees, Portaloos etc) will approach the entrance from the only road the A53 from both east and west direction. Major hazard.
- 4. Colourville Ltd at the village hall meeting compared it to the Betley Music Festival Whitmore is very different. A53 cannot be compared with A531 A53 is very busy road, a major link to M6. It is in constant use by major transport including Muller/ Culina. Arriva164 bus route. This will be a four day camping event therefore differs from Betley. It could be likened to the V Festival at Weston. Weston is a much bigger site, vehicles coming off the A5 can be stored and organised on the site therefore reducing the traffic problems on A5 This is not just a four day event there will be considerable build up before and after the event for erection and removal of equipment.

This year I helped to clear the site of some of the tents left behind at Weston V Festival (there were 100s). We rescue the serviceable tents which are refurbished and used in disaster relief areas. A large number of tents cannot be recycled - revelers use the most convenient place if it is a one hour queue for the Portaloo. Noticeable this year were the large number of empty nitrous oxide metal phials discarded around the site - the new "high". If this is arable land then these are potential problems.

I ask that Newcastle under Lyme Licensing Department considers the points I have raised and reject the application. The site is unsuitable Vehicle access is poor. The accident record of the A53 is probably the worst in the area. It will create litter and 24 hour noise and light pollution.

Robert Birchill - Tortola Birch Tree Lane, Whitmore Heath, Newcastle, Staffs ST55HE lotionpotion@ymail.com



View of A53 near the Mainwaring Arms looking towards Baldwins Gate Colourville's site map shows this as an entry/exit to the event field This is dangerous - even the pub has blocked the opening onto the A53

This is the only suitable access to the unpaved single track round the site. Used by the farmer and Railtrack to access the railway line.

Site plan submitted by Colourville shows removal of trees using land in the next field to develop 4 lanes for coaches and taxis. Coaches to turn round in this area and then try to get back onto the A53!!!! Another entrance/exit proposed by Colourville It is not suitable - it is dangerous. This area is a bog in wet weather - water is allowed to drain into this area off the A53 - note the pit in the field



WEST COAST MAIN RAILWAY LINE - 4 TRACK IN CONSTANT USE 24/7
SITE FIELD IS ONLY A FEW METRES FROM THE TRACK - HAVE RAILTRACK BEEN INFORMED?
CORRESPONDENCE BETWEEN PARTIES AVAILABLE TO VIEW?

West Coast Main Railway Line - 4 tracks only a few metres from the field boundary Will security fence around the site conform to Railtrack specifications? Have they been informed?



View of field from A53

This is a major development. Colourville are proposing a new access, reconfiguring and widening existing access. A development adjacent to the busiest main railway line in the country.

All this will result in total mayhem on the A53 which is a major link road to the M6

It needs planning approval.

Do we need it?

Will it benefit the community?

Colourville have only been in existence for a few months. In the words of David Bowie - "Here today gone tomorrow?"

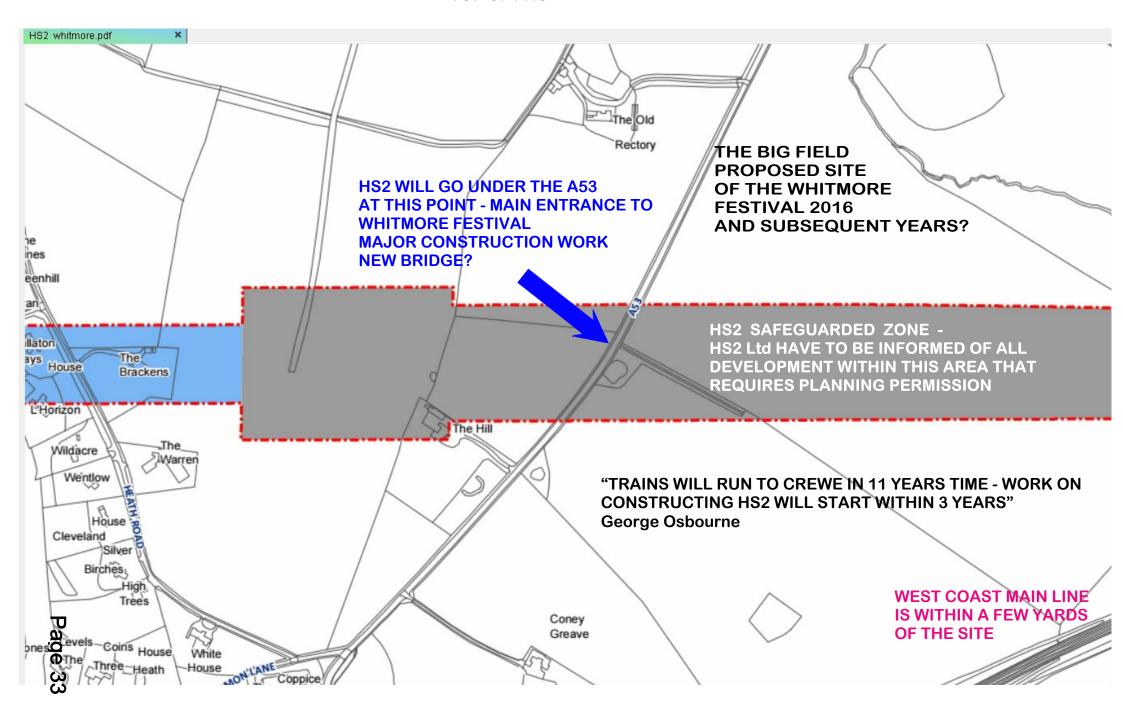
Who will then pick up the bill to put things back?

This is the only realistic access for vehicles to the site. It is a single unmade track. Colourville plans show 4 lanes at the entrance to the site.

Negotiating in and out with be very difficult - 90 degree turn. Accident

waiting to happen

TOP OF PAGE

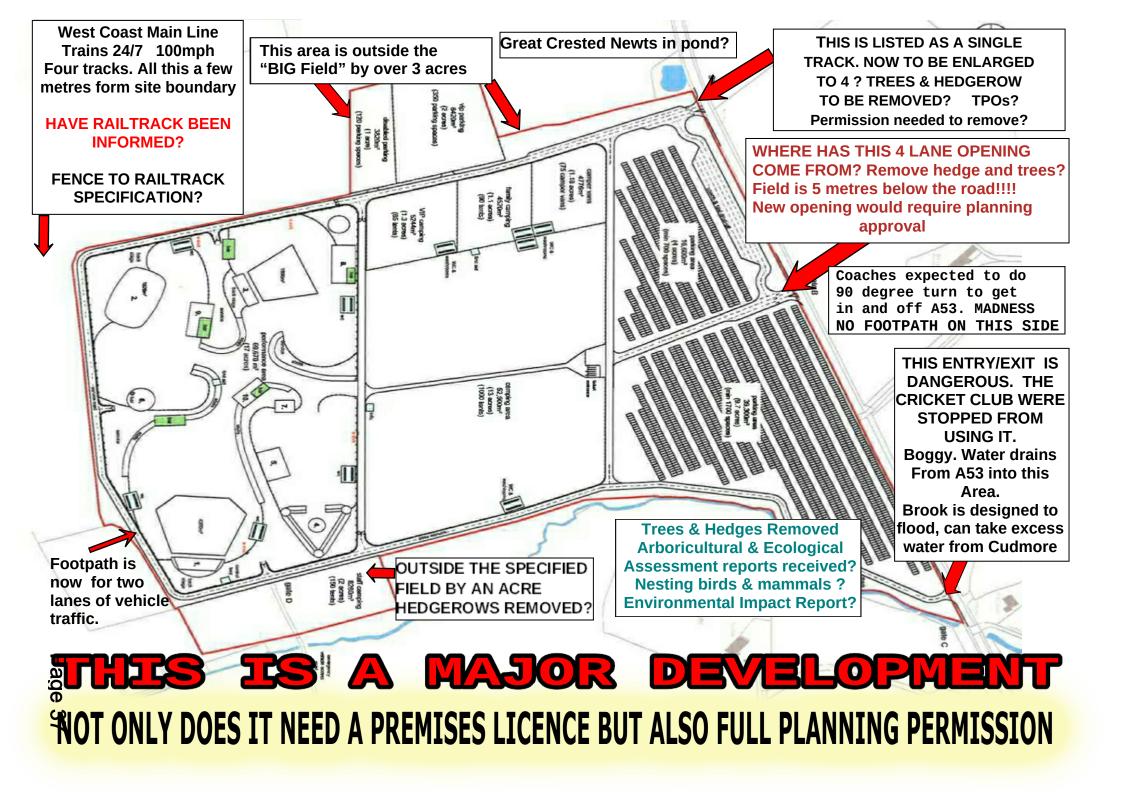


TOP



BRIDGE CONSTRUCTION OVER WEST COAST RAIL LINE AT NORTON BRIDGE - 2015

EXPECT SOMETHING SIMILAR ON A53?





NITROUS OXIDE CANISTERS LEFT ON MUSIC FESTIVAL CAMP SITE

Slang terms: Phial = Whippets; Gas (Nitrous Oxide) = Shoot the Breeze

When they are "high" they probably think they can jump the fence onto the railway track. This "festival" is so close to the Railway then British Transport Police should be involved. Staffs Police have no jurisdiction over BTP nor can the Borough put any conditions or restrictions on them.