

# Licensing & Regulatory Panel

Tuesday 14 June 2016

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A Licensing & Regulatory Panel will be held at the Town Hall, Royal Leamington Spa on Tuesday 14 June at **10.00am**.

Membership: Councillors Mrs Cain, Miss Grainger and Mrs Stevens

## Emergency Procedure

At the beginning of the meeting the emergency procedure for the Town Hall will be announced.

## Agenda

### 1. **Appointment of Chair**

To appoint a Chair for the meeting.

### 2. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

### 3. **Application for a variation of a premises licence under the Licensing Act 2003 for Hickory's Smokehouse, Cromwell Lane, Coventry**

To consider a report from Health & Community Protection **(Item 3/Page 1)**

Published Monday 6 June 2016

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 456114


E-Mail: [committee@warwickdc.gov.uk](mailto:committee@warwickdc.gov.uk)

Enquiries about specific reports: Please contact the officers named in the reports.

Details of all the Council's committees, councillors and agenda papers are available via our website [www.warwickdc.gov.uk/committees](http://www.warwickdc.gov.uk/committees)

Please note that the majority of the meetings are held on the first floor at the Town Hall. If you feel that this may restrict you attending this meeting, please call (01926) 456114 prior to this meeting, so that we can assist you and make any necessary arrangements to help you attend the meeting.

The agenda is also available in large print, on request, prior to the meeting by calling 01926 456114.

 <b>Licensing &amp; Regulatory Committee</b> <b>14 June 2016</b>		<b>Agenda Item No. 3</b>
<b>Title</b>	Application for a variation of a premises licence under the Licensing Act 2003 for Hickory's Smokehouse, Cromwell Lane, Coventry.	
<b>For further information about this report please contact</b>	Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>	None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality and Sustainability Impact Assessment Undertaken</b>	No

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive		
Head of Service	27.5.2016	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	27.5.2016	Moira-Ann Grainger
<b>Consultation &amp; Community Engagement</b>		
N/A		
<b>Final Decision?</b>		Yes
<b>Suggested next steps - None</b>		

## 1. **SUMMARY**

- 1.1 Warwick District Council Licensing Authority has received a valid application for a variation of a premises licence from Hickory's (ROS) Limited, Hickory's Smokehouse, Cromwell Lane, Coventry.
- 1.2 Representations have been received in relation to this application for the consideration of the panel in the determination of the application.

## 2. **RECOMMENDATION**

- 2.1 Members are asked to consider the information contained in this report and decide whether the application for a variation of a premises licence for Hickory's Smokehouse, 216 Cromwell Lane, Coventry, should be granted and, if so, whether the licence should be subject to any further conditions.

## 3. **THE APPLICATION**

- 3.1 Hickory's (ROS) Limited applied for a variation of the premises licence for Hickory's Smokehouse, Cromwell Lane, Coventry on 27 April 2016.
- 3.2 The variation application has been submitted for the following:
  - Layout change to include refurbishment and the erection of a single storey side / rear extension, including a veranda to the side / rear after partial demolition of existing extension.
  - Removal of the condition 'Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied:
    - (a) except alcohol sold or supplied with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
    - (b) for consumption by a person residing in the premises or their guest and paid for together with their accommodation;
    - (c) to a canteen or mess.
  - Inclusion of late night refreshment.
  - Modification of permitted hours for the supply of alcohol; and
  - Modification of the opening hours.
- 3.3 Full details of the variation to licensable activities are shown in the tables in appendix 1.
- 3.4 An operating schedule and conditions, which form part of the current premises licence, are as follows:

### *General*

We are part of a neighbourhood watch scheme.  
No happy hours to take place.

### *The prevention of crime and disorder*

CCTV system in use and all staff training in licensing issues

### *Public Safety*

Adequate training of all staff in fire evacuation and fire precaution measure.

*The prevention of public nuisance*

Noise limiter used on amplified music.

Windows to remain closed when amplified is to be played.

*The protection of children from harm*

Staff trained to ask for proof of age cards when serving persons who appear to look 18 or under.

*Conditions*

1. Supply of alcohol for consumption indoors only after 23:00 and outside area to be vacated by this time.

2. All doors and windows to be shut at 23:00 (except egress and entry) to reduce risk of nuisance to residents.

3. Any live or recorded music not be audible at the nearest elevation of any neighbouring residential premises.

3.5 Representations have been received from ten residents, these are attached as appendices 2 to 11. Of the representations received, six are objections and four support the application.

3.6 No representations have been received from:

- Fire Authority
- Authority Responsible for Environmental Health
- Warwickshire Police
- Enforcement Agency for Health and Safety.
- The Licensing Authority
- Authority Responsible for Planning
- National Health Service/Public Health
- Body responsible for the protection of children from harm
- Warwickshire County Council (Weights and Measures)

3.7 Under the Licensing Act 2003, there has been a premises licence, issued by Warwick District Council, in place at Hickory's Smokehouse since 2005. The premises have previously operated under the name 'The Peeping Tom'. Since the licence was issued by Warwick District Council there have been no complaints received by the Licensing Department.

3.8 A plan of the premises provided by the applicant will be made available at the hearing, a photo of the area is attached as appendix 12 and a map of the area is attached as appendix 13.

#### 4. **POLICY FRAMEWORK**

4.1 When considering the application the panel must give appropriate weight to:-

- a) The representations received.
- b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- c) The Council's Licensing Policy Statement (attached as appendix 14)
- d) The Licensing Objectives, which are:-

- i) The Prevention of Crime and Disorder.
- ii) Public Safety.
- iii) The Prevention of Public Nuisance.
- iv) The Protection of Children from Harm.

However, it should only consider those licensing objectives which have been referred to in the representations received.

- 4.2 The Council's Licensing Policy Statement provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure the promotion of the four licensing objectives. Each application will be judged on its own merits.
- 4.3 Details of the procedure adopted by the Licensing Committee for Panel Hearings have been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.

## 5. **BUDGETARY FRAMEWORK**

- 5.1 There would be costs associated with any appeal against the decision as set out in 6.1 below.

## 6. **RISKS**

- 6.1 Any decision made by the Panel may be appealed against at a Magistrates Court within 21 days of the decision. There would be costs associated with responding to an appeal and the Council could be ordered to pay the Appellants costs if it is deemed to have behaved unreasonably.

Current Licensable Hours

Sale	of Alcohol for consumption on and off the premises *	Live Music**	Recorded Music***	Opening Hours
Monday to Saturday	11:30 to 00:00	20:00 to 00:00	11:30 to 00:00	11:30 to 00:30
Sunday	12:00 to 00:00	20:00 to 00:00	12:00 to 00:00	12:00 to 00:30
Christmas Eve	11:30 to 00:30	No seasonal variation	No seasonal variation	No seasonal variation

\*On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day

\*\* NOTE: Between the hours of 08:00 and 23:00, when amplified live music is taking place to an audience of less than 500 people and the premises is licensed for the sale of alcohol for consumption on the premises; or when unamplified live music is taking place to any number of people on any premises, all licensing conditions applicable to the control of live music on this licence are deemed not to be in operation.  
Live music if (a) it is amplified and played to an audience of less than 200 on premises licensed to sell alcohol (whilst alcohol is being sold), or a workplace; (b) it is unamplified to any number of people anywhere.

\*\*\*NOTE: Between the hours of 08:00 and 23:00, when recorded music is taking place to an audience of less than 500 people and the premises is licensed for the sale of alcohol for consumption on the premises, all licensing conditions applicable to the control of recorded music on this licence are deemed not to be in operation.

Variation Application

Sale	of alcohol for consumption on and off the premises *	Late night refreshment	Opening Hours	Live and recorded music
Monday to Thursday	11:00 to 00:00	23:00 to 00:00	09:00 to 00:30	No change
Friday to Sunday	11:00 to 00:30	23:00 to 00:30	09:0 to 01:00	No Change

\*On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day

*190 Cromwell Lane  
Burton Green  
Coventry  
CV4 8AP*

*25<sup>th</sup> May 2016*

Dear Sirs

Reference; Peeping Tom – Full Variation of Licence

I would like to submit an objection to the full variation of licence application by Hickory's under the 'prevention of crime and disorder' and the 'prevention of public nuisance' for the following reasons.

I have no objection against the 09:00 opening hours, my objection is against the extended hours after midnight.

It is well recognised that there is a direct link with crime and disorder and alcohol consumption. What may start as a pleasant evening out can and does escalate out of control. As these licencing hours exceed other relatively local establishments hardy drinkers would see this as an opportunity to further their drinking sessions. This opens up the possibility to nuisance as they forget those around them and any noise/disturbance they may cause. With the Peeping Tom being in a semi-rural position this also raises concerns about drink-driving due to accessibility.

I understand that there will also be an 'Entertainment's Room', and I'm aware that other Hickory sites have Hen Parties, 18<sup>th</sup> Birthday Parties etc. which again gives rise to noise upon them arriving, during and leaving. There is significant amount of TV coverage which regularly show how these types of events can get "out of control". The effect upon a semi-rural community will be felt far more than in a active city centre.

There is also the potential for Hickory's to get a reputation as being an unsavoury place to visit furthering the criminal fraternity to frequent it as others would prefer not to be associated with it. I do not believe I'm taking this to extremes and I do not think all unsavoury clubs/bars/pubs started out that way....circumstance just provided the environment. The Peeping Tom would be off the radar...away from prying eyes.

Recently Warwick District Council advised that the population of Burton Green was made up of a majority of older people, or words to that effect, and that they wanted to encourage younger people to the area. If the noise pollution from revellers and traffic affects young children sleeping are they really going to want to reside in the area?

If visitors cannot get public transport or taxi's to take them home, and they don't have transport after closing time, they will try and walk to a more convenient place giving rise to



noise and disturbance as they leave. Private property can become a portal for their frustration.

My last point on this topic is how the Police (with numbers reducing significantly) will be able to deal with any disturbances that do get out of control or drink-driving? The Police & Crime Commissioner Warwickshire states on his website “We are proud of our record in reducing crime .... improving the quality of life for Warwickshire residents.” – please see attachments. The extension of the licencing hours will not improve the quality of these, ‘Burton Green’, Warwickshire residents.

Yours faithfully,

Pippa Gardner

Evidence to the above text

**Police & Crime Prevention Commissioner Warwickshire**

Warwickshire Police <http://www.warwickshire-pcc.gov.uk/wp-content/uploads/2014/10/CSA-PCP-for-SWPB-1.pdf>

“I am very pleased to introduce the Warwickshire Community Safety Agreement for 2014-15, aligned for the first time this year to the Police and Crime Commissioner’s Police and Crime Plan.

We are proud of our record in reducing crime .... improving the quality of life for Warwickshire residents. There were 78 crimes recorded per day in 2013/14, ..... resulting in **fewer victims and less harm to communities.**

Effective partnership working is key to our ongoing success **in reducing crime and anti-social behaviour in Warwickshire.....**to address the priorities set out in this agreement.”

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**Institution of Alcohol Studies**

<http://www.ias.org.uk/Alcohol-knowledge-centre/Crime-and-social-impacts/Factsheets/UK-alcohol-related-crime-statistics.aspx>


**UK alcohol-related crime statistics**

‘Alcohol-related crime’ is a popular rather than a legal term. Normally, it is used to refer to 2 main categories of offences:

- Alcohol-defined offences such as drunkenness offences or driving with excess alcohol
- Offences in which the consumption of alcohol is thought to have played a role of some kind in the committing of the offence, usually in the sense that the offender was under the influence of alcohol at the time. Examples of offences often committed by people under the influence are assault, breach of the peace, criminal damage and other public order offences

It has been estimated that in a community of 100,000 people each year, 1,000 people will be a victim of alcohol-related violent crime.

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You're here: [Home](#) / [News](#) / 2016 / 22 April 2016 – Emergency service leaders call for lower drink-drive limit

## News

### Emergency service leaders call for lower drink-drive limit

Representatives from the Police, Paramedic and Fire Services have today written to the Transport Secretary, Patrick McLoughlin, calling on him to lower the legal drink-drive limit.

The letter coincides with the report stage in the House of Lords today of a bill to lower the drink-drive limit. The *Road Traffic Act (Amendment)* bill, introduced by Lord Brooke of Alverthorpe, is aimed at lowering the limit from 80mg alcohol per 100ml blood to 50mg/100ml.

The letter is signed by the Police Federation's Road Policing Lead, Jayne Willetts, the General Secretary of the Fire Brigades Union, Matt Wrack, and the Chair of the College of Paramedics, Andy Newton, who outline the impact of drink-driving on the emergency services, saying:

"Drink-driving places significant pressure on the emergency services, causing thousands of road traffic incidents every year which have to be addressed by police forces, fire services and paramedics. There has been no reduction in drink-driving deaths since 2010, and surveys show that significant numbers of drivers still put themselves, and others, at risk."

England and Wales have one of the most lenient drink-drive limits in Europe, set at 80mg of alcohol per 100ml of blood. Drivers who drink up to this current limit are six times more likely to die in a car crash compared with drivers who have not drunk. Scotland lowered the limit for drink-driving in 2014 to 50mg/100ml and after nine months rates of drink-driving offences fell by 12%. The only other country with a legal limit as high as the UK's is Malta, with every other European country setting its limit at 50mg or lower.

Signatories to today's letter say:

"Reducing the limit to 50mg would ease the burden on our emergency services, freeing up time and resource for other serious incidents. This change is consistently supported by over 70% of the public and, most importantly of all, it would save lives."

The letter puts further pressure on the government to lower the limit, as it follows [previous calls](#) from the Alcohol Health Alliance, medical royal colleges and road safety bodies for the limit to be lowered, and polling which has demonstrated high levels of public support for a lower limit. At the end of 2015, the Alcohol Health Alliance polled 5,000 people across the UK, finding that 77% support a lower limit.

Adapted from Alcohol Health Alliance press release. Please visit the [Alcohol Health Alliance website](#) to read the letter in full.

**Emma Dudgeon**

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**From:** f\_e\_law@talk21.com  
**Sent:** 24 May 2016 11:32  
**To:** Licensing  
**Subject:** Hickory's (ROS) Ltd Application No WDCPREM 00192

I am writing to object to variation of the existing licence for Hickory's Smokehouse (formerly The Peeping Tom )

216,Cromwell Lane  
Burton Green  
CV4 8AP

My objections are that any increased opening hours in what is a residential area will incur further late night disturbance to neighbouring properties.

Longer opening hours will mean more traffic noise late into the night caused by both patrons and staff leaving the premises from 1 am onwards.

Granting of a late night refreshment licence will also contribute considerably to the above.

There may well be problems with parking on the premises which could lead to cars being parked on the road outside thus causing disturbance to neighbouring homes.

Cromwell Lane is a poorly lit road and parked cars could cause an accident risk.

Also opening at 9 am when the road is already congested with commuter traffic,plus in the not to distant future road closures and traffic from the building of HS2,will only serve to create more inconvenience to residents.

Surely the existing licence allows for sufficient trading hours for the business to run profitably without extending the opening times.

Extending the hours will also mean more light pollution/noise disturbing surrounding neighbours.

I hope you will take my objections into account when reviewing the application.

Mrs Frances E Law  
250,Cromwell Lane  
Burton Green  
CV4 8AP

# Licensing Act 2003 Representation Form



## Section 1 - Application Details

### I object to the following Application:

Applicant's name (if known):

CHRISTOPHER GARY JUKES

Premises name and address:

HICKORYS SMOKEHOUSE  
216 CROMWELL LANE KENILWORTH  
CV4 8AP

Application for a	Premises Licence..... <input type="checkbox"/>
	Club Premises Certificate..... <input type="checkbox"/>
Application to vary an existing	Premises Licence..... <input checked="" type="checkbox"/>
	Club Premises Certificate..... <input type="checkbox"/>
Application Number	

## Section 2 - Objector details

### Individual Objectors Details:

*If you are objecting as a representative go to the next section*

Applicant Title Mr  Mrs  Miss  Other \_\_\_\_\_

Surname MASON

First name(s) STEPHEN ANDREW

Address (incl postcode):

157 CROMWELL LANE  
COVENTRY  
CV4 8AN

**D.M.C**

24 MAY 2016

WARWICK DISTRICT COUNCIL

**Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.**

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

Please tick here if you do not wish your objection to be made public and complete the box below

This is because
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If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details	
<p><b>My objection is relevant to the following licensing objective:</b></p> <p><b>You can tick more than one box</b></p>	<input checked="" type="checkbox"/> Prevention of crime and disorder. <input checked="" type="checkbox"/> Prevention of public nuisance. <input type="checkbox"/> Protection of children from harm. <input type="checkbox"/> Public safety

<input checked="" type="checkbox"/>	<p>I object to the application being granted at all</p> <p>I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)</p>
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**Our objection is based on the following:**

You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages

PREVIOUSLY THE PEERING TOM WAS A RURAL PUB WITH USUAL CLOSING HOURS OF AROUND 11. PM WITH A 12 PM LICENCE FOR SPECIAL OCCASIONS

THE APPLICANT HAS ADDRESSED THE PROBLEM OF CRIME, DISORDER AND PUBLIC NUISANCE AT THE PUB ITSELF BY VACATING OUTSIDE AREAS BY 11.30

I AM SURE THAT FROM MY DEALINGS WITH HICKORYS THAT POLICING ~~THE~~ ANY DISORDER WILL BE EFFECTIVE.

IF VACATING OUTSIDE AREAS AT 11.30 IS NECESSARY TO PREVENT PUBLIC NUISANCE IT CANNOT BE RIGHT THAT LATE NIGHT REFRESHMENTS ARE SOLD FOR CONSUMPTION OUTSIDE THE PUB UNTIL 12.30 PM

THIS COULD LEAD TO NUISANCE IN THE CAR PARK AT ALL HOURS.

~~THEY NEED THE DATE~~

THE PROPOSED EXTENSION OF LICENCING HOURS TO 12 PM AND 12.30 WILL ONLY MAKE THINGS

Signed..... [REDACTED] ..... worse

Date..... 24.05.2014 .....

**Emma Dudgeon**

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**From:** Sue Powell <powellsue3@icloud.com>  
**Sent:** 13 May 2016 17:03  
**To:** Licensing  
**Subject:** Hickory Pub Cromwell Lane

Dear Sirs

Peeping Tom Public House Cromwell Lane Coventry. Application no. WDCPREM00192

Further to the recent application for variation of the license of the above premises I wish to make the following objections:-

Public Safety - I feel I must object strongly to the proposal for earlier and later opening of the pub with a major concern for public safety. Cromwell Lane is a very busy road servicing Westwood Heath and ultimately Warwick University. It is also a very narrow road and my concerns stems from people who will park on the road opposite my house (number 151) as they do now and cause blind spots for drivers leaving the pub. Inevitably, when you turn from the Peeping Tom car park you cannot always see what is coming from either way but if you are turning and heading towards Westwood Heath road there is a danger you will come out too far from the pub car park and this could cause a very nasty accident once on the road. Although they should not overtake along Cromwell Lane, should you do a traffic survey along here you will find this does occur and I feel this would add further weight to my argument.

Public Nuisance - I feel there is no need whatsoever to have a Take Away service offered by the Peeping Tom. Having lived here for 42 years with the Pub in existence there has been no trouble at all, but I feel with larger premises and broader appeal we are heading this way by selling food later at night AND as a takeaway. I feel we would have more people calling in at the pub for takeaway and this would cause much disruption to a relatively peaceful part of the City which is unnecessary at this late hour. My objection regarding public safety also applies here with traffic on the main road. Most other places offering late night food are not placed in the middle and opposite private dwelling houses. Also for the same reasons outlined above, I object to the longer hours of opening at the end of the day into the early hours of the morning. Noise could also add to the problem as we would hear car engines stopping and starting later in the day.

Litter would also be a concern of mine as even in a non residential area, the amount of litter floating around is beyond belief so we do not want this situation to occur so close to our properties.

Yours faithfully

Mr Joseph Geoffrey Powell  
151 Cromwell Lane  
COVENTRY  
CV4 8AN



Sent from my iPad

**Emma Dudgeon**

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**From:** debbiedurban@tiscali.co.uk  
**Sent:** 22 May 2016 18:20  
**To:** Licensing  
**Subject:** HICKORY'S SMOKEHOUSE, CROMWELL LANE wdcprem 00192

**Importance:** High

**HICKORYS SMOKEHOUSE - OBJECTION - WDCPREM 00192**

Dear Sir/Madam

Public Nuisance

Hickory's Smokehouse, also known as the 'Peeping Tom Pub', is set in the quiet semi rural village of Burton Green surrounded to three sides by residential properties. The current premises licence allows for the sale of alcohol on or off the premises 7 days a week up until midnight with a closing time of 00.30 for the premises. It is worth noting that there is no public transport accessible at this time in Burton Green, so generally private vehicles are the prime means of transport. Consequently, even with the current licensing closure time, residents are inevitably subjected at this time of night/morning to loud conversations from leaving customers together with the associated car door slamming, engine revving and car radio playing. Although notices asking for consideration to neighbours at closing time have been posted in the pub the noise and disturbance is almost inevitable.

Hickory's proposal to extend the licence to sell alcohol by a further 30 minutes to 00.30 on a weekend (Friday to Sunday) with an additional 30 minutes on the opening time (1.00 am) will seriously increase the noise, nuisance and disturbance to the residents in the vicinity of the premises. This will be added to as the extension of the premises will bring higher throughput and therefore higher noise and disturbance even closer to the residents.

The licensing situation is further exacerbated by the request for a late night refreshment licence which matches the sale of alcohol extensions on the weekend allowing the sale of both drink and late night refreshments either in house or takeaway. The takeaway service is offered by all other Hickory sites and this was verified by my telephone conversations with them on 29 April 2016. This can and will be used by customers who may have been at other 'cheaper' public houses earlier in the evening, thereby, creating the potential for disorder at Hickory's premises in Burton Green. As large numbers of customers may gather at premises serving late night drink and refreshment this will significantly extend the level of noise, nuisance and disturbance that can be expected.

This scenario is supported by the fact that the nearest public house, which interestingly does sell discounted priced alcohol versus the Peeping Tom is the Bell Inn (Station Avenue) in Tile Hill Village which has a premises licence which curtails the sale of alcohol to midnight (7 days a week) in line with the current Peeping Tom licence. Similarly, pubs in nearby Kenilworth such as the 'Green Man' Warwick Road and the Bear and Ragged Staff limit the sale of alcohol to midnight.

It is interesting to note that in the only other premises that Hickory's Smokehouse operate which is in a residential area is in Village Road, West Kirby on the Wirral. The sale of alcohol ceases at 23.30 apart from Friday and Saturday when it is midnight. Closing times are midnight apart from Friday and Saturday when it is set at 00.30.

There are numerous examples of public houses/restaurants in Warwickshire sited in residential areas where the sale of alcohol is restricted to midnight or earlier e.g. the Stag's Head, Offchurch - 23.00, Cricketer's Arms, Leamington - 23.00.

Whilst we want commercial success for Hickory's venture in Burton Green, this is a residential, semi rural location more in keeping with Hickory's site on the Wirral where midnight is the latest time for the sale of alcohol. Extending



the closing times of the current licence is unnecessary and will infringe dramatically on noise disturbance and nuisance at unacceptable, unsociable times of the early morning. Further extending the licensing hours at night will severely affect privacy and result in material harm to the living conditions of the residents. I would therefore suggest that such extensions are inappropriate in a residential area like Burton Green and urge that the licensing times are retained in line with the existing licence for the Peeping Tom.

Finally, the application to extend opening hours at 9.00 am in the morning 7 days a week versus the current opening times of 11.30 am (Monday to Saturday) and 12.00 noon on Sunday will result in a significant increase in traffic in Cromwell Lane which is already heavily congested weekday mornings with traffic heading for Westwood Heath Road and Tile Hill Village. As there are further planned housing developments of over 500 houses in the Burton Green area, plus the impact of HS2 without any transport/road infrastructure improvements, then road congestion will only worsen without adding to it with breakfast traffic from the Hickory premises.

In addition, this early 9.00am opening will result in nearby residents having to contend with incessant noise and disturbance for up to 16 hours a day for 7 days (9 am to 1.00 am). This would be very intrusive for the privacy and living conditions of nearby residents. I would request therefore that the 9.00 am opening is restricted to the weekends only i.e. Saturday and Sunday when traffic is lighter and disturbance and nuisance to the residents would be minimised and limited.

**IN SUMMARY I would ask that the closure times for the sale of alcohol and the late night refreshment licence is kept at midnight for 7 days a week as per the current licence and in addition opening times during the week (Monday to Friday) is 11.00 am.**

DEBBIE BASSETT  
198 CROMWELL LANE  
BURTON GREEN  
CV4 8AP

<b>Licensing Act 2003 Representation Form</b>	
<b>Section 1 - Application Details</b>	
<b>I object to the following Application:</b>	
Applicant's name (if known): Hickorys (ROS) LTD  Premises name and address: Hickory Smokehouse 216 Cromwell Lane Burton Green Kenilworth CV4 8AN	
Application for a	Premises Licence..... <input type="checkbox"/>  Club Premises Certificate..... <input type="checkbox"/>
Application to vary an existing	Premises Licence..... <input checked="" type="checkbox"/>  Club Premises Certificate..... <input type="checkbox"/>
Application Number	WDCPREM00192

<b>Section 2 - Objector details</b>	
<b>Individual Objectors Details:</b> <i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	Kenney-Herbert
First name(s)	Jane Mary
Address (incl postcode): <b>155 Cromwell Lane</b> <b>Burton Green</b> <b>CV4 8AN</b>	

**Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.**

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

Please tick here if you do not wish your objection to be made public and complete the box below

This is because
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If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details	
<p><b>My objection is relevant to the following licensing objective:</b></p> <p><b><i>You can tick more than one box</i></b></p>	<p><input type="checkbox"/> Prevention of crime and disorder.</p> <p><input checked="" type="checkbox"/> <b>Prevention of public nuisance.</b></p> <p><input type="checkbox"/> Protection of children from harm.</p> <p><input type="checkbox"/> Public safety</p>

<input type="checkbox"/>	I object to the application being granted at all
<input checked="" type="checkbox"/>	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:
--

You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages

The increase in opening hours at night and the application to service refreshments between 2300-0030 are both objected to.

These will have a high probability of causing public nuisance. The Hickory Smokehouse is located in a quiet residential area with close proximity to housing unlike their other sites. The potential for increased noise after midnight is not in keeping with the nature of the area causing significant inconvenience to local residents through increased noise, at what will be anti-social hours (that is, when most residents will be asleep). There are no other premises in Cromwell Lane that cause noise at night. There are no takeaway food premises within 0.5 miles of the Hickory Smokehouse open so late. Noise will arise from increased cars arriving and leaving the car park to utilise the later opening hours and to buy food and beverages, which can be taken away. There will be increased noise of cars revving, changing gears, and light pollution from headlights shining into resident's houses. People visiting the Smokehouse late at night for food and beverages will likely have already been utilising other licenced premises and maybe already enjoying the alcoholic beverages consumed elsewhere; they might normally have gone home but now with the chance to now enjoy further alcohol and food they will come to the Hickory Smokehouse in Cromwell Lane, a quiet residential area. The appreciation of the beverages is likely to be expressed through shouting and corralling in the car park, which will disturb local residents. There will be a potential for anti-social behaviours such as public urination on the street or even on the properties of local residents.

Increased noise and public nuisance behaviours will likely continue after the proposed extended closing hours.

Customers will not leave immediately the closing hour comes; there will likely be congregation in the car park with shouting, car door slamming etc

The extended opening hours with availability of alcohol and beverages ate at night in what is a quiet residential area will be completely out of keeping with the local community.

Signed.....Jane Kenney-Herbert.....  
Date...15.5.16.....

## NOTES

- Please complete all information or your objection may not be considered.
- Try to be as specific as possible and give examples e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street
- Groups may include a Residents Association, Parish or Town Council, District Council Ward Councillor (list residents who have approached you to represent them), trade association
- If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Panel and any subsequent appeal proceeding. If you do not attend, the Panel will consider any representations that you have made and apply any weight to it they deem appropriate
- This form must be returned within 28 days from the day after the application was made. The exact date may be found on the council's website.
- The objection may only relate to one or more of the four licensing objectives.


Please return this form when completed to:

Warwick District Council  
Licensing Team,  
Health and Community Protection,  
Riverside House,  
Milverton Hill,  
Royal Leamington Spa.  
CV32 5HZ

[licensing@warwickdc.gov.uk](mailto:licensing@warwickdc.gov.uk)

Tel: 01926 456113  
Fax: 01926 456121

**This may form be posted or emailed to the Local Authority**

<b>Licensing Act 2003 Representation Form</b>	
<b>Section 1 - Application Details</b>	
<b>I do NOT object to the following Application:</b>	
Applicant's name (if known): Mr Christopher Gary Jukes  Premises name and address: Hickory's Smokehouse - Layout change & Condition change, 216 Cromwell Lane, Burton Green, Kenilworth, CV4 8AP	
Application for a	Premises Licence..... <input type="checkbox"/>  Club Premises Certificate..... <input type="checkbox"/>
Application to vary an existing	Premises Licence..... <input checked="" type="checkbox"/>  Club Premises Certificate..... <input type="checkbox"/>
Application Number	

<b>Section 2 - Objector details</b>	
<b>Individual Objectors Details:</b>	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	Morris
First name(s)	Stephen Raymond
Address (incl postcode): <b>271 Cromwell Lane, Burton Green, Kenilworth, CV81PN</b>	

**Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.**

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

Please tick here if you do not wish your objection to be made public and complete the box below

This is because
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If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	



<p><b>My objection is relevant to the following licensing objective:</b></p> <p><b><i>You can tick more than one box</i></b></p>	<p><input type="checkbox"/> Prevention of crime and disorder.</p> <p><input type="checkbox"/> Prevention of public nuisance.</p> <p><input type="checkbox"/> Protection of children from harm.</p> <p><input type="checkbox"/> Public safety</p>
--	--

<input type="checkbox"/>	I object to the application being granted at all
X <input checked="" type="checkbox"/>	<b>DO NOT</b> object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:
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You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages:

I would like to see the Licence application go through as requested by Mr Christopher Gary Jukes with no amendments as I do not envisage that there is any additional risk of


1/ crime and/or disorder.

2/ public nuisance.

3/ harm to children.

4/ risk to Public safety.

I further believe that this establishment will be a benefit to the local community and look forward to being able to visit it on a regular basis. When I recently canvassed the opinions of friends and neighbours in the area, they, like me, were also approving of the extension to the "Late night refreshment" to 00:30 hours Friday to Sunday.

Signed...  .....  
Date.....23/05/2016.....

## NOTES

- Please complete all information or your objection may not be considered.
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- Groups may include a Residents Association, Parish or Town Council, District Council Ward Councillor (list residents who have approached you to represent them), trade association
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Tel: 01926 456113  
Fax: 01926 456121

**This may form be posted or emailed to the Local Authority**

**Emma Dudgeon**

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**From:** Deirdre Vernon <didvernon@me.com>  
**Sent:** 22 May 2016 15:20  
**To:** Licensing  
**Subject:** Hickory Smokehouse WDCPREM00192

Dear Sir or Madam,

I would like to support Application No. WDCPREM00192

Hickory Smoke House, 216 Cromwell Lane, Burton Green CV4 8AP

Hickory [ROS]Ltd. are giving the Peeping Tom a very much needed face lift and will be providing local employment for the area, particularly for the younger generation.

Looking at the plans and their other branches I feel sure they will provide a place that the community will feel proud to walk to and support. I am very pleased the pond is being reinstated to its former glory and I am sure the whole build will enhance the whole village giving us a good family amenity alongside our Village Hall. Unfortunately the popularity of the Peeping Tom has drooped drastically over the years, lacking a much needed refurbishment in all areas. It is important to a community to have a local good pub who welcome all ages, so many are being lost, I am looking forward to its reopening and being a more frequent user in the future.

I support the change in licensing hours.

Yours faithfully

Deirdre Vernon

Hodgetts Lane

**Emma Dudgeon**

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**From:** Paddy Deeley <paddydeeley@btinternet.com>  
**Sent:** 25 May 2016 16:44  
**To:** Licensing  
**Cc:** George Illingworth  
**Subject:** License Application: WDCPREM00192

Dear Sir or Madam

We wish to support Application No: WDCPREM00192

Hickory Smoke House, 216 Cromwell Lane, Burton Green CV4 8AP

We have lived in Burton Green for 31 years and have seen the former 'The Peeping Tom' pub experience great popularity at times, but in recent years it has become a shadow of its former self.

This venue is one of the few places residents in Burton Green can walk to, however many of us have not visited it for many years due to the general ambience and the tired décor.

The new owners are putting life back into the pub and the village, by providing a focal point for the residents and also in providing much needed local employment, especially for local young people.

The company has worked with the local community and they have kept us informed of their plans for the development of the site. In our view they have acted in a responsible and caring manner throughout. We believe that the conditions agreed with the licensee on this application will mitigate any noise concerns for local residents

It is important to the residents of Burton Green to have a local pub and good quality restaurant which welcomes people of all ages. We look forward to the venue re-opening and we fully expect to be regular customers of this much needed amenity in the village.

We fully support the change in licensing hours.

Alan and Patricia Deeley  
Coniston  
Red Lane  
Burton Green  
CV8 1PF

## Emma Dudgeon

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**From:** Jacqueline Lynch <mjlynch697@btinternet.com>  
**Sent:** 25 May 2016 17:56  
**To:** Licensing  
**Subject:** Application No. WDCPREM00192

Dear Sirs

We wish to support the above application for the Hickory Smoke House in Burton Green, and support the change in licensing hours.

Hickory (ROS) Ltd have worked with the residents of Burton green community, kept us informed and listened to and addressed comments.

The refurbishment of the Peeping Tom is transforming from a seedy run down pub to an establishment that we will enhance the status of the village and give us a 'local' to be proud of.

They are employing local people, improving the pond in the gardens and are intent on providing a good restaurant and pub, something that has been lacking here for many years.

We are looking forward to being able to walk to our own 'local' which will most certainly be a focal point for our community.

Mike and Jackie Lynch  
4 Seatons Field  
Red Lane  
Burton Green

Sent from my iPad





Cromwell Ln

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