

Licensing & Regulatory Panel

Tuesday 25 April 2017

A Licensing & Regulatory Panel will be held at the Town Hall, Royal Leamington Spa on Tuesday 25 April 2017 at **10.00am**.

Membership: Councillors Mrs Cain, Miss Grainger and Mrs Redford.

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 premises licence under the Licensing Act 2003 for Sherbourne Park, Sherbourne, Warwick**

To consider a report from Health & Community Protection
(Pages 1 to 5 and Appendices 1 to 20)

Published Wednesday 12 April 2017

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

Enquiries about specific reports: Please contact the officer named in the report.

Details of all the Council's committees, councillors and agenda papers are available via our website 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.

 Licensing & Regulatory Committee 25 April 2017		Agenda Item No. 3
Title	Application for a premises licence under the Licensing Act 2003 for Sherbourne Park, Sherbourne, Warwick, CV35 8AP	
For further information about this report please contact	Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
Wards of the District directly affected	None	
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?	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

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

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		
Head of Service	12.4.2017	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)		
Consultation & Community Engagement		
Final Decision?		Yes
Suggested next steps: N/A		

1. **Summary**

- 1.1 Warwick District Council Licensing Authority has received a valid application for a premises licence from Tegan Eldridge for Sherbourne Park, Sherbourne, Warwick.
- 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 premises licence for Sherbourne Park, Sherbourne, Warwick, should be granted and, if so, whether the licence should be subject to any conditions.

3. **Reasons for the Recommendation**

- 3.1 Ms Eldridge applied for a premises licence for Sherbourne Park, Sherbourne, Warwick on 16 March 2017. The premises licence application is for the sale of alcohol, regulated entertainment and late night refreshment at a Grade II listed Georgian estate. The event will take place on the grounds of the estate both outside and inside marquees.
- 3.2 The premises licence has been requested to run from 12 May 2017 to 14 May 2017. If granted the licence would lapse at 04:00hours on 14 May 2017 and the licence would not be able to be used at a later date.
- 3.3 The licensable activities requested are set out in the table below:

	Opening hours	Sale of alcohol for consumption on the premises	Live Music, Recorded Music and Anything of a similar description to live music, recorded music or performance of dance	Late night refreshment
Saturday 13 May to Sunday 14 May 2017 only	19:30 to 04:00	19:30 to 04:00	19:30 to 04:00	23:00 to 04:00

- 3.4 An operating schedule, which has been submitted by the applicant and will form part of any licence issued, has been supplied as follows:

General

All staff on site will be fully aware of the running of the event in detail so that each element of the licensing objectives is met effectively and efficiently – an operating schedule will be provided.

Staff will be made aware of laws concerning the provision of alcohol and the management of entertainment and provision of late night food and refreshments and will ensure that all necessary restrictions are adhered to. We will carry out the event with a purpose of promoting the licensing objectives with particular attention towards:

- (a) no provision of alcohol to underage people.
- (b) no drunk and disorderly behaviour on the premises.
- (c) vigilance in preventing the use/dealing of illegal drugs in the event area.
- (d) no violent or anti-social behaviour at the event.
- (e) no harm to children.
- (f) minimising the risk of public nuisance and noise complaints.
- (g) ensuring the safety and security of guests at all times.

Prevention of Crime and Disorder

Security guards, both patrolling the event area and static at entrances and exits.

Guards have a zero tolerance policy on substance abuse and have the ability to remove said substances and eject the offender from the event immediately.

Guests will be identifiable with visible wristbands so intruders will be identified and removed from the event.

External lighting and carefully managed perimeters will ensure that all guests are contained and easily identifiable should the need arise.

We will be operating a strict admissions policy whereby guests will only be able to enter the event if they are in possession of their ball wristband and corresponding ID – no other guests will be permitted entry.

Public Safety

There will be security barriers across areas of risk and there will be double height barriers across entrances to private property not included in the event area.

Fireworks will be set off at a safe distance from any people or wildlife, whether guests or public, and the fireworks company will show evidence of public liability insurance and necessary risk assessments.

British Red Cross will be employed for the event to provide medical support should it be required.

Our drinks company, London Mixology, will be managing the provision of alcohol in a responsible manner and will not encourage excessive drinking.

Bins will be provided across the site and litter pickers will be employed to ensure that rubbish does not become a risk to public safety.

A maximum capacity of 1500 guests is in place to ensure that there is no overcrowding and that people are managed safely and efficiently.

Guests will be escorted to and from the venue on coaches to minimize the risk of drink driving and to ensure all guests arrive and leave the event safely.

Protection of Children From Harm

We are not permitting the entry of guests under the age of 18 under any circumstances (due to the provision of alcohol).

There will be no children on the premises during the hours of the event (19:30pm on 13/05/17 - 04:00am on 14/05/17)

Prevention of Public Nuisance

Loud music will be turned off at 1am (with the main stage becoming a silent disco).

Neighbouring tenants will be informed of the event and its timings long before the event is due to take place.

A maximum capacity of 1500 guests is in place to ensure that there is no overcrowding and that people are managed safely and efficiently.

A contact telephone number will be made available to local residents during the hours of the event to ensure that they are able to contact the manager of the event (Ball President) in the event that there is a noise disturbance.

- 3.5 At the time of writing this report the Licensing Department have received 17 objections in relation to this application and one representation in support of the application. An objection has been received from Warwickshire Police, attached as appendix 1, Environmental Health, attached as appendix 2, 15 residents, attached as appendices 3 to 17 and a resident supporting the application attached as appendix 18.
- 3.6 The end date for representations is Thursday 13 April 2017 and therefore should any further representations be received these will be sent as an addendum to the report.
- 3.7 No representations have been received from:
- Fire Authority
 - 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
- 3.8 There have been five Temporary Event Notices held at the venue since April 2016. However, the premises does not hold any other premises licence.
- 3.9 A plan of the premises provided by the applicant is attached as appendix 19 and coloured copies of these will be made available at the Licensing Panel.

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 20)
 - 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.

Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):

Police

Your Name	PS 645 Paul Calver
Job Title	
Postal and email address	Leamington Police Station, Newbold Terrace, Leamington Spa
Contact telephone number	01926 684166

Name of the premises you are making a representation about	St Annes & St Peters Ball WDCPREM00886
Address of the premises you are making a representation about	Sherbourne Park, Sherbourne, Warwick

Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	yes	<p>Warwickshire Police object to the issue of this license on three of the four licensing objectives</p> <ul style="list-style-type: none"> • Crime and Disorder • Public Safety • To prevent public nuisance <p>The event being planned is for 1500 people, the operating schedule submitted does not cover in any form the areas that would be required for such an event of this size. It would require a full Event Management Plan, written under current guidelines for EMPs as a minimum.</p> <p>The attendees would appear to be brought by coach from Oxford, yet it states in operating schedule that certain behaviour would result in removal from event, should these persons be removed for violence, drugs or excessive alcohol, there is no where in the locality that they would safely be able to go, and would be left wondering around rural roads leading into major roads, possible in an unsafe state. Depending on the reason for removal this could also be due to violence and be left in the local community.</p> <p>There are a number of areas listed in the operating schedule that due to wording would result in a breach of the license as soon as an incident happened, ie no violent or anti-social behaviour, no drunk and disorderly behaviour. With such an event of this size and the amount of alcohol that will be consumed, it is nearly 100% certain that an incident of this type will happen and the license breached instantly.</p> <p>Whilst the intention of the event is to go to a silent disco at 1am in the main marquee, with potentially 1500 on site after that time, it can reasonable argued that the noise and</p>

		<p>disturbance to local residents will still be evident as there is no mention in the operating schedule that coaches taking attendees back will be staggered during the evening or at what time. The logistical task of taking 1500 people back to Oxford by coach at 4am plus, will in itself cause major disruption and disturbance in the general area.</p> <p>As there would be in an EMP, there are no real details on the operating schedule to how the event will be managed by security, whether they SIA registered or not, how many security there would be, what their roles and responsibilities would be, how many would be positioned at certain locations or structures, what the communication structure would be within that team.</p> <p>As per an EMP, the operating schedule does not have an event management structure in place with roles and responsibilities and communications, it purely states the Ball Organiser will have a telephone for local residents to call, which far from satisfactory for such an event.</p> <p>The event plans show a relatively vast area the event is taking place in and has structures listed of concern, for example a swimming pool is shown on the plans for the event with special lighting etc, with persons under the influence of alcohol this would cause some concern for safety and potential fatal accidents.</p> <p>The above is a short list of potential concerns, pitfalls and issues with this application, this will be expanded on and emphasised at any subsequent hearing using the EMP guidelines and the licensing objectives.</p> <p>If Warwickshire Police deem it necessary, they will request the attendance at any hearing of other specialists involved with advising / assessing on Safety and security at such an event. The council will be notified in advance should that be required. They will be in attendance to amplify the points raised in the above and the relevant parts or an Event Management Plan.</p>
Public safety	yes	As above
To prevent public nuisance	yes	As above
To protect children from harm	no	

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.

An event of this size, would expect very early initial consultation with all the relevant authorities, potentially about 12 months in advance. It would involve Event Management Plans of considerable depth and coverage. It would involve a number of Safety Advisory Group meetings to assess the event and EMP, at which point the license would then be considered.

Due to timescales of consultation under licensing act, timelines for a hearing. Also due unknown outcomes of conditions etc as a result of a hearing, there highly likely not to be a resolution to the application until the end of April. With the event planned for the second week of May, there is insufficient time for EMPs (if one is completed) to be written, approved and amended as a result of any hearing decisions. This would cause grave concern to Warwickshire Police about the event.

It is therefore Warwickshire Police's decision to object to the issue of the license as a whole, and we cannot suggest any conditions that would be necessary or appropriate within the timescales of any hearing and the event that would remove our concerns,

Signed:



Date: 28th March 2017



WARWICK DISTRICT COUNCIL
Licensing Act 2003

**REPRESENTATION FORM FROM RESPONSIBLE
AUTHORITIES**

Responsible Authority:

Your Name	Matthew Shirley
Job Title	Technical Officer
Postal and email address	Environmental Sustainability, Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ
Contact telephone number	01926 456730

Name of the premises you are making a representation about	Sherbourne Park
Address of the premises you are making a representation about	Church Road, Sherbourne, Warwick, CV35 8AP

Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		
To prevent public nuisance	Yes	Further evidence may be supplied in advance of any hearing. See comments on accompanying page.
To protect children from harm		

Summary:	See comments on accompanying page.
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Signed:

Date: 4th April 2017

Please return this form along with any additional sheets to Licensing, Health and community Protection, Riverside House, Milverton Hill, Royal Leamington Spa. CV32 5HZ.
This form must be returned within the Statutory Period.

Representation

A premises licence application has been submitted for an outdoor event due to take place on 13th May 2017. The event is proposed to host up to 1500 guests and provide regulated entertainment across three stage areas. The event site is located in the village of Sherbourne and is in close proximity to residential properties on Church Road. Further dwellings are also located at the north of the site on Vicarage and Watery Lane as well as the village of Barford located to the south. Previous outdoor events of this nature have been held at the site and have prompted noise complaints from residents of Sherbourne as well as Barford, and Wasperton.

The applicant is seeking a premises licence for an event which will operate between 19:30 on 13th May 2017 and 04:00am on 14th May 2017. The event is proposing to have three separate stages which will operate concurrently:

Stage 1 - 1200 people; live music (20:30 to 01:00)

Stage 2 - 500 people; live music (20:00 to 01:00)

Stage 3 - 300 people; live music, karaoke, and comedy (20:00 to 01:00), low-level recorded music (00:30 to 04:00)

The late-running nature of this event is not compatible with the surrounding rural village and will cause public nuisance to residents. Given the proximity of the event site to residential properties, public nuisance will occur as a result of loud amplified music, customer noise on and off site, as well as noise from arriving and departing coaches until the very early hours of the morning. We note that the applicant is proposing to stop live music at 01:00 and hold a silent disco until 04:00. Whilst the amplified music is proposed to end at 01:00, this does not mean that noise from the site will also end at this time. Given the proposed number of guests, there will still continue to be raised voices and noise from the guests as well as the proposed fairground attractions, and the third performance stage operating until 04:00am (albeit at a reduced volume). The operating times also do not account for the noise that will be generated by the setting up and dismantling of the event site and the transport of equipment after the event has finished.

The licence application has not provided sufficiently detailed information on how noise issues have been assessed or how this will be managed throughout the event. For an event of this size, it would be expected that a noise consultant is appointed from the planning stage of the event. As part of the planning process, we would have expected a suitably qualified noise consultant to have attended the event site to assess its viability, measure the existing background sound levels at noise sensitive premises likely to be affected by the event, and evaluate the local environmental conditions in order to produce a noise management plan.

The applicant has also proposed that guests will be transported to and from the site by coaches to minimise the risk of drink-driving. On the basis that an average single deck coach will seat approximately 50-60 people, this means that between 25 and 30 coaches will be required to transport the 1500 guests to and from the site throughout the evening. This will cause significant noise disturbance to local residents as a result of large coach vehicles navigating the narrow local streets up to and beyond 04:00am in the morning. It is also unclear how frequently the coaches will be departing during the evening and whether guests will be required to stay on site until 04:00am before the coaches depart. The provision of coach only transport also presents a problem if guests are ejected from the event for disruptive or violent behaviour. These ejected persons would have no means of returning home other than by coach. In a situation where multiple people are ejected from the event, this could result in incidents of noise nuisance and public disorder in the surrounding residential streets at the detriment of the local community.

An event for 1500 people involving live amplified music and other entertainment until 04:00am is not appropriate for the rural village location. The event will be providing live music across three stages until 01:00am with no formal noise management plan in place. The applicant has not had due regard to recognised guidance for outdoor music events e.g. The Noise Council's Code of Practice on Environmental Noise Control at Concerts (1995), and no prior consultation has been made to Warwick District Council before submitting the application. The event is solely relying on coaches to transport 1500 guests to and from the event which will result in a highly disruptive level of traffic and noise to enter and leave the village until the very early hours of the morning. On this basis, Environmental Health must regrettably object to the premises licence application on the grounds of public nuisance.

Emma Dudgeon

From: Landman, Willem J [REDACTED]
Sent: 04 April 2017 09:32
To: Licensing
Subject: Objection to the application of Tegan Eldridge for grant of a Premise License for Sherbourne Park

The licensing authority: Warwick District Council

I am the owner of 15 Vicarage in Sherbourne. It is with dismay that I read the notice where Tegan Eldridge is applying for a grant of a Premise License for: Sherbourne Park, Sherbourne, Warwick, CV358AP.

How can it be in the best interest of the village to allow the supply of alcohol on the premises?
I do not believe this fall into the reasonable behaviour of neighbours category.

There has been quite a few functions on this premise since I moved into my house in 2012.

I can honestly say that it has always been a disturbance for the village.

The owner of the premise also never adhered to the time limits for noise.

Furthermore with past events we have seen:

- Intoxicated individuals wandering around the village causing disturbance
- fly tipping in the village, which then had to be cleaned up by the villagers or the council.

If the council decides to grant this license can they give the Village a guarantee that this will not open the gate for a more permanent license or a continual request for such a license?

I really do not believe that this type of practice is in the best interest of the village and expect the council to protect the village from such activities.

So I vehemently object to the Warwick council granting this License to Tegan Eldridge..

Your Sincerely

Johan Landman

The information contained in this message is proprietary and/or confidential. If you are not the intended recipient, please: (i) delete the message and all copies; (ii) do not disclose, distribute or use the message in any manner; and (iii) notify the sender immediately. In addition, please be aware that any message addressed to our domain is subject to archiving and review by persons other than the intended recipient. Thank you.

Emma Dudgeon

From: Matthew Shirley
Sent: 04 April 2017 08:31
To: [REDACTED]
Cc: Licensing
Subject: FW: WDCPREM00886 Premises Licence Application - Sherbourne Park, Church Road, Sherbourne, Warwick, Warwicks, CV35 8AP

From: Tony Merrygold [REDACTED]
Sent: 03 April 2017 21:53
To: Matthew Shirley
Subject: WDCPREM00886 Premises Licence Application - Sherbourne Park, Church Road, Sherbourne, Warwick, Warwicks, CV35 8AP

Matthew, I understand there is a licence application for a major event at Sherbourne Park on 13 – 14 May.

As both a local resident and a JPC Cllr I would like to object on the following grounds:

- 1) Late night music – the application say live music to 01:00 followed by a 'silent disco'. This is a rural setting on the edge of Sherbourne Village very close to housing in Church Road and not far from the edge of Barford. Such noise carries easily during the evening and night – as has been experienced at previous events and is likely to cause a noise nuisance to residents.
 - a. What do they mean by a silent disco? I don't know how music can be silent – it may be quieter than live music but if loud enough to be heard by 1500 guest I believe the noise nuisance will continue beyond 01:00.
- 2) This event will cause considerable traffic problems.
 - a. The event website says that transport is included in ticket prices – for an oxford college. Which means they are planning to bring people in by coach. At 50 seats per coach - 1,500 people means about 30 coaches. Assuming the coaches don't remain onsite overnight this is 60 coach movements on one day, and 60 coach movements the following day to take them away again. Add to this the vehicles brining in the marquees, musicians and sound systems, catering, portaloos etc.
 - b. The entrance to the event will be along Fulbrook Lane, through the gate into the field. Fulbrook Lane is a narrow country lane and not suited to this volume of traffic. This traffic pattern assumes all the vehicles know where they are going.
 - c. Previous events have shown that traffic to events at Sherbourne Park do not always know where they are going. We regularly walk our dogs round the village and have often been stopped by vehicles who have driven down Church Road as far as the church or the entrance to Sherbourne Park looking for an event.
 - d. Church Road generally has cars parked down the side of the road with the houses. In addition on Saturdays there are normally a number of events at the Village Hall adding to the parked cars. Additional traffic coming down Church Road, getting it wrong and turning round and going back will only cause problems.

Cllr Tony Merrygold
 Barford, Sherbourne & Wasperton Joint Parish Council
 [REDACTED]
 [REDACTED]

Emma Dudgeon

From: Licensing
Sent: 06 April 2017 07:51
To: 'Graham Gibbs'
Subject: RE: Sherborne park 13th and 14th may.

-----Original Message-----

From: Graham Gibbs [mailto: [REDACTED]]
Sent: 05 April 2017 16:17
To: Licensing
Subject: Sherborne park 13th and 14th may.

Dear Licensing Authority,

My Wife and myself wish to object to the proposed license application. This application is not in keeping with the local setting of this quiet hamlet and its likely noise impact and the inevitable vehicle movement on and off the site.

A recent event of this size caused a great deal of trouble and bad press from the national news papers.

many thanks Graham and Vivianne Gibbs

Church Road, Sherbourne, Warwick cv35 8an

This objection has been withdrawn.

Emma Dudgeon

From: Antoinette Gordon
Sent: 06 April 2017 17:19
To: Licensing; Matthew Shirley; Paul Coleman (PCSO 6189)
Cc: Tony Merrygold; Rachael Newsome; James Johnson; John Murphy; Philip Swallow
Subject: Fw: Sherbourne Park - 13-14 May 2017; No. WDCPREM00886.

From: Antoinette Gordon
Sent: Thursday, April 06, 2017 4:18 PM
To: licensing@warwickdc.gov.uk ; Matthew Shirley ; Paul Coleman (PCSO 6189)
Subject: Sherbourne Park - 13-14 May 2017; No. WDCPREM00886.

With reference to the above site for which a licence application has been made in the name of Tegan Eldridge for an event 13/14 May, I wish to lodge a strong objection.

1. Sherbourne Park has a recent history of similar events which have been badly managed with the licence conditions being regularly flouted, and the resultant noise and disruption affecting the local village community to an appalling degree. Based on this experience, this current proposal is, therefore, unacceptable to the village of Sherbourne.
 2. This site is not an open rural location, but it is surrounded on three sides by local housing, comprising Sherbourne village and the nearby homes in Barford alongside the R. Avon. Other neighbouring communities in Longbridge, Wasperton, Fullbrook, Hampton Lucy have all previously been adversely affected by the noise emanating from the Sherbourne Park site.
 3. The present application relates to an all-night event for some 1,500 students and alumni from the Oxford Colleges of St. Anne's and St Peter's. This number is excessive for the site, noting that the village of Sherbourne has only some 150 on the electoral register. From previous experiences of similar events, the village will be fearful and will have to go into "lock-down mode" as it overwhelmed by such an invasion of numbers.
 4. It is proposed to bus-in this large number of attendees, which would involve some 30 or so coaches with, additionally, all the setting up and servicing vehicles both before, during and after the event. The narrow rural roads of Sherbourne are quite incapable of coping with such a level of traffic.
 5. The "All Saints" Church of Sherbourne (architect George Gilbert Scott, listed Grade II*) overlooks the site in question and has regular Sunday services as well as Saturday weddings. The normal peaceful village environment and activities of the Church would be shattered by the intrusion of noise and numbers.
 6. The website for this 'Spectrum Ball' shows an illuminated Ferris Wheel and promises the participants 'spectacular entertainment, with fairground rides in a festival of colour and light with drinks flowing all night'.
- This description is more like a "rave up" than a "ball" and is totally inappropriate within a small village community, who have a right to peacefully enjoy their homes.
7. Following the public display of the blue WDC Notice, people in and around Sherbourne have approached me to convey their strong opposition to the granting of a licence for this event, so this submission is compiled from their comments and from personal knowledge of the events on this site over recent years. Therefore I request that the licence should not be granted.
 8. If it would be useful to the deliberations of the Hearings of the Licencing Committee, I would be prepared to attend in person to make these points.

Mrs A. Gordon


Vicarage Lane,
Sherbourne, Warwick CV35 8AB.

Tel: [REDACTED] email: [REDACTED]

Emma Dudgeon

From: Antoinette Gordon
Sent: 07 April 2017 11:49
To: Licensing; Matthew Shirley
Subject: Sherbourne Park - application for WDCPREM00886

Further to my e-mail of 6 April, I have been asked to draw your attention to the fact that there are estimated to be some 30 riding horses in and around Sherbourne, many at livery on the land in front of Sherbourne Park House, the subject of this application, and near to the river, and many stabled close to the House, and others grazing in paddocks within and around the village. The care of these horses is very important to their owners and there is concern that the loud noise generated from this nearby all-night event may 'spook the horses'. This means they will become severely distressed, and may even try to bolt out of their paddocks onto the roads. Also, there are 250 milking cows housed in the dairy buildings close by. It would be appreciated if these points could be included in your deliberations. Many thanks in anticipation. AG

Emma Dudgeon

From: Katrina Barford <[REDACTED]>
Sent: 06 April 2017 12:16
To: Licensing
Subject: Sherbourne Park

Dear Sir/Madam,

I am writing to strongly object to the licence applied for Sherbourne Park, Sherbourne, Warwick, CV35 8AP by Tegan Eldridge.

We live in Moat Green and have just moved here hoping for some peace and quiet however we have just recently had to deal with the travellers and all their evening noise and mess and now this.

We feel very strongly that this licence should not be granted as not only shall we have to deal with the noise throughout the night but we also have to once again contend with the parking of the transport required to bring all these people to our village!! Not to mention the mess...

The things that this licence if granted impacts is : our wildlife and horses, our children, our retired community, our roads into the village due to the amount of coaches, cars etc required to bring this amount of people to our village, the sheer volume of noise, we already contend with road noise and as previously stated had to endure the travellers' evening noise also. Why should we also have to endure this which will affect us greatly. The mess that is left in our village and how long it takes to make good the damage left.

Please, please help us by not granting this license as it seems every day we are fighting to keep our little village peaceful, clean and safe for our children, residents and wildlife. We are very proud of our village and go to great lengths to look after it. Please help us keep it a quiet little village in the beautiful Warwick countryside.

Yours Sincerely
Katrina and Jason Barford

Katrina

Emma Dudgeon

From: Vaughan Rees <[REDACTED]>
Sent: 06 April 2017 13:34
To: Licensing
Subject: Application for Premises Licence. Sherbourne Park CV35 8AP

To Licensing Authority
 Warwick District Council
 Riverside House
 Leamington Spa
 CV32 5HZ
 6 Apr.2017

Application for premises licence at Sherbourne Park CV35 8AP. on Sat. 12 May and Sun. 13 May 2017.

Dear Sirs

My wife and I are totally opposed to the granting of a license at these premises on the following grounds.

Past events at this site have been granted licenses with conditions attached, the organisers then choosing to ignore the conditions which has resulted in a history of disruption to the residents of Sherbourne. In addition these events appear to attract undesirable individuals as was demonstrated at the event that was held between 10th and 13th Sept 2016.

I was unfortunate enough to be involved in an incident at approx. 6pm Thursday 10 Sept. 2016 When 2 "Rent a Thugs" employed as security staff at the event accosted me on the public highway in Fulbrook lane, where I was verbally threatened by them and they endeavoured to steal my camera.

I summoned the police via a 101 call at 6-30 pm on Thursday as soon as I arrived home. After 4 calls for assistance a female police officer finally turned up at my home at 5 pm Sunday. That was almost 3 days later.

If events at Sherbourne Park are NOT granted permissions incidents such as occurred in Sept. 2016 cannot be repeated.

So we must reiterate that we are totally opposed to the granting of a licence.

1. The event not being conducive to be held within the confines of a village with a population of approx 150 persons, where I understand the expected attendance is to be in excess of 1500.
2. The high noise level at these events being unacceptable especially at night. WDC declining to check noise levels after midnight. It should be noted that this event is scheduled to finish at 4 am. Following the events between 10-13 Sept. 2016 where the condition of music to cease at midnight being ignored and carrying on until 4 am, A model of a 4 am, finishing time has been adopted in this latest application. Which is totally unacceptable.
3. The volume of vehicular traffic associated with attendees being unacceptable.
4. Rubbish being deposited around the village, i.e. packaging materials from tents to used condoms, following the exodus of attendees at events.

Yours Faithfully
 Vaughan and Barbara Rees

[REDACTED]
 Vicarage Lane
 Sherbourne
 CV35 8AB

Confirmation of receipt of this email would be appreciated. Thank you.

VICARAGE LANE
SHERBOURNE
WARWICK CV35 8AB

7th April 2017

Mr Matthew Skinner
Licensing Dept.
Warwick District Council
Riverside House
Leamington Spa.

Dear Sir Licensing Application 13/14 May 2017
for Sherbourne Park.

Having seen the Public Notice & also the Event & Colleges website, I wish to object to the licence being granted.

This application is one of several large events held at Sherbourne Park which have not been welcomed by the village on the grounds of noise & the violation of attempts to lay down controls. Many house gardens back onto the site & noise is experienced all over Sherbourne & as far away as Banford & Waspsdon.

These events are growing in scale - we had the Swingers all night week end last year - we had the first Ram-Run last week end which is likely to be a massive event in the future, which has come from its normal venue at Stoneleigh due to its course being taken as land for HS2 Rail.

This present application is for a rave up & could amount to 1500 students on site all night & a licence until 4 am & breakfast.

Their website confirms a fireworks display (what time of night?) live music on 3 stages until 1 am (are they inside or outside?). Fensons wheel & dodgem cars (outside all night)

Art installation in the grounds (would these incorporate light shows in a dark environment?) & spectrum coloured spray paint body event (presumably outside?). 50 meters of bar & the website makes a big play on the provision of alcohol & its deals & schemes.

The Sharbourne Park events are getting out of hand considering its proximity close to the village. We already have the midnight music of the wedding receptions which are regular & quite enough.

This proposed rave up event is raising the bar to new and unneighbourly level & set a precedent for future applications so now is the time say no, as it is certainly the tip of the iceberg.

Yours - ~~XXXXXXXXXX~~
TONY REECE

Emma Dudgeon

Appendix 11

From: Catherine White <[REDACTED]>
Sent: 07 April 2017 20:03
To: Licensing
Subject: 13th/14th May Sherbourne Park

Follow Up Flag: Follow up
Flag Status: Flagged

We strongly object to the proposed licence for this party which lasts till 4am. We can clearly hear the music at events held at Sherbourne Park, and this disturbs our sleep and is inconvenient enough until 11pm, but until 4am is unacceptable and this licence must not be approved.

Catherine & Richard White
[REDACTED] Wilkins Close,
Barford
CV35 8EX

MOAT GREEN, SHERBOURNE, WARWICK. CV35 8AJ

C.S.I.

6/5/17

10 APR 2017

Dear Sir

I have had ~~WARWICK DISTRICT COUNCIL~~

the application of a grant of
a Premises License for Sherbourne
Park on Saturday 13th May.

I would like to send in
my complete resistance to this
application.

The villagers of Sherbourne
are continually being bombarded
with these horrible parties
that create huge amounts
of noise. We are elderly
people and do not need
our sleep disturbed.

Yours faithfully

Emma Dudgeon

From: [REDACTED]
Sent: 10 April 2017 15:26
To: Licensing
Subject: WDCPREM00886 - FORMAL OBJECTION

Importance: High

Dears Sirs

Further to the above application I wish to formally object to the licence being granted.

As neighbours of the property requesting the license we have suffered several times over the years due to licenced and unlicenced events taking place, not exclusive to the event that was in the national newspapers that was not in too dissimilar nature to the one being currently proposed. I understand ferris wheels etc. will be added to this event. The site backs directly onto residential properties and causes a real noise nuisance and should not be allowed to take place to the detriment to the local villagers. Previously events have been caused real disruption also to neighbouring villages in Barford and Longbridge Island due to the high noise levels. No one is ever on site to supervise and to take responsibility despite assurances to the contrary and the council noise abatement team finish at 1am when generally the noise is increased again once they are offsite till the following morning leaving it in the hands of the police to deal with to no effect.

There are several residents that are seriously ill that should not have to tolerate this in their own homes, last time an ambulance had to be called. Also my son has his A Levels directly around this event and I dread to think what affect this event will have on his scores and his prospects thereafter.

Kind regards

Amber O'Brien
[REDACTED]

Church Road
Sherbourne
Warwick
CV35 8AN

Emma Dudgeon

From: Gerry Jackson <[REDACTED]>
Sent: 10 April 2017 21:54
To: Licensing
Cc: Antoinette Gordon; Alyson Jackson
Subject: WDCPREM00886: Sherbourne Park

I understand that a request has been made in the name of Tegan Eldridge for 13 - 14 May for a licence application. I don't know Tegan Eldridge, but I do have comments about the application.

We are residents of Sherbourne, and live reasonably close to Sherbourne Park (in that we can hear events that happen there). We've been living here for just over a year. We already have some experience of the consequences of events at Sherbourne Park which, while they may make money for the owner, do not ever seem to have taken the residents of Sherbourne into account.

We aren't happy with the granting of the application.

1. We think that the event is itself a bad idea. Sherbourne is a small village and an influx of that many people will cause serious traffic problems for us.
2. The site for the event is close to a number of houses. Events that happen at Sherbourne Park are already audible to the rest of the village. We would expect that this event will be even worse than previous events, simply because of its scale.
3. The licence applied for is for an overnight event. Even if the event weren't especially noisy (and we think it will be), we would be unhappy with a licence for an event that went on so late.
4. We understand that the plan is that there will be fairground events there. Again, we can't imagine that this will happen quietly.

Gerry and Alyson Jackson

[REDACTED]
Vicarage Lane
Sherbourne

Emma Dudgeon

From: Angela . [REDACTED]
Sent: 11 April 2017 07:52
To: Licensing
Subject: 13th May 2017 - Mr R Smith-Ryland

We object to a Licence being granted because we do not wish to be forced to listen to this loud obtrusive music rave until 4 00 am in the morning.

Kind regards

Angela Beasley and Scott Warren

Emma Dudgeon

From: [REDACTED]
Sent: 11 April 2017 11:21
To: Matthew Shirley, Licensing
Subject: Fw: WDCPREM00886 Premises Licence Application - Sherbourne Park, Church Road, Sherbourne, Warwick, Warwicks, CV35 8AP

Barford, Sherbourne & Wasperton Joint Parish Council

WDCPREM00886 Premises Licence Application - Sherbourne Park, Church Road, Sherbourne, Warwick, Warwicks, CV35 8AP

I write to comment upon the Premises Licence Application.

The Joint Parish Council OBJECTS to the application as submitted.

This objection is based upon concerns expressed by residents of both Sherbourne and Barford who have suffered considerably as a result of multiple minimally regulated events held on the proposal site in the past.

Regrettably, it seems that the landowners of the site fail to appraise event organisers of the impact their events will inevitably have on nearby residents and as such seem to impose no, or very limited, constraints.

The application broadly requests *carte blanche* for activities through to 04.00hrs on Sunday May 14th – including (loud and outdoor) music and provision of alcohol.

The chairman and vice-chairman of the JPC have received informal assurances from the organisers (Ball chairperson and college administrators) that they are prepared to moderate activities and we have been assured specifically that all audible music will cease at a pre-set hour, initially suggested at 01.00hrs but hopefully brought forward to 12.00 midnight or preferably 23.00hrs by use of “silent disco” technology. We were also advised that they would employ “noise mitigation technology” to contain noise within their site.

We were also assured that a comprehensive traffic management plan would be implemented with all participants arriving by coach and then being contained within the site, with adequate levels of security staffing and with departures on an *ad hoc* basis through to final departures after the 04.00hrs.

In the event that WDC is minded to grant this Premises Licence the JPC requests conditions be imposed to

- Limit audible music to a pre-set cut-off time
- Limit audible music levels – to be monitored
- Control traffic by imposing a one-way system avoiding transit through Barford and Sherbourne village centres

- Ensure adequate security staffing on site throughout the event, its set-up and its dispersal
- Require a post-event review meeting with JPC and other interested parties

I trust that these comments may assist in your deliberations,

John Murphy

Chairman – Barford, Sherbourne & Wasperton Joint Parish Council

[REDACTED]

[REDACTED]

This e-mail is CONFIDENTIAL and may be privileged - it is intended for the named recipient(s) only. If you have received it in error please notify the sender by return. Unless you are the intended recipient, or their legal representative, you are not authorised to read, copy or disclose its content or any part thereof to any other person or body, and must delete it from your computer system(s) forthwith. John Murphy - (jvm@jvmurphy.co.uk)

Appendix 17

Wilkins Close,
Barford
Warwick

9th April 2017

Warwick District Council,
Licensing,
Riverside House,
Milverton Hill,
Leamington Spa

Dear Sir/Madam,

re; Application for Premises Licence by Tegan Eldridge for Sherbourne Park
Sherbourne, Warwick for 13/14 May 2017

Having read the application for this license, I wish to register my objection for the closing time of 4.00 a.m on the 14th May. Living close to Sherbourne Park, we are frequently disturbed when functions such as wedding receptions do not finish at the designated time of midnight. It is inevitable that functions take time to close down and so a 4.00 a.m finishing time is likely to be later. I note that a "silent disco" is planned from 1.00 a.m but other entertainments are likely to cause additional noise and lighting which will impact on neighbouring properties. While not wanting to spoil the Students enjoyment of their evening, I do think that the neighbours deserve some consideration and would urge the Licensing Authority to reduce the closing time to a more reasonable one

Yours sincerely



C.C. McBeath

C.S.T.

11 APR 2017

WARWICK DISTRICT COUNCIL

Emma Dudgeon

From: Peter Hollier <p.hollier5@btinternet.com>
Sent: 11 April 2017 13:34
To: Licensing
Subject: FULL SUPPORT for Licence Application WDCPREM00886 at Sherbourne Park

Dear Licensing Team,

My name is Peter Hollier and I have been a resident of Sherbourne for 16 years, living at No5 Church Road.

I am writing to express my **full support** for the licence application WDCPREM00886 at Sherbourne Park.

As a long-standing resident of this village, and a resident who overlooks the parkland where these events are held, I believe that this event is vital to the rich tapestry of Sherbourne Village life. All previous events that I have experienced have been well organised and run with no harm to any residents whatsoever.

It is vital that estates such as Sherbourne can diversify their commercial endeavours for the good of the future upkeep of the estate, and preventing such activities will only hasten their demise.

I am fully aware that certain individuals have objected to this licence application but would like to inform you that I believe that this is due to a personal vendetta against the owner of Sherbourne Park, which I have witnessed from these individuals over a number of years. They are habitual complainers who use any excuse to try and thwart the attempts of other villagers to conduct their lives in a reasonable manner. It is interesting to note that these objectors live considerably further away from Sherbourne Park than I do and that they will NOT experience any inconvenience or nuisance from this event.

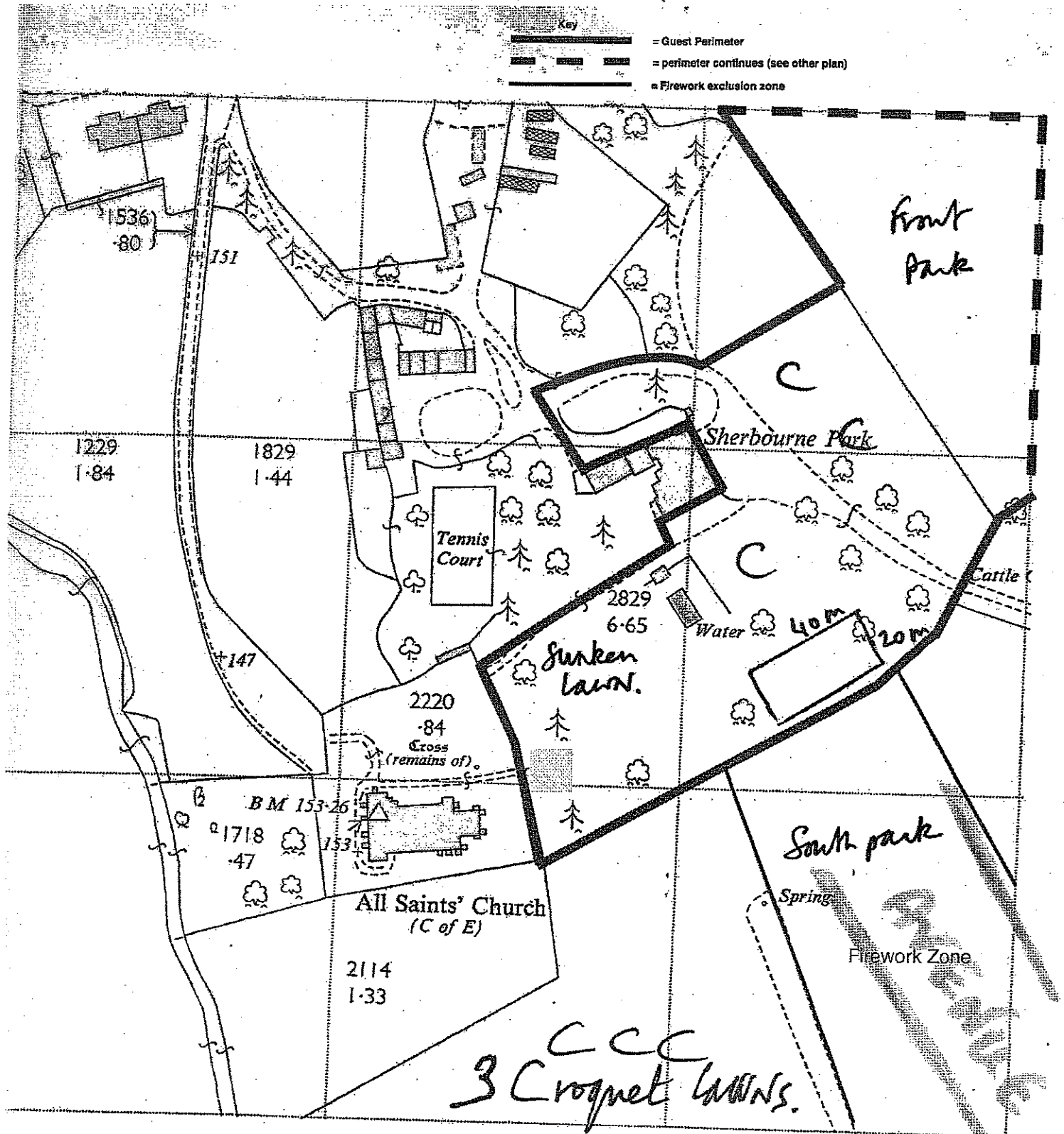
It is **TOTALLY UNACCEPTABLE** for these people to object to these events when we (who live right on the events doorstep) have no such objections.

For the good of Sherbourne's future, I implore you to grant this licence and allow another well organised, well run and safe event to take place here. I understand that several concessions have been made by the organisers, to help address the concerns of people who live further away than I, and I believe that this shows a commitment by the organisers to run a professional event.

I would be grateful if you could acknowledge receipt of this email and trust that you will make the right decision

Peter Hollier
5 Church Road
Sherbourne
Warwick
CV35 8AN
07767 293929
p.hollier5@btinternet.com

Appendix 19



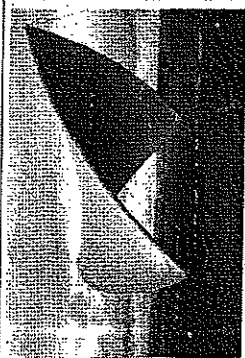
Based on the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office. Copyright reserved.

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40m x 20m space on south lawn
1L front of ha-ha &
avenue is 40m x 20m

78





Outdoor bar

For the main outside bar, OTP will supply an S500 saddlepaw structure with a 20' wide internal bar. The shape of the S500 will also provide dry cover for guests. The inside of the structure will be illuminated using LED colour changing floods to provide both ambient and decorative lighting.

House illumination

OTP will use a series of LED flood lights to illuminate the facade of the house. The lighting will be controllable so that it can slowly colour change throughout the event.



Glow tank entrance

OTP will use a raised walkway to guide guests from the bus drop-off location towards the main arena, across the grass and haka landscape feature. The raised walkway will be covered in red carpet and towards the end of the platform will be surrounded by glass handrails to satisfy health and safety requirements over the haka. The end of the walkway will widen to allow for a champagne reception area, and OTP will supply x4 glass posseur tables to facilitate this.

Under the walkway OTP will install LED lighting to colour wash the ground either side of the walkway. Both the glow tanks and the walkway lighting will be controllable, so changing colours and lighting patterns can be used to create a varied focal point during the event.

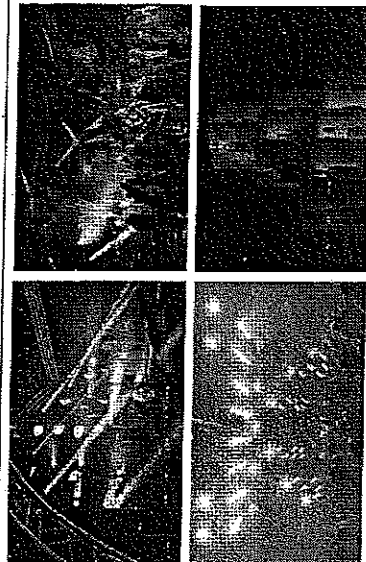
On top of four of the glow tanks OTP will install Hollywood style search lights that will move across the grass, walkway and sky to create an entrance spectacle.

Tree illumination

Behind the bar structure, the oak trees will be illuminated with green flood lights. Further blue flood lights will be used to illuminate the trunk and main branches within the tree canopy.

Drive way lighting

Down the drive way OTP will install x10 high powered coloured flood lights to illuminate the main trees. At the end of the drive way LED flood lights will be used to illuminate the low entrance walls.



Main Marquee

OTP will supply a 45m x 15m clear span marquee for the main stage structure. Using a clear span marquee is the most budget friendly option for a large structure, but also allows for easy lighting fixture rigging using the marquee framework.

An 8m x 6m stage with PA wings with handrails will be constructed at one end of the marquee, with overhead lighting being suspended using a truss structure. Similarly throughout the tent further lighting will be hung on additional trusses to provide dance floor lighting. The space around and behind the stage will be masked using black draping to enhance the stage production.

A suitable PA system for 1200 people will be installed on the PA wings either side of the stage. On stage OTP will provide 8 ways of monitoring to facilitate the 14 piece band as well as smaller bands and DJs. Similarly a suitable quantity of microphones and stands will be supplied, alongside a digital mixing console.

At the far end of the marquee OTP will install a 40' wide bar with a solid black fascia, two 12' wide back bars will also be provided to aid drinks service. Behind the back bars illuminated colour changing panels will be installed to continue the 'spectrum' theme.

All necessary fire exit signage and emergency illumination will be provided by OTP for the marquee structure. Flooring for the marquee has not been included.

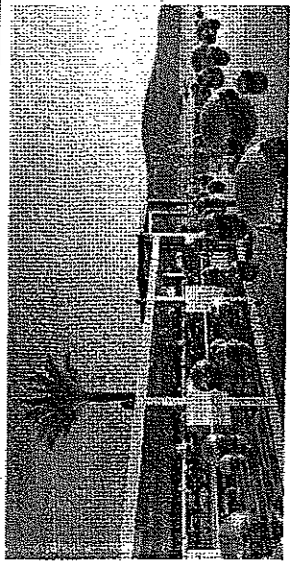
Main arena plan v1

1:600 scale @ A1.
Drawing by Ben Cox
10/10/16



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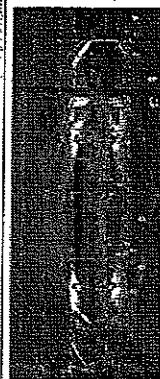
Pool area

Around the pool area OTP will use LED flood lighting to illuminate the surrounding gardens, with LED ground mounted spots used to illuminate the water in changing colours.

To provide visual effect, mirror balls of varying sizes will be positioned in the pool to reflect the coloured lighting.

LED Bar

12' curved colour changing LED bar unit.



Sunken Garden

Within the sunken garden OTP can supply a 15m x 25m hot pink stretch tent to provide a covered seating and stage area.

Within the corner of the structure, OTP will supply a small stage and PA system for spoken word and acoustic performances. Ambient lighting will be achieved using wireless uplighters, with small stage spot lights used to provide basic stage lighting.

Around the sunken garden OTP will install coloured flood lighting and multicoloured festoon to provide decorative ambient lighting. The festoon will be used to highlight the garden entrances and exits.

A colour changing LED bar will be supplied for serving drinks within the sunken garden area.

Church spire lighting

OTP will use architectural spotlights to illuminate the church spire in changing colours, providing a backdrop to the secret and sunken gardens.

6m x 3m bar tent

6m x 3m chinese top hat marquee, with 16' black solid fronted bar.

2nd Stage

OTP will supply an S2000 saddle span structure for the second stage incorporating both covered stage and audience area. The rear of this saddle span can be left open to leave the view of the illuminated tree avenue behind.

A 4m x 3m stage with PA wings will be constructed at the rear of the tent, with basic stage lighting and ceiling effects lighting mounted on the truss framework. OTP proposes to illuminate the roof of the structure with moving coloured light effects to create a continually changing effect whilst still allowing the view of the trees behind.

A suitable PA system for 800 people will be installed on the PA wings either side of the stage. On stage OTP will provide 3 ways of monitoring to facilitate small bands and DJs. Similarly a suitable quantity of microphones and stands will be supplied, alongside a digital mixing console.

Rainbow hedge lighting

Along the hedgerow either side of the stage OTP will install 1m long LED batten for uplighting. These will be programmed to produce a rainbow lighting effect down the length of the hedge.

Tree Avenue lighting

Behind the stage the first 200m of tree avenue will be illuminated with green and blue flood lights to provide a spectacular backdrop to the stage.

Gardens plan v1

1:300 scale @ A1
Drawing by Ben Cox
14/10/16

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Secret garden hanging lanterns

OTP will use a series of discreet overhead wires to hang coloured chinese lanterns through the secret garden. Size and hanging height will vary so that guests interact with the lanterns as they move through the space.



STATEMENT OF LICENSING POLICY

**Reviewed May 2014 &
Approved by Warwick District Council on 25 June 2014**

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1. Summary and purpose

- 1.1 Warwick District Council (the Licensing Authority) makes this Statement of Licensing Policy in pursuance of its duties and powers under the Licensing Act 2003, (the Act) and the guidance issued under Section 182 of the Act.
- 1.2 Warwick District Council (WDC) is situated in the south of Warwickshire in the centre of England. Appropriately for England's heartland, Warwick District Council's boundaries are roughly heart-shaped, embracing an area of some 28,253 hectares with a population exceeding 138,000 people. The District covers four towns, Royal Leamington Spa, Warwick, Kenilworth and Whitnash as well as a large rural area with 18 Parish Councils. It is acknowledged that the town centres have a large proportion of residential premises.
- 1.3 The policy will relate to current legislation, and, where possible, to local factors, allowing flexibility and the potential to expand and augment the local economy and promote cultural issues.
- 1.4 The aim of this Policy is to demonstrate how WDC, will promote the four licensing objectives. These objectives are:
- prevention of crime and disorder;
 - public safety;
 - prevention of public nuisance; and
 - protection of children from harm.

WDC recognises that the promotion of the Licensing Objectives relies heavily on a partnership between license holders, authorised persons, responsible authorities and other persons in pursuit of common aims.

- 1.5 In making this Policy, the Licensing Authority recognises the following:-
- that residents within, and visitors to the District, need a safe and healthy environment to live, work and visit; and
 - that safe and well run entertainment premises are important to the local economy and vibrancy of the District.
- 1.6 This Statement provides guidance to Responsible Authorities, applicants for and holders of premises licences, objectors and residents on the general approach that the Licensing Authority will implement through its Licensing Committee
- 1.7 When making its decisions on licensing applications, the Licensing Authority will have regard to the matters contained in this Statement, the Act, the guidance issued under section 182 of the Act, the provisions of the Human Rights Act 1998 and in particular, Article 6 (right to a fair and public hearing); Article 8 (right to respect for home, private and family life) and Article 1 of the First Protocol (right to peaceful enjoyment of property and possessions), and the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000.
- 1.8 This Statement covers the period up to 30th August 2018 and will be kept under review and revised as required, following consultation where necessary.

2. Licensing Policy & South Warwickshire Community Safety Partnership

- 2.1 The 1998 Crime and Disorder Act and subsequent amendments require the Police and local authorities to work together and with others to reduce crime and disorder. To this end, Crime & Disorder Reduction Partnerships were formed and are now called Community Safety Partnerships.
- 2.2 South Warwickshire Community Safety Partnership (SWCSP) was formed in September 2008 when the district crime and disorder partnerships for Stratford & Warwick districts merged following years of close collaboration. The vision statement for SWCSP is *'that the districts should be an attractive, environmentally sustainable, desirable area to live in, work and visit, with a sense of safety which reflects the low risk of becoming a victim of crime in the area'*.
- 2.3 Tackling violent crime has remained a priority in Warwick District since 1998 with Leamington Town Centre as the main focus of partnership activity. Tackling violent crime and specifically street violent crime is one of three SWCSP priorities. A 60 point partnership action plan is in place to reduce violent crime and rowdy behaviour in our town centres.
- 2.4 The policy of working with licensees in South Warwickshire has delivered national best performance and practice.
- 2.5 The age group most likely to be victims and perpetrators of violent crime is 18-30. A key initiative to engage with this group is Operation 'Your Town, Your Choice' which takes place on pay-day weekends in hot-spots at the busiest times of 9pm to 4am. An early intervention approach is used utilising direct to leave dispersal authorities together with designated public places powers and has a real impact on reducing violence and rowdy behaviour.
- 2.6 This best example of partnership working across all agencies in South Warwickshire illustrates the commitment to tackling on-street violent crime. In addition enhanced policing, Street Marshals, Street Pastors and CCTV control rooms support this approach.
- 2.7 Joint Licensing Enforcement visits are a key feature of these evenings ensuring that licensees are taking their responsibilities seriously. Engagement with 18 to 30 year olds is carried out on roads closed to traffic. Health related activities are offered in exchange for completing questionnaires on particular themes, for example, pre-loading. Results from these activities and questionnaires inform how and when the hot-spots are staffed and how young people can be assisted in having an enjoyable and safe night. A unique partnership pilot with St John Ambulance Service has provided a care and repair service on busy nights in Leamington called 'The Cabin' and staffed by up to 10 volunteers.
- 2.8 A further developing part of this approach is the Street Pastor Scheme introduced in 2013. The scheme provides a vital service, and integrates well into the overall multi-agency approach adopted. Further information about Street Pastors may be obtained on their website at www.leamingtonspa.streetpastors.org.uk

3 Delegation of Functions for Regulatory Matters

- 3.1 The Council has established a Licensing Committee with delegated powers to deal with licensing matters
- 3.2 The Licensing Committee has delegated the decision making to Licensing Panels when a hearing is required. These Panels are sub-committees consisting of three members of the full Committee. All other matters that do not require hearings have, upon Home Office advice, been delegated to officers.

4 Further Strategies

- 4.1 WDC has adopted the following strategies that it feels will help it to achieve its desired goals:
- It will work together with all partners as well as local businesses and residents to try to achieve an acceptable level of harmonisation between the two, accepting that this may not always be possible.
 - It accepts that an active and successful Crime and Disorder Partnership is one of the key factors in achieving its desired goals.
 - It recognises the importance of working with other agencies and holds and organises a Multi- Agency Licensing Group on a regular basis to discuss any problems that may arise within its district.
 - The value of action plans as a method of obtaining compliance from premises is recognised and used whenever they become necessary.
 - An Enforcement Policy which incorporates the Regulator's Compliance Code has been adopted. Both of these may be found on WDC's website,
 - In recognising the need to minimise late night noise nuisance, WDC would expect that after 23.00 all persons outside the premises would move indoors, and that any sound, amplified or unamplified, from within the premises should not disturb residents in neighbouring domestic properties. However, any conditions added to the premises licence to achieve this aim will be proportionate, enforceable and relevant to that particular premise.
 - WDC has adopted a special policy addressing the cumulative impact of the number of licensed premises in Leamington Spa Town Centre. Full information on this policy may be found at paragraph 10 below.

5. The four Licensing Objectives

5.1 Prevention of Crime and Disorder

- 5.1.1 In addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions, and to do all it reasonably can to prevent crime and disorder in the District.
- 5.1.2 The Licensing Authority will expect all licensed premises to be managed responsibly.

- 5.1.3 When considering applications for premises licences for late night refreshment the Licensing Authority will take into account the potential for high levels of disorder that this type of premises may cause to the night time environment.
- 5.1.4 The Licensing Authority will consider attaching conditions to licences and certificates to prevent crime and disorder. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place. Any conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.
- 5.1.5 The Licensing Authority recognises that there are a number of mechanisms for addressing unlawful or anti-social behaviour that occurs away from licensed premises, qualifying clubs and temporary events. These include:–
- planning controls;
 - enforcement of Environmental Protection legislation (e.g. on noise nuisance);
 - positive measures to provide a safer and clean town centre;
 - environmental controls, in partnership with local businesses, transport operators and other departments of the Council;
 - powers to designate parts of the District as restricted alcohol areas
 - police enforcement of the law with regard to disorder and anti-social behaviour, including the issue of fixed penalty notices;
 - dispersal of people quickly and safely from town centres to avoid concentrations which may produce disorder and disturbance;
 - the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
 - confiscation of alcohol from adults and others in designated areas;
 - all current police and local authority powers of closure in force at the time
 - the power of police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

5.2 Public safety

- 5.2.1 The Licensing Authority will consider attaching conditions to licences and certificates to promote public safety. Any such conditions will be tailored to the style and characteristics of the premises and the type of activities expected to take place there and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

5.3 Prevention of public nuisance

- 5.3.1 The Licensing Authority will take an objective view as to the potential for nuisance and will seek to attach appropriate and proportionate conditions to licences and certificates where necessary in order to prevent it. The conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place there. In each individual case that arises following representation, the Licensing Authority will:
- consider the potential for nuisance associated with the style, characteristics and activities of the licensable activity involved;
 - examine the potential steps which could be taken to reduce the risk of nuisance, particularly in areas of dense residential accommodation; and

- consider restricting the hours of the licence or the licensable activity only as a last resort because of the potential impact on disorder and anti-social behaviour from fixed and artificially early closing times.

5.3.2 By way of guidance, the Licensing Authority would expect that after 23.00 all patrons of a licensed premises will move indoors, and any amplified sound to be inaudible in neighbouring domestic properties.

5.3.3 Any exceptions to this would need to be justified in an operating schedule showing how the licensing objectives were still being achieved.

5.3.4 The Licensing Authority expects that premises should usually be closed within half an hour of the end of the last licensable activity.

5.3.5 The Live Music Act 2012 removed live music from the scope of the Licensing Authority, subject to the satisfaction of certain criteria, so it is recognised that its controls in this respect have been reduced. However, conditions may be added or reinstated at a review hearing which will bring live music for that particular premises into the licensing regime. This means that it would be within the licensing Authority's powers, at a review hearing, to place a condition on the premises licence prohibiting the playing of live music at any time. This may arise, for example, if the premises is not suitable for the live music being played; or if frequent disturbance is being caused by the music.

5.4 Prevention of Harm to Children

5.4.1 Nothing in this statement of policy limits the access of children to licensed premises unless it is necessary for the prevention of harm to children. However, this authority does not consider that children should be encouraged to mix in areas that are frequented by the adult drinking public, such as busy town centres. For this reason, birthday parties, etc., for the 18 and under demographic will be actively discouraged in these area.

5.4.2 Areas that may give rise to particular concern in respect of children include premises:

- With a known association with drug taking or dealing;
- Where there is a strong element of gambling on the premises;
- Where entertainment of an adult or sexual nature may be provided (e.g. topless bar staff, striptease, lap/table/pole dancing, strong and offensive language).

5.4.3 It is acknowledged that complete exclusion of children will be rare but the options to be considered by the Council for limiting access of children, where regarded as necessary for the prevention of harm to children, may include any of the following:

- Limitations on the hours when children may be present;
- Age limitations (below 18);
- Limitations or exclusions when certain activities are taking place;
- Restrictions or exclusions in respect of parts of premises;

- Requirements for an accompanying adult;
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

- 5.4.4 The Licensing Authority cannot impose conditions requiring the admission of children to any premises. Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club.
- 5.4.5 In the case of premises giving film exhibitions, the Licensing Authority expects licensees or clubs to include in their operating schedules arrangements to ensure that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classifications.
- 5.4.6 Where a number of children are expected to attend regulated entertainment (e.g. theatre production, 'junior disco', film shows), the Licensing Authority may consider the need to require a specified number of adults to be present at the place of entertainment to control the access and egress of children and to assure their safety. The number of adults required will need to be calculated on the basis of a risk assessment by the applicant and will need to take into consideration the size of the venue, the number and ages and ability of the children present and the type of activity involved. These matters will need to be addressed by the applicant as part of the operating schedule.
- 5.4.7 The Licensing Authority will consider attaching conditions to licences and certificates to prevent harm to children. Such conditions will be appropriate to the premises and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.
- 5.4.8 The Licensing Authority expects all premises to comply with statutory conditions requiring that a policy must be adopted, laying out how they will address underage drinking. This must be shown in the operating schedule of any premises licence application or variation.

NOTE: In the event of any variation submitted to remove any conditions where a hearing is necessary, evidence would be expected to be submitted to the Licensing Panel by the applicant that the change would not impact on the licensing objectives

5.5 Health

- 5.5.1 The Licensing Authority recognises the role of Public Health England acting in its role as a Responsible Authority. Public Health England can make representations in response to either a full licence application or an application for a variation in the conditions of an existing licence. They can also call for the review of a licence if they feel it breaches a licensing objective. Any representation must relate specifically to the premises in question and cannot be a general objection.
- 5.5.1 Representations made by Public Health England must be evidence-based and must demonstrably refer to one or more of the licensing objectives. As there is currently no licensing objective directly relating to public health, Public Health England must ensure their representations are relevant to one of the four existing objectives.

5.6 The Licensing Authority as a Responsible Authority

- 5.6.1 The Licensing Authority are empowered to make representations against new applications for and variations applications to premises licences, as well as call for a review.
- 5.6.2 A procedure has been put into place to ensure that any representation made by the Licensing Authority as a Responsible Authority will be made without prejudicing its ability to determine the application in a fair and objective manner.

6. Other Considerations

6.1 Live Music, Dancing & Theatre

- 6.1.1 This Policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues, the potential for disturbance to residents will try to be balanced with the wider cultural benefits to the wider population.

6.2 Integration of Strategies

- 6.2.1 The Licensing Authority will secure the proper integration of this policy with local crime prevention, anti-social behaviour away from licensed premises, planning, transport, tourism and cultural strategies by:
- Liaising and consulting with Warwickshire Police, Community Safety Forum, and considering any guidance from the crime and disorder strategy document; and
 - Liaising and consulting with the appropriate Council Officers, the Planning Committee, the Executive, and considering guidance in the Local Plan.
- 6.2.2 Specific conditions may be attached to premises licences, where appropriate, to reflect local crime prevention strategies. Such conditions may include
- the correct use of well installed closed circuit television cameras;
 - the provision and use of shatterproof drinking receptacles;
 - a drugs and weapons search policy;
 - the use of ID scanners
 - the use of registered door supervisors;
 - specialised lighting requirements;
 - restrictions on hours of opening and licensable activities.
- 6.2.3 Certificates issued to club premises will reflect local crime prevention strategies and may include any or all of the requirements listed above. The Licensing Authority will have regard to any local orders and/or strategies relating to street drinking.

7 Other regulatory regimes

- 7.1 This policy will avoid duplication with other regulatory regimes wherever possible. The following advice relates to specific regimes but is not exhaustive:-

7.2 Health and Safety

- 7.2.1 Premises will normally have been visited by the Council's Health and Community Protection inspection staff with regard to health and safety enforcement at the premises. Certain premises will not fall under this regime and will be the subject of health and safety enforcement by the Health and Safety Executive (HSE). These regimes place a range of general and specific duties on employees, employers, operators of venues and members of the public. Matters arising out of the Health and Safety at Work etc Act 1974 and associated Regulations should not be the subject of conditions that duplicate statutory H&S requirements.

7.3 Fire Safety

- 7.3.1 Premises and their operators will have statutory duties under the current fire safety regime to ensure the safety of patrons visiting the premises. The operating schedule should state the precautions that will be taken to ensure the safety of the public.

7.4 Food Hygiene

- 7.4.1 Premises selling alcohol and/or premises engaged in a food business must be registered with WDC and subject to risk-based food hygiene inspections at regular intervals. The inspections are carried out by the council's Health and Community Protection officers.

7.5 Noise

- 7.5.1 Statutory and public nuisances are dealt with by the Council's Health and Community Safety Section under the Environmental Protection Act 1990 and associated legislation.

7.6 Planning

- 7.6.1 Premises that apply for a licence or a variation of a licence should be aware that they may also need planning permission to carry out the activities applied for.

8 Standard Conditions

- 8.1 The Licensing Authority does not support the use of blanket conditions which, if imposed, may be seen as disproportionate and overly burdensome. Conditions attached to licences will be tailored to the individual styles and characteristics of the premises and events concerned and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

9 Enforcement

- 9.1 Inspections of premises will be on a risk assessed basis, to be undertaken when and if judged necessary, assisted by information provided by the Multi Agency Licensing Group.

10 Special Policy Regarding Cumulative Impact

- 10.1 The Licensing Authority recognises that there is a difference between the cumulative impact of premises and commercial need. The latter is a function of market forces and is not a factor the Council may take into account in the discharge of its licensing function.
- 10.2 The Licensing Authority adopted a special policy regarding cumulative impact in November 2005 at the commencement of the Licensing Act 2003 where it considered that a significant concentration of licensed premises would have an impact on the licensing objectives and granting of further licences in that area would add to this impact. When adopting the special policy reference to the steps outlined in the relevant part of the guidance issued under section 182 of the Act.
- 10.3 The Licensing Authority formed two saturation zones, based on information supplied in 2005 on crime and disorder and other related matters. The area and its necessity has been ratified by further figures supplied to the Licensing Authority in January 2009 as part of its review of the cumulative impact policy.
- 10.4 The two zones, when joined together, form the same area as the Leamington Safer Neighbourhood area. In the interest of clarity and transparency, the two zones have been amalgamated into one cumulative impact zone. Properties on both sides of any road which borders the zone are deemed to be included within the zone. A plan of the zone may be found at the end of this policy as Appendix 1.
- 10.5 It is considered that the cumulative impact of further new licences in this zone may lead to the area becoming further saturated with premises of a certain type, including pubs, clubs, takeaways and off licences, making the area a focal point for large groups of people, thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves.
- 10.6 The special policy regarding cumulative impact will not be used to try to revoke an existing licence or certificate when representations are made about the way the premises are being operated. However, the special policy may be a justification to refuse an application or to vary a licence or certificate.
- 10.7 The Licensing Authority will not operate a quota of any description including the special policy, that would pre determine an application. Each application will be considered on its individual merits. Proper regard will be given to the contrasting styles and individual characteristics of the premises concerned, and the differing impact they will have on the local community.
- 10.8 If an application for a premises licence within the cumulative impact zone is made, the Licensing Authority will expect the applicant to demonstrate in their operating schedule, the steps to be taken to prevent problems of nuisance and public safety and the steps to be taken to promote the reduction of crime and disorder. **The onus of proof will be on the applicant to show that the application will not impact on the four licensing objectives**

10.9 The Licensing Authority will consider the individual merits of all applications and where it feels to grant the application would be unlikely to add significantly to the cumulative impact in light of the licensing objectives, the Licensing Authority may grant the application.

10.10 The policy will be subject to review.

11 Responsible Authorities

11.1 A list of contact details for Responsible Authorities authorised under the Act is attached to this policy as Appendix 2.

11.2 Responsible Authorities are able to make representations regarding new or variation applications for premises licences and also to seek a review of a current premises licence.

11.3 Representations will only be relevant if they relate to one or more of the licensing objectives referred to in paragraph 5.

12. Early Morning Restriction Orders (EMROs) and Late Night Levy (LNL)

12.1 Following a report from officers, Warwick District Council's Licensing Committee recommended to full Council that it was felt, at the current time, the application of a LNL or EMROs was not appropriate for the council's area.

12.2 The Licensing Committee's recommendation was accepted by full Council during 2013.

12.3 However this Council, in March 2014, has requested officers to review the situation subsequent to Central Government's current consultation on licensing matters and to bring forward an updated report at the earliest possible time on the implications of introducing a late night levy in Warwick District.

13 Restricted Drinking Zone

13.1 The Criminal Justice and Police Act 2001 includes a number of powers to combat crime and disorder, including measures to deal with alcohol related problems. The act gives local authorities the power to designate areas 'Restricted Drinking Zones' where it will become an offence for any person to drink alcohol after being requested not to do so by a police officer.

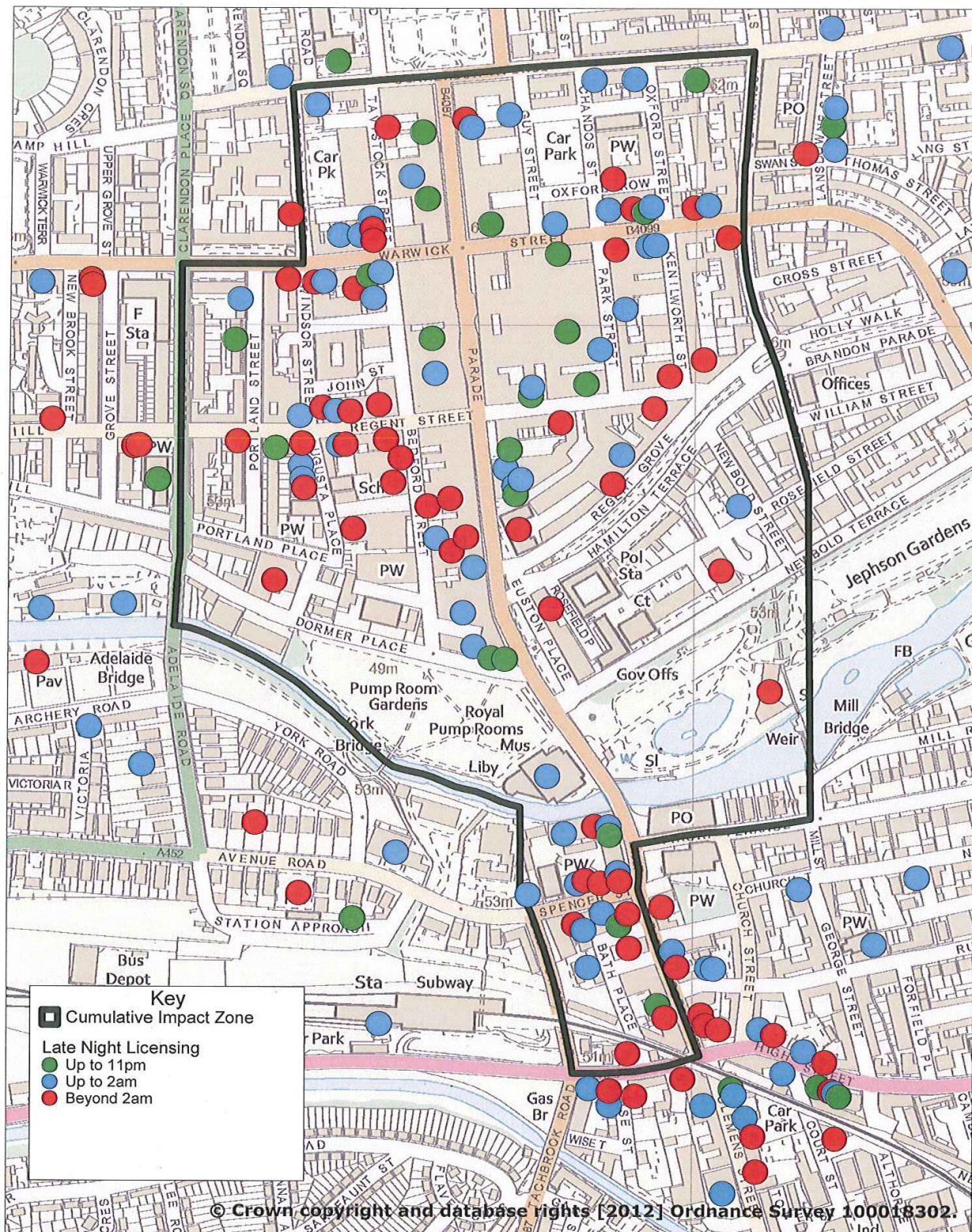
13.2 The entire area covered by Warwick District has been designated a Restricted Drinking Zone.

13.2 This means that, anywhere in the district, it is an arrestable offence to fail, without reasonable excuse, to comply with a police officer's request to cease drinking alcohol. The police also have the power to confiscate and dispose of any alcohol and containers in the person's possession.

14 Further Information

- 14.1 The Licensing Authority has produced guidance documents for applicants.
- 14.2 The Council's Health and Community Protection Section offers advice on the process for, and, progress of, applications and as to whether particular activities need to be licensed. If detailed advice on the requirements of the legislation and how it affects you and your premises is required, independent legal advice should be sought.
- 14.3 The granting of a licence under the Licensing Act 2003 does not obviate the need for permissions or consents required under other legislation.

Appendix 1 – Cumulative Impact Zone (current for 2013)



Late Night Licences & Cumulative Impact Zone

Scale: 1:5000

Date: 16 October 2012

Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire. CV32 5HZ

Tel: 01926 410410



Appendix 2 – List of Responsible Authorities

POLICE:

Chief Officer of Police
Warwickshire Police Licensing Team
Warwickshire Justice Centre Leamington Spa
Newbold Terrace
Leamington Spa
Warwickshire
CV32 4EL

Tel: 01926 684033

Fax: 01926 684038

Email: Liquor.Licensing@warwickshire.pnn.police.uk

FIRE AUTHORITY:

County Fire Officer
Warwickshire Fire & Rescue Service
Warwick Street
Leamington Spa
CV32 5LH

Tel: 01926 423231

E.Mail: firesafety@warwickshire.gov.uk

ENFORCEMENT AGENCY FOR HEALTH AND SAFETY:

Regulatory Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456707

Email: ehsafety@warwickdc.gov.uk

AUTHORITY RESPONSIBLE FOR ENVIRONMENTAL HEALTH:

Environmental Sustainability Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456714

Email: ehpollution@warwickdc.gov.uk

THE LICENSING AUTHORITY:

Safer Communities Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill

Royal Leamington Spa
CV32 5HZ

Tel:
Email:

AUTHORITY RESPONSIBLE FOR PLANNING:

Gary Fisher
Group Leader Development Control
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456541
Email: gary.fisher@warwickdc.gov.uk

BODY RESPONSIBLE FOR THE PROTECTION OF CHILDREN FROM HARM:

Keith Edwards
Assistant Head of Service
Planning and Performance Children
Young People and Families Directorate
Saltisford Office Park,
Ansell Way
Warwick
CV34 4UL

Tel: 01926 731139
Email: sslicensingapplications@warwickshire.gov.uk

WARWICKSHIRE COUNTY COUNCIL (WEIGHTS & MEASURES):

Simon Coupe
Divisional Trading Standards Officer
Old Budbrooke Road
Warwick
CV35 7DP

Tel: 01926 414040
Email: simoncoupe@warwickshire.gov.uk

PUBLIC HEALTH ENGLAND:

Public Health Department (Licensing)
NHSWarwickshire/Warwickshire County Council
PO Box 43 – Shire Hall
Warwick
CV34 4SX

Email:
PublicHealth5PMPUBLICHEALTHWARWICKSHIREPCT@warwickshire.nhs.uk