

# LICENSING PANEL HEARING

A record of a Licensing Panel hearing held on Thursday 29 May 2014, at Riverside House, Royal Leamington Spa at 10.00 am.

**Panel members:** Councillors Mrs Higgins, Illingworth and Mrs Mellor.

**Also present:** Emma Dudgeon (Licensing Enforcement Officer), Max Howarth (Council's Solicitor) and Graham Leach (Democratic Services Manager).

## 1. **Appointment of Chairman**

**Resolved** that Councillor Illingworth be appointed as Chairman for the hearing.

## 2. **Declarations of Interest**

Councillor Illingworth explained that although he was a Kenilworth Councillor and the application address was given as Kenilworth, the actual location was outside of Kenilworth and therefore he did not have an interest in the application.

## 3. **A Temporary Event Notice submitted for Stareton Barn, The Courtyard, Kenilworth, with objections from Warwickshire Police**

A report from Health and Community Protection was submitted which sought a decision on a Temporary Event Notice submitted for an event at Stareton Barn.

The Chair introduced himself, other members of the Panel and officers, and asked the other parties to introduce themselves.

Present were; Mr Barnacle of Stareton Barn as the applicant, Ms Starky (Warwickshire Police Licensing Officer), Ms Smith (On behalf of Warwickshire Police Licensing Team) and Mr King (Warwickshire Police Rural East Safer Neighbourhood Team).

The Council's Solicitor explained the procedure that the hearing would follow.

The Licensing Enforcement Officer outlined the report and asked the Panel to consider all the information contained within it, and the representations made to the meeting, and to determine if the application for a premises licence should be approved.

The Temporary Event Notice was for an event due to be held on Saturday 31 May 2014 from 14:00 to 23:59, for 450 people, which would include regulated entertainment, the provision of late night refreshment and the sale of alcohol for consumption on the premises.

## **LICENSING PANEL HEARING MINUTES (Continued)**

The report referred to those matters to which the Panel had to give consideration, the statutory guidance issued by the Secretary of State, the Council's Licensing Policy Statement and the Licensing objectives.

The applicant explained that he had considered the representations from Warwickshire Police in relation to the planned event. He explained that he had agreed a contract with Thames Security Management for managing the event security. They would provide 1 door marshal per 75 people attending the event. He had a contract in place for fencing around the marquee and floodlighting on site.

The applicant informed the Panel that there had been no advertising via social media and the invitations were for close friends and members of the hamlet. The invitations stated that it was a private party and no entrance would be permitted to those without a ticket.

The applicant accepted that it was a narrow lane to the premises which was why he had arranged access via an alternative entrance on his land which was significantly wider and provided better visibility along the road. It would also enable cars to pass each other on his drive. Parking would be on land owned by the applicant and could accommodate 200 to 300 cars.

This process would leave the courtyard area free of cars and would enable a safe separate emergency access route for emergency services if required.

He recognised the concerns of the Police regarding the road to the site but highlighted that significantly larger events had been held at the Showground which led to significantly larger volumes of traffic and numbers of people walking along the road in the dark.

He explained that there would be a professionally operated pay bar in place and that the event would be a 'donations based' event to raise money for cancer research.

The applicant responded to questions from the Panel explaining that:

- there would be tickets for the event through a 3D virtual barcode system which each person would need to have to attend;
- it was not advisable to use the emergency route as an additional exit because the visibility from this route was, as highlighted by the police, minimal;
- the ticket entry system recognises, via mobile phone application, if a ticket has already been scanned and therefore duplicates cannot be circulated by party goers. There would also be a manual list for checking invited guests in;
- soft drinks would be charged at normal reasonable prices;
- the security company were there to manage the event and remove people who should not be there;
- at present there was no confirmed number of attendees as advertising had been scaled back because of the objection to the TEN by the Police;
- he also explained that the software used for ticketing allowed the number of tickets for the event to be monitored and a maximum number of individual passes to be issued.

## **LICENSING PANEL HEARING MINUTES (Continued)**

In response to questions from Warwickshire Police the applicant explained that:

- At present Thames security were available but may struggle for notice now, however, a second SIA registered company had agreed to assist if needed;
- He was aware of the Police door to door enquiries in the hamlet recently at this event but at that time people may not have been aware at this time because waiting to promote event in full once TEN approved;
- He had had an official pack from Cancer Research and following trouble organising this event it was possible he would consider changing the event;
- There would be bottled water provided and if required fresh tap water could be provided;
- The event would include entertainment from DJs providing their time for free, with close friends and family collecting money in buckets.
- The food and bar provider was donating 20% of their profit from the event as a donation to charity;
- The red route on the plan would remain clear at all times for emergency vehicles and would be coned off at both ends for this reason;
- The age range of the event is variable, there was no desire for this to be a young persons event;
- The alcohol sales would be over the counter only and the bar staff would be seeking appropriate ID for the sales;
- Two door staff would be on the main door, two inside the marquee, one member of parking staff on the gate and the rest would patrol the event;
- Security at the event was limited in terms of fencing due to it being a farm, but the main marquee would be fenced off securely;
- The applicant had applied for a TEN to be open and controlled through a managed bar rather than people bringing their own alcohol which would be difficult to manage; and
- The opening of 2.00pm enabled a staggered arrival time of guests.

Warwickshire Police addressed the Panel explaining that they had concerns about the event because of two recent illegal raves on nearby land and this event could end up going the same way. The Police accepted that the applicant had put reasonable measures in place for the event.

Warwickshire Police responded to questions from the Panel explaining that:

- There was no intelligence on this event being promoted or advertised on social media;
- The recent events were both pop up, illegal, unlicensed raves;
- There were due to be no events at the show ground this weekend; and
- The local team were aware about the event and would be briefed in full if approved.

The Chair asked all parties other than the Panel, the Council's Solicitor and the Committee Services Officer to leave the room at 10.52, to enable the Panel to deliberate and reach its decision.

**Resolved** that, having listened to the representations to the meeting and considering the merits of the

## **LICENSING PANEL HEARING MINUTES (Continued)**

event, the Panel were content with the application and will not serve a counter notice. Therefore the event can proceed.

The Panel welcomed that the applicant had listened to the concerns of the police and had acted upon them and they hoped he would take forward the further discussions from today and implement them at the event.

All parties were invited back in to the room at 11.00am, at which time the Panel's decision was read out as detailed below.

(The meeting finished at 11.04am)