

Licensing and Regulatory Panel Tuesday 17 November 2020

A Licensing & Regulatory Panel will be held remotely on Tuesday 17 November at **10.00am**, and available for the public to watch via the Warwick District Council [YouTube channel](#).

Membership: Councillors Evans, Grey and Illingworth

Substitute Members: Councillor Redford substituting for Councillor Illingworth

Agenda

1. **Appointment of Chairman**

To appoint the Chairman of 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 disclosed 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 the Field off Barcheston Drive, Hatton, Hatton Park, Warwick, CV35 7TH**

To consider a report from Health and Community Protection **(Pages 1 to 141)**

Published Friday 6 November 2020

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

For enquiries about specific reports, please contact the officers named in the report. **Details of all the Council's committees, councillors and agenda papers** are available via our website on the [Committees page](#)

The agenda is available in large print on request,
prior to the meeting, by telephoning (01926)
456114

Licensing and Regulatory Panel
17 November 2020

Title: Application for a Premises Licence under the Licensing Act 2003 for the Field off Barcheston Drive, Hatton, Hatton Park, Warwick, CV35 7TH

Lead Officer: Rachael Russell

Portfolio Holder: Judy Falp

Public report

Wards of the District directly affected: Budbrooke

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: No

Included within the Forward Plan: No

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: No

Final Decision: Yes

Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Head of Service	03/11/2020	Marianne Rolfe
Democratic Services manager & Deputy Monitoring Officer	05/11/2020	Graham Leach

1. Summary

- 1.1. Warwick District Council, as the Licensing Authority, has received a valid premises licence application for the Field off Barcheston Drive, Hatton, Hatton Park, Warwick, CV35 7TH.
- 1.2. Representations have been received in relation to this application for the consideration of the panel in the determination of the application.

2. Options available to the Panel

- 2.1 Members are asked to consider the information contained in this report and decide whether the premises licence application for the Field off Barcheston Drive, Hatton, Hatton Park, Warwick, CV35 7 TH, should be granted and, if so, whether the licence should be subject to any additional conditions.

The following options are available to members:

Option 1 – Grant the application as requested;

Option 2 – Grant the application with amended hours and/or added conditions, or;

Option 3 – Refuse the application.

3. Details for Consideration

- 3.1 When considering the application the panel must also 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 42)
 - 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 must only consider those licensing objectives which have been referred to in the representations received.

- 3.2 **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.

- 3.3 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.**
- 3.4 Mr Oliver Burnham trading as Kingstanding Events Limited applied for a new premises licence at Field off Barcheston Drive, Hatton Park, Hatton, Warwick on 1st October 2020.

- 3.5 The licensable hours and activity originally applied by the applicant are detailed below:

Opening Hours of the premises:

Monday to Sunday from 07:00 to 22:00

Live Music (Indoors Only):

Monday to Sunday from 07:00 to 22:00

Supply of Alcohol for Consumption On the Premises:

Monday to Thursday from 16:00 to 22:00

Friday and Saturday from 12:00 to 22:00

Sunday from 12:00 to 20:00

An operating schedule, which has been submitted by the applicant and will form part of any licence issued is attached as appendix 1. Mr Burman currently has a Street Trading Consent (WDCSTC00185) for the premises to sell hot and cold drinks from 08:30 to 14:30 Monday to Saturday. This was issued in June 2020.

The applicant has agreed conditions with Environmental Health, Warwickshire County Council Safeguarding and Trading Standards which are attached as appendix 2. Their objections were subsequently withdrawn.

- 3.6 Mr Burnham on behalf of Kingstanding Events Limited offered further conditions to be added to any premises licence issued. These are attached as appendix 3. He also amended the proposed licensable hours of the premises. These are detailed below:

Opening Hours of the premises:

Monday to Thursday from 12:00 to 17:30

Friday and Saturday from 12:00 to 20:00

Sunday from 12:00 to 16:30

Live Music (Indoors Only):

Monday to Thursday from 12:00 to 17:30

Friday and Saturday from 12:00 to 19:30

Sunday from 12:00 to 16:00

Supply of Alcohol for Consumption On the Premises:

Monday to Thursday from 12:00 to 17:00

Friday and Saturday from 12:00 to 19:30

Sunday from 12:00 to 16:00

3.7 No representations have been received from:

- Fire Authority
- The Licensing Authority
- Enforcement Agency for Health and Safety
- Authority Responsible for Planning
- Authority Responsible for the Protection of Children
- National Health Service/Public Health

3.8 The Licensing Department have received twenty-three objections to the application and twelve representations in support of the application from interested parties. These are attached as appendices 4-38. Under the Licensing Act 2003 if representations are received in relation to an application a hearing must be held to consider the representations.

3.9 A satellite image of the field is attached as appendix 39. A map of the area is attached as appendix 40. Photos of the unit where the alcohol will be sold are attached as appendix 41. Further photos of the immediate area will be shared at the meeting.

A copy of the statement of licensing policy is attached as appendix 42.

4. Policy Framework

4.1. Fit for the Future (FFF)

4.1.1. **The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit.** To that end amongst other things the FFF Strategy contains several Key projects.

4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if in relation **to the Council's FFF Strategy**.

4.2. **FFF Strands**

4.2.1 **External impacts of proposal(s)**

People - Health, Homes, Communities - The licensing policy recognises 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.

Services - Green, Clean, Safe – None.

Money- Infrastructure, Enterprise, Employment - The licensing policy relates 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.

4.2.2. **Internal impacts of the proposal(s)**

People - Effective Staff – None.

Services - Maintain or Improve Services - None.

Money - Firm Financial Footing over the Longer Term - None.

Appendix 1

Operating Schedule submitted by the applicant

General

All reasonable and practicable steps will be taken to ensure that this premises is a positive addition to what is a friendly and close community. The intention is to provide the local residents a pleasant and quiet environment to enjoy a drink with friends.

I, as the business owner, commit to making sure the field is a safe place to sit and relax, and that there will be no nuisance made to local residents.

For sale of alcohol, I will implement a 'members only' policy. This means I will only be serving local residents and I will keep address details of all members for purpose of preventing public nuisance, this will also help with current track and trace requirements.

Prevention of crime and disorder

This premises will be advertised locally and is intended for the use of residents of the Hatton Park Estate only. It is not intended that people travel to the premises, there is no facility to park so must be accessed by foot.

The premises is intended to provide local residents a place to enjoy a quiet drink. There will be a policy where you are not permitted to be visibly intoxicated, anyone breaking this will be refused further service and asked to leave the premises.

Prevention of public nuisance

No patrons will be served alcohol if they show any signs of intoxication or anti-social behaviour, rather they will be asked to leave the premises quietly.

Bins will be provided on site and all drinks receptacles will remain on site and disposed of responsibly, recycled where possible

Protection of children from harm

Children need to be accompanied by a responsible adult to be allowed at the premises and be supervised at all times

Public safety

Risk assessment will be carried out in line with current Covid-19 regulations, social distancing will be enforced when using the premises. E.g. all seating is outdoors, and spaced out, one person/couple in the bar at any one time, contactless payment, hand sanitizer at the entrance etc.

Appendix 2

1. Sound of music from the premises shall not be intrusive at the facade of noise sensitive premises.
2. Must operate a 'Challenge 25' age verification policy requiring proof of age by passport, photo driving licence or PASS accredited card that will always be enforced when selling alcohol.
3. A prompt or reminder to staff, at the point of sale, to consider whether a sale or challenge ought to be made (for example an EPOS - Electronic Point of Sale system till prompt or if not then written notices/stickers at the till point showing age limits). POS areas will either have a logbook to record challenges or an Electronic Point of Sale till where sales and refusals are recorded.
4. Regular staff training to ensure that both the law and company policies / procedures are understood, up-to-date and applied consistently. Regular staff training to ensure that both the law and company policies / procedures are understood, up-to-date and applied consistently.
5. Must have a policy on clearing glasses to minimise opportunities for children to access leftover alcohol.
6. All staff must undertake annual safeguarding training, and this must include training on how to recognise indicators of CSE, how to recognise proxy purchase of alcohol and how to report concerns.
7. Staff training records must be maintained.

Appendix 3

No more than 50 customers to be permitted on site at any one time

No spotlights to be erected

No permanent structures to be erected

2x portable toilets on site

No advertising of alcohol outside of closed hatton park facebook group

CoffeeBox pup-up-pub Code of Conduct

As valued members of the CoffeeBox, and therefor able to come and enjoy a drink with me, I just need you to agree to a few behavioural conditions.

The idea of opening the CoffeeBox 'pup-up-pub' for a more grown up drink, is to benefit the community and bring people together. It is therefore of the utmost importance that we, as a group act in a way that maintains harmony with our neighbours. Hopefully, the following points will ensure the peace is upheld:

- Please walk to and from the CoffeeBox. I have no parking here, and the residents of Dorsington Close quite rightly do not want to have to navigate a maze of parked vehicles as they go about their business. The pop-up-pub will only pop up on lovely pleasant evenings where I imagine you would much rather make the short walk and enjoy our beautiful surroundings, than pile into the family wagon.
- Maintain social distancing in line with current guidelines. We all hope this point can be scrapped in the not too distant future. But for now, lets do our bit.
- Leave the premises quietly. I'm sure this goes without saying, but we must respect people's right to a quiet night in with a cuppa.
- General good behaviour when on the premises, I'm not talking the 'fun police', but preferably refrain from shouting, chanting, bickering and the like.
- Help me help the environment. There are appropriate bins for various recyclables, so please use them. And don't leave any litter, anywhere.
- If bringing friends or family, please ensure they are fit for purpose. You will be responsible for your guest's actions, and if deemed not in keeping with community values, you and your guests will be asked to leave.
- Keep offspring under control, by all means bring the kids, but name a worse noise than someone else's screaming kids when you're trying to chill in the garden.

If all of the above are adhered to, I think we could have a great thing going here.

I reserve the right to remove memberships from people not following this code of conduct.

Please sign below to commit to following these or forever be banished from booze at the box.

Many thanks, much love and peace
Ollie

Signed:.....

Date:.....


Catchment area for CoffeeBox 'pop-up-pub' membership



The above catchment area is what I will use to grant people a CoffeeBox membership. The rationale behind this is laid out below:

- Within walking distance to the CoffeeBox. Guests will be asked to walk rather than drive to the CoffeeBox as there are no parking facilities, the main concern raised to me by my immediate neighbours is the potential disruption caused by increased traffic in the vicinity.
- People who live in this area naturally have an interest in maintaining a pleasant environment. It is where they live so they are more likely to treat the neighbourhood with respect. If I allowed anyone from anywhere, they would have less interest in looking after the local environment.
- Community feel, this is not designed to exclude people who don't live in Hatton Park, but since opening the CoffeeBox, I have had a lot of positive feedback about how this has brought the local community together when previously there haven't been facilities for people who live beside one another, to socialise. I do intend to allow people with p.u.p memberships to bring friends and family. However, if this was ever seen to cause a problem, I would change this.
- I hope this point is only temporarily relevant, but it limits the possibility for Covid-19 to be brought into the community by outsiders from other areas. One resident expressed to me a concern that this may bring covid to the area, however, if only people who already live in the area are using the facility, that is much less likely than at a traditional 'open to all' pub.

I hope this shows that I am trying to be as responsible as possible and create a positive environment with for a community that is currently lacking in social infrastructure.

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): KINGSTANDING EVENTS LTD		
Premises name and address: FIELD OFF BARCHESTON DRIVE, HATTON PARK.		
Application for a SUPPLY OF ALCOHOL	Premises Licence..... <input checked="" type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application Number WDC PREM 00968		

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other CLERK.
Surname	MATECKI
First name(s)	JAN
Contact Tel no:	
Email address:	
Address (incl postcode): WARWICK DISTRICT COUNCIL RIVERSIDE HOUSE MILVERTON HILL LEAMINGTON SPA CV32 5HZ	

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

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

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


This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable	HATTON PARK RESIDENTS
Please state nature of representation: WARD COUNCILLOR FOR HATTON PARK, (BEING IN BUDBROOKE WARD).	

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

<input checked="" type="checkbox"/>	<p>I object to the application being granted at all</p> <p>I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)</p>
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<p>Our objection is based on the following:</p> <p>You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.</p> <p>Please attach supporting documents / further pages as necessary - Please number all extra pages</p> <p>SEE APPENDIX 1</p>
<p>Signed.....</p> <p>Date.....29.10.2020</p>

Appendix 1

I attended the Hatton Parish Council meeting on Wednesday 28 October 2020, where the applicant and potential license holder, Mr. Oliver Burman, made a representation to the meeting in support of his application.

My first and strongest objection is the precedent that will set by allowing a permanent license to sell alcohol on a green field site. Although the premises are mobile and could/should be removed daily, no license or planning permission would be granted for a permanent structure. Using a mobile facility which will be parked up daily is just a means to get around planning legislation and the Warwick District Local Plan.

I will now move on to the concerns I have about the detail of the application, following the representation made by Mr. Oliver Burman at the Parish Council meeting.

Mr. Burman stated that the facility can only manage to serve either hot drinks/snacks or beer at the same time, due to the generator not being able to supply enough power for the boiler required for hot drinks and the beer chiller at the same time. As the application is for opening hours from Monday to Thursday from 12.00 – 17.30, when hot drinks and snack are served, the only days that alcohol will be primarily served is Friday and Saturday early evening, when it will stay open until 20.00, and possibly Sundays. The applicant's response to this was that he wanted to serve mulled wine during the week. I see no sound reason to grant a permanent license 7 days a week throughout the year when alcoholic drinks, i.e. mulled wine will only be served for a short seasonal period of time.

This also raised the question of drinks only being served to locals from the development and hikers passing by wanting a drink. The applicant states that alcoholic drinks will only be served to locals, but I cannot see how that can be enforced, and if the applicant would refuse hikers walking past who wanted a tea or coffee and a 'mulled wine'?

The applicant states that *'The intention is to provide the local residents a pleasant and quiet environment to enjoy a drink with friends'*. He also states that it will be limited to 50 people, which I am not sure how that will be or can be enforced in an open field. Assuming the limit is 50 people, but that many will not provide a *'quiet environment to enjoy a drink with friends'*, but a noisy assembly which will be at the detriment of local neighbours trying to have a quiet time relaxing in their own gardens with their own family.

There is already a mobile van located near the village stores, with electricity supply available and centrally located. The location of the proposed site means that southern half of the village can would be able to walk within a further 5 minutes to other licensed premises, namely the Hatton Arms, which already have all the control measures in place. It would make better sense to have such a facility, if it is needed at all, at this central location where it would be able to use an electrical supply which is quieter, cleaner and would serve be more accessible to more of the local residents.

Lastly, and maybe most importantly, as the mobile van uses a diesel generator to power the van, this is in direct conflict of this council's ambition to become carbon neutral. WDC declared a climate emergency, so to allow a permanent diesel generator to be run in a green belt location next to residential household goes against what the Council is trying to achieve, as well as subjecting the local surrounding neighbours to not only the noise of the generator running, but also to the diesel fumes and associated damaging air pollutants.

Cllr J Matecki

Page 1 of 1

Licensing ACT =Representation Form 2003

Representation Form

Hatton Parish Council object to the following application

Applicants Name – Kingstanding Events Ltd _Oliver Burman

Premises address – Field off Barcheston Drive, Barcheston Drive Hatton Park

Application for a Premises Licence

Application Number WDCPREM00968

HATTON PARISH COUNCIL

The Granary

Beausale

Warwick Cv35 7NZ

Clerk- Katherine Skudra

The objection to the application relates to;

- Prevention of public nuisance
- Prevention of crime and disorder

The Council object to the application being granted at all.

The Council's objection is based on the following;

Having heard from the Applicant himself and residents at the Parish Council meeting on 28th October and taken into account other correspondence received the adverse effect on neighbours to the site of the premises outweighs any benefit to the community as a whole.

There is already disruption and intrusion to neighbours from the site and this would increase with an alcohol licence, even in a private members capacity.

The Council are aware that the application has been scaled back by the applicant after some discussion with some neighbours but this does not mitigate the possibility for public nuisance and disorder during the opening hours.

It is also noted that this is an application within the Green Belt.

Rachael Russell

From: Kate Silvester [REDACTED]
Sent: 07 October 2020 10:36
To: Licensing
Subject: Representation re application WDCPREM00968

Categories: [REDACTED]

Dear Sir/Madam,

I wish to make a representation regarding the application for the Liquor license as per the following.

WDCPREM00968 Premises Licensing Field at the Bungalow, Kingstanding Farm 29/10/2020 The Bungalow, Kingstanding Farm, Kites Nest Lane, Beausale, Warwickshire, CV35 7PB

In regard to

Sale of Alcohol for Consumption On the Premises

Monday to Saturday from 16:00 to 22:00

Sunday from 12:00 to 20:00

Recorded Music

(Indoors only)

Saturday from 07:00 to 22:00

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

Normal Opening Hours

Monday to Sunday from 07:00 to 22:00

This premises is a Horse box in a field adjacent to Barcheston Drive in Hatton Park.

1. What counts as 'indoors' in a horse box?

Surely the music will be designed to sound outside the horsebox and be disruptive to all the households in Dorsington Close and elsewhere on Hatton Park?

2. Music in a quiet residential area:

At a time when we are now working at home by day, and some of us trying to sleep after a night shift, this application is unsuitable for what has been a quiet residential area from 07:00 to 22:00. The application is only for music on Saturday but it still imposes all-day music on residents who need and appreciate their peace and quiet at weekends.

3. 500 people or less.

a. How many people does the applicant anticipate attending the premises at one time?

b. We have had issues of more widespread attendance by non-residents of the Hatton Park area when the Hatton Arms advertised alcohol sales.

4. Litter

a. though the team will provide disposal and waster collection with recycling, it is likely that several customers will take their drinks elsewhere and littering the estate elsewhere as happens currently with the shop.

b. it is likely that the council litter bin at the entrance of the public footpath and this field off Barcheston drive will be overflowing by the end of all day Saturday session. What provisions have been made for this bin to be emptied more frequently? Or will the Hatton Park residents be faced with clearing up any wind-blown mess on Sunday and thereafter?

5. Parking.

- a. though the applicants have assumed that the customers will only be walkers and residents of Hatton Park, this is unlikely and there is nothing to stop non-residents parking in the streets elsewhere on Hatton Park, in particular Barcheston Drive, to access the horsebox +/- and going for a walk/Cycle ride.**
- b. Access along the public bridlepath linking Hatton park to Kenilworth by walkers/cyclists.**
 - i. Has the applicant thought about how they control control access via this route?**

6. Gate-crashing.

- a. How will the applicant prevent 'gate-crashers' and more raucous individuals arriving to set up and impromptu 'party'? It is unlikely that one or two individual members of staff (including eh license holder) will be able to challenge those involved if this happens. Have the police agreed to provide instant help if this occurs?**

What provision and at what frequency will the Council be monitoring this premises?

Yours sincerely,

Dr K M Silvester

Thank you for your email-
My objection is on the grounds of
Prevention of Public Nuisance
and Prevention of Crime and disorder and public safety .

Late night music and alcohol would have major effects with the above

Many thanks
Bob Stanton

> On 7 Oct 2020, at 14:22, Licensing <licensing@warwickdc.gov.uk> wrote:

> Good afternoon Mr Stanton,

Thank you for your email. In order for a representation to be valid it must explain why granting the licence would impact on at least one of the four licensing objectives. These are protection of children from harm, prevention of public nuisance, prevention of crime and disorder and public safety.

As your representation does not mention these we would currently be unable to accept it.

If you would like to resubmit your objection please do so before midnight on 29 October 2020.

Kind regards

Emma

>

> -----Original Message-----

> From: Bob Stanton

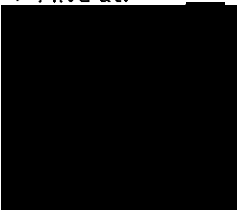
> Sent: 07 October 2020 14:08

> To: Licensing <licensing@warwickdc.gov.uk>

> Subject: WDCPREM00968

>

> I live at:



> THE ABOVE APPLICATION IS IN A FEILD ALONG SIDE MY PROPERTY AND IS IN THE MIDDLE OF A FAMILY HOUSING ESTATE .

> I TOTALLY APPOSE THE ABOVE MENTIONED APPLICATION .

> My mobile is:



> Regards

> Bob Stanton

Hello

Re WDCPREM00968: Premises Licencing: Field Off Barcheston Drive: Barcheston Drive
Hatton Park>

Please find attached a copy of an email sent to Hatton Parish Council objecting to the above application for your consideration.

Kind Regards

Vince Rollason

From: Vince Rollason
Sent: 18 October 2020 10:29
To: [REDACTED]
Subject: Alcohol and Entertainments Licence by Kingstanding Events
Hello

I write with reference to the above application to register my objections to this being allowed to go ahead.

During the summer a large van has been parked in this field, originally appearing to sell drinks to passers-by. This has developed over time to include the sale of cakes and ice creams and I believe there is an intention to extend further with the provision of breakfast items. Recently a JCB was used to flatten an area near the gate of this field to allow easier parking for the van and an area to set out a few tables and chairs. During the day power has been supplied to the van by a generator and I understand householders near to its siting complained about the noise and the owner's response was to attempt to muffle this by surrounding it with straw bales.

This is a field in a rural area adjacent to a public bridleway used only by ramblers passing through the area. There is no call for alcohol or entertainment here whatsoever. It cannot be for the benefit of local residents as part of the application suggests as clearly, they all have their own houses and gardens in which to provide their own entertainment. Should indoor entertainment be required there is adequate provision 250 metres away at the village hall. The village hall also has car parking facilities because I have observed parking in the bus stop pull in and pavement parking by people who I presume come from outside the area to avail themselves of what is basically a "burger van".

I do not know what entertainment is to be provided but I feel sure it will involve noise pollution that will be detrimental to local residents. There will also be an influx of traffic onto roads that were not designed for this and parking problems as there are no facilities for excess vehicles.

I feel that not only should the granting of the above licence be refused but that that no trading of any form should be allowed on this site and the van removed with immediate effect.

Kind regards

Vince Rollason



23/10/2020

Hello Rachael

Thank you for the update on the above application that I have considered and would now like to raise further representations as a result of the information provided.

This has been presented as a venture allegedly for the benefit of the local community. What proof is there that this is wanted by local residents? Have local residents been canvassed for their views? I can confirm that unless I had read the notice attached to the gate of the field in question, I would have been unaware of any proposals. Has an impact Assessment been carried out on the effect that this is likely to have on local residents and the environment? How many residents of Hatton Park are actually in favour of this proposal?

The applicant acknowledges that he has parking and asks people to walk there. However, he currently operates the CoffeeBox and I have already witnessed parking in the bus pull in and pavement parking by people using this venture and can only assume that this will become worse with the advent of the "pop-up pub". He encourages people to bring family and friends. If I arrange to meet my family or friends there they will drive to the venue as they live too far walk and I suspect that this will be the case for others. The applicant states that he does not intend to exclude people who do not live in Hatton Park but given the location how does he expect these people to travel here?

He states that he has a lot of positive feedback since CoffeeBox opened but this is for a venture selling coffee and cakes between 10.00am and 2.00pm not alcohol and entertainment throughout the evening so is less impacting on the local residents.

He states that there will be no more than 50 customers permitted on site at any one time but how will this be enforced and what is the definition of a customer? If I became a member and attended with my wife, children and grandchildren that would be 10 people or 20% of his allocation. If I as a member were to be defined as the customer would he then be able to allow 49 other members on site with their entourages?

The application is for a "pop-up pub" in a field with no toilet facilities. Where are people going to relieve themselves having consumed quantities of alcohol? People are not going to

walk home to use their own toilet facilities and any attempt to install toilet facilities would be huge blot on a beautiful landscape.

The applicant claims that this will serve a community currently lacking in social infrastructure yet the very reason many of us choose to live here is because of the quiet enjoyment we experience and do not want drinking and entertainment to spoil this pleasure. The very terms and conditions he sets out in his Code of Conduct far from allaying fears give rise to a feeling that this is the very type of behaviour we can expect to occur.

The applicant states that this is a community-based initiative but I believe he is not actually a member of this community merely someone giving this community something he has decided we need without consultation.

Kind regards

Vince Rollason

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): Oliver Burman, Kingstanding Events Limited		
Premises name and address: Field off Barcheston Drive, Hatton Park		
Application for a	Premises Licence..... <input checked="" type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDCPREM00968	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Other <input type="checkbox"/> Ms <input type="checkbox"/>
Surname	Henderson
First name(s)	Linda
Contact Tel no:	[REDACTED]
Email address:	[REDACTED]
Address (incl postcode):	
[REDACTED]	
<div style="text-align: right;"> C.S.T. 20 OCT 2020 </div>	

WARWICK DISTRICT COUNCIL

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

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

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

This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

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

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

Our objection is based on the following:
<p>I strongly object to the application of a licence to serve alcohol in the field off Barcheston Drive on the grounds of public nuisance.</p> <p>It would attract many people to the site which is a lovely field adjacent to Barcheston Drive in close proximity to dwellings.</p> <p>People make noise. People under the influence of alcohol make more noise. The site is very close to housing in Hatton Park. I live in Dorsington Close which is off Barcheston Close and the end of Dorsington Close is opposite the field where the proposed selling of alcohol would take place.</p> <p>The playing of music would cause nuisance to local residents. Although the applicant states music would be played indoors inevitably music gets turned-up to be heard over voices, then people make more noise to be heard over music.</p> <p>The site is right by Barcheston Drive and therefore very close to established dwellings. I note that the applicant levelled</p>

the land at the top of the field by the hedge along Barcheston Drive this week and the horsebox currently used for the sale of coffee by the applicant is now on this land. Previously the horse box was situated further down the field. I have attached a photograph which shows how close the horsebox is to the road and nearby dwellings.

Inevitably there would be more cars coming to the area and parking not just in Barcheston Drive but surrounding roads including Dorsington Close which is the closest to the field.

Over the past few weeks I have noticed cars parked in Barcheston Drive near the entrance to the bridleway and I've noticed that when cars are parked here people are having coffee in the field. If alcohol is served the number of cars would inevitably increase.

Another issue would be increased litter causing a nuisance to local residents in an otherwise pristine field and adjacent area. It's conceivable that people would carry drinks further down into Hatton Park to the open green area, causing further nuisance including litter.

There are 2 local well known establishments for the purchase of alcohol for residents of Hatton Park namely The Hatton Arms and The Falcon.

There were issues in the summer of public nuisance at The Hatton Arms with unofficial crowding of the premises. It would not be possible to restrict the sale of alcohol to residents of Hatton Park. Anyone could supply a local postcode to the applicant to get served and consequently there is a risk of public nuisance to the residents of Hatton Park by permitting the sale of alcohol in a field.

Hatton Park does not need another source of alcohol and especially not in a field abutting dwellings where the nuisance factor would be great and have a negative impact on house values.



Signed...
Date...15/10/2020

NOTES

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

Please return this form when completed to:

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

licensing@warwickdc.gov.uk

Tel: 01926 456705

This may form be posted or emailed to the Local Authority

Rachael Russell

From: Catherine Corby [REDACTED]
Sent: 20 October 2020 17:19
To: Emma Dudgeon; Licensing
Subject: Objection: Premises license for land off Barcheston Drive, Warwick

Categories: Rachael

Hi Emma,

Thank you for your note below.

As previously promised, please find below my properly worded Email of Objection to the Application for an Alcohol and Entertainments License by Oliver Burman from Kingstanding Events for the land off Barcheston Drive in Hatton Park. I have included my name and first line of my address at the end. If you need any more details, just let me know.

Have a lovely evening and kind regards,

Cathy

Notice of Objection:

I write to you with regard to application which has been made to you by Oliver Burman of Kingstanding Events, who is trading in a field off Barcheston Drive, Hatton Park. I wish to object to his application for an Alcohol and Entertainment Licence for his mobile refreshments vehicle in this location.

My husband and I live with our two young sons in a house opposite the field in Highfield. Our back garden looks out over in to the field in question. In the middle of lockdown this year, the Coffee Box (Oliver Burman's mobile refreshment van) took up its position in the field, serving hot drinks and snacks. Since its arrival, it has had a terribly detrimental impact on the wellbeing of our family, causing stress, anxiety and tension, at a time when the world couldn't be more stressful in the first place.

Specifically, the arrival of the Coffee Box has brought with it:

- The noise of the generator, which can be heard with all windows and doors closed. It's unpleasant from inside the house inside, but certainly not pleasant to go out in to what used to be our very peaceful back garden.
- The increased noise and pollution from the additional cars, who drive up to obtain coffee, many who come on to the estate from off Hatton Park.
- A serious degradation of our privacy, with customers who are queuing for coffee, being served coffee and then sitting drinking coffee inevitably peering up in to our garden and through the windows.
- The air and environmental pollution from the diesel generator, the smell of which has, at times, been really strong in our back garden and down the bridle path.
- Public highways nuisance of customers parking in the bus stop or in unsafe positions along Barcheston Drive, posing both a safety issue to families and children crossing the road to get to / from the bridle path and also creating obstacles for the bus to have to navigate around.
- Obstruction of view – instead of seeing the beautiful landscape of a field out of our back windows, it was replaced with a big horsebox, a portaloos and numerous people staring straight back.
- Regular visits by Burman in his digger to make areas of the field fit for use, which is loud and always brings with it the dread of 'what does this mean now?' The latest bout of digging lasted almost 2

whole days, including delivery of several dumper trucks full of aggregate, a digger and a compressor. The noise alone was endless and the stress and anxiety of what impact this latest move was going to have on our quality of living was making me feel ill.

Over the past 3 weeks alone, Mr Burman has spent 2 days in his digger creating a semi-permanent base for his van, has moved the Coffee Box so that the degradation of privacy is worse than it has ever been, traffic has increased even more and just this week, he has now positioned signage from both directions on the A4177 (Birmingham Road) directing additional traffic on to Hatton Park and up to the field. As it stands, the business is creating a Public Nuisance and poses a safety issue, due to the increased traffic. The concept of the Coffee Box, therefore, having an Alcohol and Entertainment License is absolutely inconceivable.

We bought our house 3.5 years ago, specifically choosing it for its quiet neighbourhood location and clean air, which was important to us all for health reasons. We thought it was a safe, clean and pleasant place to raise our children. The impact of this new arrival in the field, therefore, hit us hard. I have had many months of sleepless nights and on the days when the Coffee Box is here, I don't enjoy being at home and I often don't open the blinds anymore. We have even considered having to move house. But this is our home and we feel passionately that we shouldn't allow ourselves to be harassed or chased away from the home we love and the safe haven we built to raise our children. I'm trying not to think about the impact to the saleability or price of our house and all of those around us, should an Alcohol and Entertainment be granted, as it doesn't bear thinking about!

All summer, we have gone with it, tolerated the noise of the generator and the customers at the Coffee Box, the smell of the diesel fumes in our back garden and on the bridle path, the disruption to the peaceful privacy of our home, the increased traffic, the digger and the random car parking of people coming to buy coffee. The reason we did this, was because we realised it was popular with the other residents of Hatton Park - we didn't want to be the "party-pooper" in a year where everyone needed a little ray of light or subjected to the Social Media backlash which can often happen up here and can be quite nasty. Our one ray of hope, was that it only operated for a few hours each day and was usually gone by 2.30-3.00pm – our relief each day when the Coffee Box disappears is huge.

However, the one big worry we have always had from the start, was that this could escalate. Our fears are starting to materialise. The semi-permanent base for the vehicle, the signage encouraging traffic from Birmingham Road and worst of all, the application for this Alcohol and Entertainment License and increase in operating hours. There is no other consequence this can have than to make a bad situation, appalling. Responding to the key areas set out as requested:

Risk to Public Nuisance

In plain terms, the Public Nuisance has already started (as explained above), but as it stands, the Coffee Box is only open until 2.30-3.00pm each day and no alcohol is served. The new License would permit Mr Burman to remain open until 10pm Mon-Sat and 8pm on Sunday. That would therefore mean a potential extra 7-8 hours trading per day Mon-Sat and a further 5-6 hours on a Sunday. Just extending the existing coffee business by those hours would cause substantial incremental Public Nuisance, in the form of stress and anxiety, noise and air pollution from the generator and additional traffic, customer noise and privacy invasion for longer each day, unsafe and nuisance parking in the bus stop and along Barcheston Drive and neighbouring roads.

In addition to the time extension, the application includes a music license for up to 500 people and an alcohol license. I almost feel that this sentence on its own says it all, without need for further

explanation, but for the sake of completeness.....The additional risk to Public Nuisance would be huge: incremental noise pollution from the music and inevitably from the customers (both on site and when leaving the site), as that is just part and parcel of socialising with even a small amounts of alcohol. The idea of granting a license for up to 500 people literally fills me with dread, as the already constantly increasing scope of the business leaves me fearful for what this could lead to once the permission is granted. Why 500 people if this is just a 'Members Only' facility? What are Mr Burman's real plans in the longer term for this business?

I cannot see how granting an Alcohol and Entertainment License won't attract more people up on to Hatton Park, even if he does introduce a 'Members Only' system, or how it won't encourage groups of people to congregate in the area in and around the field. We already have problems on Hatton Park with anti-social behaviour in the playground by the Village Hall and periodically in other spots where young people gather. Introducing a zone with music and lights until 10pm (but frankly, at any time of day) has the potential to simply encourage this behaviour further and migrate the issue to a totally uncontrolled field area. Looking beyond the issues for younger people, alcohol is so often the cause of Public Nuisance of all kinds in adults, from noise to public disorder offences, criminal damage, assault etc. Anything risking the increase of this kind of behaviour in Hatton Park would put additional strain on the Police and Emergency Services, who are already well over-stretched, not least given how far out of the town we are.

It will also create a Public Nuisance, in as much as it will have a detrimental effect on other local businesses, such as The Falcon, The Hatton Arms and to some extent, the local shop, who also sell cakes and alcohol, as Mr Burman is directly targeting some of their potential custom. They are also small, local businesses, who have had a torrid year in 2020 and had to adapt to survive. With this additional challenge to their business, they may not survive at all, meaning that we would all lose some much valued and cherished local services.

Risk to Crime and Disorder:

Granting an Entertainment and Alcohol License is almost certain to exasperate any existing anti-social behaviour experienced currently on Hatton Park, potentially encouraging other groups from outside of Hatton Park to congregate in the vicinity, even if they are not directly getting served alcohol by Mr Burman. This has therefore the potential to lead to increase in traffic offenses, underage drinking, anti-social behaviour offences, which in turn have the potential to lead to much more worrying problems, such as the distribution and consumption of narcotics etc.

For the adults being served by Mr Burman, alcohol is a known and well publicised link to increased crime rates. The obvious crimes linked to consumption of alcohol are disturbance of the peace, public disorder offences, criminal damage, assault etc, but the list is endless and the risk for the residents in Hatton Park is real.

Risk to Public Safety:

The risk to Public Safety is already an issue, with the increased traffic and parking on Barcheston Drive, right at a spot where there is a lot of pedestrian traffic crossing the road from the footpath between the back gardens of Highfield and Dorchester Close over to the bridle path on the other side. This can only increase with longer trading hours and the resulting increase in traffic to and from the business, on what is usually a very quiet road.

In addition, customers of the Coffee Box and their children regularly run around the full expanse of the field, which, up until this year has essentially been an agricultural space and home to livestock in the recent past. There are trees, hedgerows, brambles, fences (including an electric fence) etc all around the perimeter of this field, with unlimited access to further fields and bridle paths. The risk

to Public Safety is already present, as children and adults roam around. If you add alcohol and the hours of darkness to this mix, this risk increases to such a vast extent, it becomes more of a threat. What if people get disorientated and wander off in the wrong direction? What if someone ends up in a quieter corner of the field and finds themselves being attacked or assaulted? What if there are unknown pieces of agricultural detritus, which people accidentally injure themselves on? A field is inherently uneven and undulating terrain – the risk of tripping and falling anywhere in the field is present at all times, but especially after consumption of alcohol.

Finally, on the point of Public Safety, it is well documented, that diesel fumes are detrimental to public health and cause high levels of environmental pollution. This is already an issue with the use of a diesel-powered generator, supplying the power for the Coffee Box. Extending the operating hours for a further 6-8 hours per day would generate 2-3 times the amount of air pollution. This is completely unacceptable.

Risk to Protection of Children:

Every one of the aforementioned risks to Public Nuisance, Crime & Disorder and Public Safety points mentioned above poses a real and serious risk to the protection of our children and young people on Hatton Park. Whether Mr Burman has a strict 'No Under 25's' policy or not, introducing a daily music and refreshments venue to Hatton Park has the potential to increase the risk of young people from within and outside of the village gathering in and around the site and puts our young people at real risk.

Risk to Wildlife

There wasn't a section for the risk to wildlife, but the hedgerow next to which Mr Burman parks the Coffee Box is home to large groups of small birds, squirrels, mice, bees and numerous other wildlife species. Hatton Park is also home to hedgehogs, foxes, woodpeckers and birds of prey amongst many other things. The noise, traffic, people, light and air pollution is a real risk to these species and totally unnecessary, given that we have other properly designated areas with proper facilities and access around Hatton Park, to avoid destroying the natural habitat of the wildlife we're lucky enough to share our space with.

My reasons for objecting to this application, therefore, are both personal as well as being underpinned by a real and present concern for the risk, safety and well-being of the people of Hatton Park. Our quiet, safe haven is being eroded and threatened – as it stands, this is probably felt more keenly by those living in close proximity to the field at the top of Barcheston Drive, but should an Alcohol and Entertainments License be approved, is likely to impact residents across the village.

At any time, this would be upsetting, but at a time when the whole world is facing a Global Pandemic and potential further lockdown measures, this is an unacceptable violation of the neighbourhood we chose to live in. Having a Licensed premises in a field with no parking, no spatial controls to its perimeter and so close to residential houses is completely wrong and irresponsible. This is a small, quiet, rural village, which is home to many young and growing families. We have a village hall, 1 local pub within walking distance (2 if you count The Falcon), from what I understand, our local shop also has an Alcohol and Entertainment License, all of which are proper, designated entertainment spaces with proper facilities, electricity (so no polluting generator required) and parking. Granting another such License in this small area feels superfluous and reckless.

I am an avid supporter of local businesses, and know that Mr Burman is looking for an alternative way to generate income, given that the events he would usually attend have been cancelled, and I

totally understand this. I myself work in a small, local Events company. All of our live events have been cancelled this year – it has been heart-breaking and very tough. We have had to completely reinvent ourselves to survive and I therefore totally support every local business trying to find an alternative way to stay afloat in these times. But this should and must not be at the cost of the well-being and safety of those around them.

I therefore feel obliged to object to this application in the strongest terms.

Catherine Corby



From: Emma Dudgeon <Emma.Dudgeon@warwickdc.gov.uk>
Sent: 16 October 2020 10:41
To: 'Catherine Corby' [REDACTED]
Subject: Premises licence for land of Barcheston Drive, Warwick

Good morning,

We have received an objection from you in relation to the application for a premises licence at the Field off Barcheston Drive, Hatton Park, Warwick. As you have objected I would like to make you aware of some changes to the application.

The applicant has agreed some conditions with Trading Standards, Warwickshire County Council Safeguarding and has amended their operating schedule to include the following wording. This wording would be included on any licence if granted:

I would run a membership scheme with a code of conduct. There will be no sale of alcohol without a valid membership card. Upon registering for membership I will require proof of age as well as address, and customers will be required to agree to a code of conduct set out by me. This not only ensures that people with memberships, and therefore able to buy alcohol from me, are old enough to do so, but are also from the local area. Only people living in the immediate locality will be granted memberships. People who live on the estate will have an interest in keeping the local environment clean and tidy, and are far less likely to act in an anti-social way. I will retain the right to revoke anyone's membership, rendering them unable to use my facility, if I feel a code of conduct is not being adhered to.

The conditions agreed are as follows:

1. Sound of music from the premises shall not be intrusive at the facade of noise sensitive premises.
2. Must operate a 'Challenge 25' age verification policy requiring proof of age by passport, photo driving licence or PASS accredited card that will always be enforced when selling alcohol.
3. A prompt or reminder to staff, at the point of sale, to consider whether a sale or challenge ought to be made (for example an EPOS - Electronic Point of Sale - system till prompt or if not then written notices/stickers at the till point showing age limits). POS areas will either have a logbook to record challenges or an Electronic Point of Sale till where sales and refusals are recorded.
4. Regular staff training to ensure that both the law and company policies / procedures are understood, up-to-date and applied consistently. Regular staff training to ensure that both the law and company policies / procedures are understood, up-to-date and applied consistently.
5. Must have a policy on clearing glasses to minimise opportunities for children to access leftover alcohol.
6. All staff must undertake annual safeguarding training, and this must include training on how to recognise indicators of CSE, how to recognise proxy purchase of alcohol and how to report concerns.
7. Staff training records must be maintained.

If you have any questions in relation to the above please do not hesitate to contact a member of the Licensing Team.

Kind regards

Emma

Emma Dudgeon

Licensing Enforcement Officer
Health and Community Protection, Warwick District Council
Riverside House, Milverton Hill
Royal Leamington Spa, CV32 5HZ
01926 456113 www.warwickdc.gov.uk
*Please do not print this email unless you have to.

What's on - www.warwickdc.gov.uk/events

Latest news - www.warwickdc.gov.uk/news

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Rachael Russell

From: Matthew King [REDACTED]
Sent: 20 October 2020 19:26
To: Licensing
Subject: Licence application WDCPREM00968 - Field off Barcheston Drive, Hatton Park
Categories: Rachael

I write with objection to the above application. I live on Dorsington Close and have a number of concerns relating to the details of the application, which I believe will result in a serious nuisance, in terms of noise, being particularly problematic later at night. I believe parked cars of people using the establishment will also become a problem, despite claims of a club membership. I cannot believe other custom will be turned away.

I feel this is too big a change of land use and the applicant is trying to take advantage of being related to the land owner and trying to get permission for something that is wholly unsuitable for that location, outdoors, in such close proximity to housing.

Your Sincerely,

Matt King

Rachael Russell

From: Anthony Walsh [REDACTED]
Sent: 21 October 2020 03:04
To: Licensing
Subject: Licence reject of Oliver Burham

Categories: Rachael

Good evening

I am writing to strongly reject the application for a premises licence for.
Oliver Burman
At the location of Hill farm field in Hatton Ref WDCPREM00968

I live right on the edge of this field, Aspley Court. We have fantastic views overlooking the countryside. All of which is reflected in the price of my property.

Oliver first set up this coffee shop in the summer. Since then we have had to look at this horse lorry sat in a field. Not the best looking view.

Over the last week a large section of the field has been turned into a hard core area. This looks even more shocking. Like a old car park. Also I'm not sure if planning permission should be needed

Now I hear he has applied for a licence to sell alcohol and to play music.
I did not spend the vast amount of money for this property to have an outdoor pub in a field.

If the licence is granted then it will be trouble from day one. Once people start drinking then they start acting very silly.

I do not wish to sit in my garden having drunken people walking over to my house. As soon as I was to open a window you would hear music playing Aspley Court is a private drive. This will cause people trying to gain access to it.

There is also a risk to an increase in crime, drinking driving, drugs and underage drinking.

I have run many gastro pubs and nightclubs. With Just Oliver to run this venue, there is bound to be trouble.


On a hot summers day it will be drunken people, loud music, litter. I have never heard of a bar in a field. Oliver is very young and inexperienced to run a venue like this.

Oliver is also posting on Hatton park business page to try and get support for this bar.
I find this unacceptable.

Should you need any more information then please contact me.

Regards

Anthony Walsh
Sent from my iPad

Licensing Act 2003 Representation Form		 C.S.T. 21 OCT 2020 WARWICK DISTRICT COUNCIL
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): FIELD OFF BARCHESTON OLIVER BURMAN		
Premises name and address: FIELD OFF BARCHESTON DRIVE BARCHESTON DRIVE, HATTON PARK		
Application for a	Premises Licence..... <input checked="" type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDCPREM 00968	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	SMITH
First name(s)	GREGG
Contact Tel no:	[REDACTED]
Email address:	[REDACTED]
Address (incl postcode):	
[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	

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

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

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

This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

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

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

<p>Our objection is based on the following:</p> <p>You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.</p> <p>Please attach supporting documents / further pages as necessary - Please number all extra pages</p> <p>I object to the license application due to the specific location of the proposed premises;</p> <p>① Very close proximity to a number of residential properties in a family housing development - will cause significant noise nuisance in a rural location, littering, visible drinking of alcohol to houses & the bundle path adjoining the proposed site. This not what Hutton Park was intended to be like.</p> <p>② Concerns regarding traffic & parking</p> <p>③ Concern of 'gate crashing' & disorder as happened at the Hutton Arms in the summer.</p> <p>④ Impact on the vital service of the Hutton Village shop by removing drinks sales & forcing closure</p> <p>⑤ Health & Safety of drinking alcohol in a field</p>	
<p>Signed.....</p> <p>Date.....17/10/2020.....</p>	<p>Item 3 / Page 39</p>

Rachael Russell

From: Adrian Newell [REDACTED]
Sent: 21 October 2020 20:08
To: Licensing
Subject: WDCPREM00968

Dear Sir,

We write to object most strongly to the above application.

We have lived [REDACTED] for 15 years and have two children, one of whom is in primary school and the other in her second year at secondary school in Warwick. We chose Hatton Park as a family oriented, safe place for our children to live and grow. We are concerned that the granting of a liquor licence would have serious ramifications and should therefore be refused.

- There is no immediate parking facility which would mean that there is an increased risk of onstreet parking and of the blocking of the main roads through Hatton Park during the day and overnight (assuming evening drinking means leaving the car to avoid driving under the influence charges). This increased the risk of personal injury as we navigate increased traffic flow and would impede access by emergency vehicles.
- One of our children uses public transport to go to school. We do not want her to be subject to increased risk of personal harm (physical or psychological) caused by 'rowdy' people on the road, nor as a result of the bus having to navigate parked vehicles.
- There are insufficient amenities in terms of access to rubbish bins, and we would be concerned that there is an inherent issue with water, electricity and toilets which would all add to the potential for the site to become unsightly, unhygienic and loud (from music and a generator) in what is really a family estate and a safe residential environment.
- It should be noted that there is also limited lighting at the property and this increases the risk of injury to people and damage (vandalism to, and theft of) property at night by an inordinate amount.
- At this particular time when experts have already found a direct link between alcohol consumption and the inability to socially distance, granting a liquor licence in what is essentially a 'parkland' area can only lead to an increased incidence of infection and contagion for COVID-19. Again we are concerned that the combined impacts of locally available alcohol, music and more people in the area will encourage the spread of the virus. This is a material concern since we have family members who are clinically extremely vulnerable.
- The accessibility of alcohol so close to home potentially exposes the local children to a drinking habit (misuse and abuse of alcohol) that we as parents are trying to discourage, and again this is a material concern for us and our neighbours with young adults in the house.
- There are public houses, off licences and supermarkets all within range of Hatton Park - these have legal obligations in relation to the service and sale of alcohol which are monitored effectively. We are not convinced that the proposed premises (a converted horsebox) and its operation can meet the stringent requirements, and in particular since there is no manned police station close by. Granting this application can only have a material adverse impact on the area.

Yours faithfully

Mr A D Newell

Rachael Russell

From: Nick Martlew [REDACTED]
Sent: 21 October 2020 21:16
To: Licensing
Subject: Alcohol to be served on Hatton Park

Though the intention is a noble one I think this is a mistake for Hatton Park. The Coffee Box has worked well but throwing an alcohol licence into the mix is unfair. The residents of Dorsington will have noise, rubbish and more traffic to contend with. It will affect residents living in close proximity to the venture.

The venture is advertised on the B'ham road so clearly people will drive to the venue. Fine for coffee but not alcohol.

I would strongly object to this venture going ahead. There is a pub up the road if residents want to purchase alcohol. This away from houses and has suitable parking.

Carrie Martlew

Sent from Yahoo Mail for iPhone



Warwick District Council Licensing,
Riverside House,
Milverton Hill,
Royal Leamington Spa,
Warwickshire,
CV35 5HZ.
20th October 2020

Dear Madam/Sir,

Premises Licensing Application Number: WDCPREM00968

WDCPREM00968	Premises	Field off Barcheston	29/10/2020	Barcheston Drive, Hatton Park,
	Licensing	Drive		

I am writing to raise observations, concerns and objections about the above application for licensing at the CoffeeBox retail outlet as follows:

Public Safety

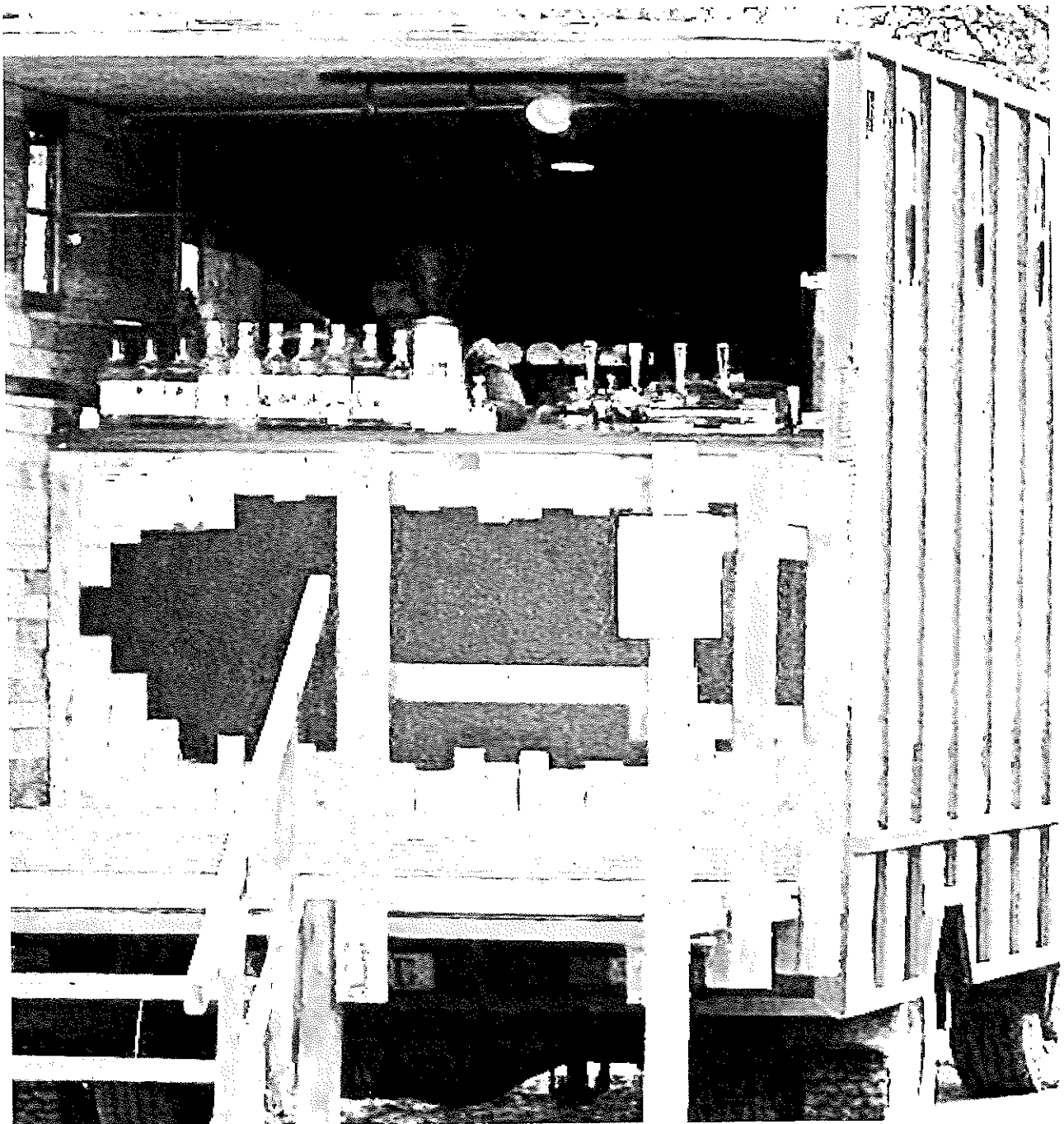
- The farmer has installed an electric fence to contain the sheep in the field where the CoffeeBox is located. Outlets selling alcohol do not normally have such installations right next to them.
- The government is currently closing pubs and bars at 10pm and shutting them in parts of the country to contain Covid-19 therefore it seems inconsistent and unsafe to open a pub or bar in a residential community at this time. The result of introducing unnecessary risk to the community in Hatton Park could be very serious ie. someone's death.
- This retail outlet is advertised on Facebook, TripAdvisor and Instagram all of which are visible, to the general public, very widely. This means that the objective in the application to attract and serve alcohol only to Hatton Park residents can not be assured. Especially as the manager of the CoffeeBox has no means of verifying who are residents of Hatton Park. This widespread advertising coupled with the additional attraction of alcohol sales has the potential to attract people who would drive to the location where there is no facility to park; which could result in parking on the road or pavement causing safety issues for both children and adults where there is none now. It is also likely that such parking would cause obstruction of the highway.
- From observation the person managing the outlet is alone this affects the safety of unsupervised children as many walk home from school or play in the area or walk along the bridle path together or alone. With just one person for serving and cleaning the clearance of glasses, to prevent children consuming alcohol is not assured.

Prevention of Crime and Disorder

- Currently, masks are not being worn for serving or purchasing in the CoffeeBox mobile unit. Bearing in mind the law relating to masks for retail outlets and indeed for vehicles as small as taxis this needs to be considered by the Council in the context of this application.
- Licensing may need to be applied for road side signage, as the CoffeeBox has installed signage approximately 1km from its location at the junction between Charingworth Drive and Barcheston Drive. (I did look for and could not find (on the Council website) a submitted or approved license on 20/10/2020). Again, this needs to be considered in the context of this application.
- In addition, in conversation, on 20/10/2020, with the person managing the retail outlet it is clear they understand that there will be some people who do cause disorder when they drink alcohol. This I believe is not acceptable as Hatton Park is a residential area which consists of many families with young children.
- The creation of an outdoor bar with a closing time has been demonstrated to create premises leaving events which give rise to the significantly increased potential for disorder when compared with the current situation

Prevention of Public Nuisance

- The application makes reference to recorded music on Saturday 07:00 to 22:00 Indoors only. As the picture below demonstrates the retail outlet has no means of containing the sound indoors. In addition, because of the proximity to residences nearby it is difficult to see what monitoring or noise controls could be implemented to contain the noise from the music other than to move the outlet a substantial distance from the current location.
 - If it is the intention of the venue to play music in an enclosed setting eg. a marquee or temporary building that is currently not in place then I believe other permissions and assessments should be sought prior to this license grant. In any case the noise would cause nuisance to the residences in close proximity; of which there are quite a number.
 - If it is the intention of the venue to play music inside of the vehicle currently used to sell coffee then I believe this would not enable many people to be inside because of social distancing and even then the noise would cause nuisance to the residences in close proximity; of which there are quite a number.



- As this is a mobile unit which leaves every day there is quite a lengthy process to pack it away. Closing times would be difficult to adhere to as a result with the potential for clients remaining during the packing time.

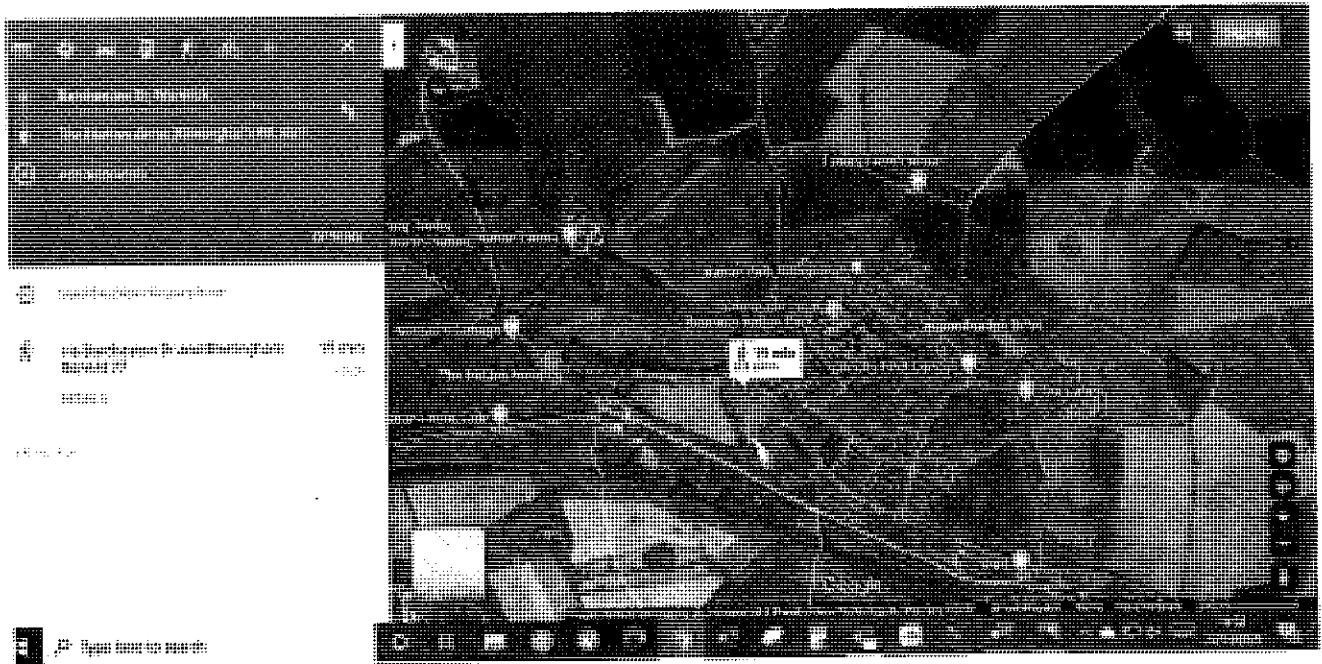
Protection of Children from Harm

- The location of the CoffeeBox is right next to a Bridal Path, 250m from the village hall playground (according to Google) and right next to family residences. There are often unsupervised children playing, walking or cycling. It is very difficult to see how access to unsupervised children under 16 years of age could be prevented from entering the CoffeeBox area without fencing and manned access control. (Note that the application identifies that children must be supervised by an adult.)
- I would repeat the point from above that from from observation the person managing the outlet is alone this affects the safety of unsupervised children as many walk home from school or play in the area or walk along the bridal path together or alone. With just one person for serving and cleaning the clearance of glasses, to prevent children consuming alcohol is not assured.

Existing Provision of Alcohol

There is adequate provision for both the purchase of alcohol and the consumption in a nice setting at a pub or bar in or near Hatton Park.

- Shops:
 - Hatton Park is served locally by Warwick town centre which has a number of retail outlets selling alcohol
 - In addition, Hatton Park has a local village shop which sells alcohol
- Pubs Bars and Restaurants:
 - Hatton Park is served locally by Warwick town centre which has many pubs and bars
 - The Hatton Arms Pub and Restaurant is within 0.9 miles of CoffeeBox location according to Google Maps. For many residents, the distance will be substantially shorter as can be seen from the picture below:



Regards,

David Fitzpatrick


Rachael

I have one other representation to make in relation to the location

Which is that the field off Barchestion Drive is very large therefore I believe the application is not specific enough.

Thanks

David

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): Kingstanding Events Limited		
Premises name and address: Field off Barcheston Drive, Barcheston Drive, Hatton Park		
Application for a	Premises Licence..... <input checked="" type="checkbox"/>	Club Premises Certificate..... <input type="checkbox"/>
Application to vary an existing	Premises Licence..... <input checked="" type="checkbox"/>	Club Premises Certificate..... <input type="checkbox"/>
Application Number	WDCPREM00981	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	Hall
First name(s)	Graeme Laurie
Contact Tel no:	[REDACTED]
Email address:	[REDACTED]
[REDACTED]	

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

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

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

This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

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

YES	I object to the application being granted at all
	I object to the application being granted in its current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:

I am astounded in the first instance that the "Horse Box" enterprise has been allowed/licenced to occupy the position and carry out the trade it already does. I believe that if objections have not been received to it operating in its current form, it is due to a neighbourly "benevolence" as a result of the situation created by Covid-19. I am quite convinced that in a "normal" world the situation would have been quite different. We surely must hope that things will ultimately revert to what they were prior to March 2020 and I think it short sighted if permissions are granted for individual benefit at the potential longer-term detriment to the greater community.

My objections are as follows:

1. The existing structure (old blue horsebox) is an unsightly structure which now dominates the immediate properties in the adjacent estate. Recent excavations and the addition of hard standing has elevated it even higher above the hedge than previously and given it a sense of permanency. A highly visible plastic portable toilet has now also been erected up against the hedge bordering the estate. If housing was proposed in that position a long and extensive consultation would have had to ensue and the impact on the existing community would have had to be considered. The generator while admittedly quieter than it was initially can still be heard by some properties in the area.

2. The sale of alcohol is going to dramatically increase the number of people visiting the site.

Assurances from the applicant on social media that sales will be to "members" and residents of Hatton Park only on social media have garnered him significant support, but this does not constitute part of the planning permission request and so does not require adherence despite his purported good intentions. Already he has placed substantial signage (shackled to various posts) on the estate and along the Birmingham Road directing custom to his enterprise. I would question that this is even legal, but it is clear evidence that he has no intention of confining trade to the residents of Hatton Park.

Already the traffic to the location has increased and vehicles are freely using the bus stop as the closest stopping point to park their vehicles. Those that do not are using Dorsington Close and Charingworth Drive to park. Parking in Dorsington Close is already at a premium with residents parking on the pavement to allow access to properties. Charingworth Drive is a main thoroughfare for the estate and should surely not obstruct the free flow of traffic? Recent events at the Hatton Arms (a long established and respected business with excellent facilities and parking) illustrate extremely well what can go wrong with a facility selling alcohol.

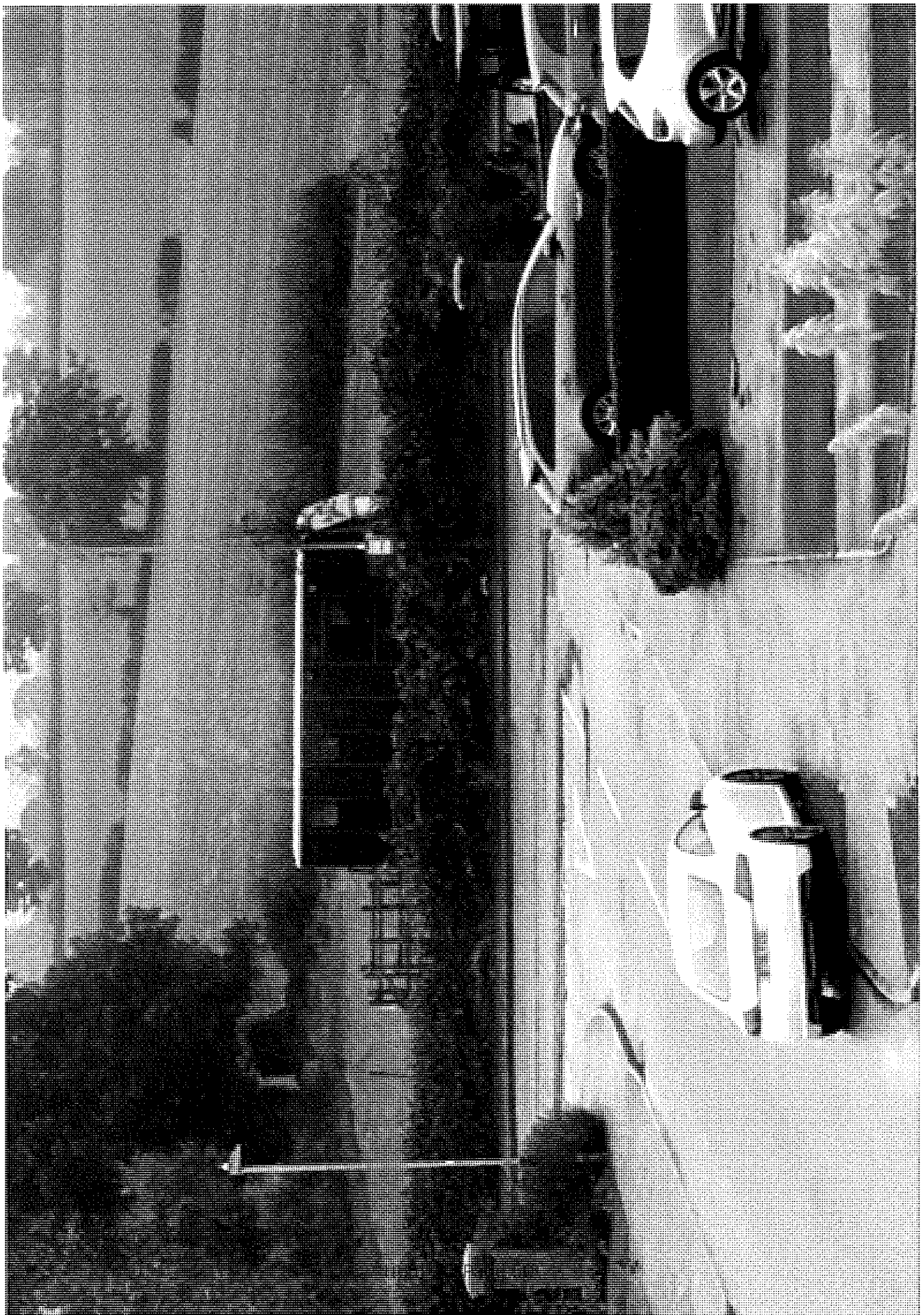
Apart from causing inconvenience to immediate residents and hindering public services I believe the increase in traffic represents an increased danger to residents and children who use the pavements and roads access other parts of the estate as well as for recreational purposes. The sale of alcohol is always associated with increased danger and unsociable behaviour and I feel that a this is a risk that should not be imposed on this community. Those that currently support the proposal envisage a few people gathering in/around the horsebox in a genteel manner, but the requested permissions allow for gatherings of up to 500 people which I believe to be wholly inappropriate for this setting and decidedly damaging to the immediate community. When questioned on social media about this, the applicant again gives unconvincing assurances that he intends to limit numbers (without giving a figure).

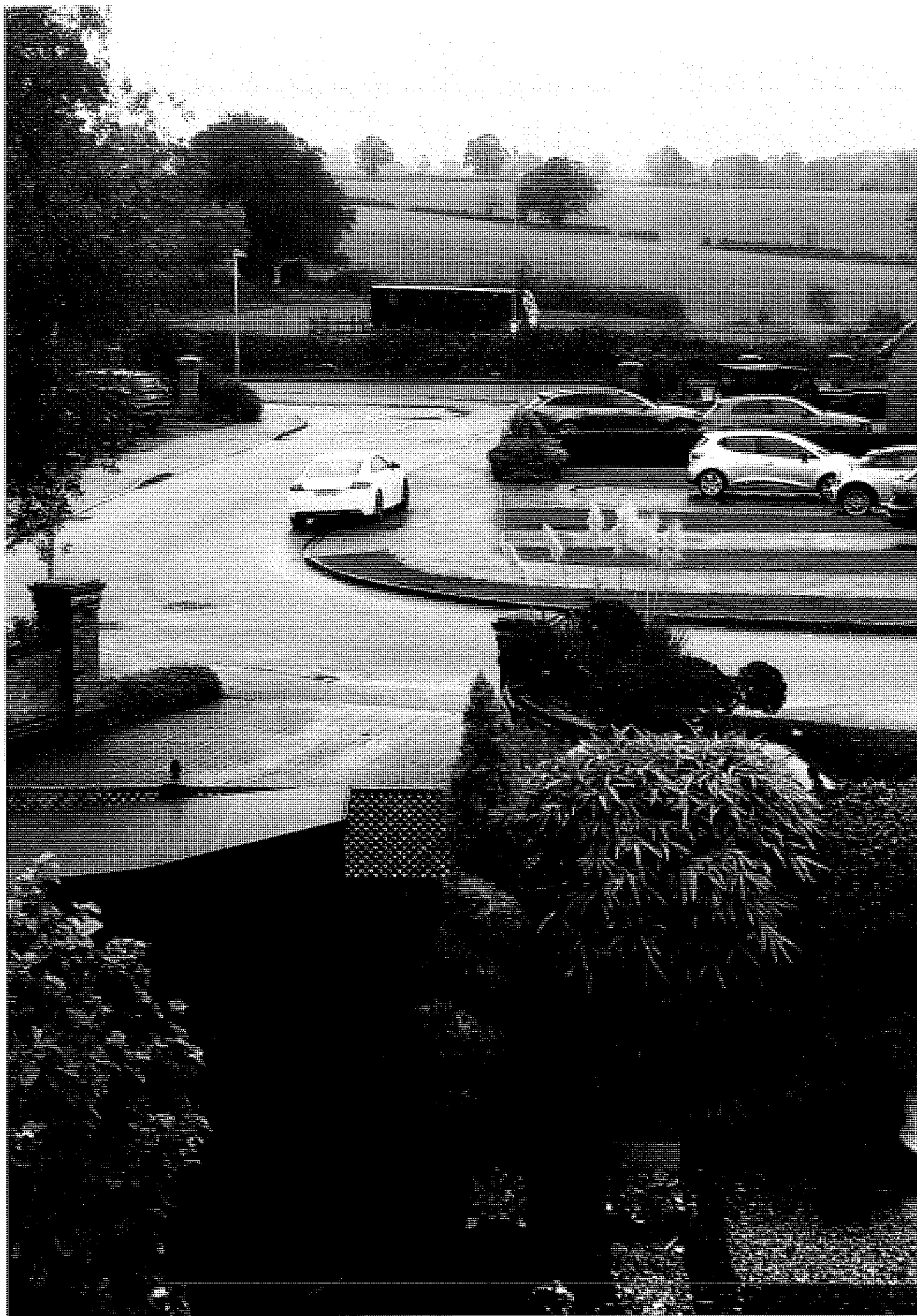
3. The playing of music is also going to impact negatively on the local community. The horsebox is currently set up to serve patrons seated/standing a significant distance away from it as is demonstrated by the positioning of the haybales used for seating. Playing music at a volume indoors which is not audible to them would be of no benefit and is simply not going to happen. I would dispute that anyone is more passionate about music than me, but I object strongly to having someone's taste in music imposed on me while I attempt to enjoy the peace and tranquillity of my hard-earned garden. The applicant is using social media to placate concerned residents by saying that these would be occasional events, but planning permission would allow him to do this seven days a week. Only a saint would turn business away if the demand was there and authority had been given.

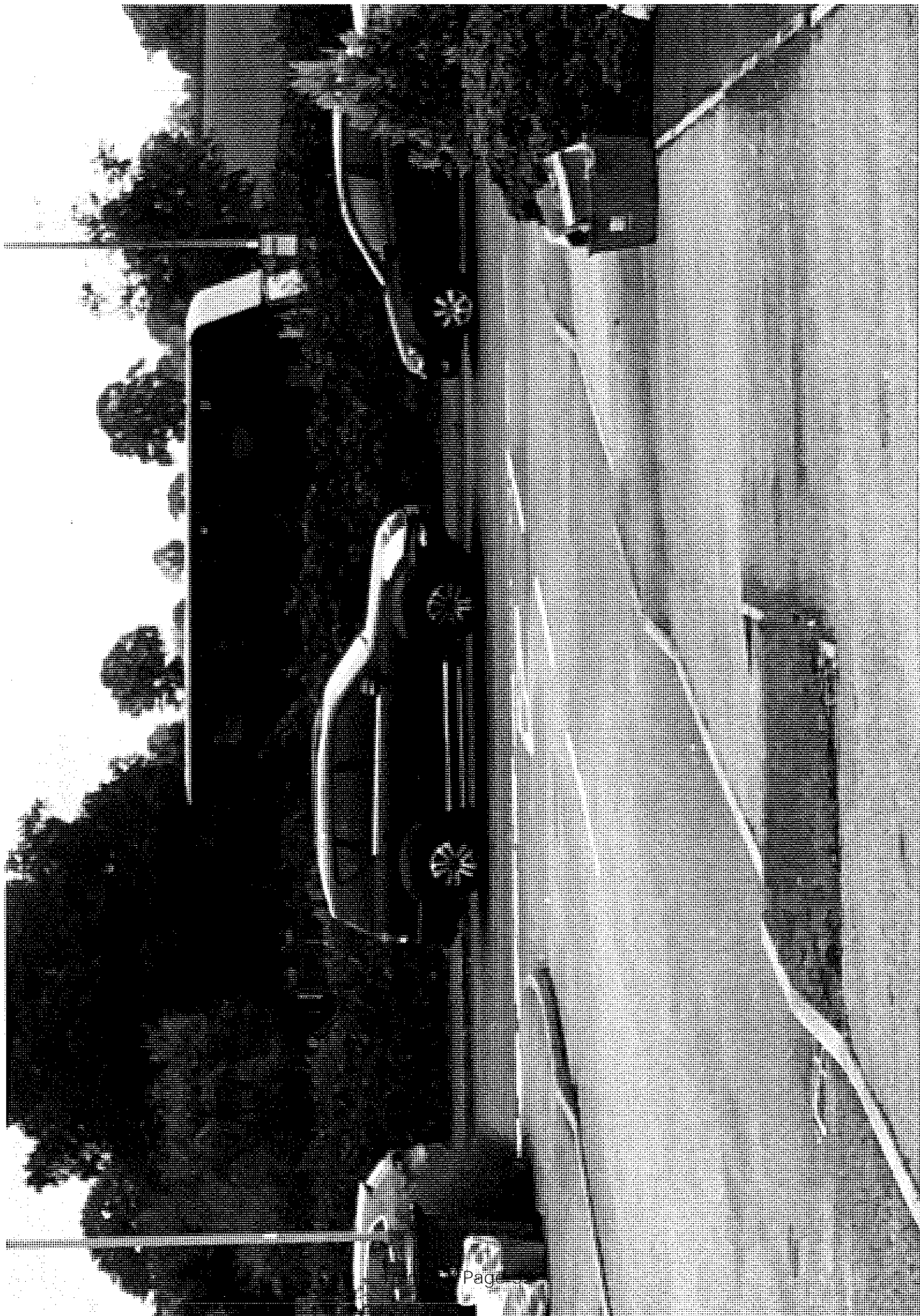
In summary: Hatton Park is very much a family community and is a location chosen by residents for its access to parkland and open agricultural countryside. I think that the horsebox in its current state already detracted from the estate's culture and desirability and the licencing of what is essentially a "pop up" pub is going to compromise this still further and set an unwelcome precedent. I sadly anticipate future conflict between the council and residents and even more worryingly amongst residents themselves if this planning permission is granted to this opportunistic and potentially precedent setting venture. If there is really demand for such a service on the estate, then it should be formalised and done by appropriate consultation.

While I acknowledge the entrepreneurial efforts of the applicant and know that these have been supported and applauded vociferously in certain solicited circles (and largely by those not living within the immediate area) I feel that WDC have a duty to protect the safety, wellbeing and significant vested interests of all in the community and place them above the financial interests of a single person.

Signed.....Laurie Hall..... Date.....21/10/2020.....

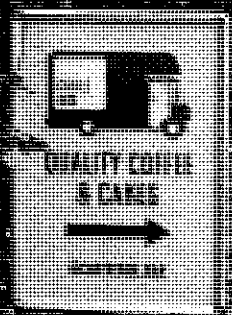












Rachael Russell

From: Laurie Hall [REDACTED]
Sent: 23 October 2020 13:55
To: Rachael Russell
Subject: RE: WDCPREM00968 Field off Barcheston Drive, Hatton Park, Warwick

Good afternoon Rachael

Thank you for your email. The contents thereof does not persuade me in any way to retract what I have submitted. On the contrary, it merely adds to my contention that this is an opportunistic and ill-conceived application and that the applicant and land owner will go to any measures to ensure that some licence be granted as a stepping stone to motivate further more substantial ventures on this site.

I think it unreasonable that the applicant should be allowed to amend his proposals so close to the closing date and that the onus is then put back on local residents to resubmit any representations at this late stage. It is also not clear to me if the two attached documents would form part of any licencing approval?

I would like to state that I have serious concerns about having my details made known to the applicant but your office has intimated that should I withhold them my representation could be withdrawn. For this reason alone I have agreed not to withhold them.

Please may I ask what licencing (if required) has been granted to the enterprise in its current state and also if it is legal and acceptable that signage directing custom to the horsebox should be placed on the Birmingham Road and on Hatton Park itself?

Finally may I ask that this email be attached as an addendum to my original representation.

Many thanks

Yours sincerely

Laurie Hall

From: Rachael Russell <Rachael.Russell@warwickdc.gov.uk>
Sent: 23 October 2020 11:40
Subject: WDCPREM00968 Field off Barcheston Drive, Hatton Park, Warwick

Good Morning,

We have received a representation from you in relation to the application for a premises licence at the Field off Barcheston Drive, Hatton Park, Warwick.

I would like to make you aware of a change to the application.

The applicant has amended their operating schedule to include the following wording, the wording would be included on any licence if granted;

'No more than 50 customers to be permitted on site at any one time'

The applicant has also requested that the two attached documents be circulated to you all. These include a catchment area for membership and a code of conduct that members will need to agree to. He has also commented that to obtain a membership, people will have to provide proof of age and address, as well as agreeing to the code of conduct.

Regards

Rachael Russell
Licensing Enforcement Officer

Health and Community Protection | Warwick District Council | Riverside House | Milverton Hill | Royal Leamington Spa | CV32 5HZ | 01926 456738

rachael.russell@warwickdc.gov.uk | www.warwickdc.gov.uk



What's on - www.warwickdc.gov.uk/events

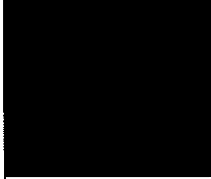
Latest news - www.warwickdc.gov.uk/news

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Licensing Act 2003 Representation Form	
Section 1 - Application Details	
I object to the following Application:	
<p>Applicant's name (if known): Kingstanding Events Limited</p> <p>Premises name and address: Field off Barcheston Drive, Barcheston Drive, Hatton Park</p>	
Application for a	Premises Licence..... <input checked="" type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>
Application Number	WDCPREM00968

Section 2 - Objector details	
Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr
Surname	Corby
First name(s)	Colin
Contact Tel no:	[REDACTED]
Email address:	[REDACTED]

Address (incl postcode):



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

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

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

This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable

Please state nature of representation:

Section - Objection Details

My objection is relevant to the following licensing objective:

You can tick more than one box

- ☒ Prevention of crime and disorder.
- ☒ Prevention of public nuisance.
- ☒ Protection of children from harm.
- ☒ Public safety



I object to the application being granted at all
I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:

You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected. Please attach supporting documents / further pages as necessary
- Please number all extra pages

I live with my family in a house opposite the field in Highfield. Our back garden looks out over in to the field in question. In the middle of lockdown this year, the Coffee Box took up its position in the field, serving hot drinks and snacks.

Currently the Coffee Box causes the below issues which will be magnified and elongated by the additional opening hours of the proposed licence premises:

- A serious degradation of our privacy, with customers who are queuing, being served and then sitting drinking having a clear view to the back of our house and through our windows.
- The noise of the generator, in what used to be our very peaceful back garden.
- The air and environmental pollution from the diesel generator, the smell of which has, at times, been really strong in our back garden and down the bridle path.
- The increased noise and pollution from the additional cars, who drive up to obtain coffee, many who come on to the estate from off Hatton Park, as per the advertising on the main Birmingham Road. Signage is in place from both directions on the A4177 (Birmingham Road) directing additional traffic on to Hatton Park and up to the field.
- Public highways nuisance of customers parking in the bus stop or in unsafe positions along Barcheston Drive, posing both a safety issue to families and children crossing the road to get to / from the bridle path and also creating obstacles for the bus to have to navigate around.
- Obstruction of view – instead of seeing the beautiful landscape of a field out of our back windows, it was replaced with a big horsebox and a portaloo.

As it stands, the business is creating a Public Nuisance and poses a safety issue, due to the increased traffic. The concept of the Coffee Box, therefore, having an Alcohol and Entertainment License is absolutely inconceivable.

We bought our house 3.5 years ago, specifically choosing it for its quiet neighbourhood location and clean air, which was important to us all for health reasons. We thought it was a safe, clean and pleasant place to raise our children. The approval of a alcohol and entertainment licence would seriously jeopardise this family estate environment.

Risk to Public Nuisance

In plain terms, the Public Nuisance has already started (as explained above), but as it stands, the Coffee Box is only open until 14.30-15.00pm each day and no alcohol is served. The new License would permit site to remain open until 22:00 Mon-Sat and 20:00 on Sunday. That would therefore mean an extra 7-8 hours trading per day Mon-Sat and a further 5-6 hours on a Sunday. Extending the business by those hours would cause substantial incremental Public Nuisance, prolonged incremental noise pollution from the music and inevitably from the customers both on site, but also travelling home. Noise and air pollution from the generator and additional traffic, customer noise and privacy invasion for longer each day, unsafe and nuisance parking in the bus stop and along Barcheston Drive and neighbouring roads.

I cannot see how granting an Alcohol and Entertainment License won't attract more people up on to Hatton Park, even if there is a 'Members Only' system, or how it won't encourage groups of people to congregate in the area in and around the field. As per the business facebook feed, Members will be allowed to buy drinks for 'their own guests' who are not necessarily local residents. We already have problems on Hatton Park with anti-social behaviour in the playground by the Village Hall and periodically in other spots where young people gather. Introducing a zone with music and lights until 22:00 has the potential to simply encourage this behaviour further and migrate the issue to a totally uncontrolled field area. Looking beyond the issues for younger people, alcohol is so often the cause of Public Nuisance of all kinds in adults, from noise to public disorder offences, criminal damage, assault etc. Anything risking the increase of this kind of behaviour in Hatton Park would put additional strain on the Police and Emergency Services, who are already well over-stretched, not least given how far out of the town we are.

It will also create a Public Nuisance, in as much as it will have a detrimental effect on other local businesses, such as The Falcon, The Hatton Arms and to some extent, the local shop, who also sell cakes and alcohol, as the business is directly targeting some of their potential custom. They are also small, local businesses, who have had a torrid year in 2020 and had to adapt to survive. With this additional challenge to their business, they may not survive at all, meaning that we would all lose some much valued and cherished local services.

Risk to Crime and Disorder:

Granting an Entertainment and Alcohol License is almost certain to exasperate any existing anti-social behaviour experienced currently on Hatton Park, potentially encouraging other groups from outside of Hatton Park to congregate in the vicinity, even if they are not directly getting served alcohol by the business. This has therefore the potential to lead to increase in traffic offenses, underage drinking, anti-social behaviour offences, which in turn have the potential to lead to much more worrying problems, such as the distribution and consumption of narcotics etc.

For the adults being served, alcohol is a known and well publicised link to increased crime rates. The obvious crimes linked to consumption of alcohol are disturbance of the peace, public disorder offences, criminal damage, assault etc, but the list is endless and the risk for the residents in Hatton Park is real.

Risk to Public Safety:

The risk to Public Safety is already an issue, with the increased traffic and parking on Barcheston Drive, right at a spot where there is a lot of pedestrian traffic crossing the road from the footpath between the back gardens of Highfield and Dorchester Close over to the bridle path on the other side. This can only increase with longer trading hours and the resulting increase in traffic to and from the business, on what is usually a very quiet road.

In addition, customers of the Coffee Box and their children regularly run around the full expanse of the field, which, up until this year has essentially been an agricultural space and home to livestock in the recent past. There are trees, hedgerows, brambles, fences (including an electric fence) etc all around the perimeter of this field, with unlimited access to further fields and bridle paths. The risk to Public Safety is already present, as children and adults roam around. If you add alcohol and the hours of darkness to this mix, this risk increases to such a vast extent, it becomes more of a threat. What if people get disorientated and wander off in the wrong direction? What if someone ends up in a quieter corner of the field and finds themselves being attacked or assaulted? What if there are unknown pieces of agricultural detritus, which people accidentally injure themselves on? A field is inherently uneven and undulating terrain – the risk of tripping and falling anywhere in the field is present at all times, but especially after consumption of alcohol.

Finally, on the point of Public Safety, it is well documented, that diesel fumes are detrimental to public health and cause high levels of environmental pollution. This is already an issue with the use of a diesel-powered generator, supplying the power for the Coffee Box. Extending the operating hours for a further 6-8 hours per day would generate 2-3 times the amount of air pollution. This is

completely unacceptable.

Risk to Protection of Children:

Every one of the aforementioned risks to Public Nuisance, Crime & Disorder and Public Safety points mentioned above poses a real and serious risk to the protection of our children and young people on Hatton Park. Whether the business may have a strict 'No Under 25's' policy or not, introducing a daily music and refreshments venue to Hatton Park has the potential to increase the risk of young people from within and outside of the village gathering in and around the site and puts our young people at real risk.

Risk to Wildlife

There wasn't a section for the risk to wildlife, but the hedgerow next to which Mr Burman parks the Coffee Box is home to large groups of small birds, squirrels, mice, bees and numerous other wildlife species. Hatton Park is also home to hedgehogs, foxes, woodpeckers and birds of prey amongst many other things. The noise, traffic, people, light and air pollution is a real risk to these species and totally unnecessary, given that we have other properly designated areas with proper facilities and access around Hatton Park, to avoid destroying the natural habitat of the wildlife we're lucky enough to share our space with.

My reasons for objecting to this application, therefore, are both personal as well as being underpinned by a real and present concern for the risk, safety and well-being of the people of Hatton Park. Our quiet, safe environment is being eroded and threatened – as it stands, this is probably felt more keenly by those living in close proximity to the field at the top of Barcheston Drive, but should an Alcohol and Entertainments License be approved, is likely to impact residents across the village.


Having a Licensed premises in a field with no parking, no spatial controls to its perimeter and so close to residential houses is completely wrong and irresponsible. This is a small, quiet, rural village, which is home to many young and growing families. We have a village hall, 1 local pub within walking distance (2 if you count The Falcon), from what I understand, our local shop also has an Alcohol and Entertainment License, all of which are proper, designated entertainment spaces with proper facilities, electricity (so no polluting generator required) and parking. Granting another such License in this small area feels superfluous and reckless.

I therefore feel obliged to object to this application in the strongest terms.

Signed..... Date.....

NOTES

- Please complete all information or your objection may not be considered.
- Try to be as specific as possible and give examples e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street
- Groups may include a Residents Association, Parish or Town Council, District Council Ward Councillor (list residents who have approached you to represent them), trade association
- If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Panel and any subsequent appeal proceeding. If you do not attend, the

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application: Applicant's name (if known): Oliver Burman Premises name and address: Field off Barcheston Drive, Hatton Park		
Application for a	Premises Licence.....✓ Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDCPREM00968	

Section 2 - Objector details	
Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	SMITH
First name(s)	KAREN
Contact Tel no:	[REDACTED]
Email address:	[REDACTED]
Address (incl postcode): [REDACTED]	

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

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

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

This is because

N/A

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable

Please state nature of representation:

N/A

Section - Objection Details

My objection is relevant to the following licensing objective:

You can tick more than one box

- √ Prevention of crime and disorder.
- √ Prevention of public nuisance.
- ☐ Protection of children from harm.
- √ Public safety

☐ I object to the application being granted at all

☒ I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:

Part 1 of 2

1. Public Nuisance & Disorder - The field is large covering many acres, and is also a working farm. It is also located along a public footpath and right of way often used by horse riders, dog walkers and ramblers.
 - It would be preferable to create a smaller area to contain litter, as drinkers who may have moved to another area of the field, may not dispose of their litter responsibly.
 - The field is a working farm, containing crops or animals. We wouldn't want to see drinkers trampling crops or harassing animals in the wider field.
 - We also would not wish to see the licensing application being used to gain change of use for the greenbelt land or allow for a permanent structure.

Suggestion - It would be preferable to designate a smaller area of the field (commensurate with a 50 people capacity) to contain the drinkers then as not to cause public nuisance to bridleway users and neighbours, many of whom are elderly or have young children.

2. Public Safety - Lack of toilet facilities and hand washing facilities. I believe the existing coffee shop has just one portable chemical toilet, no mains running water or adequate hand basins. With up to 50 people sharing one toilet, and potentially hundreds during the course of a day, it is likely that drinkers may use neighbouring hedges for urinating.

Suggestion: Clearer plans for hygiene and sanitation need to be demonstrated, increasingly so during the Covid period. The sight of more toilets is not appealing, and they would need to be regularly cleaned, emptied and screened from public view.

3. Public Nuisance - with no electricity, the business powers itself by a generator, this makes a loud noise. As neighbours we have been willing to accept the noise as it has stopped at 2pm. Having a power generator operating from 9am until 10pm 7 days a week would undoubtedly create a public nuisance.
 - This is an outside venue, on a working farm, within close proximity of housing. By licencing the premises 7 days a week to 10pm it is likely that drinkers may well stay until 10.30-11pm. Many of the neighbouring houses have young children who need to be asleep before that time and are likely to be disturbed by noise, especially if music is played, groups have gathered, the power generator is operating, and the area is lit up.

Suggestion - I would prefer to limit alcohol sales to 7.30pm with the site vacated by 8pm and with the business operating 2 days per week and during certain times of the year e.g. April to October and on certain days like the Christmas period to serve mulled wine and mince pies etc. with greater effort made to nullify or reduce the noise of the generator.

- A way of controlling the music noise needs to be agreed, and no outside lighting or live music should be allowed.
- A further concern would be how to stop the drinkers spilling over onto the public footpath and continuing to drink beyond the allotted times.

Part 2 of 2

4. Prevention of Crime & Disorder – During the summer the area experienced day time problems with the nearby Hatton Arms when it sold alcohol which was consumed on the nearby canal towpath. Drinkers spilled over into a wide area, littering much of the canal side. Groups from outside the area drove in, there were signs of drug use, litter, hedges being used as toilets and drunken behaviour. We felt unsafe walking by the canal at this time. For a short period I understand the pub and the local café were closed and police had to intervene.

A similar open air site could easily attract a similar crowd with the possibility of large numbers of people being attracted to the area. We would be concerned at how this could be policed and how people can be encouraged to leave at the end of the session.

Suggestion - Rather than it being a general condition, it should be a formal condition of the licence that a "members only" policy is adopted, maybe with a small annual membership fee, which would allow a member to sign in say 4 guests maximum at any one time, and the number of drinks a member or their guests can consume during the day be limited to say 2 drinks per person, to ensure we have no repeat of the summer canal side problems. In addition the licence holder is to be responsible for removing all litter after each session and ensuring the site is vacated.

5. Public Nuisance & Safety - The application purports to be intending to offer local Hatton Park residents a social place to meet over a drink and be advertised locally. The advertising currently undertaken conflicts with this.

Wide-scale social media promotion is visible on Instagram, Facebook and Trip Adviser etc. and is targeting an audience well outside the area. This is likely to bring in drivers. There is no safe parking in the area, people who do come from outside the area are likely to park in the bus stop or on the narrow road which will be dangerous and could cause nuisance and accidents, especially as it is also a bus route and the area has many young children. This is already happening with the café with recently a number of cars being parked up.

Furthermore drivers encouraged to come to the bar by social media advertising will in theory be declined. This often leads to aggression.

Suggestion: It is crucial that the member's only policy is contained within the licence conditions and that marketing and promotion outside the Hatton Park area is stopped.

Conclusion: If I am honest I would rather Ollie wasn't operating in the field as it does cause a disturbance with customer noise and generator noise. At present this stops at 2pm and I respect him for trying to make a living in these difficult times.

My concern is that if the alcohol license is granted, the level of disturbance will be unacceptable. This site is on a farm, in a residential area with houses very close and next to a public bridleway and footpath.


I am very concerned about crowds of drunken people congregating in the area, causing trouble, harassing people on the bridleway and scaring animals.

We have spoken to Ollie and are happy to work with him to try to find a solution. Although I would definitely want a trial period to see how it worked in practice as I am not sure Ollie could cope if groups started causing trouble.



Signed

Date 26/10/2020

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): Oliver Burman		
Premises name and address: Field off Barcheston Drive, Hatton Park		
Application for a	Premises Licence.....✓ Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDCPREM00968	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr ✓ Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	SMITH
First name(s)	SIMON
Contact Tel no:	[REDACTED]
Email address:	[REDACTED]
Address (incl postcode):	
[REDACTED]	

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

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

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

This is because

N/A

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable

Please state nature of representation:

N/A

Section - Objection Details

My objection is relevant to the following licensing objective:

You can tick more than one box

- √ Prevention of crime and disorder.
- √ Prevention of public nuisance.
- ☐ Protection of children from harm.
- √ Public safety

X

I object to the application being granted at all
I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:

Part 1 of 2

1. Public Nuisance & Disorder - The field is large covering many acres, and is a working farm. It is also located along a public footpath and right of way often used by horse riders, dog walkers and ramblers.
 - It would be preferable to create a smaller area to contain litter, as drinkers who may have moved to another area of the field, may not dispose of their litter responsibly.
 - The field is a working farm, containing crops or animals. We wouldn't want to see drinkers trampling crops or harassing animals in the wider field.
 - We also would not wish to see the licensing application being used to gain change of use for the greenbelt land or allow for a permanent structure.

Suggestion - It would be preferable to designate a smaller area of the field (commensurate with a 50 people capacity) to contain the drinkers then as not to cause public nuisance to bridleway users and neighbours, many of whom are elderly or have young children.

2. Public Safety - Lack of toilet facilities and hand washing facilities. I believe the existing coffee shop has just one portable chemical toilet, no mains running water or adequate hand basins. With up to 50 people sharing one toilet, and potentially many more during the course of a day, it is likely that drinkers may use neighbouring hedges for urinating.

Suggestion: Clearer plans for hygiene and sanitation need to be demonstrated, increasingly so during the Covid period. The sight of more toilets is not appealing, and they would need to be regularly cleaned, emptied and screened from public view.

3. Public Nuisance – with no electricity, the business powers itself by a generator, this makes a loud noise. As neighbours we have been willing to accept the noise as it has stopped at 2pm. Having a power generator operating from 9am until 10pm 7 days a week would undoubtedly create a public nuisance.
 - This is an outside venue, within close proximity of housing. By licencing the premises 7 days a week to 10pm it is likely that drinkers may well stay until 10.30-11pm. Many of the neighbouring houses have young children who need to be asleep before that time and are likely to be disturbed by noise, especially if music is played, groups have gathered, the power generator is operating and the area is lit up.

Suggestion - I would prefer to limit alcohol sales to 7.30pm with the site vacated by 8pm and with the business operating 2 days per week and during certain times of the year e.g. April to October and on certain days like the Christmas period to serve mulled wine and mince pies etc. with greater effort made to nullify or reduce the noise of the generator.

- A way of controlling the music noise needs to be agreed, and no external lighting or live music should be allowed.
- A further concern would be how to stop the drinkers spilling over onto the public footpath and continuing to drink beyond the allotted times.

Part 2 of 2

4. Prevention of Crime & Disorder – During the summer the area experienced day time problems with the nearby Hatton Arms when it sold alcohol which was consumed on the nearby canal towpath. Drinkers spilled over into a wide area, littering much of the canal side. Groups from outside the area drove in, there were signs of drug use, litter, hedges being used as toilets and drunken behaviour. We felt unsafe walking by the canal at this time. For a short period I understand the pub and the local café were closed and police had to intervene.

A similar open air site could easily attract a similar crowd with the possibility of large numbers of people being attracted to the area. We would be concerned at how this could be policed and how people can be encouraged to leave at the end of the session.

Suggestion - Rather than it being a general condition, it should be a formal condition of the licence that a "members only" policy is adopted, maybe with a small annual membership fee, which would allow a member to sign in say 4 guests maximum at any one time, and the number of drinks a member or their guests can consume during the day be limited to say 2 drinks per person, to ensure we have no repeat of the summer canal side problems.

In addition the licence holder is to be responsible for removing all litter after each session and ensuring everyone vacates the site.

5. Public Nuisance & Safety - The application purports to be intending to offer local Hatton Park residents a social place to meet over a drink and be advertised locally. The advertising currently undertaken conflicts with this.

Wide-scale social media promotion is visible on Instagram, Facebook and Trip Adviser etc. and is targeting an audience well outside the area. This is likely to bring in drivers. There is no safe parking in the area, people who do come from outside the area are likely to park in the bus stop or on the narrow road which will be dangerous and could cause nuisance and accidents, especially as it is also a bus route and the area has many young children. This is already happening with the café with recently a number of cars being parked up.

Furthermore drivers encouraged to come to the bar by social media advertising will in theory be declined. This often leads to aggression.

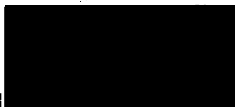
Suggestion: It is crucial that the member's only policy is contained within the licence conditions and that marketing and promotion outside the Hatton Park area is stopped.

Conclusion: I would like to say that I respect what Ollie is trying to do in these difficult economic times, when his existing events business has been halted by the virus.


My desire is not to stop his plans from happening at all, but to find a way in which his plans can be achieved in a safe and trouble-free way, to the benefit of all residents and footpath users, without harming the working farm.


I feel it would also be preferable, that if a licence was to be granted, that it was done on an initial trial period of say 8-12 weeks during the period April to June 2021 so that the effect it has on residents, the area and passers-by, can be adequately assessed.

Signed



Date 26 October 2020

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): OLIVER BURMAN -		
Premises name and address: KINGSTANDING EVENTS LIMITED FIELD OFF BARCHESTON DRIVE, BARCHESTON DRIVE, HATTON PARK		
Application for a	Premises Licence..... <input checked="" type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDC PREM 00968	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	FITZPATRICK
First name(s)	HELEN
Address (incl postcode): 	

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

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

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

This is because

N.A.

If you represent residents or businesses please complete the boxes below

Organisation name if applicable	.
Please state nature of representation:	
N.A.	

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

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

Our objection is based on the following:	
You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected. Please attach supporting documents / further pages as necessary - Please number all extra pages	
a)	The field is within the Green Belt; it is agricultural land & it is actively farmed on a rotation basis (crops, sheep)
b)	The field is immediately adjacent to Barcheston Drive, which runs through the quiet residential estate of Hatton Park.
c)	Several roads and many houses are located a matter of metres away from the site. See photos to confirm a), b), c).
d)	The applicant already runs an ad.hoc coffee bar from the site on seemingly random days - weekdays & weekend. 10-2.
Signed.. [REDACTED] Date..... 26.10.2020	

continued
→

Additional Page One.

Objection continued - - -

e). Because the field gets ~~to~~ boggy, the applicant has recently installed a large area of rough hardstanding, immediately adjacent to the hedge & the pavement next to the road. Here he parks his converted horse box and serves coffee etc.

The horsebox is thus as near to some houses in Dorsington Close as is physically possible.

f). A portable toilet is now on site, and both this & the horsebox are visible from the road, the pavement & many houses, including upstairs lounges.
See photos for points e), f).

g). It is from this site that the applicant wants to provide alcohol, should he so choose, seven days a week.

h). The applicant wants to run a "membership" scheme, but on busy days I believe this would be difficult to enforce.

i). For the above reasons I consider the site to be inappropriate for the sale of alcohol and that the granting of this application would lead to considerable public nuisance to residents living nearby - especially late night noise.

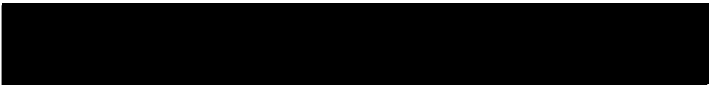
j) The uncertainty of when & if an event / opening would happen would cause great anxiety & upset.

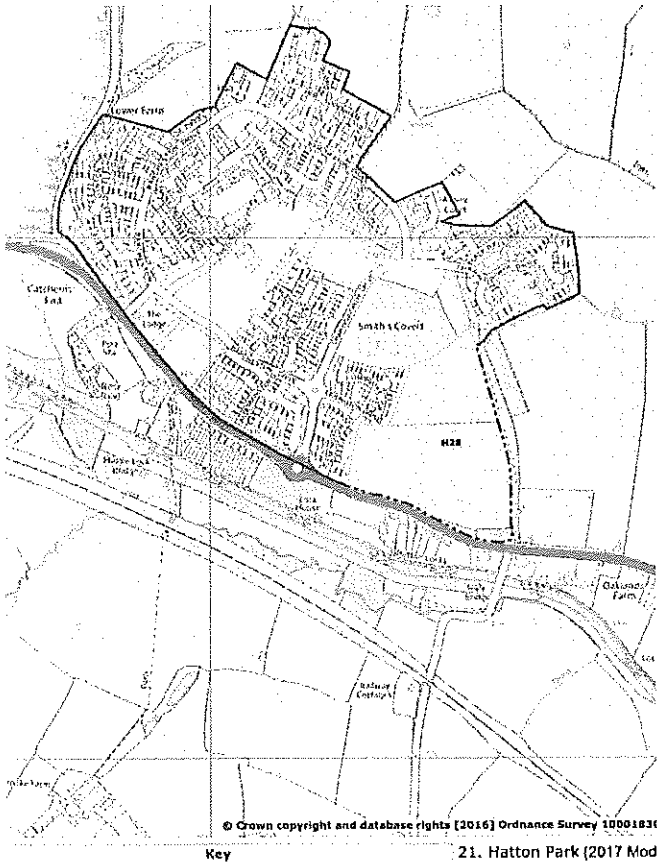
Additional Page Two

Objection continued - - .

k). I believe that the site, when daylight is dimming during the evening, could be a risk to public safety owing to poor lighting, steps into the horsebox, and a very uneven surface of hardstanding & sloping grass.

If lighting was installed for Health & Safety reasons, this would create light pollution within the Green Belt. It would also impact on neighbours.

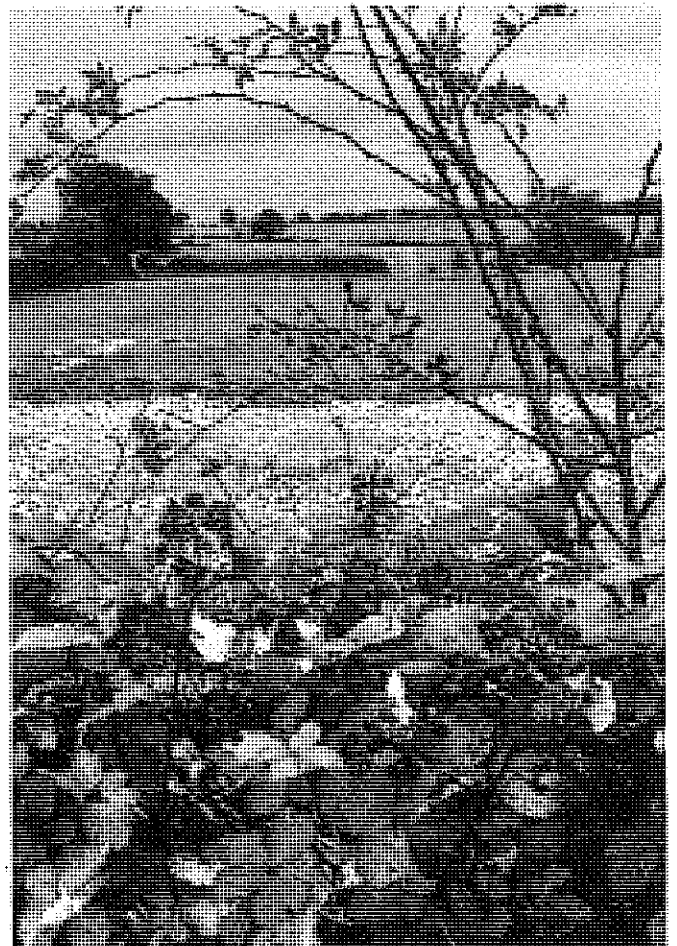
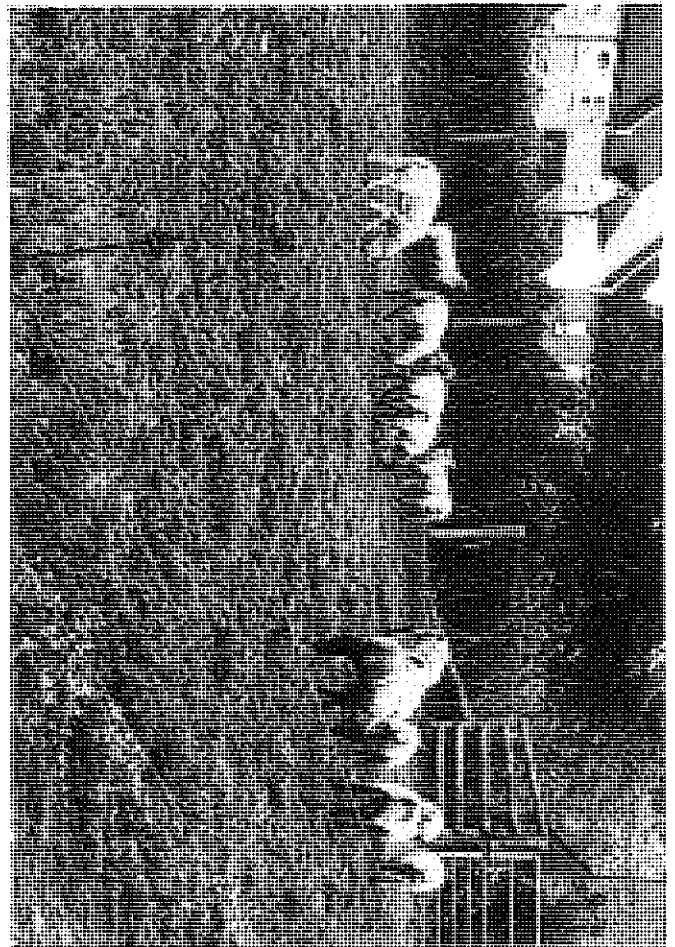

20 - 10 - 2020.



21. Hatton Park (2017 Mod)

WOLP - Green Belt (DS19)
DLP - Housing Allocations (DS11)
Site Ref





Rachael Russell

From: Mark Stevens [REDACTED]
Sent: 26 October 2020 23:06
To: Licensing
Subject: Oliver Burman Kingstanding Events Premises Licence Hill Farm Field 2.10.20
Categories: Rachael

I am writing to appeal against the application to provide alcohol and entertainment located at Hill Farm Field, Barcheston Drive, Hatton Park.


This objection is based on

1. It is not in keeping with the environment or neighbourhood.
2. Disruption to the neighbourhood when the establishment closes
3. Increase in traffic
4. Parking facilities will be required for the vehicles
5. There is an expectation for the establishment to cater for 500 people, there are no toilet facilities.
6. Increase in noise and litter
7. Concerns of antisocial behaviour
8. Light pollution for both the rural environment and the surrounding residents
9. There is already the Hatton Arms Pub which is within 0.50 miles away
10. Advertising it as solely for Hatton Park residents, their friends and families. How will this be regulated.
11. There are advertisements already on the Birmingham Road to encourage passing trade. This is already against his stated intentions for the facilities to only be available to Hatton Park residents.
12. This will also have an impact on trade being taken away from the local cafe on the canal.
13. There are plenty of establishments in Warwick 2 miles away for residents to use.

This is clearly an intent to put a licensed premises on Hatton Park through the back door.

M Stevens

Sent from my iPad

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): FIELD OFF BARCHESTON OLIVER BURMAN		
Premises name and address: FIELD OFF BARCHESTON DRIVE, BARCHESTON DRIVE, HATTON PARK		
Application for a	Premises Licence..... <input checked="" type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDCPREM 00968	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	Smith
First name(s)	C
Contact Tel no:	
Email address:	
Address (incl postcode): [REDACTED]	

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

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

☐

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

This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details

My objection is relevant to the following licensing objective:

You can tick more than one box

- ☐ Prevention of crime and disorder.
- ☒ Prevention of public nuisance.
- ☐ Protection of children from harm.
- ☒ Public safety

- ☒ I object to the application being granted at all
- ☐ I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:


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


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

- Noise
- Litter
- Loitering and Anti-social Behaviour
- Lack of parking. It is unrealistic to believe that all patrons will walk, especially after dark.
- A second venue selling alcohol could be detrimental to our village shop, which many residents depend on for bread, eggs, milk, and other food staples.
- Mr Burman has admitted on the Facebook group 'Hatton Park Locals' that he will allow members to bring friends, which negates the 'members only' policy.
- What precedence will this set? Will a more permanent building be requested in the future? Will this evolve into a pub?
- Access is not appropriate, as it is through a bridle path.
- We already have a drinking establishment within walking distance - The Hatton Arms on Birmingham Road.
- The site is inappropriate for a drinking establishment - a rural field off of a bridle path, bordering on Hatton Park back gardens, with no parking facilities, no permanent sanitation facilities. The port a loo is unsavoury.

Signed. [REDACTED]

Date... 27.10.20...

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application: WDCPRE100968		
Applicant's name (if known): OLIVER BURMAN KINGSTANDING EVENTS LTD		
Premises name and address: FIELD OFF BARCHESTON DRIVE HATTON PARK		
Application for a SALE OF ALCOHOL	Premises Licence..... <input checked="" type="checkbox"/>	Club Premises Certificate..... <input type="checkbox"/>
Application to vary an existing	Premises Licence..... <input type="checkbox"/>	Club Premises Certificate..... <input type="checkbox"/>
Application Number		

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	ALLEN
First name(s)	JAMES
Contact Tel no:	
Email address:	
Address (incl postcode):	
	

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This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

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

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

<p>Our objection is based on the following:</p> <p>You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.</p> <p>Please attach supporting documents / further pages as necessary - Please number all extra pages</p>

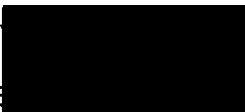
Attracting people from outside of Hatton park – People who do not live on the estate are being encouraged to visit these premises as there have been a number of signs placed on the main road and around the estate.


Parking - There are no Parking facilities for this venue, only a bus stop which will cause further congestion for the local transport . Already Cars can be seen parking on the grass verges, bus stops and edges of the road causing further congesting to this road.

Noise – Live Music and large socialising groups will cause a nuisance to local residence as this area is peaceful and one of the reasons that we decided to relocate to the area.

Covid 19 – This type of venue will encourage social gatherings at a time that we are all trying to stay safe and protect each other

Litter and toilet facilities – I do not feel there is sufficient provisions for this type of establishment to handle the litter that will be generated and there is not sufficient welfare provided for people to use the toilet and wash hands etc.

<p>Signature </p> <p>Date <u>28/10/2020</u></p>
--

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): Kingstanding events limited		
Premises name and address: For :Field off Barcheston Drive, Barcheston Drive, Hatton Park		
Application for a Sale of Alcohol for Consumption On the Premises and music	Premises Licence..... <input checked="" type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/>	
	Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WdcPrem00968	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	Papettas
First name(s)	Trifonas
Contact Tel no:	[REDACTED]
Email address:	[REDACTED]
Address (incl postcode): [REDACTED]	

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

This is because

If you represent residents or businesses, please complete the boxes below

Organisation name if applicable

Please state nature of representation:

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

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

Our objection is based on the following:
<p>You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.</p> <p>Please attach supporting documents / further pages as necessary - Please number all extra pages</p> <p>The current site of the application have been used for light refreshments during daylight hours between 10 am and early afternoon. I therefore have a very good idea what an extension of those opening hours would lead to. to provide alcohol at these premises would exacerbate my concerns several fold.</p> <p>This is a residential area at the edge of a small estate the idea that an establishment selling alcohol into the night surrounded immediately by houses sounds obviously problematic. There a many young families within ear shot of the field which would be troubled by light and noise pollution at a time when young children are being put to sleep.</p> <p>This is a poorly lit field and Road with lots of young children nearby. le road safety due to an increase in traffic and parked cars would be a problem. Not all customers would walk to the field leading to many parked cars obstructing flow leading to impaired driver and pedestrian safety.</p> <p>The vendor of this premises has already been advertising his business on the main birmingham road so I do not believe this will be a venture solely for the residents of hatton park.</p>
<p>Signed.....</p> <p>Date.....</p>

Rachael Russell

From: Andrea Sunderland [REDACTED]
Sent: 29 October 2020 16:12
To: Licensing
Subject: Application for licence

Dear sir/madame,

I write to strongly object to the above application made by Mr. Oliver John

I have lived in [REDACTED] for 8 years and have a 22 year old daughter in her final year at University of Nottingham currently living and studying from home due to the COVID-19 pandemic. I chose to live in Hatton Park as I considered it to be a peaceful, family oriented, safe place for myself and my daughter to live. However, I am very concerned that the granting of a liquor licence to Mr John would have serious impact on the residents of Dorsington Close and should therefore be refused for the following reasons:

1. There is no immediate parking facility available for the Coffee Box Café Bar which would mean that there is an increased risk of on street parking and of the blocking of Barcheston Drive the main road through Hatton Park during the day and evening, the blocking of the bus stop opposite Dorsington Close, as well as, the blocking of the access to the Bridle Path adjacent to the bus stop. All increasing the risk of personal injury to local residents, children, dog walkers, cyclists and horse riders as they navigate increased traffic flow and parked vehicles using the Coffee Box Café Bar.
2. Myself and my daughter, like many other residents on Hatton Park, use the bridle path to exercise our dog and to take walks, and we do not want to be subject to increased risk of personal harm caused by 'rowdy' people on the road, or as a result of the bus having to navigate vehicles parked in the bus stop and consequently having to stop in front of the junction to Dorsington Close on Barcheston Drive to allow passengers to board/alight the bus.
3. There are insufficient amenities on the farm land where the Coffee Box Café/Bar is located in terms of access to rubbish bins, and we would be concerned that there is an inherent issue with vermin, water, electricity and toilets which would all add to the potential for the site to become unsightly, unhygienic and loud (from music and a generator) in what is a beautiful, peaceful family estate and a safe residential environment.
4. It should be noted that there is also limited lighting at the property and this increases the risk of injury to people and damage (vandalism to, and theft of) property at night by an inordinate amount.
5. At this particular time when experts have already found a direct link between alcohol consumption and the inability to socially distance, granting a liquor licence in what is essentially a 'parkland' area can only lead to an increased incidence of infection and contagion for COVID-19. Again we are concerned that the combined impacts of locally available alcohol, music and more people in the area will encourage the spread of the virus.
6. The accessibility of alcohol so close to home potentially exposes young adults to a drinking habit (misuse and abuse of alcohol) and is a material concern for many neighbours with teenagers in the house.
7. The Hatton Arms is a short walk away, and The Falcon a short drive away from Hatton Park, and these along with the local shop/off licence located on Hatton Park, have legal obligations in relation to the service and sale of alcohol which are monitored effectively. We are not convinced that the proposed premises (a converted horsebox parked on farm land) and its operation can meet the stringent requirements, and in particular since there is no manned police station close by.

Granting this application can only have a material adverse impact on Hatton Park residents, their families and the area.

Regards,

Andrea Sunderland

Rachael Russell

From: Philippa [REDACTED]
Sent: 18 October 2020 02:12
To: Licensing
Categories: Rachael

Dear sir or madam.

My name is Philippa Skipp and I am a resident of Hatton Park...

I looked up the following application on the WDC website in order to make a positive representation;

WDCPREM00968

Licence For :Field off Barcheston Drive, Barcheston Drive, Hatton Park
DPS License Holder :Oliver Burman
Applicant :Kingstanding Events Limited
Licence Date :
Operating Schedules
Sale of Alcohol for Consumption On the Premises
Monday to Saturday from 16:00 to 22:00
Sunday from 12:00 to 20:00

However the form appears to only provide for objections and not offer any facility for positive contributions.

Please let me know if there is a more official method that I should be using instead of email?

While I'm sure that there will be objections and no doubt people local to the field will have reservations. However I would like to offer my support for Kingstanding events who have provided a well needed outdoor social facility during a time when traditional venues have been significantly less able to do so.

The coffee box was an innovative and highly proactive response to a change in the environment that made kingstanding events usual course of business difficult or even impossible to pursue. An opportunity seen and seized by a hardworking individual that has provided something very special, original and unusual to our community. A 'pop up' venue offering good coffee and cake providing extra impetus to get us up from our desks for a valuable wander, and creating a natural haven to maintain acquaintance with our local friends and neighbours in a safe environment. Something I doubt many communities have been able to do during this crisis...!

The next move of proposing to provide an occasional members bar on pleasant evenings in such a lovely setting again will be welcomed by many on the estate.

We recently had the pleasure of the joint undertaking by salt and pepper and Kingstanding events to providing an open air brunch and coffee event on Hatton park to which universal appreciation was given in comments on the local Facebook site. It was well managed and again an invaluable opportunity to catch up with friends and neighbours in the open air.

I think this occasional 'members bar' proposal is an exciting opportunity, with huge potential benefits to the estate. It proposes a thoughtful careful management strategy, that I have no doubt both Kingstanding events and all those who wish to partake will be actively committed to making a success.

Already I think Kingstanding events should be applauded for their insightfulness, and tenacity with the current coffee box venture, and feel that they have demonstrated great capability and adaptability. I hope that the value of what has been achieved so far can be recognized, it understood that business need to have breadth and depth to be sustainable and hope that the opportunity can be given for it to really begin to flourish.

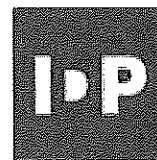
Yours sincerely philippa skipp. (Hatton Park)

PHILIPPA SKIPP
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SENIOR ARCHITECT



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COVID-19 UPDATE.

Following almost 6 months of remote working we're excited to be phasing our teams back into the workplace as of 7th September. We're making sure we put into place all of the necessary safety precautions to protect our staff and clients, to minimise risk of spreading COVID-19. We will be frequently reviewing our return to work measures in accordance with evolving government guidance and are confident that we will continue to be fully functional over the coming weeks and months ahead, and will continue to provide the strong communication and collaborative approach our clients and colleagues are used to...

We Are IDP.



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Before printing, think about the environment.

Rachael Russell

From: Joe Waters [REDACTED]
Sent: 20 October 2020 16:43
To: Licensing
Subject: Application - WDCPREM00978

Dear Sirs,

I am writing to show my full support for the above application.

Regards

Joe Waters
[REDACTED]

Rachael Russell

From: Sara Wassall [REDACTED]
Sent: 20 October 2020 18:32
To: Licensing
Subject: Licence application, hill field farm, Hatton park

Dear Sirs,

I would like to email in support of the above license application for Ollie of Kingstanding events. I believe that as long as this is for locals only and not the wider general public this would be a massive asset to our community. Not only would it be supporting an ever important local business but would also encourage the community to meet and get to know one another. This would increase the fantastic community spirit of Hatton. Having only moved to Hatton park in 2019, everyone seems so friendly in passing but as with many communities these days you don't tend to stop for a chat. Being able to bond with each other over a pleasant drink (alcoholic or non alcoholic) in the evening/at the weekend would give everyone the opportunity to do so.

Yours sincerely

Sara Wassall

Rachael Russell

From: David Scott [REDACTED]
Sent: 20 October 2020 19:47
To: Licensing
Cc: Alison Scott
Subject: CoffeeBox Application

Hi, please find enclosed an email to support the application by Ollie from CoffeeBox to obtain a license to sell alcohol in a controlled manner.

We are local residents on Hatton Park and make use of CoffeeBox in purchasing coffees whilst out enjoying our fabulous, local countryside. In the spirit of supporting a local business, who is trying to enhance the local community, I would welcome the chance to meet with friends and family to enjoy an outdoor, socially distanced drink. In the midst of the current COVID-19 situation it would also provide an opportunity to make new friends and to look out for your local community whilst enjoying the outdoor environment. Once again, we support Ollie's application and hope that you are able to consider the merits of the positive contribution that Ollie @ CoffeeBox is trying to bring to our local community.

Many Thanks,

Dave & Ali Scott
[REDACTED]

Rachael Russell

From: Peter Lakie [REDACTED]
Sent: 20 October 2020 19:29
To: Licensing
Cc: Joan Lakie
Subject: Hill Farm Field, off Barcheston Drive

Dear Licensing Authority,

I would like to express my appreciation and positive feedback regarding this particular licence application.

The applicant has already established a modest coffee bar business that is located on the perimeter of Hatton Park.

As you are no doubt aware, Hatton Park is hopelessly under provided in respect of facilities.

Such a large development only has a small corner shop and village hall.

If this were to be a new development, I believe there would be additional requirements on the developers to provide additional facilities.

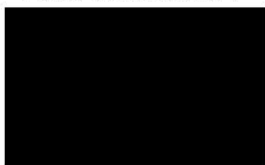
The original developers got off lightly leaving residents short changed.

My family has lived on Hatton Park since 2001. We welcome any attempt to improve the facilities for the residents and the applicants request for a license is a great example of local people trying to make a difference.

I encourage and urge you to support this application.

Best Regards,

Peter & Joan Lakie



Rachael Russell

From: Louise Rocks [REDACTED]
Sent: 20 October 2020 20:52
To: Licensing
Subject: Hatton Park Application

Dear Licensing Authority,

I would like to express my appreciation and positive feedback regarding this particular licence application.

The applicant has already established a modest coffee bar business that is located on the perimeter of Hatton Park. This has been managed responsibly and has been a great asset to the local area.

Hatton Park is hopelessly under provided in respect of facilities. Such a large development only has a small corner shop and village hall and we welcome the new facility.

We welcome any attempt to improve the facilities for the residents and the applicants request for a license is a great example of local people trying to make a difference.

I encourage and urge you to support this application.

Best Regards,

Louise & Thomas Ledden-Rocks

Rachael Russell

From: Jayne Fryett [REDACTED]
Sent: 20 October 2020 16:59
To: Licensing
Subject: Licensing Application

Re: Oliver Birman (Kingstanding Events Ltd
Premises licence for Hill Farm Field off Barcheston Drive

As a resident of Hatton Park, I would like my support noted in relation to this. It appears that it would be a responsible venture for local residents and I think it would be a great asset to the community.

The daily coffee box that is currently in place has really benefited the area and brought the community together. I think we should all be supporting local businesses, especially in times such as these.

Kind regards
Jayne Fryett

Rachael Russell

From: Jenny [REDACTED]
Sent: 20 October 2020 22:46
To: Licensing
Subject: Licence application Hill Farm Field Hatton Park.

To whom it may concern,

As a regular at the coffee box owned by the gentleman applying for this licence, I observed the signage on a visit to the box this week.

I would like to express my support of his venture. Hatton Park does not have a communal offering such as what he is proposing, and with the changes to daily life brought about by the pandemic, such a venture would be a welcome beacon of light in an otherwise bleak period.

The coffee box has been a welcome addition to the community and a similar offering of an evening would only be beneficial to the local community and I very much hope you approve his licence for these purposes.

Best regards,

Jennifer Bradley
[REDACTED]

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Rachael Russell

From: Dawn Elliot [REDACTED]
Sent: 20 October 2020 17:25
To: Licensing
Subject: Oliver Burman - Kingstanding Events Application

Categories: Rachael

To whom it may concern,

In respect of the alcohol license application by Oliver Burman (Kingstanding Events Ltd) for Hatton Park.
I fully support this application. It will bring the community together.

Oliver has outlined clear way in which he plans to limit the sale of alcohol to residents in the immediate area and control any noise and impact for immediate residents.

I really hope this license is granted and look forward to continuing to support Oliver in his new business.

Dawn Elliott
[REDACTED]

Sent from my iPhone

Rachael Russell

From: Helen Moulton [REDACTED]
Sent: 21 October 2020 14:07
To: Licensing
Subject: Kingstanding Events Ltd Premises Licence for Hill Farm Field off Barcheston Drive

Hi there,

I'm writing to express my support of the above application for the sale of alcohol and provision of regulated entertainment.

In establishing 'The Coffee Box' Mr Burman has worked hard to create a lovely community resource for Hatton Park. He manages it very responsibly and is conscientious of the environment in which he operates, regularly communicating and seeking feedback from residents on how best to run the cafe.

He's shared with us some of the measures he plans to implement to ensure that the sale of alcohol is undertaken in a safe and responsible way - measures which will be very robust and more than adequate for purpose.

I have no doubt that if the Coffee Box was able to extend the services by offering alcoholic drinks during the spring and summer, it would provide the residents of Hatton Park with a very special place for us to come together as a community - something which is very sorely missing from our estate at the moment.

If a license were to be granted for this application, Hatton Park would be a better place for it.

Kind regards,

Helen Moulton
[REDACTED]

Rachael Russell

From: Joseph Hogan [REDACTED]
Sent: 22 October 2020 10:18
To: Licensing
Subject: Representation: Oliver Burman (Kingstanding Events Limited), Hill Farm Field off Barchestond Drive

Dear Licensing Team,

I would like to make representation as a resident of Barcheston Drive and Hatton Park. I fully support this licensing request and welcome the improvements it will bring to what is already an outstanding community at Hatton Park.

I have no doubt that the license will be used with the utmost respect for the residence of Hatton Park and that common courtesy will be extended to neighbouring properties.

[REDACTED]

Regards,

Joseph Hogan

--

[REDACTED]

Rachael Russell

From: Merlin Davis [REDACTED]
Sent: 23 October 2020 10:53
To: Licensing
Subject: WDCPREM00968 SUPPORT

Hi,

I wish to show my Support for application number WDCPREM00968 (Oliver Burman Kingstanding Events Limited) for the following reasons

- I feel that it would further bring Hatton Park community together as a social event (distanced currently due to Covid-19)
- There would be very little traffic as for obvious reasons, people would be able to walk to this site thus having a safe and lawful return home
- Kingstanding Events Ltd have been very transparent and accommodating to the Hatton Park Community on all of their activity to date – so there is no reason why this should not continue.
- It's great to see a young entrepreneur taking the initiative to diversify their existing business during these difficult economic times

Kind Regards,

Merlin Davis

[REDACTED]

Appendix 39



Key - * is where the unit sits on the field.

Appendix 40



Appendix 41







STATEMENT OF LICENSING POLICY

(Required by section 5 of the Licensing Act 2003)

2018 - 2021

IMPORTANT NOTE

In producing this Statement Of Licensing Policy the Licensing Authority is aware that the Government may amend the Licensing Act 2003, subordinate legislation and statutory guidance.

Any such amendments made in the future may not be incorporated into this policy document and readers of this document are advised to check the Home Office/Gov.uk website to ensure they have the latest information.

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STATEMENT OF LICENSING POLICY

1 INTRODUCTION

1.1 Warwick District Council ('the Council') has a duty under the terms of the Licensing Act 2003 ('the Act') to carry out its functions as the Licensing Authority with a view to promoting the following licensing objectives:

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance**
- **The protection of children from harm**

1.2 The promotion of these objectives is the paramount consideration when determining an application and any conditions attached to an authorisation.

1.3 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 138,400 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.

1.4 This statement of licensing policy relates to all those licensing activities identified as falling within the provisions of the act, namely:

- **The sale by retail of alcohol**
- **The supply of alcohol by clubs**
- **The provision of regulated entertainment**
- **The provision of late night refreshment**

For the purposes of this document any reference to an 'authorisation' means a Premises Licence, Club Premises Certificate, Temporary Event Notice (TEN) and where appropriate to the context a Personal Licence.

1.5 The Licensing Authority recognises that the licensing function is only one means of promoting delivery of the above objectives and should not therefore be seen as a means for solving all problems within the community. The Licensing Authority will therefore continue to work with the Responsible Authorities, the South Warwickshire Community Safety Partnership, local businesses and local people to promote the common objectives as outlined. In addition the Licensing Authority recognises its duty under s.17 of the Crime and Disorder Act 1998 with regard to the prevention of crime and disorder.

- 1.6 This policy statement has been prepared in accordance with the provisions of the Act and the guidance issued under s.182 of the Act. The policy statement is valid until 5th January 2021. This policy statement will be subject to review and further consultation prior to any substantial changes.
- 1.7 A list of contact details for the Responsible Authorities authorised under the act is attached to this policy statement as Appendix 2.
- 1.8 The Licensing Authority has recognised Warwickshire County Council as the local body competent to advise it on the protection of children from harm and has designated it as a responsible authority for the purposes of s.13 of the Act.
- 1.9 The Licensing Authority will, when acting as a responsible authority, act in accordance with the guidance issued under s.182 of the Act wherever possible. In particular, it will not normally intervene in applications where the issues are within the remit of another responsible authority and will ensure an appropriate separation of responsibilities between the officer administering an application and an officer acting as a responsible authority.

Public Health as a Responsible Authority

- 1.10 There is not a specific licensing objective related directly to health within the current legislation. When making a representation, the Director of Public Health will be required to relate such representations and available data to the other licensing objectives. This may include underage drinking, prevention of accidents, injuries and other immediate harms that can result from alcohol consumption.
- 1.11 Health bodies hold valuable information which may not be recorded by other agencies, including analysis of data on attendance at emergency departments and the use of ambulance services following alcohol related incidents. Sometimes it may be possible to link ambulance callouts and attendance to irresponsible practices at specific premises. Anonymised data can be collated about incidents relating to specific premises and presented to Licensing Sub-Committees when representations are made.

2 CONSULTATION

- 2.1 Before publishing this policy statement the Licensing Authority has consulted and given proper consideration to the views of the following in line with the statutory guidance.
- The Responsible Authorities
 - Representatives of current licence and certificate holders
 - Representatives of local businesses
 - Representatives of local residents

3 FUNDAMENTAL RIGHTS

- 3.1 Under the terms of the Act any person may apply for a variety of authorisations and have each application considered on its individual merits. Equally, any person has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 3.2 Applicants and those making relevant representations in respect of applications to the Licensing Authority have a right of appeal to Warwickshire Magistrates' Court against the decisions of the Licensing Authority.

4 LICENSING CONDITIONS

- 4.1 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. 'Premises' includes open spaces. Conditions attached to various authorisations will be focused on matters that are within the control of the individual licensees and others in possession of relevant authorisations. Accordingly, these matters will centre on the premises being used for licensable activities and the vicinity of those premises. If there is an incident or other dispute, the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in other normal activities in the area concerned.
- 4.2 The Licensing Authority can impose conditions if it has received a relevant representation or if such conditions are consistent with the operating schedule.
- 4.3 When considering any conditions, the Licensing Authority acknowledges that licensing law should not be seen as the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and therefore beyond the direct control of the individual club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of general control and licensing law will always be part of a holistic approach to the management of the evening and night time economy. For example, applicants should note that stricter conditions to control noise are likely to be imposed in the case of premises situated in largely residential areas.
- 4.4 The Licensing Authority will not impose standard licensing conditions on licences or other relevant types of authorisation across the board. Therefore, the Licensing Authority will attach conditions to relevant authorisations which are tailored to the individual style and characteristics of the premises and events concerned and that are appropriate to promote the licensing objectives in the light of any representations received.
- 4.5 The Licensing Authority has produced a set of model conditions, which is aimed at assisting and supporting applicants through the application process. The model conditions would also assist the Licensing Authority and Responsible Authorities in deciding which conditions would be appropriate to add to a licence. The model conditions may be found at the end of this policy as Appendix 1.

5 OPERATING HOURS

- 5.1 The Licensing Authority welcomes the opportunities afforded to the local economy by the Act and will strive to balance this with the rights of local residents and others who might be adversely affected by licensable activities based on the principles laid down in this document.
- 5.2 When dealing with licensing hours, each application will be dealt with on its individual merits. The Licensing Authority recognises that longer licensing hours with regard to the sale of alcohol can assist to avoid concentrations of customers leaving premises simultaneously thereby reducing the friction at late night fast food outlets, taxi ranks and other forms of transport which can lead to disorder and disturbance. The Licensing Authority does not wish to unduly inhibit the development of thriving and safe evening and night time local economies which are important for investment and employment locally and in the main welcomed by residents and visitors to the District.
- 5.3 The Licensing Authority will not set fixed trading hours within designated areas. However, an earlier terminal hour and stricter conditions with regard to noise control than those contained within an application, may be appropriate in residential areas where relevant representations are received and such measures are deemed appropriate to uphold the licensing objectives.
- 5.4 Shops, stores and supermarkets will generally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are relevant representations giving good reasons based on the licensing objectives for restricting those hours.

6 LATE NIGHT LEVY AND EARLY MORNING RESTRICTION ORDERS

- 6.1 The Licensing Authority, having not been presented with any evidence to the contrary, does not consider that the application of a Late Night Levy or Early Morning Restriction Order are appropriate for the Licensing Authority's area at the present time. The Licensing Authority will keep these matters under review and accordingly reserves the right, should the need arise, to introduce these measures during the life of this statement of licensing policy.

7 CUMULATIVE IMPACT ASSESSMENT

- 7.1 For the purposes of this document 'cumulative impact' means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. Cumulative impact is a proper matter for the Licensing Authority to consider in developing its licensing policy. This should not be confused with 'need' which concerns the commercial demand for another particular type of premises. The Government's guidance states that 'need' is not a matter for the Licensing Authority but is a matter for the Planning Authority and the free market.
- 7.2 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.

- 7.3 In line with government guidance the cumulative impact zone is being reviewed in relation to crime and disorder, anti-social behaviour and noise complaints linked to licensed premises within Leamington Spa. The Licensing Authority also considers activities which take place within the town centre which could have an impact on public safety and the protection of children from harm as part of the review. A plan of the current zone may be found at the end of this policy as Appendix 2.
- 7.4 It is considered that the cumulative impact of further new licences within 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.
- 7.5 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.
- 7.6 The Licensing Authority will not operate a quota of any description including the special policy that would predetermine 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.
- 7.7 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 that there will be no disproportionate impact on any of the licensing objectives. **The onus of proof will be on the applicant to show that the application will not impact on the four licensing objectives.**
- 7.8 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.
- 7.9 In line with current guidance the policy will be subject to review every 3 years.

8 PROMOTION OF THE LICENSING OBJECTIVES

Prevention of Crime and Disorder

- 8.1 Licensed premises, especially those offering late night/early morning entertainment or alcohol and refreshment can sometimes be associated with elevated levels of crime and disorder.

- 8.2 The Licensing Authority expects individual licence/certificate holders, new applicants and temporary event organisers, to regularly review their arrangements in addressing crime and disorder issues pertinent to their particular licensable activities, location and/or premises. Information and advice can be obtained from the Police, business network groups and other sources. The Licensing Authority also encourages local residents and other businesses, where appropriate, to discuss issues of concern directly with individual businesses, or, to contact the Police or the Licensing Authority.
- 8.3 The Licensing Authority will, through its Community Safety Partnership devise and help deliver strategies to tackle the misuse of alcohol, which has been identified as being a precursor to crime and anti-social behaviour. The Licensing Authority expects existing licence/certificate holders, new applicants and the organisers of temporary events, to be able to demonstrate the measures they use, or propose to adopt, to prevent and actively discourage the sale/supply of alcohol to children and to individuals who are already drunk.
- 8.4 The risk assessment approach remains fundamental in the operation of all licensed premises. Licence/certificate holders and applicants are strongly recommended to work closely with the Police in particular, in bringing into effect appropriate control measures to overcome established and potential problems. A combination of short and longer term strategies may need to be deployed by holders of authorisations to sustain and promote the prevention of crime and disorder.
- 8.5 The Licensing Authority will expect new applicants, existing licence/certificate holders and organisers of temporary events to adopt recognised good practice in whatever area of operations they are engaged. The Licensing Authority will regard each responsible authority as the expert in their respective field and in some cases as the primary source of advice in relation to a particular licensing objective.
- 8.6 Queues at late night take-aways can be a source of disorder and applicants for premises licences for this type of premises are expected to address this in their operating schedule.
- 8.7 The Licensing Authority has specific duties under s.17 of the Crime and Disorder Act 1998 that underpins any control strategy that is employed. The Licensing Authority will continue to work in partnership with the Police in addressing crime and disorder issues.
- 8.8 The Licensing Authority is of the view that generally, in order to promote the licensing objectives, all licensed premises within the District are encouraged to be members of the relevant local Pubwatch Scheme, or any similar scheme, where one exists.
- 8.9 The Licensing Authority and Police have a zero tolerance of drug use in licensed premises but recognise that drug use is not something that is relevant to all licensed premises. However, it is recognised that special conditions may need to be imposed for certain venues to reduce the likelihood of drugs being sold and consumed and to create a safer environment for those who may have taken them.

- 8.10 Once away from licensed premises a minority of consumers may behave badly and unlawfully. There are other mechanisms both within and outside the licensing regime that are available for addressing such issues. The Licensing Authority will address a number of these issues through the Community Safety Partnership in line with the strategic objectives for crime and disorder reduction and drug and alcohol misuse within the District.
- 8.11 In relation to premises seeking or holding a premises licence and where alcohol will be sold under the terms of that licence, the Licensing Authority expects that (a) any Designated Premises Supervisor (DPS) will have been given sufficient management authority and be able to exercise effective day-to-day control of the premises and (b) authority to make alcohol sales when given by the DPS or any other Personal Licence holder should be clearly evidenced in writing. This is to ensure that premises selling alcohol are properly managed in accordance with the Act and that premises operate in a way that promotes the prevention of crime and disorder. This will also benefit operators themselves through being able to demonstrate a commitment to the proper management of premises, particularly if enforcement action becomes necessary.

Promotion of Public Safety

- 8.12 Public safety is not defined within the act, but the Government guidance advises that it is concerned with the physical safety of people using the premises and not with public health, which is covered by other legislation.
- 8.13 Applicants and event organisers will be expected to assess not only the physical environment of the premises or site but also operational practices, in order to protect the safety of members of the public visiting the premises or site, those who are employed in the business, those who are engaged in running an event or anyone else that could be affected by site activities. This assessment would normally take place within a risk assessment framework.
- 8.14 Holders of premises licences and club certificates, or those organising temporary events, should interpret 'public safety' widely to include freedom from danger or harm.
- 8.15 For licensed or certificated premises and for temporary events, public safety must be kept under review and where changes to operational practices/events occur, or the customer profile changes, a review of risk assessments must be undertaken.
- 8.16 Fire safety is governed by the Regulatory Reform (Fire Safety) Order 2005 and is not something with which the Licensing Authority will normally become involved.

Where a Responsible Authority has recommended a safe capacity limit on all or part of a premises the Licensing Authority will normally expect an applicant/authorisation holder to follow such a recommendation unless there are good reasons for not doing so.

Prevention of Public Nuisance

- 8.17 The Licensing Authority remains sensitive to the expectations and needs of different parts of the community in respect of leisure and cultural pursuits, and will view applications accordingly. The impact of those activities on people who have to live, work and sleep within the local vicinity of a licensed premises or event will also be considered. If the impact of licensed activities is disproportionate and unreasonable or markedly reduces the amenity value of the area to local people, then the Licensing Authority will take account of this when exercising its functions.
- 8.18 The Licensing Authority considers that the potential for public nuisance can be prevented or much reduced by good design and planning during new or ancillary construction works, by the provision of good facilities and effective management. This will require appropriate advice at the planning and development stages of new projects. Applicants should consider carefully the suitability of the premises for the type of activity to be undertaken, particularly in terms of ventilation, noise breakout and noise/vibration transmission to adjoining premises.
- 8.19 Licence holders already in receipt of complaints should seek an early remedy to any confirmed problem. The organisers of temporary events should seek to pre-empt potential nuisance, especially if complaints have previously arisen at the same venue.
- 8.20 The Licensing Authority expects holders of authorisations to use their risk assessment and operating schedules to review and, if need be, to make necessary improvements to the premises or to operational practices, in order to prevent public or statutory nuisance.
- 8.21 Where the provisions of existing legislation prove inadequate or inappropriate for control purposes, the Licensing Authority will consider imposing licence conditions. Any condition deemed appropriate and imposed by the Licensing Authority to promote the prevention of public nuisance will focus on measures within the direct control of the licence holder or designated premises supervisor.
- 8.22 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.

Protection of Children from Harm

- 8.23 The Act details a number of legal requirements designed to protect children in licensed premises. The Licensing Authority is concerned to ensure that holders of authorisations, including organisers of temporary events, create safe environments (in terms of physical, moral and psychological welfare) for children who may be on the premises. Children should be unable to access alcohol or drugs and be subject to an appropriate level of care and supervision at all times.

- 8.24 The Act prohibits children under the age of 16 years old and unaccompanied by an adult, to be present in licensed premises (including premises operating under a TEN) being used primarily or exclusively for consumption of alcohol.
- 8.25 The admission of children to any premises will otherwise normally be left to the discretion of the individual licensee/event organiser, as the Act does not prohibit children from accessing licensed premises. Where children are accompanied and supervised by a responsible adult, additional measures, should not normally be necessary. The Licensing Authority supports the view that children should enjoy access to a range of licensed premises, but cannot impose conditions requiring the admission of children to any premises.

The Licensing Authority will judge the merits of each application before deciding whether or not to impose conditions restricting access by children. Conditions which may be relevant in this respect are outlined in the Government Guidance.

- 8.26 In premises where alcohol is sold or supplied it is a mandatory condition that premises licence holders will operate a recognised Age Verification Scheme. The Licensing Authority supports the Challenge 25 scheme and where this is not proposed within the operating schedule, alternative and similarly rigorous controls should be detailed. The Licensing Authority recommends that the premise licence holder operates a method for recording when a sale is refused as part of any age challenge scheme (also known as a refusals book).
- 8.27 The Licensing Authority expects that customers should be confronted by clear and visible signs on the premises that underage drinking constitutes an offence in law and that they may well be required to produce proof of their age to a member of staff. Organisers of temporary events should apply similar safeguards in their undertakings.
- 8.28 Venue operators seeking premises licences and club premises certificates can volunteer prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. These will become conditions attached to the licence or certificate where no relevant representations are received by the Licensing Authority.
- 8.29 The Licensing Authority regards Warwickshire County Council as being the primary source of advice and information on children's welfare and would normally expect any advice/recommendations from the County Council to be followed unless there are good reasons for not doing so. The Licensing Authority will attach appropriate conditions where these appear necessary to protect children from moral, psychological or physical harm. It is also reasonable for the licensing authority to expect the responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concerned about crime and disorder or the sexual exploitation of children.
- 8.30 The Licensing Authority will consider the need to protect children from sexual exploitation when undertaking licensing functions.

- 8.31 In order to prevent children from seeing films incompatible with their age, licence holders who exhibit films will be expected to impose and enforce viewing restrictions in accordance with the recommendations of the British Board of Film Classification. In exceptional cases e.g. where the BBFC has not classified a film then the Licensing Authority may specify viewing restrictions which an authorisation holder will be expected to comply with.
- 8.32 It is expected that authorisation holders will ensure that, whenever children are in the vicinity of a film or exhibition that is being shown/staged in a multi- purpose premises, sufficient ushers/stewards (minimum 18 years old) will be in attendance at the entrance the viewing rooms at all times to ensure children cannot enter or view the film or exhibition.
- 8.33 Children have access to a range of regulated public entertainment venues and may be present as members of a viewing audience or as performers in their own right. The Licensing Authority expects authorisation holders including those organising temporary events, to make proper provision for child safety and welfare during such events. Notwithstanding public safety issues, supervisory arrangements must be reflected within operating schedules. Suitable monitoring strategies should also be in place to ensure that supervisory levels are appropriate.
- 8.34 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, the Licensing Authority may require that there is an adequate number of adult staff at places of entertainment to control access and egress of children and to protect them from harm. Children present at events as entertainers will be expected to have a nominated adult responsible for each child performer.

9 MANDATORY LICENSING CONDITIONS

- 9.1 The Government has introduced a range of mandatory conditions aimed at establishing minimum standards for the way certain licensable activities are conducted. The conditions apply to all appropriate premises.

10 OTHER CONSIDERATIONS

Relationship with Planning

- 10.1 The planning and licensing regimes involve consideration of different (albeit related) matters. The Council's Licensing and Regulatory Committee and Sub – Committees are not bound by decisions made by the Council's Planning Committee and vice versa.
- 10.2 The grant of any application or variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control approval where appropriate.
- 10.3 There are also circumstances when as a condition of planning permission; operating hours are set for the use of the premises for commercial purposes. Where these hours are shorter than the licensing hours, the applicant must observe the planning

restrictions. Premises operating in breach of their planning consent would be liable to enforcement action under planning law.

- 10.4 The Local Planning Authority may also make representations against a licensing application in its capacity as a Responsible Authority, where such representations relate to one or more of the licensing objectives.

Applications

- 10.5 An applicant may apply under the terms of the Act for a variety of authorisations and any such application will be considered on its individual merits. Any person may make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 10.6 The Licensing Authority expects each and every applicant for a premises licence, club premises certificate or variation to address how they intend to promote the licensing objectives.
- 10.7 In determining a licence application the Licensing Authority will take each application on its merits. Licence conditions will only be imposed following a hearing or in order to promote the licensing objectives and will only relate to matters within the control of the applicant. Licence conditions will not normally be imposed where other regulatory provisions are in force (e.g. planning, health and safety at work, fire safety and building control legislation) so as to avoid confusion and duplication, except where they can be exceptionally justified to promote the licensing objectives.
- 10.8 The Licensing Authority will impose only such conditions as are proportionate towards promoting the licensing objectives and which do not impose unnecessary burdens and which are appropriate to the individual size, style and characteristics of the premises and events concerned.
- 10.9 In considering applications, the Licensing Authority will primarily focus on the direct impact of activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The Licensing Authority recognises that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.
- 10.10 Conditions include any limitations or restrictions attached to a licence, certificate or other authorisation and essentially are the steps or actions the holder of the authorisation will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question.

Deregulated Public Entertainment

- 10.11 As a result of the Live Music Act 2012 and The Legislative Reform (Entertainment Licensing) Order 2014 most public entertainment taking place between 08:00 and 23:00 hrs has, subject to certain conditions, been deregulated and removed from the scope of Licensing Authority control. No authorisation is required where public

entertainment is being provided under these statutory exemptions. However, if exempt public entertainment is or will be taking place as well as licensable activities (e.g. selling alcohol) then an authorisation covering the licensable activities will still be required. Operators of 'on-licensed' premises should also note that it is possible to re-introduce full licensing controls over public entertainment where a premises licence or a club premises certificate has been reviewed and a Licensing and Regulatory Sub-Committee determines that it is appropriate for such controls to be re-introduced.

Public Spaces Protection Order

- 10.12 The Designated Public Place Order (DPPO) has been replaced by the Public Spaces Protection Order (PSPO) in the Anti-social Behaviour Crime and Policing Act 2014. PSPOs can be used to restrict the drinking of alcohol in a public space where this has or is likely to have a detrimental effect on the quality of life on those in the locality, be persistent or continuing in nature, and unreasonable. Where a local authority occupies or manages premises, or where premises are managed on its behalf, and it licenses that place for alcohol sales, the PSPO will not apply when the licence is being used for alcohol sales (or 30 minutes after), but the place will be subject to the PSPO at all other times. This allows local authorities to promote community events while still using a PSPO to tackle the problems of anti-social drinking.

11 BEST PRACTICE SCHEMES

- 11.1 The Licensing Authority supports best practice schemes for licensed premises. Premises in an area covered by a scheme are encouraged to become members of the scheme.

12 INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION

- 12.1 By consulting widely prior to this policy statement, the Licensing Authority has taken full account of local policies covering crime prevention, anti-social behaviour, culture, transport, planning and tourism as part of an integrated strategy for the Licensing Authority, Police and other agencies. Many of these strategies may not be directly related to the promotion of the licensing objectives, but indirectly impact upon them.
- 12.2 There are a number of wider issues which may need to be given due consideration when dealing with applications. The Council's Licensing and Regulatory Committee can request reports, where it thinks it is appropriate on the following areas:-
- The needs of the local tourist economy, to ensure that these are reflected in their considerations;
 - The employment situation and the need for new investment and employment where appropriate; and
 - The general impact of alcohol related crime and disorder.

- The general impact of alcohol related harms to health.

Crime Prevention Strategies

- 12.3 Crime prevention and drug and alcohol misuse policies and the input of the South Warwickshire Community Safety Partnership (SWCSP) will be reflected in licence conditions as far as possible.
- 12.4 The SWCSP is committed to making South Warwickshire a safe place in which to live work and visit. It is the role of the SWCSP to strategically plan, commission and oversee services that tackle crime and disorder and address drug and alcohol misuse.

Duplication

- 12.5 When considering any application the Licensing Authority will avoid duplication with other regulatory regimes as far as possible. Therefore the Licensing Authority will not attach conditions to a licence in relation to a matter covered by another regulatory regime unless going beyond such a regime is considered appropriate for the promotion of the licensing objectives in the particular circumstances.

Promotion of Equality

- 12.5 The Licensing Authority in carrying out its functions under the Act is obliged to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Government guidance advises that conditions should not be attached to authorisations which would duplicate existing statutory requirements. The Licensing Authority therefore takes this opportunity to remind operators of premises of their duties towards disabled persons (including performers) on their premises under the Building Regulations and the Equalities Act 2010. This includes a duty that any person who provides a service to the public must make reasonable adjustments to any physical feature that makes it impossible or unreasonably difficult for a disabled person to access a service, or to provide the services by a reasonable alternative means.

13 ENFORCEMENT

- 13.1 The Licensing Authority has an established working relationship with the Police and other responsible authorities on enforcement issues through the Multi Agency Licensing Enforcement Meeting. This provides a more efficient deployment of resources targeting high risk premises and activities.
- 13.2 This enforcement regime follows the Government's Regulators' Code in that it follows the basic principles of openness, helpfulness, proportionality and consistency. The Licensing Authority has a separate enforcement policy in respect of licensing.

- 13.3 Licensed premises are visited by the Responsible Authorities and the Licensing Authority to carry out targeted inspections to check that the premises licence or certificate is being complied with, to check compliance with other legislation and/or deal with complaints that have been received.
- 13.4 On some occasions a multi-agency group (representing a number of Responsible Authorities) will visit premises. The officers will check the premises/activities relevant to their particular role.
- 13.5 There are several enforcement options that will be used as appropriate and in line with the Licensing Authority's licensing enforcement policy. These options include:
- Verbal advice – this covers minor complaints/infringements where advice is seen as the most appropriate way to deal with the issue.
 - Written warning – this is a step-up from verbal advice and holders of authorisations are given a letter recording the warning given and containing the details of any necessary remedial action.
 - Action planning – this plan will be written down and given to the holder of the authorisation and designated premises supervisor. It explains what actions are required, within a timescale, for compliance with the licensing objectives, specific legislation or conditions. It will be regularly reviewed and if compliance has been achieved it will be terminated. If areas of non-compliance remain a more formal enforcement option further up the scale may be selected in order to achieve compliance.
 - Review – any person may call for a review of a licensed premises where there is evidence that the licensing objectives are not being promoted. The holder of the authorisation will have to attend a review hearing in front of the Licensing Sub Committee who may decide, based on the evidence submitted to them, to take no action, to remove the DPS, to revoke, suspend, or amend the licence or apply additional conditions.
 - Prosecution – Under the Licensing Act 2003 certain offences can be prosecuted by the Licensing Authority/Director Of public Prosecutions/Weights and Measures Authority (Trading Standards). In addition, Responsible Authorities have a wide range of powers to institute prosecution under other specific legislation.
 - Closure – several of the Responsible Authorities have the power to close licensed premises if they deem it necessary. The Licensing Authority also has powers to request closure through the Magistrates court for continuing unauthorised alcohol sales.

14 ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS

Licensing and Regulatory Committee

14.1 The majority of powers given to the Licensing Authority by the Act have been delegated by the Council to the Licensing and Regulatory Committee and Officers. The Licensing and Regulatory Committee has in turn established Sub-Committees to determine some matters under the Act.

14.2 The Council's Constitution defines those responsibilities and is available for inspection on the Council's website, but a summary of responsibility is set out in Table 1 below.

14.3 Table 1:

Matters to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application to transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases		
Decision on whether a complaint is irrelevant frivolous vexatious etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases		
Determination of a police/EHO objection to a temporary event notice		All cases	
Determination of a Minor Variation application			All cases
Removal of the requirement for a designated premises supervisor at community premises		If a police objection	All other cases

14.4 However Council has retained the power to set the Council's Licensing Policy Statement, but it will seek the views of the Licensing & regulatory Committee before determining any amendments.

Application forms And Process

- 14.5 All application forms will be in the prescribed format. The operating schedule will form part of the completed application form for a premises licence and a club premises certificate. The applicant will have to detail the steps that will be taken to promote the licensing objectives. Applicants should carry out a risk assessment before they apply for a licence.
- 14.6 Applicants are encouraged to fully consult the police and other statutory services well in advance of carrying out their risk assessments and submitting their applications. Application forms and guidance leaflets will be available from the Licensing Authority, including contact names for each of the responsible authorities. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.
- 14.7 Where national guidance permits, on line applications will be accepted providing the necessary documentary attachments are uploaded into the application and the appropriate fee paid.
- 14.8 Applicants are encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies and local crime, alcohol, drug and disorder strategies in order to take these into account, where appropriate, when formulating their operating schedule.

15 COMMENTS ON THIS POLICY

- 15.1 The statement of licensing policy will be reviewed on a regular basis. Individuals and organisations that wish to comment on the policy are invited to send their comments in writing to:

Warwick District Council, Licensing Team, Riverside House, Milverton Hill, Royal Leamington Spa, CV32 5HZ

Email: licensing@warwickdc.gov.uk

APPENDIX 1 – Set of Model Conditions

Warwick District Council has produced this document to assist and support applicants and existing licence holders through the application process. It has also been designed for the consideration of responsible authorities and the Council's Licensing and Regulatory Committee.

When deciding to grant or vary a premises licence under the Licensing Act 2003, the licensing authority may do so subject to conditions which it considers are appropriate for the promotion of one or more of the licensing objectives.

Those applying for a premises licence, club certificate, variation of a premises licence or variation of a club certificate may also wish to consider those conditions which would promote the licensing objectives when completing the operating schedule.

In determining what conditions are appropriate, it will be necessary to consider the individual circumstances of the premises, including:-

- The nature and style of the venue,
- The activities being conducted there,
- The location, and,
- Anticipated clientele

Guidance for operating schedule

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate.

Licensing authorities should be satisfied that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Conditions should be tailored to the particular circumstance of an individual licensed premises and determined on a case-by-case basis.

Under no circumstances should licensing authorities regard pools of conditions as standard conditions to be automatically imposed in all cases.

Prevention of Crime and Disorder

1. There shall be no sales of alcohol for consumption off the premises after (time).
2. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
3. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
4. No beer, lager, cider, ale or spirit mixers with an alcohol by volume content above (insert percentage) will be sold or offered for sale.
5. Each self-serve pump must be covered, in full, by the CCTV system.
6. Only craft beer or ale is permitted to be dispensed from the self-service pumps and will only be available in measures of (measure).
7. Only wine is permitted to be dispensed from the self-service wine dispenser and will only be available in a maximum measure of (measure).
8. When a self-service dispenser is in use a notification system must be in place to alert a member of bar staff.
9. Regular meetings will take place between the Designated Premises Supervisor, Warwickshire Police and Licensing authority. The meetings will take place every (number) months.
10. All door supervisors, and other persons engaged at the premises, for the purpose of supervising or controlling queues or customers, must wear (high visibility jackets or vests or armbands).
11. Door supervision must be provided on (specify days). Door supervisors must be on duty from (insert hours) and must remain on duty until the premises are closed and all the customers have left.
12. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
13. On/at (specify days/hours) at least (insert number) of SIA registered door supervisors must be on duty at the premises (may specify location at the premises or as shown on the plan).
14. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty. That register shall be available for inspection on reasonable request Authorised Officer of the Council, the Security Industry Authority or a Police Constable and shall contain the following details:-
 - the door supervisor's name, date of birth and home address;
 - his / her Security Industry Authority licence number;
 - the time and date he / she starts and finishes duty;
 - each entry shall be signed by the door supervisor.

15. Any door staff register shall be available for inspection on demand by an Authorized Officer of the Council, the Security Industry Authority or a Police Constable and will be retained on the premises for a period of 12 months from the date of the last entry.
16. The Premises Licence holder / Designated Premises Supervisor will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The Premises Licence holder / Designated Premises Supervisor will ensure that staff receive training on the policy.
17. CCTV to be installed and the premises licence holder must ensure that :-
 - a. CCTV cameras are located within the premises to cover all public areas.
 - b. The system records clear images permitting the identification of individuals.
 - c. The CCTV system is able to capture a minimum of 12 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - d. The CCTV system operates at all times while the premises are open for licensable activities'. All equipment must have a constant and accurate time and date generation.
 - e. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
 - f. Downloads will be provided to the Police upon reasonable request in line with the DPA.
 - g. Signed off by Warwickshire Police Architectural Liaison officer
18. The Premises Licence holder / Designated Premises Supervisor is to provide the Police with the contact details of at least two members of staff (or other person(s)) who are trained and familiar with the operation of the equipment so that, at the expense of the Premises Licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 12 hours from the time of the request.
19. The Premises Licence holder / Designated Premises Supervisor must notify the Licensing Office or the Police in the event of CCTV breakdown or malfunction as soon as is reasonably practicable and in any event within 24hrs.
20. No open vessels to leave the premises at any time.
21. No open vessels to be taken outside the curtilage of the premises at any time.
22. Empty bottles must be placed into locked bins so as to prevent them from being used as weapons.
23. Only plastic glasses / plastic bottles / toughened glass to be used in the outside areas of the premises.
24. Plastic or toughened polycarbonate (or similar) glasses / bottles will be used when requested by Warwickshire Police.
25. Drinks must only be served in polycarbonate/plastic containers.
26. No customers carrying glassware shall be admitted to the premises at any time that the premises are open to the public.
27. SIA door staff will be required to remove all alcohol from customers who are queuing to

enter the premise or entry to be refused. This alcohol must then be disposed of immediately in a bin provided at the premises.

28. A Personal Licence holder must be on the premises at all times when open to the public.
29. A Personal Licence holder must be on the premises on (state days) (time) between (time) hours and close of business.
30. The designated premises supervisor will ensure that he/she gives written authorisation to individuals whom they are authorising to sell alcohol in their absence. This should be maintained and made available for viewing by Authorised Officers.
31. Details of the names, addresses and up-to-date contact details for the Designated Premises Supervisor and all Personal Licence holders shall be maintained and kept on the premises.
32. Premises will participate in any Police or responsible authority awareness campaign or training that is relevant to the sale of alcohol, use of drugs or entertainment.
33. The Premises Licence holder shall have a written policy in relation to drugs which will include search, seizure and disposal of drugs and weapons. Staff will be provided with training on the policy, including drugs awareness.
34. A suitable receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with Warwickshire Police.
35. There shall be displayed on the premises, information regarding drugs awareness. / Zero tolerance policy.
36. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
37. The premises will be a member of the locally approved radio scheme and abide by its policies and procedures.
38. The premises is to maintain an incident book to record details of the following:-
 - Any violence or disorder on or immediately outside the premises,
 - Any incident involving controlled drugs (supply / possession or influence on the premises,
 - Any other crime or criminal activity on the premises,
 - Any call for police assistance to the premises,
 - Any ejection from the premises,
 - Any first aid/other care given to a customer.
39. An incident book to made available for inspection by a responsible authority on reasonable request.
40. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
41. Any staff employed at the premises will be provided with training on first appointment and on a regular basis thereafter. Training will include (delete where applicable) ;-
- Drunk awareness
 - Drugs awareness
 - Age verification training
 - Conflict management training
 - First aid
42. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by a responsible authority on reasonable request.
43. No entry / re-entry 1 hour before permitted hours.
44. No entry / re-entry after (time) (days).
45. Any queue (in a designated queuing area) to enter the premises must be supervised at all times by door supervisors.
46. Any (designated) queuing area must be within suitable barriers.
47. Any outside areas to be demarked by physical barriers or similar with clear signs displayed to instruct patrons that vessels must not be taken outside said area.
48. The premises must only operate as a restaurant:
- in which customers are seated at a table
 - which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery
 - which do not provide any take away service of food or drink for immediate consumption, and
 - where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals
49. The supply of alcohol to customers must be by waiter or waitress service only.
50. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.

Prevention of Public Nuisance

1. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
2. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents. A written record shall be made of these assessments in a log book. This record must be kept on the premises and made available for inspection by a responsible authority on reasonable request.
3. All external doors and windows shall be kept closed when regulated entertainment is being provided, except for access and egress and in the event of an emergency.
4. The beer garden / outside area is not to be used/occupied after (x) hours daily.
5. There will be no external loud speakers.
6. The Premises Licence holder / Designated Premises Supervisor will adopt a “cooling down” period where music volume is reduced (insert minutes) before the closing time of the premises.
7. At an appropriate time before closing time, announcements shall be made reminding customers to leave quietly.
8. Where the premises provide food to the public for consumption off the premises, there shall be provided at or near the exits, (insert number) waste bins to enable the disposal of waste food, food containers, wrappings etc.
9. Where the premises provide food for consumption off the premises, the public area immediately surrounding the premises shall be cleared of waste food, food containers, wrapping etc. at the end of trading on each day. Such refuse shall be placed in a container designed for the storage and disposal of refuse and waste foods.
10. The Premises Licence holder / Designated Premises Supervisor will ensure that litter arising from people using the premises is cleared away daily and that promotional materials such as flyers do not create litter.
11. Outside areas and activity must cease and be cleared at (time).
12. The beer garden / outside area(s) is not to be used/occupied after (time) hours daily.
13. With the exception of smokers, the outside area shall not be used by customers after (time).
14. Drinks shall not be permitted to be consumed in the outside area after (time).
15. In relation to the (specified function room) there shall be no admission after (midnight) other than to (1) residents of the hotel and their bona fide guests, or (2) persons attending a pre-booked function.

16. Licensable activities at events in the (specified function room) shall only be provided at pre-booked ticketed events.
17. Customers shall not enter or leave the premises from / by (insert specific entrances or exits), except in the event of an emergency.
18. The licence holder (or his/her nominees) shall ensure that exits are manned at closing time to ensure that patrons leave the area quickly and as quietly as possible.
19. The licence holder (or his/her nominees) shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
20. There shall be no admittance or re-admittance to the premises after (time) except for patrons permitted to temporarily leave the premises to smoke.
21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (number) persons at any one time.
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
23. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as (specify location).
24. Clear and legible notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
25. All outside tables and chairs shall be prohibited from use after (time) each day.
26. All tables and chairs shall be removed from the outside area by (time) each day.
27. No external seating shall be provided at the premises.
28. All external doors and windows shall be kept closed after (time) hours, or at any time when regulated entertainment is being provided, except for the immediate access and egress of persons or in the event of an emergency.
29. Staff shall check prior to the commencement of regulated entertainment, and periodically during regulated entertainment that all windows and doors are shut.
30. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
31. No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.
32. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the local authority's Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the

Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Health Service. No additional sound generating equipment for the purposes of providing regulated entertainment shall be used on the premises without being routed through the sound limiter device.

33. A sound limiting device shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of Warwick District Council's Environmental Health service to ensure that no noise nuisance is caused to local residents. The limiter shall not be altered without prior agreement with the Environmental Health Service.
34. No regulated entertainment shall take place in the outdoor areas at any time.
35. The provision of live music shall be limited to no more than two performers.
36. All outdoor entertainment shall be unamplified.
37. Suitable means of ventilation shall be provided and maintained at the premises to enable doors and windows to be closed whilst regulated entertainment is being provided.
38. Where the premises provide food to the public for consumption off the premises, there shall be provided at or near the exits, (insert number) waste bins to enable the disposal of waste food, food containers, wrappings etc.
39. The Premises Licence holder (or his/her nominees) will ensure that litter arising from people using the premises is cleared away daily and that promotional materials such as flyers do not create litter.
40. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (time) hours and (time) hours on the following day.
41. During the hours of operation of the premises, the licence holder (or his/her nominees) shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
42. No collections of waste or recycling materials (including bottles) from the premises shall take place between (time) and (time) on the following day.
43. No deliveries to the premises shall take place between (time) and (time) on the following day.

Public Safety

1. A designated room, space or location to be provided within the premises to create a safe environment which is monitored by a trained and DBS checked member of staff or volunteer.
2. All doors/gates through which persons may have to pass whilst making their way from the premises shall be readily and easily openable from within without the use of a key, code, card etc.
3. Once a licence has been granted a Fire Risk Assessment is to be kept on the premises and be available for inspection by an authorised officer.
4. The premises should be provided with a means for raising the alarm in the event of fire.
5. Staff should be aware of the siting of extinguishers, of their correct method of operation and know which equipment is appropriate for a particular fire. The equipment should be so placed as to be readily available for use. At least one appliance should be placed at or near to the exit from a floor and, where extinguishers are provided for special risks, as far as practical be sited close to the risk for immediate use.
6. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.
7. At all times when the public are present, at least one person who holds a current recognised first aid certificate or award shall be present on the premises. Where more than one such person is present, their duties shall be clearly defined.
8. The premises licence holder shall develop and operate a procedure for dealing with unwell members of the public including those who appear to be affected by alcohol and drugs. Staff will be appropriately trained in such procedures.
9. The maximum number of persons allowed in the premises shall be (insert numbers, areas and occasions).
10. A person who is responsible for the management of the premises shall at all times be aware of the number of persons on the premises and shall if required to do so, give that information to an authorised person.
11. At all times door supervisors on duty, numbers or persons inside the venue shall be recorded by way of a clicker system or similar, and shall if required to do so, give that information to an authorised person.
12. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
13. The Premises Licence holder / Designated Premises Supervision must develop and operate a policy which ensures the safe evacuation of disabled people in the event of an emergency. All staff shall be made aware of these arrangements.
14. Staff or attendants shall be readily identifiable to members of the public.

Protection of Children from Harm

1. Signage to be displayed around the premises in prominent places informing both staff and customers of the 'Challenge 25' policy.
2. A notice(s) shall be displayed in and at the entrance to the premises where they can be clearly seen, indicating that there is a "Challenge 25" policy in place at the premises.
3. A prompt or reminder to staff, at the point of sale, to consider whether a sale or challenge is to be made.
4. All deliveries of alcohol must be made by a person over the age of 18 years.
5. Delivery: ID checks by courier at the point of delivery in line with Challenge 25 age verification policy.
6. No person under the age of 18 shall be permitted access to the premises when entertainment of an adult nature is taking place.
7. No person under the age of (insert age) shall be permitted to remain on the premises after (insert hours).
8. Under 18's events will not take place without prior consultation with the Police and Licensing Authority.
9. Under 18's events will not take place at the premises.
10. No persons under the age of 18 years will be allowed on the premises after (time) unless accompanied by a responsible adult of 18 years or above and with the express permission and knowledge of the DPS or someone acting under their authority.
11. The premises will operate a "Challenge 25" proof of age policy.
12. The premises is to maintain a refusals book/record to record the details of incidents where a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The Premises Licence holder / Designated Premises Supervisor or nominated representative shall regularly monitor the book make a record of these checks. The book must be made available to a Police Constable/Authorised Officers of the Licensing Authority on request.
13. Any person who is authorised to sell alcohol at the premises will be provided with training on first appointment and on a regular basis thereafter. Training will include information on how to prevent underage sales and any other relevant matters. A written record will be kept of all training provided and this record will be kept on the premises for inspection by any Responsible Authority.
14. No persons under the age of 18 years to operate the self-serve pumps at any time.

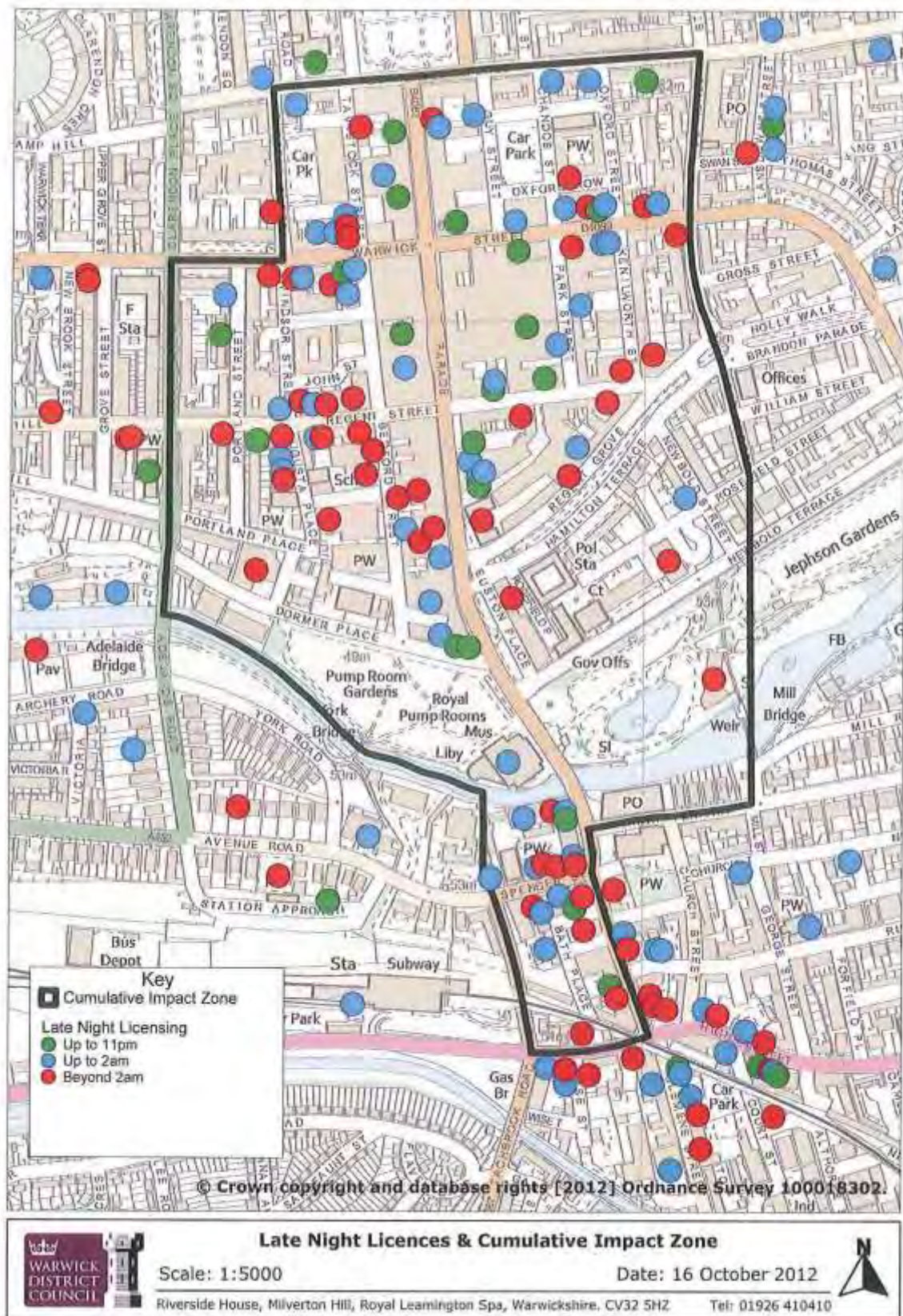
The above are generic conditions that applicants may wish to include within their application to speed up any discussions with the relevant responsible authorities. The use of these conditions does not guarantee the granting of a premises licence. Each application will be assessed on its own merits and in the context of its location and potential to impact on the licensing objectives. Additional conditions, or amendments to these model conditions, may be necessary in order to uphold the four licensing objectives. These model conditions are

not exhaustive and do not prevent you from volunteering any alternative measures that you believe are more appropriate for your particular premises.

Applicants will also need to consider whether their premises falls with any designated cumulative impact zones (CIZ) as higher standards will be applied.

For premises licences relating to outdoor music events, festivals, etc. applicants are encouraged to read the guidance provided by Warwick District Council's Safety Advisory Group (SAG) for information on planning their events. This can be found at: www.warwickdc.gov.uk/safetyadvisorygroup

APPENDIX 2 – Cumulative Impact Zone



APPENDIX 3 - 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 484226
Email: southwarksliquorlicensing@warwickshire.pnn.police.uk

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

Tel: 01926 423231
Email: firesafety@warwickshire.gov.uk

ENFORCEMENT AGENCIES 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

Health and Safety Executive – Birmingham Office
19 Ridgeway
9 Quinton Business Park
Quinton
Birmingham
B32 1AL

AUTHORITY RESPONSIBLE FOR ENVIRONMENTAL HEALTH:

Safer Communities 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:

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

Tel: 01926 456705

Email: Licensing@warwickdc.gov.uk

AUTHORITY RESPONSIBLE FOR PLANNING:

Manager, Development Services
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:

Strategic Commissioning People Group
Building 2, Saltisford Office Park
Ansell Way
Warwick
CV34 4UL

Tel: 01926 410410

E-mail: licenseapplications@warwickshire.gov.uk

WARWICKSHIRE COUNTY COUNCIL (WEIGHTS & MEASURES):

Divisional Trading Standards Officer
Warwickshire Trading Standards
Old Budbrooke Road
Warwick
CV35 7DP

Tel: 01926 414040

Email: tradingstandards@warwickshire.gov.uk

NATIONAL HEALTH SERVICE/PUBLIC HEALTH:

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

Email: phadmin@warwickshire.gov.uk