

 <b>Licensing &amp; Regulatory Committee</b> <b>5 August 2016</b>		<b>Agenda Item No.</b> <b>3</b>
<b>Title</b>	Application for a premises licence under the Licensing Act 2003 for Knights Village, Warwick Castle, Warwick	
<b>For further information about this report please contact</b>	Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>	None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	None	

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

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive		
Head of Service	26/7/2016	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	26/7/2016	Moira-Ann Grainger
<b>Consultation &amp; Community Engagement</b>		
N/A		
<b>Final Decision?</b>		Yes
<b>Suggested next steps - None</b>		

## 1. **SUMMARY**

- 1.1 Warwick District Council Licensing Authority has received a valid application for a premises licence from Lucy Lawson, Senior Hotel Operations Manager for Merlin Operations Attractions Limited.
- 1.2 Representations have been received in relation to this application for the consideration of the panel in the determination of the application.

## 2. **RECOMMENDATION**

- 2.1 Members are asked to consider the information contained in this report and decide whether the application for a premises licence for Knights Village, Warwick Castle, Warwick, should be granted and, if so, whether the licence should be subject to any conditions.

## 3. **THE APPLICATION**

- 3.1 Ms Lawson applied for a premises licence for Knights Village, Warwick Castle, Warwick on 27 June 2016.
- 3.2 The premises licence is for The Knights Village, which consists of wooden lodges, seasonal tented accommodation and a restaurant/function room. There will also be temporary structures for special events. Following discussions between the applicant and Environmental Health, the applicant amended their application to reduce the licensable hours. The amended licensable activities requested are set out in the table shown in appendix 1.
- 3.3 An operating schedule, which has been submitted by the applicant and will form part of any licence issued, has been supplied as follows:

### *General*

The Castle recognises that a number of activities which are undertaken, or are undertaken on their behalf, could potentially involve risk to health, safety and welfare of its employees, contractors, agents, guests, members of the public and others, together with the risk of damage to and loss of equipment and property.

It is the policy of the Castle to seek, as far as reasonably practicable, safe and healthy working conditions for employees and all other personnel working on behalf of the site, and to ensure that any activities undertaken by the site does not adversely affect the health and safety of other persons. The Health and Safety Objective is to minimize the number of accidents and incidents that may endanger the health, safety and welfare of all persons working at, visiting or attending an event.

Whilst the Castle Management team will do all that is within its power to ensure the health and safety of all persons, it is recognised that health and safety is the responsibility of all persons associated with the activity.

It is the duty of each and every person working on site to take reasonable care of their own and other peoples welfare and to report any situation, which may pose a threat to the wellbeing of any other person.

Warwick Castle will ensure that professional contractors holding the required certificates of competence carry out installation and maintenance of all equipment, place and services relating to site activities.

All Contractors will be required to demonstrate their competence and present relevant method statements, risk assessments, structural calculations and insurance details relating to the work they are contracted to carry out.

#### *The prevention of crime and disorder*

The nature of the operation run at Warwick Castle and the type of customers attracted mean that crime and disorder have not historically been a significant problem. Nevertheless, Warwick Castle treats its obligations seriously and has 24 hour security on site, security officers all being in direct radio / telephone contact with duty managers as well as CCTV covering the main areas of the site.

#### *Public Safety*

Warwick Castle employ its own full time dedicated health and safety staff and is subject to Merlin Attractions Operations Limited annual health and safety audits undertaken by the groups health and safety department.

A specific dedicated health and safety review is undertaken in relation to each one off event held at the Castle.

Qualified first aiders will be on standby throughout permitted hours, the numbers of such first aiders being appropriate to the nature of the licensable activities taking place and the number of persons present on the licensed premises. The site will comply with the statutory regulations regarding fire safety, capacity calculations and means of escape.

Firefighting equipment to be distributed throughout the production areas. All the concession units will be individually equipped by the Operator.

For events involving fireworks, a fire engine may be on site for the duration of the event if deemed necessary by the local authorities.

#### *Operating Alert State:*

To assist the duty manager to monitor the site, it is intended to operation a staged/tiered system, enabling the crowd safety/ event manager to assess risks and notify staff and contractors appropriately. When raising the alert state, the relevant internal code words will be used to notify all radio holders.

#### *The prevention of public nuisance*

Warwick Castle has worked hard to engender good relations with its neighbours and regularly liaises with them regarding the running of the Castle.

Nevertheless, security can be contacted during permitted hours in the event that a problem should arise.

#### *The protection of children from harm*

Warwick Castle is a family based attraction and gives high priority to the interests and safety of children. Children under 16 are not able to stay on site unless accompanied by an adult. The site is covered by CCTV in the main areas.

- 3.4 Representations have been received from 13 people who live within the vicinity of the premises, these are attached as appendices 2 to 14.
- 3.5 Additional conditions have been agreed with Environmental Health. These conditions will be added to any licence issued and are as follows:
1. All outdoor entertainment shall be unamplified.
  2. Outdoor live music shall be limited to no more than three roaming musicians/actors at any one time.
  3. All windows and doors shall be kept closed after 21:00, or any time when regulated entertainment takes place, except for the immediate access and egress of persons.

4. The premises licence holder or nominated person will assess the impact of any noisy activities on neighbouring premises at the start of regulated entertainment and periodically throughout regulated entertainment. Where noise breakout from the premises is observed at a level likely to cause disturbance to occupants of properties in the vicinity, then the volume of music shall be reduced to a level that does not cause disturbance.

3.6 No representations have been received from:

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

3.7 Warwick Castle have held a premises licence since November 2011, which covers the whole site, including the area known as Knights Village. However, due to the layout changes made for Knights Village a variation to the existing licence or new application was required to cover the new site. The applicant decided to apply for a new, separate licence which is for Knights Village only. Therefore, the premises licence granted in November 2011, covering the whole of the Castle grounds, may not be taken into consideration.

3.8 A plan of the restaurant/function room provided by the applicant will be provided at the hearing and a map of the area is attached as appendix 15.

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

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

- a) The representations received.
- b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- c) The Council's Licensing Policy Statement (attached as appendix 16)
- d) The Licensing Objectives, which are:-
  - i) The Prevention of Crime and Disorder.
  - ii) Public Safety.
  - iii) The Prevention of Public Nuisance.
  - iv) The Protection of Children from Harm.

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

4.2 The Council's Licensing Policy Statement provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure the promotion of the four licensing objectives. Each application will be judged on its own merits.

4.3 Details of the procedure adopted by the Licensing Committee for Panel Hearings have been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.

5. **BUDGETARY FRAMEWORK**

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

6. **RISKS**

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