



Agenda Item 3

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 any 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.