

 <b>Licensing &amp; Regulatory Committee</b> <b>4 February 2019</b>		<b>Agenda Item No.</b> <b>3</b>
<b>Title</b>	Application for a premises licence issued under the Licensing Act 2003 for Pub in the Park, St Nicholas Park, 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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?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 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	22.1.2019	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)		
<b>Consultation &amp; Community Engagement</b>		
None		
<b>Final Decision?</b>		Yes
<b>Suggested next steps: N/A</b>		

## 1. **Summary**

1.1 Warwick District Council Licensing Authority has received a valid application for a premises licence for Pub in the Park, St Nicholas Park, Warwick.

1.2 A Representation has 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 Pub in the Park, St Nicholas Park, Warwick, should be granted and, if so, whether the licence should be subject to any conditions.

2.2 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 4)
- 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.

2.3 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.

2.4 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. **Reasons for the Recommendation**

3.1 Brand Events TM Ltd applied for a premises licence for Pub in the Park, St Nicholas Park, Warwick on 18 December 2018. The licence is for an annual event to be held at St Nicholas Park, called Pub in the Park. The event would be held in a fenced off area of the park for three days and the licence is being applied for solely for the use of this event. The licensable activities being applied for are set out in appendix 1 of the report.

- 3.2 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 Premises License shall be restricted to one 3-day event per calendar year.

Key Date 1

No later than 6 months prior to the proposed dates of the event taking place: -

- The Premises License Holder shall notify all Responsible Authorities and SAG of their intention to hold the event and the proposed date(s) it is to be held.

Key Date 2

No later than 120 days prior to the event taking place: -

- The Premises License Holder shall consult with Warwickshire County Council Highways and Police with regard to proposals for traffic management, security and stewarding.

Key Date 3

No later than 90 days prior to the event taking place: -

- The Premises License Holder shall submit draft copies of the Event Management Plan to SAG for consultation

Key Date 4

No later than 35 days prior to the event taking place: -

- The Premises License Holder will submit final copies of the event management plan and any subsequent changes must immediately be brought to the attention of SAG
- The premise license holder will submit a noise management plan to the Environmental protection team who will agree in writing of their approval.

Key Date 5

During the week immediately prior to the event and if requested to do so: -

- The Premises License Holder shall provide access to the event site to any member of SAG or other Responsible Authority for the purposes of a site inspection and confirmation of compliance with the Event Safety Management Plan.

All Events will be planned and managed by experienced professionals with a track record of large-scale outdoor public events and food event production.

- Carry out liaison and attendance at meetings as required with SAG representatives, enforcing agencies etc.
- Appropriate fencing will be installed around the event site perimeter to restrict access and to create safe working areas – as well as defining the limits of the licensed premises.
- Production of comprehensive risk assessments for each event and for the use of the licensed premise.
- Production of a schedule of all licensed activities.
- Collation and review of all necessary safety related documentation from third party suppliers.
- Production of detailed event safety management plan (ESMP).
- Entry to each event, regardless of type will be restricted to ticket/wristband access only.
- Numbers on site shall be regulated and monitored.
- Events shall all be given suitable lead time to ensure proper scheduling, appointment of reputable contractors etc.
- Provision of suitable food hygiene facilities such as hot and cold hand wash facilities, cold stores, food hygiene inspections, storage spaces, cleaning regimes, cleansing schedules and food management systems.
- Provision of sanitary facilities, hand-wash toilets etc in accordance with respective national guidance.

- Production of detailed site layout plan, showing clear ingress/egress routes, audience circulation areas, welfare, medical facilities etc.
- Establish clear method of communication between all key personnel on site in the event of a minor and major incident.
- Facilities shall be established for use by lessabled patrons such as toilets and access routes.
- Designated parking areas shall be established and managed by experienced traffic management providers.

To undertake site cleansing operations in order to manage litter on site and to provide staff, waste receptacles etc and to ensure a large build-up of waste on site is not permitted

- The organisers shall ensure that detailed contingency and cancellation policies and procedures are in place for each event.

#### *Prevention of Crime and Disorder*

Engagement of competent and experienced security company who shall provide a detailed crowd management plan depending on the size and nature of the event.

- Provision of event control operation to oversee the safe management of the event and to co-ordinate resources and contingencies in the event of an incident.
- Provision of competent and experienced stewarding and security personnel.
- Provision of SIA accredited staff at key points to carry out specific jobs, namely bar areas, eviction etc
- Remove any items of contraband from patrons and agree chain of custody with local police.
- Advance liaison with police to identify any trends / intelligence which may surround a particular group or audience profile.
- A list of all persons evicted from the event site will be logged and handed over to the police if required.
- PitP has produced specific Alcohol and Drugs policies. These will be communicated out to all relevant staff.

#### *Public Safety*

- A general assessment of the site has been carried out and its suitability as a venue confirmed.
- There are numerous escape routes afforded throughout the event site and into places of relative safety.
- Enclosed venues shall be subject to specific fire risk assessments.
- Engagement of competent suppliers and service providers.
- Engagement of experienced event safety advisors.
- The proposed site provides ample footprint for the proposed content and activities.
- Seating will be provided though a mixture of temporary seating installations plastic furniture and or picnic bench style provisions.
- All temporary structures and other major infrastructure elements will be subject to a formal sign off by a competent person prior to use of opening.
- Installation, distribution and sign off of temporary electrical systems to be carried out by a competent professional contractor.
- Provision of appropriate medical and welfare facilities, which are clearly signed and staffed for the duration of the event.
- Access to fresh and tested drinking water for working personnel and members of the public.
- Production of detailed fire safety assessment and ensure all necessary controls are in place and monitored throughout the event period.

- Access to potentially hazardous areas will be restricted to members of the public and unauthorised personnel.
- The location of significant buried services will be established and communicated to relevant personnel.
- Generators and other electrical / technical areas shall only be accessible by technical crew, contractors and event staff.
- Appropriate warning signage will be prominently displayed to advise of potential hazards on site.
- A suitable and sufficient front of stage barrier will be installed and signed off by a competent person.
- Lighting levels throughout the event site will be set to allow patrons to clearly navigate their way around the site.
- Non-essential vehicle movement shall not be permitted on site during the public opening period. Any essential vehicle movement shall be carried out using a banksman.
- Production and or servicing vehicles shall use the back of house/production roads SFARP.
- No alcohol shall be served in glass vessels\* and patrons shall not be permitted to bring glass onto site.
- \* With the exception of managed taster sessions and master classes.
- Weather monitoring shall take place during the build, event and break periods and appropriate contingency plans (predominantly for high winds, lightning and heavy rains) shall be in place.

#### *Prevention of Public Nuisance*

- A noise management plan and propagation tests shall be produced and carried out for each event.
- Dedicated noise complaint line during key events for local residents to contact if noise levels become a nuisance.
- Limited overnight work shall be carried out during the build or break periods. The position of direct lighting (e.g. tower lights) shall not be in such a way which affects local residents but must be balanced to provide adequate / suitable lighting levels for navigation in and around the site.
- No build-up of litter or waste will be permitted anywhere out of the event site or on local highways.
- The event shall minimise the effect on the environment where possible
- Encourage patrons to share transport to minimise disruption and environmental impact SFARP.
- Consultation shall be carried out with local residents via engagement local groups and councils wherever possible.
- Traffic Management Plan to minimise impact on local environs and facilitate ready access to and from the event site.
- Every effort will be made to prevent pollution of any watercourse.

#### *Protection of Children*

- No under 16's are permitted on site without a responsible adult.
- No under 16's shall work at the licensed site unless a suitable and sufficient Risk Assessment has been carried out and all control measures effectively implemented.
- Provision of DBS accredited personnel on site.
- Challenge 25 rule for the sale of alcohol shall be adopted for the event.
- Any films shown shall have appropriate age certification or theatre shows etc with adult content will be clearly advertised.
- Any persons believed to be drinking under-age shall be intercepted by security personnel and alcohol disposed of.

- Closure times and the provision of transport links shall take account of the need to prevent young or vulnerable persons leaving the site without means of reaching their destination.

3.3 The Licensing Department has received a representation from a local resident. This representation is attached as appendix 2.

3.5 No representations have been received from:

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

3.6 A map and photograph of the area is attached as appendix 3.

#### 4. Policy Framework

##### 4.1 Fit for the Future (FFF)

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. This report shows the way forward for implementing a significant part of one of the Council's Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

<b>FFF Strands</b>		
<b>People</b>	<b>Services</b>	<b>Money</b>
<b>External</b>		
<b>Health, Homes, Communities</b>	<b>Green, Clean, Safe</b>	<b>Infrastructure, Enterprise, Employment</b>
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels

<b>Impacts of Proposal</b>		
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.	None	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.

<b>Internal</b>		
<b>Effective Staff</b>	<b>Maintain or Improve Services</b>	<b>Firm Financial Footing over the Longer Term</b>
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
<b>Impacts of Proposal</b>		
None	None	None

#### 4.2 **Supporting Strategies**

Each strand of the FFF Strategy has several supporting strategies and the relevant ones for this proposal are contained within the WDC Risk Management Policy & Guidelines.

#### **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.