


| | | |
|---|--|------------------------------------|
|  Licensing & Regulatory Committee 25 April 2017 | | Agenda Item No. 3 |
| Title | Application for a premises licence under the Licensing Act 2003 for Sherbourne Park, Sherbourne, Warwick, CV35 8AP | |
| For further information about this report please contact | Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk | |
| Wards of the District directly affected | None | |
| Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006? | No | |
| Date and meeting when issue was last considered and relevant minute number | N/A | |
| Background Papers | None | |

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

| Officer/Councillor Approval | | |
|--|-----------|----------------|
| Officer Approval | Date | Name |
| Chief Executive/Deputy Chief Executive | | |
| Head of Service | 12.4.2017 | Marianne Rolfe |
| CMT | | |
| Section 151 Officer | | |
| Monitoring Officer | | |
| Finance | | |
| Portfolio Holder(s) | | |
| Consultation & Community Engagement | | |
| | | |
| Final Decision? | | Yes |
| Suggested next steps: N/A | | |

1. **Summary**

- 1.1 Warwick District Council Licensing Authority has received a valid application for a premises licence from Tegan Eldridge for Sherbourne Park, Sherbourne, Warwick.
- 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 Sherbourne Park, Sherbourne, Warwick, should be granted and, if so, whether the licence should be subject to any conditions.

3. **Reasons for the Recommendation**

- 3.1 Ms Eldridge applied for a premises licence for Sherbourne Park, Sherbourne, Warwick on 16 March 2017. The premises licence application is for the sale of alcohol, regulated entertainment and late night refreshment at a Grade II listed Georgian estate. The event will take place on the grounds of the estate both outside and inside marquees.
- 3.2 The premises licence has been requested to run from 12 May 2017 to 14 May 2017. If granted the licence would lapse at 04:00hours on 14 May 2017 and the licence would not be able to be used at a later date.
- 3.3 The licensable activities requested are set out in the table below:

| | Opening hours | Sale of alcohol for consumption on the premises | Live Music, Recorded Music and Anything of a similar description to live music, recorded music or performance of dance | Late night refreshment |
|--|----------------|---|--|------------------------|
| Saturday 13 May to Sunday 14 May 2017 only | 19:30 to 04:00 | 19:30 to 04:00 | 19:30 to 04:00 | 23:00 to 04:00 |

- 3.4 An operating schedule, which has been submitted by the applicant and will form part of any licence issued, has been supplied as follows:

General

All staff on site will be fully aware of the running of the event in detail so that each element of the licensing objectives is met effectively and efficiently – an operating schedule will be provided.

Staff will be made aware of laws concerning the provision of alcohol and the management of entertainment and provision of late night food and refreshments and will ensure that all necessary restrictions are adhered to. We will carry out the event with a purpose of promoting the licensing objectives with particular attention towards:

- (a) no provision of alcohol to underage people.
- (b) no drunk and disorderly behaviour on the premises.
- (c) vigilance in preventing the use/dealing of illegal drugs in the event area.
- (d) no violent or anti-social behaviour at the event.
- (e) no harm to children.
- (f) minimising the risk of public nuisance and noise complaints.
- (g) ensuring the safety and security of guests at all times.

Prevention of Crime and Disorder

Security guards, both patrolling the event area and static at entrances and exits.

Guards have a zero tolerance policy on substance abuse and have the ability to remove said substances and eject the offender from the event immediately.

Guests will be identifiable with visible wristbands so intruders will be identified and removed from the event.

External lighting and carefully managed perimeters will ensure that all guests are contained and easily identifiable should the need arise.

We will be operating a strict admissions policy whereby guests will only be able to enter the event if they are in possession of their ball wristband and corresponding ID – no other guests will be permitted entry.

Public Safety

There will be security barriers across areas of risk and there will be double height barriers across entrances to private property not included in the event area.

Fireworks will be set off at a safe distance from any people or wildlife, whether guests or public, and the fireworks company will show evidence of public liability insurance and necessary risk assessments.

British Red Cross will be employed for the event to provide medical support should it be required.

Our drinks company, London Mixology, will be managing the provision of alcohol in a responsible manner and will not encourage excessive drinking.

Bins will be provided across the site and litter pickers will be employed to ensure that rubbish does not become a risk to public safety.

A maximum capacity of 1500 guests is in place to ensure that there is no overcrowding and that people are managed safely and efficiently.

Guests will be escorted to and from the venue on coaches to minimize the risk of drink driving and to ensure all guests arrive and leave the event safely.

Protection of Children From Harm

We are not permitting the entry of guests under the age of 18 under any circumstances (due to the provision of alcohol).

There will be no children on the premises during the hours of the event (19:30pm on 13/05/17 - 04:00am on 14/05/17)

Prevention of Public Nuisance

Loud music will be turned off at 1am (with the main stage becoming a silent disco).

Neighbouring tenants will be informed of the event and its timings long before the event is due to take place.

A maximum capacity of 1500 guests is in place to ensure that there is no overcrowding and that people are managed safely and efficiently.

A contact telephone number will be made available to local residents during the hours of the event to ensure that they are able to contact the manager of the event (Ball President) in the event that there is a noise disturbance.

- 3.5 At the time of writing this report the Licensing Department have received 17 objections in relation to this application and one representation in support of the application. An objection has been received from Warwickshire Police, attached as appendix 1, Environmental Health, attached as appendix 2, 15 residents, attached as appendices 3 to 17 and a resident supporting the application attached as appendix 18.
- 3.6 The end date for representations is Thursday 13 April 2017 and therefore should any further representations be received these will be sent as an addendum to the report.
- 3.7 No representations have been received from:
- 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
- 3.8 There have been five Temporary Event Notices held at the venue since April 2016. However, the premises does not hold any other premises licence.
- 3.9 A plan of the premises provided by the applicant is attached as appendix 19 and coloured copies of these will be made available at the Licensing Panel.

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 20)
 - 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.