

 Licensing & Regulatory Committee 5 September 2016		Agenda Item No. 3
Title	Application for a premises licence under the Licensing Act 2003 for Old Shire Hall, Northgate Street, Warwick.	
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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?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	16.8.2016	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	19.6.2016	Moira-Ann Grainger
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps - None		

1. **SUMMARY**

- 1.1 Warwick District Council Licensing Authority has received a valid application for a premises licence from Ms Kushal Birla on behalf of Warwickshire County Council for Old Shire Hall, Northgate Street, 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 Old Shire Hall, Northgate Street, Warwick, should be granted and, if so, whether the licence should be subject to any conditions.

3. **THE APPLICATION**

- 3.1 Ms Birla applied for a premises licence for Old Shire Hall, Northgate Street, Warwick on 29 June 2016.
- 3.2 The premises licence is for a Grade 1 listed building comprising of a main hall, three court rooms, prison cells and a dungeon. Also included is a Grade 2 listed building known as the Judges House. The licensable activities requested by the applicant are detailed in the tables 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

There will be a personal licence holder on site at all times that licensable activity takes place. All staff are suitably trained for the job they are performing and training is ongoing, bar staff are trained in the procedure for refusing service to any person who appears to be under 25 years of age or is drunk. We operate a Challenge 25 year old policy and if customers look under 25 photographic identification is requested by bar staff. (passport, photo driving licence or proof of age card carrying "Pass" logo). Staff will collect glasses and remove drinks from guests/customers as they leave any events. Qualified door supervisors from a professional security company will be on site if there is any event after 17.50 with more than 30 guests and alcohol is being served. Door supervisors will sign our staff log for the evening which includes name, address and hours worked, and will undertake appropriate fire safety training. If any force is used or guests/ customers removed, details will be recorded. If any complaints on or off site are made these will be recorded by the Duty Manager and held in the event file.

The prevention of crime and disorder

We operate a Challenge 25 year old policy and if customers look under 25 photographic identification is requested by bar staff, (passport, photo driving licence or proof of age card carrying "Pass" logo). Most of our events are private or ticketed so we find very little if any disorder and no crime. Staff will collect glasses and remove drinks from guests/ customers as they leave any events, no alcohol will be allowed to leave the venue. Clear notices shall be displayed at the exit doors to advise guests that the premises fall within an

alcohol restricted zone and to be quiet as they leave to respect the local neighbours.

Door supervisors will sign the staff log for the evening which includes name, address and qualified door supervisors from a professional security company will be on site if there is any event after 17.50 with more than 30 guests and alcohol is being served. All door supervisors shall have clear instructions and understanding of their responsibilities. If any force is used or guests/customers removed, details will be recorded. If any complaints on or off site are made these will be recorded by the Duty Manager and held in our event file. All staff are suitably trained for the job they are performing and training is ongoing, bar staff are trained in the procedure for refusing service to any person who appears to be under 25 years of age or is drunk. All licensable activities shall stop at the terminal hour and the premises shall be cleared of all guests and closed 30 minutes after the conclusion of the last licensable activity. We do not tolerate the use of illegal drugs and our drug policy and staff training state any person found using or trying to supply illegal drugs would be asked to leave and Warwickshire police would be informed.

Larger denomination bank notes are checked with lights and/or security pens to prevent the use of counterfeit currency.

The maximum number of persons (including staff and suppliers) allowed at the premises shall not exceed:

Old Shire Hall 500

Judges Dining Room 150

Judges Drawing Room 76

Jury Rest Room 80

Courts 60 in each

Dungeon & Cells 20 on each visit

Maximum in building at any one time 500.

A CCTV system shall be installed and the premises licence holder will ensure that :

- a. CCTV cameras are located within the premises to cover all entrances and exits.
- b. The system records clear images permitting the identification of individuals.
- c. The CCTV system is able to capture a minimum of 4 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. There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

It is our intention that the premises will become a member of the locally approved retail radio scheme and it will conform to its policies and procedures.

Public Safety

The safety of the guests/ customers is paramount. The designated Premises Supervisor/ Duty Manager shall ensure that all necessary safety checks have been carried out before the admission of guests. Details of the checks shall be entered in the Fire Log-book. The venue has emergency exit signs, appropriate fire extinguishers and First Aid boxes on site (adequate and appropriate supply of first aid equipment and materials shall be available on the premises). All equipment will be regularly maintained and tested. The number of attendants is

limited to the venue size as listed in section B. The Designated Premises Supervisor/ Duty Manager shall ensure that the accommodation limits specified are not exceeded and shall be aware of the number of guests on the premises. This information shall be provided to any Authorised Person immediately on request. All equipment will be regularly maintained and tested. All emergency exits are checked, maintained (not obstructed and operational), with non-slippery and even surface, and clearly signed before the public are allowed into the premises. All fire doors shall be maintained effectively self closing and shall not be held open other than by approved devices. Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire service can be summoned, shall be prominently displayed and shall be protected from damage or deterioration. The fire service shall be called at once to any outbreak or suspected outbreak of fire, however slight and the details recorded in the Fire log-book. Any curtains, hangings, temporary decorations, scenery shall be arranged so as not to obstruct exits, fire safety signs or firefighting equipment.

The designated Premises Supervisor/ Duty Manager shall ensure that all staff are aware of fire safety procedures and that whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency. Trained staff will ensure doors are held open to assist with any evacuation.

In the absence of adequate daylight the management lighting in any area accessible by guests shall be fully in operation whilst the guests are present. Fire safety signs will be adequately illuminated. The emergency lighting installation shall not be altered in any way except with consent. The emergency lighting battery shall be fully charged before the guests are admitted. In the event of failure of the normal lighting the guests shall be evacuated from the premises within 20 minutes unless the normal lighting is restored in this time. No indoor sporting events will take place at the premises.

The prevention of public nuisance

Sound levels are one of our key concerns and measures will be taken to minimise disturbance. Noise levels will be monitored on and off site to ensure compliance with Environmental Health Services recommendations. We will monitor each event as we are fully aware how weather conditions can change how noise travels. The Designated Premises Supervisor/Duty Manager shall ensure no nuisance is caused.

For evening events, all windows and doors onto Northgate Street will be kept closed after 22:00 hours to negate any potential disturbance to local residents. For large events, security staff will manage guests leaving the complex. Large numbers of guests leaving after 22:00 hours will be directed through the main Shire Hall building via the main doors onto Market Square.

Live vocal or instrumental music may be used at weddings and birthday parties. There may also be chamber music or choral events held at the venue. It is expected that there will be a requirement for some sound to be amplified, however, restrictions will be implemented that limit the type of music which is likely to cause noise disturbance for example rock bands that include drums and bass guitars from playing in the Main Hall.

To minimise potential noise disturbance, 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 Environmental Health. The level of the limiter shall not be altered without prior agreement with Environmental Health. Amplified sound will be required to finish no later than 01:00 hours, except for New Year's Eve.

The Council will be pursuing additional acoustic measures in keeping with a Grade 1 listed building, to manage amplified noise. As soon as any solutions have been agreed and the appropriate planning consents have been obtained. Environmental Health Services will be contacted to reassess the acceptable noise levels.

The Designated Premises Supervisor/Duty Manager will ensure that no open vessels will leave the premises at any time.

A designated smoking area will be provided in the gardens to the rear of the Old Shire Hall as marked on the plan and guests will be directed to this area. The events team will ensure no more than 10 people at a time congregate in the gardens/smoking area to the rear of Old Shire Hall after 22:00 to minimise any potential disturbance to local residents.

There is a possibility that for large ticketed events a queue may form on Northgate Street which shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours. Entrance to such events is unlikely to happen after 20:00 hours.

The protection of children from harm

The majority of our events do not involve children. At weddings or family celebrations where children can be present they are with parents/ family.

Where children's events are held after 20:00 hours, the manager will ensure an appropriate ratio of responsible adults to children is maintained.

We operate a Challenge 25 year old policy and if customers look under 25 photographic identification is requested by bar staff (passport, photo driving licence or proof of age card carrying "Pass" logo). Discos or similar events specifically organised for children shall be managed as ticket only events with no tickets available on the door.

- 3.4 Five representations have been received objecting to the grant of the premises licence, these are attached as appendices 2 to 6.
- 3.5 Additional conditions have been agreed with Environmental Health. These conditions will be added to any licence issued and are as follows:
 1. Use of a drum kit, amplified guitar or amplified bass guitar after 21:00 is prohibited within the main hall.
 2. All windows and external doors in the main hall shall be kept closed when regulated entertainment takes place, except for the immediate access and egress of persons.
 3. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number shall be made available to residents and businesses in the vicinity and will be displayed on the Old Shire Hall website.
 4. Noise levels will be monitored on and off site at regular intervals to ensure that noise from activities at the venue do not give rise to a nuisance. The Designated Premises Supervisor or Duty Manager shall undertake a noise risk assessment of any activities at the venue to determine how regularly noise monitoring must take place.
 5. For events of 100 guests and greater; security staff will manage guests leaving the complex and after 22:00 hours guests will be directed through the main Shire Hall building via the main doors onto Market Place.

6. To minimise potential noise disturbance, a sound limiting device shall be fitted to any musical amplification system being used at the premises and set at a level determined by and to the satisfaction of an authorised officer of Environmental Health. The level of the limiter shall not be altered without the prior written agreement of the Council's Environmental Health Department.
7. The Designated Premises Supervisor or Duty Manager will ensure that no open vessels will leave the premises at any time.
8. A designated smoking area will be provided in the gardens to the rear of the Old Shire Hall as marked on the plan and guests will be directed to this area. The events team will ensure no more than 10 people at a time congregate in the smoking area to the rear of Old Shire Hall after 22:00 to minimise any potential disturbance to local residents. No guests will be permitted to smoke on Northgate Street.

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 A plan of the premises provided by the applicant is attached as appendix 7, a map of the area is attached as appendix 8 and photographs of the area are attached as appendix 9.

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 10)
- 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.