

Licensing & Regulatory Panel

Tuesday 15 March 2016

A Licensing & Regulatory Panel will be held at the Town Hall, Royal Leamington Spa on Tuesday 15 March 2016 at **10.00am**.

Membership: Councillors Mrs Cain J.P., Gifford and Davies

Emergency Procedure

At the beginning of the meeting the emergency procedure for the Town Hall will be announced.

Agenda

1. **Appointment of Chair**

To appoint a Chair for the meeting.

2. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. **Application for a premises licence under the Licensing Act 2003 for Farm Fest Budbrooke**

To consider a report from Health & Community Protection **(Item 3/Page 1)**

Published 7 March 2016

General Enquiries: Please contact Warwick District Council, Riverside House,
Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 456114


E-Mail: committee@warwickdc.gov.uk

Enquiries about specific reports: Please contact the officers named in the
reports.

Details of all the Council's committees, councillors and agenda
papers are available via our website www.warwickdc.gov.uk/committees

Please note that the majority of the meetings are held on the first floor at
the Town Hall. If you feel that this may restrict you attending this
meeting, please call (01926) 456114 prior to this meeting, so that we can
assist you and make any necessary arrangements to help you attend the
meeting.

The agenda is also available in large print,
on request, prior to the meeting by calling
01926 456114.

| | | |
|---|--|--------------------------|
|  Licensing & Regulatory Committee 15 March 2016 | | Agenda Item No. 3 |
| Title | Application for a premises licence under the Licensing Act 2003 for Farm Fest Budbrooke | |
| 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 | 2.3.2016 | Marianne Rolfe |
| CMT | | |
| Section 151 Officer | | |
| Monitoring Officer | | |
| Finance | | |
| Portfolio Holder(s) | 2.3.2016 | 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 Mr Jamie Walker.
- 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 Farm Fest Budbrooke, Warwick, should be approved and, if so, whether the licence should be subject to any conditions.

3. THE APPLICATION

- 3.1 Mr Walker applied for a premises licence on 19 January 2016. The application is for a site located in Budbrooke and if granted will permit licensable activities for one weekend per year. The licensable activities requested are set out in the table below:

| | *Live Music, Recorded Music and Performance of Dance (All indoors and outdoors) | Sale of alcohol for consumption on the premises | Opening Hours |
|---------------------|---|---|----------------|
| Friday and Saturday | 11:00 to 23:00 | 11:00 to 23:00 | 10:00 to 23:00 |
| Sunday | 11:00 to 16:00 | 11:00 to 16:00 | 10:00 to 16:30 |

*Live Music will be played to an audience at the festival. Music will be provided in both amplified and unamplified form; amplified music will be predominantly from a main stage area, with unamplified music being provided from a separate area within the event area.

Recorded music may be played during times where live music acts change over, this will only be for short periods of time and will not be a predominant part of the festival.

The applicant may at some time in the future have dance displays, either to accompany music or as a stand-alone act.

- 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

To ensure the licence objectives are promoted the following will be implemented by competent and where required, qualified persons;

Event Safety.

Site Management.

Fire & Safety Control.

Configuration and control of sound systems.

Management of Car Parking.

Provision & Maintenance of water supplies.

Management of welfare & provision of information.

Provision & maintenance of toilet facilities.
 Collection & removal of litter & other waste.
 Proposals for musical & ancillary entertainments.
 Proposal for concessionary activities including food, stalls, mobiles, bars and other non-food sales.
 Alcohol management policy.
 Event safety policy & risk assessment.
 Site Safety rules.
 Electrical installations.
 Temporary structures & safety barriers.
 Incident, contingency, evacuation & emergency plans.
 Crowd management, stewarding & security plans, including ejection policy.
 Medical, ambulance & first aid plans, including details of medical provision.
 Traffic management.
 Child Welfare policy.
 Ticket supplies to event visitors.
 Entry procedure to prevent entry to the event other than by presentation of a valid ticket.
 Effective queue management to avoid disorder, excessive noise, discomfort and inconvenience.
 Effective procedure for the control of lost and found property on site.
 Effective procedures for the control and minimisation of offences of theft on and in the vicinity of the site throughout the duration of the event.
 Effective procedures for the reporting of any detected offences during the event to the relevant authorities.
 Effective maintenance, storage and where appropriate the disclosure of records relating to staff identity and training, particularly those involved with the sale of alcohol and security staff.
 Effective procedures for patrolling the site and monitoring the event to control crowds, disorder, visitor safety, excessive noise, offences, substance misuse and other incidents of note.
 Lighting arrangements including proposals for the provision of appropriate and effective lighting throughout the event site.

The prevention of crime and disorder

All officers of the responsible authorities in the course of their duty will be given unhindered access to all parts of the licensed premises at all times.

A minimum of twelve weeks prior to the event, we will hold a SAG to inform the responsible authorities of our outlined plans and address any concerns or questions which may arise.

We will give the right for Warwickshire Police, or a reasonable authority to call an emergency event meeting with an hours notice at any point during the event, as a result of any serious incident, or due to the receipt of intelligence that may lead to a serious incident, crime or disorder. Warwickshire Police or the responsible authority will have the right to deem which roles within the event management team attend the meeting.

If requested by any of the responsible authorities, we will hold a meeting with all responsible authorities who accept the invitation to attend within 8 weeks of the event to discuss any issues or matters which may have arisen.

No licensable activity will take place without the DPS being present on site or contactable by telephone or electronic means at short notice. A responsible senior member of the event management team who is a personal licence holder and authorised to deputise for the DPS will be on site at all times that the DPS is absent from the site.

We will be able to demonstrate in writing, upon request, at any reasonable time that we are satisfied all staff and contractors have been formally trained in relation to the following -

Prevention of underage sales

Recognition and prevention of drunkenness

Drug awareness

Conflict management

Crime prevention

There will be at least one PLH on site and responsible for each structure which is utilised for the sale of alcohol.

Public Safety

A security policy will be submitted to the SAG for approval and thereafter implemented at all times. This policy may change from time to time by written agreement with the SAG.

The security policy will set out our proposed methods for -

Checking the age of visitors consuming/buying alcohol

Toilet checks

Ejecting visitors from the event

Dealing with persons who are injured or unwell

Dealing with vulnerable visitors

Monitoring intoxication levels of visitors on site

Recording details of incidents on site

Carrying out searches of persons or places

Detaining persons believed to have committed offences, until the relevant authorities arrive

Detaining items seized in searches and handing items over to a responsible authority

All SIA registered security staff engaged at the premises will be provided by an SIA ACS approved security company.

A register shall be maintained of all security staff containing the following details -

Full name/date of birth

Security company

Role

SIA badge number

All security staff engaged at the event, with the exception of those working undercover, shall wear high-visibility jackets at all times that they are on duty and will have their SIA badge held in a clear arm sleeve. This will help to ensure that they are clearly and easily identifiable at all times.

The numbers of security employed, and the times they will be working shall be proposed to Warwickshire Police, a minimum of four weeks prior to the event.

This proposal will also include the register of details of security staff as mentioned above.

We will produce a drugs policy, which will be submitted to the SAG.

This policy will be adhered to at all times during the event. The policy may be changed with approval of the SAG. The policy will include the following requirements -

Persons suspected of selling, carrying or consuming drugs are not to be permitted access to the event.

Persons suspected of selling drugs on the premises are to be immediately ejected.

The Licensee, DPS and all staff working on site are to have a zero tolerance policy regarding the use of drugs on site.

Effective procedure for the management, storage and hand-over to the police of any drugs seized or found on the premises.

A protocol agreed with Warwickshire Police determining the circumstances of the notification of the police concerning any drug find or seizure.

Displaying of prominent signage indicating to visitors that the organisers have a zero tolerance policy on the use of drugs on the premises.

A drugs amnesty procedure.

An effective procedure for regular checks and recording of any locations on site where drug taking and/or supplying is likely or suspected.

All tickets for the event will clearly display that all visitors are subject to search as a condition of entry.

Incident Handling - There will be bound books, held at the central office on the premises, under the responsibility of the designated security manager for the purposes of recording incidents that take place on site. All incidents including violence, drugs, disorder, weapons, illness requiring medical attention and ejections from site will be recorded as soon as is practical in the incident book. The incident book will be made available for inspection to an officer of a reasonable authority upon request.

We will produce a policy for the preservation of a crime or incident scene, which would be agreed with Warwickshire Police and implemented throughout the event. The policy will detail methods of moving visitors away from the scene of an incident, scene preservation, scene handover and reporting to the police or other authority.

All drinks will be served in plastic bottles, polycarbonate glassware, collapsible cups or cans.

We will produce a detailed site plan to the SAG which will contain the following information -

- Information points for visitors
- Emergency exits
- Emergency vehicle access points
- First aid and visitor welfare points
- Fire safety posts

We will produce an attendance and capacity policy, which will be adhered to at all times. The policy will be submitted to the SAG and will set out proposed methods for -

- Effective procedures on how attendance will be measured and monitored
- Effective procedures on how advance ticket sales will be monitored and controlled
- Overall event capacity
- Individual capacity limits of any on site structures and how limits will be monitored and controlled.

We will produce a communication policy, which will be adhered to at all times. The policy will be submitted to the SAG and will set out proposed methods for -

- Effective radio procedures
- Effective communication chain procedures
- Effective procedures for communication facilities between on-site agencies, public and private sector.

Allocation of radios and ratio to security, first aid, management team, staff etc.

The prevention of public nuisance

We will provide a detailed traffic management plan, which will deal with the arrival and departure of vehicles.

We will make provisions to ensure that visitors to the event can safely leave the premises, this will include adequate lighting around the site and in the vicinity of the event area.

We will submit a dispersal policy to the SAG, which will include a plan and deployment strategy, providing numbers and positions of security staff and marshals/stewards both on and off site tasked with moving visitors away from the site quickly and quietly and with minimum disturbance to local residents. Clear and legible notices will be displayed on exit points requesting visitors to respect local residents and leave quickly and quietly.

We will take responsibility of clearing litter from the site, footpaths and roads in the immediate vicinity of the site after the event has taken place.

We will comply with any reasonable requirements as to noise made during the event by the appropriate authority.

During the event we shall -

Monitor on-site music levels at regular periods.

Document the levels, to demonstrate our compliance of local authority limits.

Make the results of noise level testing available to the local authority, if requested after the event.

Agree with the local authority the monitoring equipment, methodology and location of the testing equipment prior to the event.

Comply with all reasonable requests by local authorities to reduce music levels in order to achieve or maintain appropriate conditions.

The protection of children from harm

The event is to be aimed at a family based audience, and because of this security staff will not be required to verify the age of visitors before granting entry to the event. There will however be a strict age policy concerning age restricted products, which will be submitted to the SAG and adhered to at all times. This policy will include -

Effective procedures for implementing a challenge 25 policy

Effective procedures to ensure all staff are adequately trained and competent with age verification

Effective procedures on dealing with/seizure of fake/false ID

Effective procedures for refusals registers to be maintained

Effective procedures to ensure security staff/stewards remain vigilant at all times with regards to the inebriation of any underage individuals and how to deal with any such incidents

We will submit a lost children policy to the SAG. This will contain -

Positions of lost children point(s)

Procedure of reuniting children with parents

The requirement of at least one DBS checked adult to be available to attend to lost children during the event

- 3.3 The applicant has submitted additional documentation in relation to their application. This is attached as appendix 1.
- 3.4 Representations have been received from Budbrooke Parish Council, attached as appendix 2, and three local residents attached as appendices 3 to 5.
- 3.5 A representation was received from Environmental Health, however conditions were agreed with the applicant and the representation was subsequently withdrawn. The conditions agreed will be added to any premises licence granted and are as follows:
1. The event organiser or nominated person will employ a noise control consultant who shall carry out a sound test of the sound sources prior to the event. The sound test should be conducted from the nearest residential premises.

2. Details of two contact telephone numbers permanently available during the event are to be provided to the local authorities environmental health service at least one week prior to the event.
3. At least one week prior to the event a leaflet drop shall be made to household in the immediate area as agreed with the local authorities environmental health service. The leaflet is to include a description of each performance and contact telephone numbers in the event of any complaints.
4. The event organiser shall conform with the Noise Council's (1995) Code of Practice on Environmental Noise Control at Concerts at all times unless explicitly agreed in writing with the local authorities environmental health service.
5. Between the hours of 09:00 and 23:00, music noise levels shall not exceed 65dB(A) L_{Aeq} over a 15 minute period when measured at (or calculated to) one metre from the façade of any noise sensitive premises.
6. The event organiser or nominated person shall carry out regular checks at the nearest noise sensitive locations throughout the event to monitor the noise and ensure that the specified music noise levels are not exceeded.
7. The appointed noise control consultant shall continually monitor noise levels at the sound mixer position and advise the sound engineer accordingly to ensure that the noise limits are not exceeded. The local authority shall have access to the results of the noise monitoring at any time.
8. The event organiser or nominated person shall agree the location and orientation of the stage and sound system with the local authorities environmental health service at least six weeks prior to the event.
9. No more than one event shall be held per calendar year and no event shall last more than one day unless explicitly agreed in writing with the local authorities environmental health service.

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 There are currently no licensable activities taking place at the premises and therefore there is no evidence in relation to licensing which can be detailed in the report.

3.8 A map of the event area provided by the applicant is attached as appendix 6.

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 7)
- 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.

Brief Proposed Plans for Farm Fest Budbrooke

Supporting documentation for the Licencing Panel

1. ABOUT THE ORGANISERS

CJ's Events Warwickshire is a family run business based in Warwick. The company hold many events across Warwick District including a Food & Drink Festival and specialised markets. In February 2015, CJ's Events took over the management and running of the Warwick & Kenilworth retail markets, and the Warwick & Leamington farmer's markets. CJ's Events work in partnership with Warwick District Council to deliver these weekly/monthly markets.

CJ's Events are also known as a professional and affordable Traffic Management Company. CJ's Events provide rolling and hard road closures for major events across Warwickshire including; Kenilworth Carnival, Leamington Carnival, Alcester 10K Run, Royal Fusiliers Parades and much more.

CJ's Events will work in partnership with Church Farm Brewery (Land Owners) for the event.

2. ABOUT THE IDEA

CJ's Events Warwickshire is based on Church Farm in Budbrooke, Warwick. The site is home to a number of local businesses. Farm Fest was born from idea from one of these businesses. CJ's Events came on board and together we began taking about a 'Mini Glastonbury'. The idea to have Tribute Acts of previous Glastonbury Headliners was also added.

The event is to be held in a 10-acre field on the left side of the Farm Drive, it drops away into a small valley towards the buildings of Church Farm. Its location is ideal due to its central location with easy access by road and rail.

The festival is to be aimed at Families from the Warwickshire area and because of this no minors will be permitted into the festival without an accompanying adult.

CJ's Events would be looking for attendance figures of around 1,500. This would be closely monitored & controlled via online ticket sales.

A number of Street Food Vendors would be selling hot food.

- Fernando - Paella
- Big Red Pig Co – Pork
- Spectacular Goat – Pizza
- Sausage Dog
- Coffee bean

CJ's Events also aim to have a small number of shopping stalls as well as crafts & activities for Children and Adults. CJ's Events would I also like to include a mini fun fair which would be situated at the furthest possible point away from Hampton Magna.

There will be live music throughout the duration of the event from 12NOON – 7PM of local artists/bands and the remainder of the event will be taken up of Tribute Acts (7PM – 11PM). All these acts will perform on the main stage approx. 8M x 5M in size.

Parking for 300 vehicles is available on Church Farm. CJ's Events have spoken to Chiltern Railways and had the express permission to use their car park on the event day at Warwick Parkway, this adds an additional 539 spaces which may be available to those attending the festival. Warwick Parkway is a short walk from Church Farm.

3. PROVISIONS

CJ's Events understand the importance of holding a safe and secure event and because of this all the necessary precautions will be taken to ensure the event runs as smoothly as possible.

CJ's Events have already had provisional consultations with the SAG and they have advised us on the best course of action to take. We will ensure the correct systems are in place and adhered to at all times. As outlined in our licence application we will maintain strict procedures to ensure the safety of those involved and impacted by the festival. These will include, but will not be limited to the following.

- Event Safety
- Site Management
- Fire & Safety control
- Management of Parking (Both on & off site)
- Provision and maintenance of toilet facilities
- Collection and removal of litter and other waste (Both on & off site)
- Alcohol Management Policy
- Event Safety Policy & Risk Assessment
- Incident, contingency, evacuation, and emergency plans
- Medical, ambulance and first aid plans
- Traffic Management
- Child Welfare policy
- The enrolment of an SIA Security firm
- Effective stewarding

We strongly believe we, and our partners are adequately equipped to plan and carry out the event in a safe and controlled manner, as well as assess the success of the event and address any issues that may arise in a swift, concise and transparent manner.

CJ's Events Warwickshire Limited – Farm Fest Budbrooke

**CHILD PROTECTION POLICY
UPDATED FEBRUARY 2016**

1. THE FESTIVAL ENVIRONMENT

CJ's Events Warwickshire Limited is mindful of the need to safeguard all children involved and attending the festival. Our policy is to inform and involve parents/guardians & carers in order to ensure, as far as it is reasonably practicable, a safe environment during the festival. The festival is open to the general public. It is a condition of entry that children are accompanied to the festival by parents or responsible adults acting on their behalf.

2. TO WHOM DOES THIS POLICY APPLY

The policy relates to children (any person under the age of 16 years) and those vulnerable adults of any age who are identified to the organisers prior to their arrival at the Festival. This should be done by contacting CJ's Events Warwickshire Limited at the address or telephone number above at the time of booking. Later notification may result in us being unable to meet these needs, when with more notice we could have done so.

In recognising and actively seeking to meet the needs of children from minority ethnic groups and children who have special needs, the Festival needs notification of these needs by parents/guardians and/or carers beforehand in order to prepare support or advise that we are unable to assist.

3. FESTIVAL PERSONNEL

- a) Where Festival Personnel will be supervising children or in one-to-one contact with children at our Festival, where they will be holding children's records or making decisions about how people interact with children then they will be required to undertake a voluntary disclosure through the Criminal Records Bureau (DISCLOSURE AND BARRING) Enhanced Disclosure prior to the start of the Festival.
- b) We will ensure that all staff working at the Festival will be required to submit contact details, the details of which we will hold on file and keep to hand during the Festival.
- c) All Festival Personnel will be identified by badges, which will include their name and job description. In case of a problem, anyone wearing a badge may be approached at any time and will be able to help. A private area, if appropriate, will be made available for the discussion of concerns. This will be the Organisers Office on site at the festival. All problems will be dealt with discreetly, documented and dated, where necessary. All badges will be issued on a daily basis and will be signed in and signed out. We will keep a copy of this register to hand at all times during the festival.

4. PREPARATION FOR ATTENDANCE AT THE FESTIVAL

A responsible adult (17 years or over) must accompany any child attending the Festival at all times. Where parents/guardians/carers are not personally attending the Festival with their child(ren), this Policy requires them to ensure that their child(ren) will be accompanied to, and adequately supervised at, the Festival by a responsible adult (17 years or over), acting on their behalf, at all times. This will be set out clearly as a condition to entry to the Festival.

5. PHOTOGRAPHS, VIDEOTAPES AND PRESS PHOTOGRAPHY

- a) Official photography, video and/or sound recording will be taken by the organisers.
- b) Press and Commercial Photography will be arranged during the Festival. Whenever this occurs the public will be notified. At this time, should anyone not wish their child(ren) to be included, then it will be their responsibility to remove their child(ren)

6. POLICY REVIEW

CJ's Events Warwickshire Limited will constantly review their policy, improving and enhancing it as necessary. This document will be annually reviewed and updated as required.

CJ's Events Warwickshire Limited – Farm Fest Budbrooke

**DRUGS POLICY
UPDATED FEBRUARY 2016**

1. STATEMENT OF POLICY ON DRUGS

Our policy on drugs is based on three core messages:

- Prevention
- Drug dealing and abuse
- Welfare and treatment

2. PREVENTION

CJ's Events Warwickshire Limited do not condone the dealing in or use of illegal drugs on site. We shall be implementing a zero tolerance regarding the use of illegal substances at all times, there will be clear and prominent signage in place both at the entrance to the site and in clearly visible places within the site.

The dealing in or use of illegal drugs is not condoned by CJ's Events Warwickshire Limited. Drug enforcement laws are as applicable on site as anywhere else in the country. Security guards will be on site to deal with drug offences in accordance with national guidelines. If you deal in drugs, it is likely that you will be detained and arrested. Neither anti-social nor illegal behaviour will be tolerated and participants will leave themselves liable for eviction from the site.

Farm Fest Budbrooke's security will take an active role in monitoring the site, especially in areas where drug dealing/taking is likely or suspected.

Experimenting with drugs can lead to adverse reactions, this can make crowds at a festival very frightening and disorientating. If you do take drugs and you become ill, depressed or frightened please ask a steward to direct you to one First Aid posts on site or the Welfare Tent where you can receive help.

3. DRUG DEALING AND ABUSE

Farm Fest Budbrooke's security will take an active role the monitoring for drug dealing and will work in full co-operation with Warwickshire and West Mercia Police. Any person(s) suspected of dealing, carrying or consuming drugs, will be denied access to the site, without exception. When there is a strong suspicion of drug dealing, Farm Fest Budbrooke's security will inform and assist Warwickshire and West Mercia Police in every way possible. Farm Fest Budbrooke's security will evict persons strongly suspected of drug dealing or possessing drugs and wherever possible will channel these evictions via the police for searching prior to eviction.

4. WELFARE AND TREATMENT

CJ's Events Warwickshire Limited will have stewards at work on the festival site are trained in Emergency First Aid and are fully informed about the welfare facilities on site. They can direct individuals to our private first aid company who can provide an emergency response service and will be on site for the duration of the festival, these will be situated in a clear and easily identifiable location.

5. POLICE LIAISON

CJ's Events Warwickshire Limited have an excellent and proven record of working with Warwickshire and West Mercia Police. We will ensure that we adhere to all legislation outlined by them for the duration of the event, and ensure that we notify them of any seizure or findings of illegal substances or contraband. We will maintain a record of any such findings in a bound book, which will be kept in a secure place, within the organisers office and will be available to be viewed upon request by a responsible authority.

We will liaise with the police prior to the event to determine the correct and appropriate protocol in the notification to them of any illegal activities, which may take place. In accordance with this, any person(s) found to be dealing in or possessing illegal substances, will have the offending items seized by the on-site SIA security guards and will be detained in the organisers office until the Police arrive.



Budbrooke Parish Council

Clerk to the Council: Mrs Alex Davis

5 Curlieu Close, Hampton Magna, Warwick, CV35 8UA

Tel: 01926 411100

e-mail: clerk@budbrookepc.org.uk website: www.budbrookepc.org.uk

The Licensing team,
Community Protection,
Warwick District Council,
Riverside House,
Milverton Hill,
Leamington Spa,
CV32 5HZ

15 February 2016

Dear Sir or Madam

Representation in respect of application WDCPREM00844

Budbrooke Parish Council (the council) would like to make a representation about public nuisance and public safety in respect of application number WDCPREM00844, Farm Fest Budbrooke.

The Council has not previously considered licence applications so some of the terminology below may not be that used by those making representations. No similar event has been held in Budbrooke so the full impact of the event on the village is not known. However, Budbrooke has experience of other events held locally at Warwick Castle (3 miles), Hatton Country World (2 miles) and traffic noise from the A46 and M40 that can be heard in Hampton Magna in spite of their distances from the village.

In general the council supports the application as it was presented verbally by the applicant at its 6th January 2016 meeting, prior to the application being made, and feels that many concerns have been properly considered by the applicant to the satisfaction of the council. However, the council was advised that the event Farm Fest would take place on one day in June 2016 and that there may be future events (but not the potential number or frequency); that there would be 300 spaces for vehicles on site and that arrangements would be made to stop parking in Hampton Magna, which is adjacent to the site.

The nearest residents will be within 50 metres of the site. The site, a field, is on one side of Old Budbrooke Road and Hampton Magna is on the other. The site is on the side of a small valley with Hampton Magna directly across the valley. Sound will travel and will be heard throughout the village. Hampton Magna has approximately 1,800 residents, many of them elderly. Inappropriate parking and speeding have been issues the council has tried to remedy over 10 years or more since Warwick Parkway Station was built.

As we understand from discussions with a WDC officer the licence, once approved as it stands, means that, subject to appropriate fees being paid, events could be held for up to 3 days a week, every week almost in perpetuity. Such an arrangement would be a public nuisance and pose a threat to public safety. Therefore the council would ask the Licensing Committee to make reasonable limits on the number of events that may be held.

The council hopes that the Licensing Committee considers it reasonable to grant a licence for a one day event in June 2016 alone, as this would enable a proper assessment of the impact such an event would have, prior to any subsequent application. If the Licensing Committee considers this not possible then the council suggests that if further events are allowed, no more than 3 two day events be held per year (without further application or review if appropriate). The duration of the year would be 12 calendar months from the date of approval.

Other reasonable conditions are requested in respect of the following matters:

Public Nuisance

1. The number of events should be limited so as not to cause a Public Nuisance
2. The noise levels should be monitored, recorded and acted upon by the appropriate Authority if exceeded and be dealt with immediately
3. Daily hours proposed should be monitored, recorded and acted upon by the appropriate authority if exceeded
4. The number of people attending should be monitored and recorded.

Public Safety

The council accepts that the traffic management aspects are not the direct responsibility of the Licensing Committee, but Hampton Magna already has issues with irresponsible car parking and with speeding traffic, as mentioned above, along many roads including Old Budbrooke Road (adjacent to the site). Although the proposed traffic management arrangements consider access, egress and parking the council, from experience, believes that many event goers will ascertain that free parking in the roads of Hampton Magna will be a preferable option because of its proximity and cost, particularly for events of longer duration. The council would like the following safety concerns to be considered:

1. Failure to make proper arrangements to secure Hampton Magna and its access roads from event attendees would be a public safety issue as inappropriate behaviour (mentioned above) by this group could significantly affect access by emergency vehicles
2. A significant number of badly parked cars on the narrow roads could impact on child safety, as the event is deemed a family event so children will be excited and less aware of the dangers on home ground
3. Toilet effluent could potentially seep/run down the hillside into a stream that feeds the Grand Union Canal
4. The large numbers of strangers parking in Hampton Magna because it is free could increase to such an extent that the safeguarding of children might be put at risk, as well as increasing the level of petty crime and antisocial behaviour.

The council reiterates that it not against the event itself, but the potential for 152 days of events taking place annually that would, if fully utilised, devastate the community. Following the event, its impact would better inform everyone on the issues of public nuisance, public safety, safeguarding of children and crime and disorder.

Yours faithfully

Alex Davis
Clerk to the Council



01926 -

- 4 FEB 2016

Leamington

OLD BUDBROOKE ROAD
HAMPTON MAGNA
WARWICK
CV35

3rd Feb. 2016

Re: Jamie Walker's application for the
Grant of a Premises Licence for Church
Farm, Church Lane, Warwick, Budbrooke
CV35 8QL.

Dear Sirs,

I am writing to say we strongly oppose
the above application. The premises are totally
unsuitable for sale of alcohol & provision of
regulated entertainment which is open to the
general public.

Apart from the noise element there is
also traffic, vandalism, drugs etc however
much it is policed it will get out of hand.

This is a rural neighbourhood which is
totally unsuitable for such events.

As this is a very serious issue & will
dramatically effect the surrounding areas
we trust the appropriate bodies will refuse
this application.

Yours faithfully

[Redacted signature]

16 FEB 2016

Leamington

Licensing Act 2003 Representation Form



Section 1 - Application Details

I object to the following Application:

Applicant's name (if known): CJ Events Farm Fest Budbrooke

Premises name and address: Church Farm, Church Lane, Budbrooke,
Warwick, CV35 8QL

Application for a

Premises Licence..... ☒

Club Premises Certificate..... ☐

Application to vary an existing

Premises Licence..... ☐

Club Premises Certificate..... ☐

Application Number

WDCPREM00844

Section 2 - Objector details

Individual Objectors Details:

If you are objecting as a representative go to the next section

Applicant Title Mr ☒ Mrs ☐ Miss ☐ Other _____

Surname

██████████

First name(s)

██████████

Address (incl postcode): █████ Old Budbrooke Road,
Hampton Magna, Warwick CV35 █████

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐ Please tick here if you do not wish your objection to be made public and complete the box below

This is because

If you represent residents or businesses please complete the boxes below

| | |
|---------------------------------|--|
| Organisation name if applicable | |
|---------------------------------|--|

Please state nature of representation:

Prevention of crime and disorder:

- Having been a resident on Old Budbrooke Road for 31 years, I have already lived through one period of mindless random damage to my property caused by alcohol fuelled adolescent behaviour, particularly on Friday and Saturday nights. In recent years this has been tempered to a great extent as local youths have had to go further afield to access alcohol. I am genuinely concerned that the village is vulnerable to a return to the antisocial behaviours with alcohol-fuelled, excited behaviour being on the doorstep. There are many long term residents along Old Budbrooke Road that are elderly and/or infirm who will find such random antisocial behaviour intolerable and frightening.

Prevention of public nuisance:

There are a number of related concerns here:

- There is only one road in and out of Budbrooke which already carries large numbers of vehicles accessing the Villages of Hampton Magna and Hampton on the Hill. Residents already experience difficulties with overspill parking and obstruction from the nearby Parkway station and the village is underequipped for what could amount to hundreds of additional vehicles. Old Budbrooke Road itself has only recently been resurfaced at what must have been considerable cost and there is no hard curb adjacent to the fields that have been designated as 'car parking' for the event. It is inevitable, therefore that there will be direct damage to the verges and road structure. The event is also planned to take place in the summer thunderstorm season, when, over the years, there has been substantial flash flooding caused by run off from the fields. Add copious quantities of mud to the equation and you have a considerable danger of vehicular sliding and skidding. Add to this the additional wear and tear caused by the set up crews (roadies etc), scaffold vehicles, marquees etc. and it is likely that the damage to the local environment will be substantial and may take many months or even years to recover – the fields were not designed for this purpose – they are agricultural spaces and have no deep hard-core bases.
- Another significant concern is the level and long duration of the noise such a festival will produce. Those of us who are long term residents of Hampton Magna know well the nature of the sound dynamic across the fields and open spaces. The site of the festival is such that it sits directly within what is, in effect, an amphitheatre at the bottom of the hill on Old Budbrooke Road. Local residents who have held private parties in the past have unintentionally kept locals awake for hours with loud throbbing music echoing around the fields. What is proposed will only make this worse.
-

| Section - Objection Details | |
|--|--|
| <p>My objection is relevant to the following licensing objective:</p> <p><i>You can tick more than one box</i></p> | <p><input checked="" type="checkbox"/> Prevention of crime and disorder.</p> <p><input checked="" type="checkbox"/> Prevention of public nuisance.</p> |

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | I object to the application being granted at all |
| <input type="checkbox"/> | I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see) |

Our objection is based on the following:

I have lived in the Village of Hampton Magna for over 40 years and have remained here, attracted by its peaceful and rural tranquillity. I, and a some of my nearby neighbours and greatly concerned about the nature of the proposed Fest and that it will permanently change the nature of the village and the quality of life currently offered here. The event is described as a one-off family event, but I am particularly concerned that this application runs simultaneously with an application from Jamie Walker for a premises Licence for the sale of alcohol on the premises and provision of "regulated entertainment". If this latter application is granted independently of the Budbrooke Farm Fest, then I am concerned that there will be a noise issue all year long and the establishment of a new 'out of town' drinking venue bringing a completely new dimension to the area and blighting the local family-friendly nature of the village.

You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages

Signed... ..

Date...16/04/2016.....

NOTES

- Please complete all information or your objection may not be considered.
- Try to be as specific as possible and give examples e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street
- Groups may include a Residents Association, Parish or Town Council, District Council Ward Councillor (list residents who have approached you to represent them), trade association
- If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Panel and any subsequent appeal proceeding. If you do not attend, the Panel will

Licensing Act 2003 Representation Form



Section 1 - Application Details

I object to the following Application:

Applicant's name (if known): Mr John Young, CJ's Events Warwickshire

Premises name and address: Farm Fest Budbrooke, Church Lane,
Warwick CV35 8QL

| | |
|---------------------------------|---|
| Application for a | Premises Licence..... <input checked="" type="checkbox"/> X |
| | Club Premises Certificate..... <input type="checkbox"/> |
| Application to vary an existing | Premises Licence..... <input type="checkbox"/> |
| | Club Premises Certificate..... <input type="checkbox"/> |
| Application Number | WDCPREM00844 |

Section 2 - Objector details

Individual Objectors Details:

If you are objecting as a representative go to the next section

| | |
|---|---|
| Applicant Title | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____ |
| Surname | ██████████ |
| First name(s) | ██████ |
| Address (incl postcode): ████████████████████, Budbrooke, Warwick, CV35 ██████ | |

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐ Please tick here if you do not wish your objection to be made public and complete the box below

This is because

If you represent residents or businesses please complete the boxes below

| | |
|--|--|
| Organisation name if applicable | |
| Please state nature of representation: | |

| Section - Objection Details | |
|--|--|
| <p>My objection is relevant to the following licensing objective:</p> <p><i>You can tick more than one box</i></p> | <p>X Prevention of crime and disorder.</p> <p>X Prevention of public nuisance.</p> <p>X Protection of children from harm.</p> <p>X Public safety</p> |

| | |
|---|---|
| X | I object to the application being granted at all |
| | I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see) |

| |
|--|
| Our objection is based on the following: |
|--|

The Prevention of Crime and Disorder – high volumes of people at the event will create a potential risk of increased crime for local residents especially as alcohol is for sale

Public Safety - Local lanes are relatively quiet and narrow and are not designed to take large volumes of traffic. The event organisers are hoping to sell many tickets (1500) and safety will be compromised and local wildlife adversely effected if large numbers of vehicles are using the lanes.

- Verges and the road surface may be damaged by heavy vehicles and high volumes of cars causing a potential hazard to the many local dog walkers and ramblers i.e on Woodway.
- There are likely to be heavy vehicles transporting equipment and supplies and coaches transporting people using the local lanes and passing over Ugly Bridge which is not designed to take heavy loads.
- The presence of heavy vehicles in a quiet rural area with narrow lanes and tight bends presents a risk to public safety

The Prevention of Public Nuisance - Budbrooke is a quiet rural area where noise travels (we can hear events at Hatton Country World which is much further away) and I am concerned that if the Farm Fest is open from 11am to 11pm on a weekend day that this will cause a noise nuisance to me and other residents of the Lane and the local area

- I understand that traffic will be one way around Woodway, Church Lane and Ugly Bridge Lane during the event. This will cause a nuisance to me and local residents unable to turn left or right out of our premises.
- The predicted high volume of traffic in the area during the event will cause a nuisance to me and other local residents including local dog walkers and ramblers
- Car parking is likely to pose a local nuisance given the predicted number of tickets to be sold (1500) and only 300 car parking spaces on site. Rather than pay £10 to park their car they are likely to try to park for free on the local lanes causing disruption and ruining verges.

The Protection of Children from Harm -The predicted high volume of traffic in the area during the event may put local children at harm as the Lane is usually quiet and with low volumes of traffic. During normal conditions cars can be heard approaching and pedestrians can step out of the way.

Signed...
Date...16.02.2016

NOTES

- Please complete all information or your objection may not be considered.
- Try to be as specific as possible and give examples e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street
- Groups may include a Residents Association, Parish or Town Council, District Council Ward Councillor (list residents who have approached you to represent them), trade association
- If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Panel and any subsequent appeal proceeding. If you do not attend, the Panel will consider any representations that you have made and apply any weight to it they deem appropriate
- This form must be returned within 28 days from the day after the application was made. The exact date may be found on the council's website.
- The objection may only relate to one or more of the four licensing objectives.

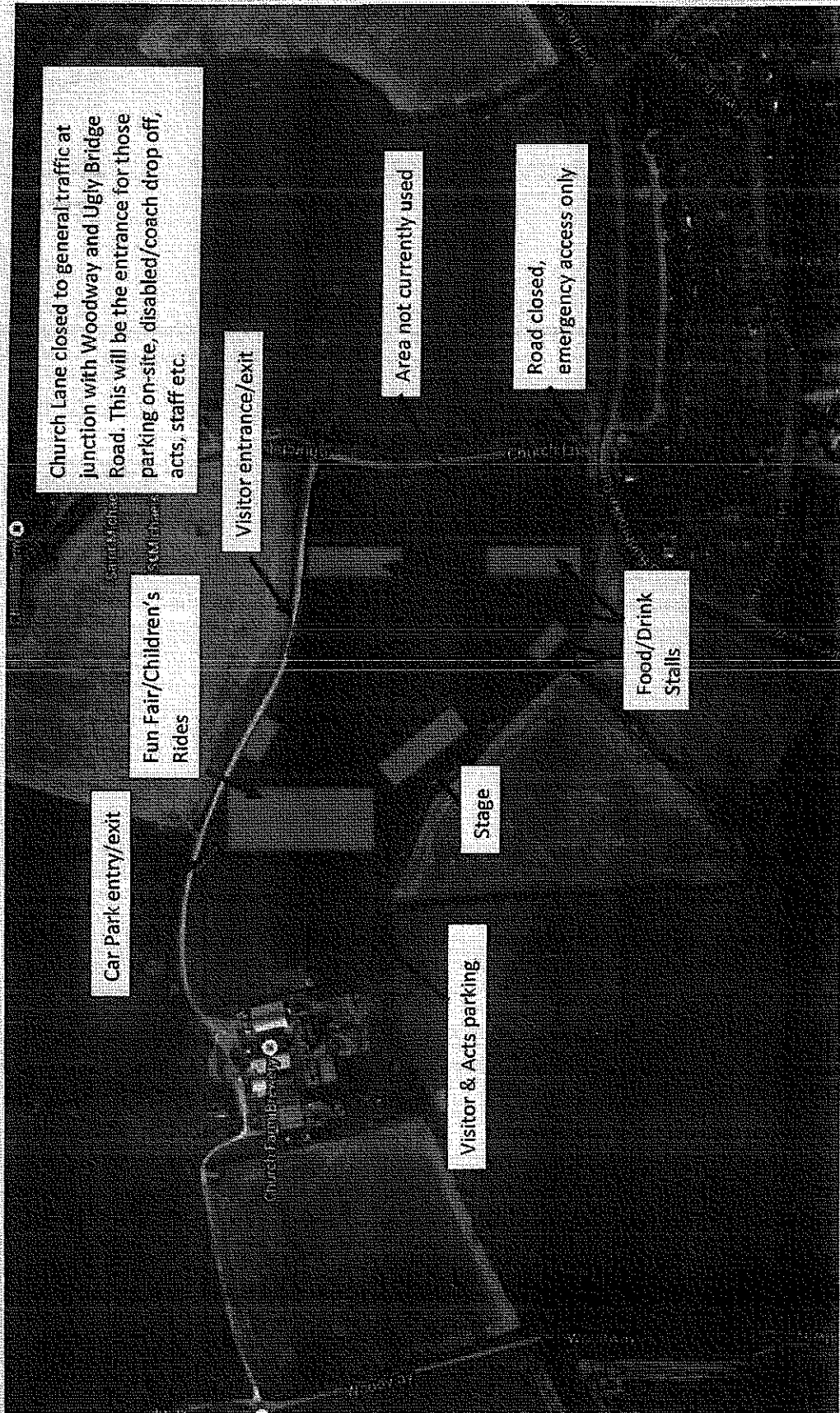
Please return this form when completed to:

Warwick District Council
Licensing Team,
Health and Community Protection,
Riverside House,
Milverton Hill,
Royal Leamington Spa.
CV32 5HZ

licensing@warwickdc.gov.uk

Tel: 01926 456113
Fax: 01926 456121

This may form be posted or emailed to the Local Authority





STATEMENT OF LICENSING POLICY

**Reviewed May 2014 &
Approved by Warwick District Council on 25 June 2014**

Table of Contents

| | |
|---|-----------|
| Front Cover | 1 |
| Table of Contents | 2 |
| Summary and Purpose | 3 |
| Licensing Policy & South Warwickshire Community Safety Partnership | 4 |
| Delegation of Functions for Regulatory Matters | 4 |
| Further Strategies | 5 |
| The Four Licensing Objectives | 5 |
| Other Considerations | 8 |
| Other Regulatory Regimes | 9 |
| Standard Conditions | 10 |
| Special Policy regarding Cumulative Impact | 10 |
| Responsible Authorities | 11 |
| Early Morning Restriction Orders and Late Night Levy | 12 |
| Restricted Drinking Zone | 12 |
| Further Information | 12 |
| Appendix 2 – Map of Cumulative Impact Zone | 14 |
| Appendix 3 – Responsible Authorities | 15 |

1. Summary and purpose

- 1.1 Warwick District Council (the Licensing Authority) makes this Statement of Licensing Policy in pursuance of its duties and powers under the Licensing Act 2003, (the Act) and the guidance issued under Section 182 of the Act.
- 1.2 Warwick District Council (WDC) is situated in the south of Warwickshire in the centre of England. Appropriately for England's heartland, Warwick District Council's boundaries are roughly heart-shaped, embracing an area of some 28,253 hectares with a population exceeding 138,000 people. The District covers four towns, Royal Leamington Spa, Warwick, Kenilworth and Whitnash as well as a large rural area with 18 Parish Councils. It is acknowledged that the town centres have a large proportion of residential premises.
- 1.3 The policy will relate 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.
- 1.4 The aim of this Policy is to demonstrate how WDC, will promote the four licensing objectives. These objectives are:
 - prevention of crime and disorder;
 - public safety;
 - prevention of public nuisance; and
 - protection of children from harm.

WDC recognises that the promotion of the Licensing Objectives relies heavily on a partnership between license holders, authorised persons, responsible authorities and other persons in pursuit of common aims.

- 1.5 In making this Policy, the Licensing Authority recognises the following:-
 - 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.
- 1.6 This Statement provides guidance to Responsible Authorities, applicants for and holders of premises licences, objectors and residents on the general approach that the Licensing Authority will implement through its Licensing Committee
- 1.7 When making its decisions on licensing applications, the Licensing Authority will have regard to the matters contained in this Statement, the Act, the guidance issued under section 182 of the Act, the provisions of the Human Rights Act 1998 and in particular, Article 6 (right to a fair and public hearing); Article 8 (right to respect for home, private and family life) and Article 1 of the First Protocol (right to peaceful enjoyment of property and possessions), and the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000.
- 1.8 This Statement covers the period up to 30th August 2018 and will be kept under review and revised as required, following consultation where necessary.

2. Licensing Policy & South Warwickshire Community Safety Partnership

- 2.1 The 1998 Crime and Disorder Act and subsequent amendments require the Police and local authorities to work together and with others to reduce crime and disorder. To this end, Crime & Disorder Reduction Partnerships were formed and are now called Community Safety Partnerships.
- 2.2 South Warwickshire Community Safety Partnership (SWCSP) was formed in September 2008 when the district crime and disorder partnerships for Stratford & Warwick districts merged following years of close collaboration. The vision statement for SWCSP is *'that the districts should be an attractive, environmentally sustainable, desirable area to live in, work and visit, with a sense of safety which reflects the low risk of becoming a victim of crime in the area'*.
- 2.3 Tackling violent crime has remained a priority in Warwick District since 1998 with Leamington Town Centre as the main focus of partnership activity. Tackling violent crime and specifically street violent crime is one of three SWCSP priorities. A 60 point partnership action plan is in place to reduce violent crime and rowdy behaviour in our town centres.
- 2.4 The policy of working with licensees in South Warwickshire has delivered national best performance and practice.
- 2.5 The age group most likely to be victims and perpetrators of violent crime is 18-30. A key initiative to engage with this group is Operation 'Your Town, Your Choice' which takes place on pay-day weekends in hot-spots at the busiest times of 9pm to 4am. An early intervention approach is used utilising direct to leave dispersal authorities together with designated public places powers and has a real impact on reducing violence and rowdy behaviour.
- 2.6 This best example of partnership working across all agencies in South Warwickshire illustrates the commitment to tackling on-street violent crime. In addition enhanced policing, Street Marshals, Street Pastors and CCTV control rooms support this approach.
- 2.7 Joint Licensing Enforcement visits are a key feature of these evenings ensuring that licensees are taking their responsibilities seriously. Engagement with 18 to 30 year olds is carried out on roads closed to traffic. Health related activities are offered in exchange for completing questionnaires on particular themes, for example, pre-loading. Results from these activities and questionnaires inform how and when the hot-spots are staffed and how young people can be assisted in having an enjoyable and safe night. A unique partnership pilot with St John Ambulance Service has provided a care and repair service on busy nights in Leamington called 'The Cabin' and staffed by up to 10 volunteers.
- 2.8 A further developing part of this approach is the Street Pastor Scheme introduced in 2013. The scheme provides a vital service, and integrates well into the overall multi-agency approach adopted. Further information about Street Pastors may be obtained on their website at www.leamingtonspa.streetpastors.org.uk

3 Delegation of Functions for Regulatory Matters

- 3.1 The Council has established a Licensing Committee with delegated powers to deal with licensing matters
- 3.2 The Licensing Committee has delegated the decision making to Licensing Panels when a hearing is required. These Panels are sub-committees consisting of three members of the full Committee. All other matters that do not require hearings have, upon Home Office advice, been delegated to officers.

4 Further Strategies

- 4.1 WDC has adopted the following strategies that it feels will help it to achieve its desired goals:
- It will work together with all partners as well as local businesses and residents to try to achieve an acceptable level of harmonisation between the two, accepting that this may not always be possible.
 - It accepts that an active and successful Crime and Disorder Partnership is one of the key factors in achieving its desired goals.
 - It recognises the importance of working with other agencies and holds and organises a Multi- Agency Licensing Group on a regular basis to discuss any problems that may arise within its district.
 - The value of action plans as a method of obtaining compliance from premises is recognised and used whenever they become necessary.
 - An Enforcement Policy which incorporates the Regulator's Compliance Code has been adopted. Both of these may be found on WDC's website,
 - In recognising the need to minimise late night noise nuisance, WDC would expect that after 23.00 all persons outside the premises would move indoors, and that any sound, amplified or unamplified, from within the premises should not disturb residents in neighbouring domestic properties. However, any conditions added to the premises licence to achieve this aim will be proportionate, enforceable and relevant to that particular premise.
 - WDC has adopted a special policy addressing the cumulative impact of the number of licensed premises in Leamington Spa Town Centre. Full information on this policy may be found at paragraph 10 below.

5. The four Licensing Objectives

5.1 Prevention of Crime and Disorder

- 5.1.1 In addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions, and to do all it reasonably can to prevent crime and disorder in the District.
- 5.1.2 The Licensing Authority will expect all licensed premises to be managed responsibly.

5.1.3 When considering applications for premises licences for late night refreshment the Licensing Authority will take into account the potential for high levels of disorder that this type of premises may cause to the night time environment.

5.1.4 The Licensing Authority will consider attaching conditions to licences and certificates to prevent crime and disorder. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place. Any conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

5.1.5 The Licensing Authority recognises that there are a number of mechanisms for addressing unlawful or anti-social behaviour that occurs away from licensed premises, qualifying clubs and temporary events. These include:–

- planning controls;
- enforcement of Environmental Protection legislation (e.g. on noise nuisance);
- positive measures to provide a safer and clean town centre;
- environmental controls, in partnership with local businesses, transport operators and other departments of the Council;
- powers to designate parts of the District as restricted alcohol areas
- police enforcement of the law with regard to disorder and anti-social behaviour, including the issue of fixed penalty notices;
- dispersal of people quickly and safely from town centres to avoid concentrations which may produce disorder and disturbance;
- the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- confiscation of alcohol from adults and others in designated areas;
- all current police and local authority powers of closure in force at the time
- the power of police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

5.2 Public safety

5.2.1 The Licensing Authority will consider attaching conditions to licences and certificates to promote public safety. Any such conditions will be tailored to the style and characteristics of the premises and the type of activities expected to take place there and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

5.3 Prevention of public nuisance

5.3.1 The Licensing Authority will take an objective view as to the potential for nuisance and will seek to attach appropriate and proportionate conditions to licences and certificates where necessary in order to prevent it. The conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place there. In each individual case that arises following representation, the Licensing Authority will:

- consider the potential for nuisance associated with the style, characteristics and activities of the licensable activity involved;
- examine the potential steps which could be taken to reduce the risk of nuisance, particularly in areas of dense residential accommodation; and

- consider restricting the hours of the licence or the licensable activity only as a last resort because of the potential impact on disorder and anti-social behaviour from fixed and artificially early closing times.

5.3.2 By way of guidance, the Licensing Authority would expect that after 23.00 all patrons of a licensed premises will move indoors, and any amplified sound to be inaudible in neighbouring domestic properties.

5.3.3 Any exceptions to this would need to be justified in an operating schedule showing how the licensing objectives were still being achieved.

5.3.4 The Licensing Authority expects that premises should usually be closed within half an hour of the end of the last licensable activity.

5.3.5 The Live Music Act 2012 removed live music from the scope of the Licensing Authority, subject to the satisfaction of certain criteria, so it is recognised that its controls in this respect have been reduced. However, conditions may be added or reinstated at a review hearing which will bring live music for that particular premises into the licensing regime. This means that it would be within the licensing Authority's powers, at a review hearing, to place a condition on the premises licence prohibiting the playing of live music at any time. This may arise, for example, if the premises is not suitable for the live music being played; or if frequent disturbance is being caused by the music.

5.4 Prevention of Harm to Children

5.4.1 Nothing in this statement of policy limits the access of children to licensed premises unless it is necessary for the prevention of harm to children. However, this authority does not consider that children should be encouraged to mix in areas that are frequented by the adult drinking public, such as busy town centres. For this reason, birthday parties, etc., for the 18 and under demographic will be actively discouraged in these areas.

5.4.2 Areas that may give rise to particular concern in respect of children include premises:

- With a known association with drug taking or dealing;
- Where there is a strong element of gambling on the premises;
- Where entertainment of an adult or sexual nature may be provided (e.g. topless bar staff, striptease, lap/table/pole dancing, strong and offensive language).

5.4.3 It is acknowledged that complete exclusion of children will be rare but the options to be considered by the Council for limiting access of children, where regarded as necessary for the prevention of harm to children, may include any of the following:

- Limitations on the hours when children may be present;
- Age limitations (below 18);
- Limitations or exclusions when certain activities are taking place;
- Restrictions or exclusions in respect of parts of premises;

- Requirements for an accompanying adult;
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

5.4.4 The Licensing Authority cannot impose conditions requiring the admission of children to any premises. Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club.

5.4.5 In the case of premises giving film exhibitions, the Licensing Authority expects licensees or clubs to include in their operating schedules arrangements to ensure that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classifications.

5.4.6 Where a number of children are expected to attend regulated entertainment (e.g. theatre production, 'junior disco', film shows), the Licensing Authority may consider the need to require a specified number of adults to be present at the place of entertainment to control the access and egress of children and to assure their safety. The number of adults required will need to be calculated on the basis of a risk assessment by the applicant and will need to take into consideration the size of the venue, the number and ages and ability of the children present and the type of activity involved. These matters will need to be addressed by the applicant as part of the operating schedule.

5.4.7 The Licensing Authority will consider attaching conditions to licences and certificates to prevent harm to children. Such conditions will be appropriate to the premises and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

5.4.8 The Licensing Authority expects all premises to comply with statutory conditions requiring that a policy must be adopted, laying out how they will address underage drinking. This must be shown in the operating schedule of any premises licence application or variation.

NOTE: In the event of any variation submitted to remove any conditions where a hearing is necessary, evidence would be expected to be submitted to the Licensing Panel by the applicant that the change would not impact on the licensing objectives

5.5 Health

5.5.1 The Licensing Authority recognises the role of Public Health England acting in its role as a Responsible Authority. Public Health England can make representations in response to either a full licence application or an application for a variation in the conditions of an existing licence. They can also call for the review of a licence if they feel it breaches a licensing objective. Any representation must relate specifically to the premises in question and cannot be a general objection.

5.5.1 Representations made by Public Health England must be evidence-based and must demonstrably refer to one or more of the licensing objectives. As there is currently no licensing objective directly relating to public health, Public Health England must ensure their representations are relevant to one of the four existing objectives.

5.6 The Licensing Authority as a Responsible Authority

- 5.6.1 The Licensing Authority are empowered to make representations against new applications for and variations applications to premises licences, as well as call for a review.
- 5.6.2 A procedure has been put into place to ensure that any representation made by the Licensing Authority as a Responsible Authority will be made without prejudicing its ability to determine the application in a fair and objective manner.

6. Other Considerations

6.1 Live Music, Dancing & Theatre

- 6.1.1 This Policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues, the potential for disturbance to residents will try to be balanced with the wider cultural benefits to the wider population.

6.2 Integration of Strategies

- 6.2.1 The Licensing Authority will secure the proper integration of this policy with local crime prevention, anti-social behaviour away from licensed premises, planning, transport, tourism and cultural strategies by:
- Liaising and consulting with Warwickshire Police, Community Safety Forum, and considering any guidance from the crime and disorder strategy document; and
 - Liaising and consulting with the appropriate Council Officers, the Planning Committee, the Executive, and considering guidance in the Local Plan.
- 6.2.2 Specific conditions may be attached to premises licences, where appropriate, to reflect local crime prevention strategies. Such conditions may include
- the correct use of well installed closed circuit television cameras;
 - the provision and use of shatterproof drinking receptacles;
 - a drugs and weapons search policy;
 - the use of ID scanners
 - the use of registered door supervisors;
 - specialised lighting requirements;
 - restrictions on hours of opening and licensable activities.
- 6.2.3 Certificates issued to club premises will reflect local crime prevention strategies and may include any or all of the requirements listed above. The Licensing Authority will have regard to any local orders and/or strategies relating to street drinking.

7 Other regulatory regimes

- 7.1 This policy will avoid duplication with other regulatory regimes wherever possible. The following advice relates to specific regimes but is not exhaustive:-

7.2 Health and Safety

- 7.2.1 Premises will normally have been visited by the Council's Health and Community Protection inspection staff with regard to health and safety enforcement at the premises. Certain premises will not fall under this regime and will be the subject of health and safety enforcement by the Health and Safety Executive (HSE). These regimes place a range of general and specific duties on employees, employers, operators of venues and members of the public. Matters arising out of the Health and Safety at Work etc Act 1974 and associated Regulations should not be the subject of conditions that duplicate statutory H&S requirements.

7.3 Fire Safety

- 7.3.1 Premises and their operators will have statutory duties under the current fire safety regime to ensure the safety of patrons visiting the premises. The operating schedule should state the precautions that will be taken to ensure the safety of the public.

7.4 Food Hygiene

- 7.4.1 Premises selling alcohol and/or premises engaged in a food business must be registered with WDC and subject to risk-based food hygiene inspections at regular intervals. The inspections are carried out by the council's Health and Community Protection officers.

7.5 Noise

- 7.5.1 Statutory and public nuisances are dealt with by the Council's Health and Community Safety Section under the Environmental Protection Act 1990 and associated legislation.

7.6 Planning

- 7.6.1 Premises that apply for a licence or a variation of a licence should be aware that they may also need planning permission to carry out the activities applied for.

8 Standard Conditions

- 8.1 The Licensing Authority does not support the use of blanket conditions which, if imposed, may be seen as disproportionate and overly burdensome. Conditions attached to licences will be tailored to the individual styles and characteristics of the premises and events concerned and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

9 Enforcement

- 9.1 Inspections of premises will be on a risk assessed basis, to be undertaken when and if judged necessary, assisted by information provided by the Multi Agency Licensing Group.

10 Special Policy Regarding Cumulative Impact

- 10.1 The Licensing Authority recognises that there is a difference between the cumulative impact of premises and commercial need. The latter is a function of market forces and is not a factor the Council may take into account in the discharge of its licensing function.
- 10.2 The Licensing Authority adopted a special policy regarding cumulative impact in November 2005 at the commencement of the Licensing Act 2003 where it considered that a significant concentration of licensed premises would have an impact on the licensing objectives and granting of further licences in that area would add to this impact. When adopting the special policy reference to the steps outlined in the relevant part of the guidance issued under section 182 of the Act.
- 10.3 The Licensing Authority formed two saturation zones, based on information supplied in 2005 on crime and disorder and other related matters. The area and its necessity has been ratified by further figures supplied to the Licensing Authority in January 2009 as part of its review of the cumulative impact policy.
- 10.4 The two zones, when joined together, form the same area as the Leamington Safer Neighbourhood area. In the interest of clarity and transparency, the two zones have been amalgamated into one cumulative impact zone. Properties on both sides of any road which borders the zone are deemed to be included within the zone. A plan of the zone may be found at the end of this policy as Appendix 1.
- 10.5 It is considered that the cumulative impact of further new licences in this zone may lead to the area becoming further saturated with premises of a certain type, including pubs, clubs, takeaways and off licences, making the area a focal point for large groups of people, thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves.
- 10.6 The special policy regarding cumulative impact will not be used to try to revoke an existing licence or certificate when representations are made about the way the premises are being operated. However, the special policy may be a justification to refuse an application or to vary a licence or certificate.
- 10.7 The Licensing Authority will not operate a quota of any description including the special policy, that would pre determine an application. Each application will be considered on its individual merits. Proper regard will be given to the contrasting styles and individual characteristics of the premises concerned, and the differing impact they will have on the local community.
- 10.8 If an application for a premises licence within the cumulative impact zone is made, the Licensing Authority will expect the applicant to demonstrate in their operating schedule, the steps to be taken to prevent problems of nuisance and public safety and the steps to be taken to promote the reduction of crime and disorder. **The onus of proof will be on the applicant to show that the application will not impact on the four licensing objectives**

10.9 The Licensing Authority will consider the individual merits of all applications and where it feels to grant the application would be unlikely to add significantly to the cumulative impact in light of the licensing objectives, the Licensing Authority may grant the application.

10.10 The policy will be subject to review.

11 Responsible Authorities

11.1 A list of contact details for Responsible Authorities authorised under the Act is attached to this policy as Appendix 2.

11.2 Responsible Authorities are able to make representations regarding new or variation applications for premises licences and also to seek a review of a current premises licence.

11.3 Representations will only be relevant if they relate to one or more of the licensing objectives referred to in paragraph 5.

12. Early Morning Restriction Orders (EMROs) and Late Night Levy (LNL)

12.1 Following a report from officers, Warwick District Council's Licensing Committee recommended to full Council that it was felt, at the current time, the application of a LNL or EMROs was not appropriate for the council's area.

12.2 The Licensing Committee's recommendation was accepted by full Council during 2013.

12.3 However this Council, in March 2014, has requested officers to review the situation subsequent to Central Government's current consultation on licensing matters and to bring forward an updated report at the earliest possible time on the implications of introducing a late night levy in Warwick District.

13 Restricted Drinking Zone

13.1 The Criminal Justice and Police Act 2001 includes a number of powers to combat crime and disorder, including measures to deal with alcohol related problems. The act gives local authorities the power to designate areas 'Restricted Drinking Zones' where it will become an offence for any person to drink alcohol after being requested not to do so by a police officer.

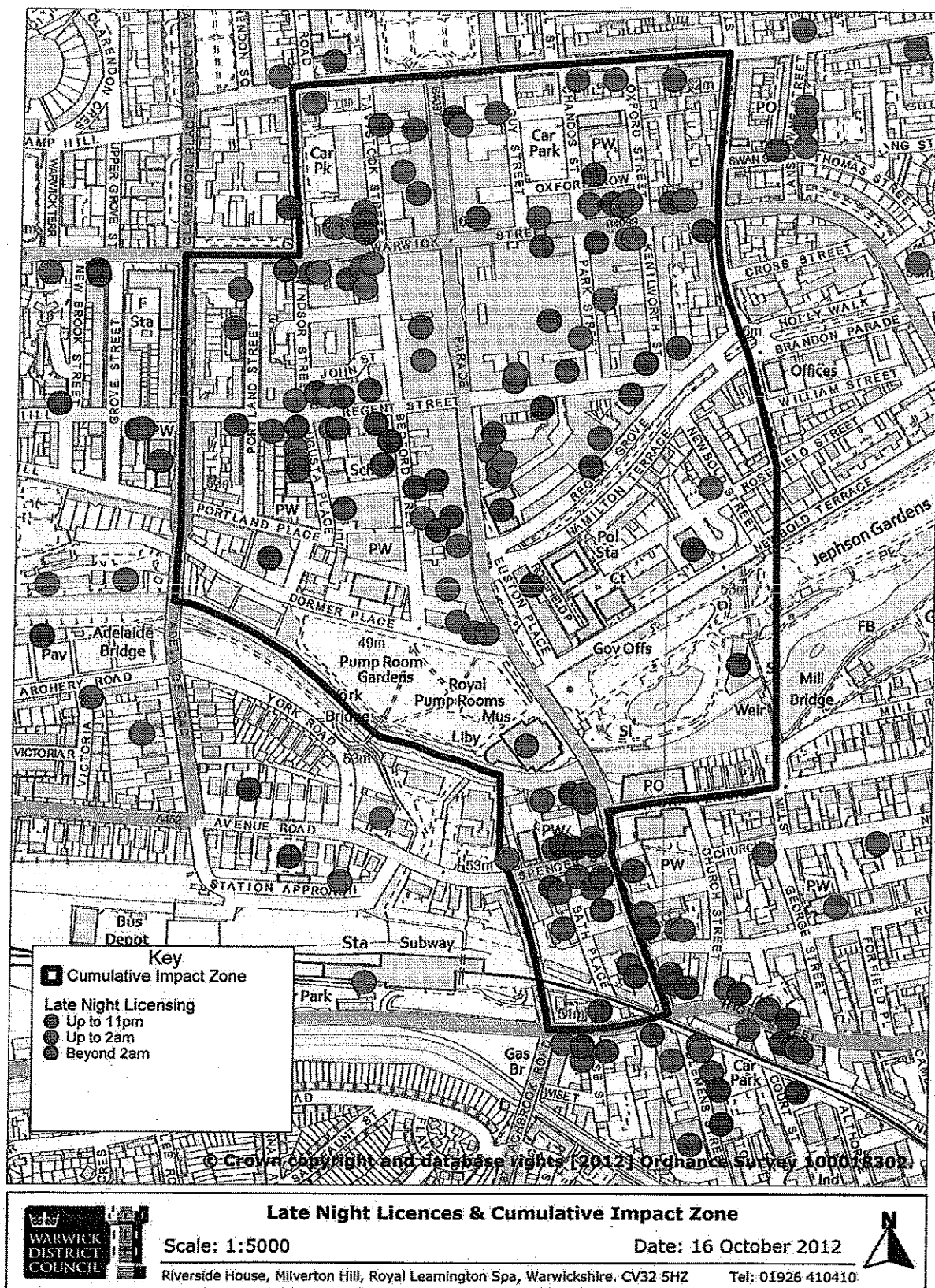
13.2 The entire area covered by Warwick District has been designated a Restricted Drinking Zone.

13.2 This means that, anywhere in the district, it is an arrestable offence to fail, without reasonable excuse, to comply with a police officer's request to cease drinking alcohol. The police also have the power to confiscate and dispose of any alcohol and containers in the person's possession.

14 Further Information

- 14.1 The Licensing Authority has produced guidance documents for applicants.
- 14.2 The Council's Health and Community Protection Section offers advice on the process for, and, progress of, applications and as to whether particular activities need to be licensed. If detailed advice on the requirements of the legislation and how it affects you and your premises is required, independent legal advice should be sought.
- 14.3 The granting of a licence under the Licensing Act 2003 does not obviate the need for permissions or consents required under other legislation.

Appendix 1 – Cumulative Impact Zone (current for 2013)



Appendix 2 – List of Responsible Authorities

POLICE:

Chief Officer of Police
Warwickshire Police Licensing Team
Warwickshire Justice Centre Leamington Spa
Newbold Terrace
Leamington Spa
Warwickshire
CV32 4EL

Tel: 01926 684033

Fax: 01926 684038

Email: Liquor.Licensing@warwickshire.pnn.police.uk

FIRE AUTHORITY:

County Fire Officer
Warwickshire Fire & Rescue Service
Warwick Street
Leamington Spa
CV32 5LH

Tel: 01926 423231

E.Mail: firesafety@warwickshire.gov.uk

ENFORCEMENT AGENCY FOR HEALTH AND SAFETY:

Regulatory Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456707

Email: ehsafety@warwickdc.gov.uk

AUTHORITY RESPONSIBLE FOR ENVIRONMENTAL HEALTH:

Environmental Sustainability Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456714

Email: ehpollution@warwickdc.gov.uk

THE LICENSING AUTHORITY:

Safer Communities Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill

Royal Leamington Spa
CV32 5HZ

Tel:
Email:

AUTHORITY RESPONSIBLE FOR PLANNING:

Gary Fisher
Group Leader Development Control
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456541
Email: gary.fisher@warwickdc.gov.uk

BODY RESPONSIBLE FOR THE PROTECTION OF CHILDREN FROM HARM:

Keith Edwards
Assistant Head of Service
Planning and Performance Children
Young People and Families Directorate
Saltisford Office Park,
Ansell Way
Warwick
CV34 4UL

Tel: 01926 731139
Email: sslicensingapplications@warwickshire.gov.uk

WARWICKSHIRE COUNTY COUNCIL (WEIGHTS & MEASURES):

Simon Coupe
Divisional Trading Standards Officer
Old Budbrooke Road
Warwick
CV35 7DP

Tel: 01926 414040
Email: simoncoupe@warwickshire.gov.uk

PUBLIC HEALTH ENGLAND:

Public Health Department (Licensing)
NHSWarwickshire/Warwickshire County Council
PO Box 43 – Shire Hall
Warwick
CV34 4SX

Email:
PublicHealth5MPUBLICHEALTHWARWICKSHIREPCT@warwickshire.nhs.uk