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Date of meeting	**Tuesday, 25th August, 2015**
Time	**7.00 pm**
Venue	**Committee Room 1, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG**
Contact	Geoff Durham

Licensing Committee

AGENDA

PART 1 – OPEN AGENDA

Members: Councillors Bailey, Eastwood, Frankish, Hambleton (Chair), Harper, Johnson, Mancey, Parker, Simpson, Tagg, Welsh, Wemyss, White (Vice-Chair), Williams and Winfield

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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Application to/for: **Premise Licence Application for Whitmore Hall Estate**

Submitted by: **Wish Promotions Limited**

Portfolio: **Safer Communities**

Ward(s) affected: **Loggerheads and Whitmore**

Purpose of the Report

An application for a new premise licence has been received for Whitmore Hall Estate. Representations have been received from Environmental Health on the basis that to grant the application would undermine the licensing objective relating to public nuisance. However following negotiations with the applicant and Staffordshire Police a set of conditions (Appendix A) have been agreed that would alleviate the concerns put forward by Environmental Health. A representation has also been received from an interested party which is attached at appendix B.

Recommendations

The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

(a) To grant the application as requested.
(b) To reject or amend the application.

1. Details of Application

Applicants: Wish Promotions Ltd

Premises: Whitmore Hall Estate

Application for: New premise licence.

Details of Requested Application

(A) PLAYS (on and off the premises) – Current	**PLAYS (on and off the premises) Requested:**
NONE	Friday to Sunday: 11.00 to 23.00
(B) FILMS (Indoors)	**FILMS (Indoors) Requested:**
NONE	Thursday : 20.00 to 23.00 Friday to Sunday: 11.00 to 23.00
(E) LIVE MUSIC (Indoors and outdoors) – Current	**LIVE MUSIC (Indoors and outdoors) – Requested:**
NONE	Thursday: 19.00 to 23.00 Friday to Sunday: 11.00 to 23.00
(F) RECORDED MUSIC (Indoors and outdoors) – Current	**RECORDED MUSIC (Indoors and outdoors) – Requested:**
NONE	Thursday: 19.00 to 23.00 Friday to Sunday: 11.00 to 23.00
(G) Performance of Dance – (Indoors and outdoors)	**Performance of Dance – (indoors and outdoors) Requested:**
NONE	Friday to Sunday: 11.00 to 23.00

(H) Similar to E, F or G (Indoors and Outdoors) - Current	**(H) Similar to E, F or G (Indoors and outdoors) Requested:**
NONE	Friday to Sunday: 11.00 to 23.00
(L) Late Night Refreshment – (Indoors and outdoors) - Current	**(L) Late Night Refreshment – (Indoors and outdoors) Requested:**
NONE	Thursday: 19.00 to 00.00 Friday to Sunday: 00.00 to 23.59
SUPPLY OF ALCOHOL (on the premises) – Current	**SUPPLY OF ALCOHOL (on the premises) – Requested:**
NONE	Thursday: 19.00 to 23.00 Friday to Sunday: 11.00 to 00.00
OPENING HOURS OF THE PREMISE – Current	**OPENING HOURS OF THE PREMISE – Requested:**
NONE	Monday: 00.00 to 14.00 Thursday: 18.00 to 23.59 Friday: 0.00 to 23.59 Saturday: 0.00 to 23.59 Sunday: 0.00 to 23.59

2. Consultation

Representations have been received from a resident in the vicinity of the premises and Environmental Health. Copies of the representations can been found at Appendix A and the conditions agreed between the applicant and Environmental Health and Staffordshire Police are attached at Appendix B.

This premises license will be valid from 21 July – 24 July 2016 and on the third weekend in July in subsequent years.

3. Policy Considerations

Licensing Objectives

The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

i. the prevention of crime and disorder
ii. public safety
iii. the prevention of public nuisance
iv. the protection of children from harm

Policy Statement

The Licensing Act 2003

The Licensing Act 2003 require the Council to publish a “Statement of Licensing Policy” that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

The Council made a number of policy decisions in its Statement of Licensing Policy. The following policy decisions are relevant to the application:

i. the prevention of crime and disorder – (paragraph 2.12 and 4.4)
ii. public safety - (paragraph 2.15 and 4.1)

iii. the prevention of public nuisance – (paragraph 4.2)
iv. the protection of children from harm – (paragraph 2.1 0 and 4.3)

Statutory Guidance relating to the Licensing Objectives relevant to the application:

(i) Crime and disorder - (paragraphs 2.1 to 2.7)
(ii) Public safety - (paragraphs 2.8 to 2.17).
(iii) Public nuisance - (paragraphs 2.18 to 2.24).
(iv) Protection of children from harm – (paragraphs 2.25 to 2.35).

Copies of the Council's Statement of Licensing Policy and the Governments Statutory Guidance will be available at the Sub-Committee meeting.

4. Comments.

In making their decision on the application, the Sub-Committee are also obliged to have regard to Statutory Guidance and the Council's own statement of Licensing Policy. The Sub-Committee must also have regard to all the representations made and the evidence they hear. However, the Sub-Committee must disregard any objections that do not relate to the promotion of any of the four licensing objectives.

The Sub-Committee must take such of the following steps as they consider appropriate for the promotion of the licensing objectives as set out in the paragraph above:

i. grant the application as requested.
ii. to reject or amend the application.

The Sub-Committee are asked to note that they may not reject the application merely because they consider it desirable to do so. It must actually be appropriate in order to promote the licensing objectives

Date of hearing: 25th August 2015

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Our ref: APP090841 /
Environmental Health Services
Your ref:

Date: 10 July 2015

NEWCASTLE UNDER LYME
BOROUGH COUNCIL

Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

Licensing Administration (Julia Clearly)
Newcastle under Lyme Borough Council
Civic Offices
Merrial Street
Newcastle under Lyme
ST5 2AG

Dear Julia,

Licensing Act 2003
Re: Application for a premises licence for Wish Promotions Ltd, Holmcroft, Whitmore Road, Baldwins Gate, Staffordshire, ST5 5DA.

Newcastle under Lyme Borough Council's Environmental Health Division, in its capacity as a responsible Authority under the Licensing Act 2003 **OBJECTS** to the application for a premises license, received on the 23rd June 2015 for the above establishment as it considers that the licensing objective "Prevention of Public Nuisance" will not be met based on the submitted details. This fails to address the impact from noise from entertainment, patrons and their vehicles and also the impact of patrons and their vehicles on the surrounding community after 11pm at night.

I am prepared to reconsider this objection should the applicant satisfactorily address my concerns about noise from entertainment, patrons and their vehicles and also the impact of patrons and their vehicles on the surrounding community after 11pm at night by undertaking the following:

- The times of the entertainment licensable activities to be amended to a 22:30 finish, namely;
  Plays, films, live music, recorded music, performance of dance and anything similar, music making facilities, dance facilities and anything similar.
- The time for refreshments and late night refreshments to be amended to a 07:00 start and 23:30 finish.
- The time for entertainment licensable activities on Sunday to be amended to a 12noon start, namely; Plays, films, live music, recorded music, performance of dance and anything similar, music making facilities, dance facilities and anything similar.

In addition to the above amendments, we would like to see conditions attached to the license as per Annex 1.

In addition to the above, we would like to make the following observations under the objective of 'Public Safety'. We have concerns about the lack of information submitted with the premises application with regards to:

- Railway line – preventing public trespass from the site to this busy active line.
- Whitmore Road being a narrow, fast road with blind corners
- The large on site pit close to the toilets for the VIP area.

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Robinson, Lynne

From: Michael Hall
Sent: 22 July 2015 09:40
To: licensing
Subject: Objection to Premises Licence No 012311

Good Morning

I have seen the application by Wish Promotions Ltd for a premises licence (No 012311) for a festival to take place at Whitmore Hall estate on 3rd weekend of July 2016.

I strongly object to this licence application being approved on the following grounds :

1. There will be an unacceptable amount of noise generated as a result of hosting this festival which will cause a public nuisance.

2. There will be an unacceptable massive increase in traffic as a result of hosting this festival which will endanger public safety.

I urge you (as a local resident, council tax payer & voter) to **NOT APPROVE** this licence application on the above grounds.

Regards

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Amendments Requested by Environmental Health and Staffordshire Police and Agreed by the Applicant.

Annex 1

Re: Whitmore Hall Estate, Ordnance Survey Map Reference SJ80 40 63 43 (Colours Music Festival 21st - 24th July 2016 - Application for a Premises Licence to be granted under the Licensing Act 2003.

Event Management Plan.

1. The licensable event shall not proceed where the required Management plans required by the licence have not been approved by the relevant responsible authority in advance of the event. Thereafter, the approved policies and procedures shall be observed in full for the duration of the event, with any variation being made following formal approval from the relevant responsible authority. The required management plans and procedures relevant to this condition are:
The Event Management Plan, The Noise Management Plan, The Traffic Management Plan, The Lost Children Procedure Child Protection Policy, Food Hygiene Procedures, Policing and Security, Alcohol Sales, Emergency Planning / Crisis Management Plan, Illegal Substances Policy and Management Plan, Fire Safety Plan, Crowd Management Plan and Campsite Management Plan.

2. Where any event takes place at the location which involves licensable activities the Premises Licence Holder (PLH) or a person nominated in writing by the PLH or nominated person, must conduct a thorough risk assessment and produce a written assessment of the event identifying what measures need to be taken to promote the licensing objectives, in addition to these the risk assessment to also incorporate:-

- Child protection policy
- Traffic management plan
- Lost children procedure
- Crowd management plan
- Fire risk assessment

Ensure that the site has been sufficiently Health and Safety risk assessed in relation to and in accordance with relevant legislation and Approved codes of practice (ACOPS). Ensure that this is documented within the Event Management plan which is specific to each event taking place. The written Event Management plan and specific health and safety assessments should be submitted to the Environmental Health Department with responsibility for the area with at least 3 calendar months' notice prior to the event taking place and should be discussed at the Safety Advisory Group meeting (in line with Newcastle under Lyme B.C. policy for events of over 500 persons). Thereafter, the approved Event Management Plan shall be observed in full. Subject to the Head of Environmental Health being satisfied, written approval will be given no later than one month in advance of the event taking place. Any modifications only being made with the prior written consent of the Head of Environmental Health.

3. The written assessment should be submitted to the Neighbourhood Police Commander/Inspector with responsibility for the area with at least 3 calendar months' notice prior to the event taking place. (The written assessment should clearly identify details of where alcohol is to be sold and consumed.)

4. The Premises Licence Holder or nominated person (as point 2) must liaise with the Neighbourhood Police Commander/Inspector (or their deputy in their absence) and satisfy fully, all requirements of the officer relative to the licensing objectives, in particular relating to crime and disorder and the risk assessment be amended accordingly to reflect any concerns by the Police. Subject to the Police being satisfied, written approval will be given no later than one month in advance of the event taking place. Any modifications only being made with the prior written consent of the Police. Should all Police concerns not be fully met then the event must not go ahead.

5. Once an agreement is reached between the Neighbourhood Policing Commander (or their deputy) and the Premises Licence Holder or nominated person (as point 2) in relation to the risk assessment, then a copy of the agreed assessment should be submitted to the Police Northern Licensing Unit with

at least 1 months' notice prior to the event taking place.

Safety Advisory Group (SAG)
6. Establishment of a Safety Advisory Group (SAG) where representation from Environmental Health, Police, Northern Licensing Unit of the Police, Staffordshire Fire and Rescue, Trading Standards, First Aid provider, Highways Agency and Health and Safety Executive are to meet prior to and after each event to advise and evaluate improvements where necessary.

Policing and Security.
7. Where the agreed risk assessment requires Door Supervisors/Stewards/Security Staff, the Premises Licence Holder or nominated person (as point 2) shall ensure sufficient numbers of Door Supervisors/Stewards/ Security Staff are present at the event to assist with the control of entry to the event and for the keeping of order. They must be Security Industry Authority (S.I.A.) registered and carry/display appropriate identification.

8. Where the agreed risk assessment requires, a written record shall be kept by the Premises Licence Holder or nominated person (as point 2) of every person employed at the event in a security role in a register for that purpose. That record shall contain the following details:-
The security staff name, Date of birth and home address; His/her Security Industry Authority licence number;
The time and date he/she starts and finishes duty;
The time of any breaks taken whilst on duty; each entry shall be signed by the security staff; High visibility clothing to be worn at all times.
That register shall be available for inspection on demand by an Authorised Officer of the Local Authority, the Security Industry Authority or a Police Officer.

9. Where the agreed risk assessment requires the event to have Door Supervisors/ Stewards/Security Staff there must be a briefing held by the event organisers before the event starts which will identify the roles and responsibilities of the Door Supervisors/Stewards/Security Staff.

10. Where the agreed risk assessment requires Door Supervisors/Stewards/Security Staff to be in radio contact with each other.

Alcohol.
11. No glass bottles to be brought onto the site. Any glassware seen to be confiscated by staff and disposed of in secured containers to be made available at security points throughout the site.

12. Alcohol sales and consumption of alcohol to be confined to the designated areas only, as shown on the plan submitted with the written assessment.

13. Where agreement is reached in relation to the sale of alcohol, Door Supervision to be on duty within the designated areas, throughout the event, to prevent alcohol from leaving these areas.

14. Where alcohol is sold at any venue "Challenge 25 proof of age scheme" to be operated and persons who appear to be under the age of 25 shall be required to produce proof of age by way of a proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence or passport.

15. All drinks sold at any event will be in plastic/polycarbonate or PET containers. If drinks are sold in plastic bottles then at the point of sale the cap must be removed and retained by the seller.

Refreshment and Trading Facilities.
16. The Premises Licence Holder or nominated person shall ensure that prior to the event a list of all food vendors will be submitted to the Environmental Health Department at Newcastle under Lyme Borough Council.

17. All permitted food vendors will comply with all Food Hygiene Regulations and have hand washing

facilities and a constant supply of hot/cold water for preparation, storing and providing food. Contingency planning for problems to food supplies, water, drainage and waste food disposal should also be considered.

18. Allow for access for authorised Local authority employees to access the site to conduct Sampling or monitoring if it is deemed necessary.

19. The Premises Licence Holder or nominated person shall ensure adequate toilet facilities are provided for public use during any event.

20. The Premises Licence Holder or nominated person (as point 2) shall ensure that regular litter patrols are conducted throughout the event, that all litter is kept to a minimum, bins to be emptied at regular intervals and all rubbish removed from the site throughout and after the event has finished.

21. The film classification for the purpose of this licence shall be the British Board of Film Classification.

Medical and First Aid Provision
22. The Premises Licence Holder will appoint a suitably competent organisation to manage and provide suitably manned and equipped medical / first aid facilities on site to the satisfaction of the Responsible Authorities.

The Protection of Children from Harm.
23. All children under 16 must be accompanied by a responsible adult to the event.

Noise.
24. The Premises Licence Holder or nominated person (as point 2) shall ensure that there is a person nominated for the control of the noise level at the event. The Premises Licence Holder or nominated person must provide a dedicated contact telephone number to the Environmental Health Department of this person. He or she will be responsible for communication between the agency and the organisers and as such maintaining the level as required.

25. The “Permitted Music Noise Level” shall not exceed 65-d-B_LAeq (15 mins) free field when assessed at any noise sensitive premises in Baldwins Gate, Whitmore and surrounding area.

26. At least three calendar months in advance of the event taking place each year, submit to the Environmental Health Department an “Event Noise Management Plan” for prior written approval in advance of the event taking place. Thereafter, the approved "Event Noise Management Plan" shall be observed and complied with in full. Subject to the Head of Environmental Health being satisfied, written approval will be given no later than one month in advance of the event taking place with any modifications only being made with the prior consent of the Head of Environmental Health. For the avoidance of doubt the "Event Noise Management Plan" shall include the following elements:
(i) Shall clearly define the measures to be taken to achieve (e.g. sound propagation, calculation, Mapping or similar), and ensure compliance (e.g. manned monitoring locations, remote monitoring with feedback system to the sound mixing desk), with the “Permitted Music Noise Level”.
(ii) Shall clearly define the continuous noise monitoring arrangements and locations to be monitored, to determine compliance with the “Permitted Music Noise Level” for the full duration of each performance.
(iii) Shall specify the operator competency and type of noise monitoring equipment to be utilised. Measurements shall be undertaken on a real time basis for the full duration of the event.
(iv) Shall clearly define the arrangements to secure compliance with the “Permitted Music Noise Level” throughout the event and the organisational management to secure the same. Where the “Permitted Music Noise Level” is breached, details of corrective action shall be appropriately documented.
(v) Shall clearly define the arrangements for receiving and responding to complaints from the community about noise and other issues associated with the build-up and clearance of the site infrastructure and the event itself.
(vi) All complaints shall be documented with the date and time of receipt, contact details for the

complainant, details of the person receiving the complaint, details of the complaint, details of the investigation made and the date and time of any feedback given to the complainant.
(vii) Submit an event timetable including times and dates for the erection and dismantling of the site infrastructure, sound propagation and speaker tests, sound checks time of the first chord and last chord for each day.

27. The main points of the Noise Management Plan shall be made available to the public at least 21 days in advance of the event and for the full duration of the event.

28. Not later than 21 days in advance of the event taking place each household and business within the vicinity of the site shall be provided with details of how to make a complaint about event related noise and other issues along with a “community production schedule” detailing when the following activities are scheduled to take place. In devising the “community production schedule” all reasonable steps shall take to avoid any conflict with religious services taking place at the nearby church.
(i) Erection and dismantling of the site infrastructure (not before 7.30am or after midnight on any day).
(ii) Timings for sound propagation and speaker tests (Thursday 12:00pm - 5pm and Friday 10.00am – 11:00am, Saturday, 10.00am – 11.00am, Sunday 11:45am - 3:00pm)
(iii) Time of the first and last chord of regulated entertainment (to be inside licensed hours).

29. Within one calendar month of the event taking place, a full “Noise Report” prepared by a technically competent person shall be submitted to the Environmental Health Department. At the same time main points of the report shall be made accessible to the public by the Premise Licence Holder.
This report shall include:
i. Details of the findings of the noise monitoring undertaken during the event.
ii. Details of the number of occasions and duration when the "Permitted Music Noise Level" was exceeded.
iii. Details of the corrective action taken to ensure compliance with the "Permitted Music Noise Level".
iv. Provide a full breakdown of noise complaints received and the action taken.
v. Make recommendations for improvements in the management of event related noise for subsequent events.

30. Allow for access for authorised Local Authority employees to access the site to conduct noise monitoring if it is deemed necessary.

Traffic Control.
31. In order to ensure that emergency services access and egress routes are maintained the Premises Licence Holder will prepare a Traffic Management Plan in liaison with and to the satisfaction of the Relevant Authorities. This plan will also include all car parking arrangements.
Nominated emergency access and egress routes will be kept clear at all times.

32. The Premises Licence Holder or nominated person (as point 2) shall ensure that no vehicles shall be allowed movement on site one hour before the commencement of any event and post event only when all members of the public have left the site.

Fire Safety.
33. A fire risk assessment must be carried out to ensure adequate fire safety arrangements are in place for each event. There should be no dangerous or combustible or toxic gases or related products such as aerosols, explosives, pyrotechnics stored within the tented structures unless agreed with the Fire Officer.

Camping.
34. A full Campsite Management Plan will be included in the Event Management Plan. This will include the structure of the campsite management team, capacities of each campsite, campsite layout and fire lanes, schedule of operation, position of campsite viewing towers, campsite facilities and fire cover facilities.

Illegal Substances Policy.

35. An Illegal Substances Policy and Management Plan will be produced for the event. This Plan will contain the policy for discouraging and preventing the use of illegal substances at the event. Procedures for searching, confiscating illegal substances and arrest will also be contained within this plan.

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NEWCASTLE · UNDER · LYME

BOROUGH COUNCIL

Premises Licence Application

Licensing Act 2003
Schedule 2 Regulations 10

APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

- Before completing this form please read the guidance notes at the end of the form.
- If you are completing this form by hand please write legibly in block capitals.
- In all cases ensure that your answers are inside the boxes and written in black ink.
- Use additional sheets if necessary.
- You may wish to keep a copy of the completed form for your records.

I/We WISH PROMOTIONS LTD
(Insert name(s) of applicant)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

PART 1 – PREMISES DETAILS

Premises Name	WHITMORE HALL ESTATE		
Address (if none Ordnance Survey Map Reference)	SJ80 4063 43		
		Post Code	
Telephone: Day	07870 370276		
Evening	07870 370276	Mobile	07870 370276
Fax			
E-Mail	hippyhippy@hotmail.co.uk		
Non-domestic rateable value of premises	£ 0		

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PART 2 – APPLICANT DETAILS

Are you applying for a premises licence as:			
a)	an individual or individuals *	☐	please complete section (2A)
b)	a person other than an individual *		
	i. as a limited company	☑	please complete section (2B)
	ii. as a partnership	☐	please complete section (2B)
	iii. as an unincorporated association or	☐	please complete section (2B)
	iv. other (for example a statutory corporation)	☐	please complete section (2B)
c)	a recognised club	☐	please complete section (2B)
d)	a charity	☐	please complete section (2B)
e)	The proprietor of an educational establishment	☐	please complete section (2B)
f)	A health service body	☐	please complete section (2B)
g)	A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	☐	please complete section (2B)
ga)	A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England.	☐	please complete section (2B)
h)	The chief officer of police of a police force in England and Wales	☐	please complete section (2B)

* If you are applying as a person described in (a) or (b) please confirm :

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☑
- I am making the application pursuant to a
  - statutory function or ☐
  - a function discharged by virtue of Her Majesty's prerogative ☐

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PART 2A(1) – FIRST INDIVIDUAL APPLICANT

Title	(Delete as appropriate) Mr / Mrs / Miss / Ms / Other (please state)
Surname	
Forenames	

I am over 18 years old ❑

Address			
		Post Code	
Telephone: Day			
Evening		Mobile	
Fax			
E-Mail			
Correspondence Address (if different than above):			
		Post Code	

PART 2A(2) – SECOND INDIVIDUAL APPLICANT (if applicable)

Title	(Delete as appropriate) Mr / Mrs / Miss / Ms / Other (please state)
Surname	
Forenames	

I am over 18 years old ❑

Address			
		Post Code	
Telephone: Day			
Evening		Mobile	
Fax			
E-Mail			
Correspondence Address (if different than above):			
		Post Code	

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PART 2B - OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	WISH PROMOTIONS LTD		
Address	HOLMCROFT		
	WHITMORE ROAD		
	BALDWINS GATE		
	STAFFS	Post Code	ST55DA
Telephone: Day	07870 370276		
Evening	07870 370276	Mobile	07870 370276
Fax			
E-Mail	hippyhippy@hotmail.co.uk		
Correspondence Address (if different than above):			
		Post Code	

Part 3 – OPERATING SCHEDULE

When do you want the premises licence to start?	210716
If you wish the licence to be valid only for a limited period, when do you want it to end?	240716

If 5,000 or more people are expected to attend the premises at any one time please state the number expected to attend.	9000

Please give a general description of the premises (please read guidance note1)
APPROX A 67 ACRE FIELD BELONGING TO WHITMORE
HALL ESTATE. SITE SITS ON THE A53 BETWEEN THE
VILLAGES OF WHITMORE AND BALDWINS GATE
"SEE SITE PLAN INCLUDED" THE AREA FOR LICENCE
EXTENDS TO BOUNDARIES OF FIELD AS PER SITE PLAN

PART 4 – LICENSABLE ACTIVITIES

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What licensable activities do you intend to carry on from the premises? (Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)	☑	then...

PROVISION OF REGULATED ENTERTAINMENT

a) plays	☑	(if ticking yes, fill in box A)
b) films	☑	(if ticking yes, fill in box B)
c) indoor sporting events	☐	(if ticking yes, fill in box C)
d) boxing or wrestling entertainment	☐	(if ticking yes, fill in box D)
e) live music	☑	(if ticking yes, fill in box E)
f) recorded music	☑	(if ticking yes, fill in box F)
g) performances of dance	☑	(if ticking yes, fill in box G)
h) anything of a similar description to that falling within (e), (f) or (g)	☑	(if ticking yes, fill in box H)

PROVISION OF ENTERTAINMENT FACILITIES:

i) making music	☑	(if ticking yes, fill in box I)
j) dancing	☑	(if ticking yes, fill in box J)
k) entertainment of a similar description to that falling within (i) or (j)	☑	(if ticking yes, fill in box K)

OTHER

l) Provision of late night refreshment	☑	(if ticking yes, fill in box L)
m) Supply of alcohol	☑	(if ticking yes, fill in box M)

In all cases complete boxes N, O and P

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A) PLAYS				Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☐	Outdoors ☐	Both ☑
Day	Start	Finish	Further Details			
Mon			PERFORMANCES OF SHORT PLAYS MAY TAKE PLACE IN MARQUEES. "STREET" PERFORMANCES MAY TAKE PLACE OUTSIDE			
Tue						
Wed			Seasonal Variations			
Thur						
Fri	11·00	23·00				
			Non Standard timings			
Sat	11·00	23·00				
Sun	11·00	23·00				

B) FILMS				Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☑	Outdoors ☐	Both ☐
Day	Start	Finish	Further Details			
Mon			INDEPENDANT FILMS MAY BE SHOWN IN A MARQUEE. A FILM ON "GENERAL RELEASE" MAY BE SHOWN IN MARQUEE ON THURSDAY EVENING			
Tue						
Wed			Seasonal Variations			
Thur	20·00	23·00				
Fri	11·00	23·00				
			Non Standard timings			
Sat	11·00	23·00				
Sun	11·00	23·00				

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C) INDOOR SPORTING EVENTS			
Standard days and timings			Read guidance notes 2-6
Day	Start	Finish	Further Details
Mon			
Tue			
Wed			Seasonal Variations
Thur			
Fri			
			Non Standard timings
Sat			
Sun			

D) BOXING AND WRESTLING ENTERTAINMENT			Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☐	Outdoors ☐	Both ☐
Day	Start	Finish	Further Details		
Mon					
Tue					
Wed			Seasonal Variations		
Thur					
Fri					
			Non Standard timings		
Sat					
Sun					

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E) LIVE MUSIC				Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☐	Outdoors ☐	Both ☑
Day	Start	Finish	Further Details			
Mon			MUSIC STAGES: MAIN STAGE (OUTDOOR); SECOND STAGE (OUTDOOR); NEW MUSIC STAGE (MARQUEE) CABARET (MARQUEE) ACOUSTIC PERFORMANCES MAY TAKE PLACE IN CHILDREN'S AREA. THURSDAY NON MUSIC STAGE ONLY			
Tue						
Wed			Seasonal Variations			
Thur	1900	23·00				
Fri	11·00	23·00				
			Non Standard timings			
Sat	11·00	23·00				
Sun	11·00	23·00				

F) RECORDED MUSIC				Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☐	Outdoors ☐	Both ☑
Day	Start	Finish	Further Details			
Mon			DANCE MUSIC MARQUEE DANCE MUSIC IN HEALTH & WELLBEING AREA ALL STAGES TO HAVE RECORDED MUSIC BETWEEN PERFORMERS (LOW LEVEL)			
Tue						
Wed			Seasonal Variations			
Thur	19·00	23·00				
Fri	11·00	23·00				
			Non Standard timings			
Sat	11·00	23·00				
Sun	11·00	23·00				

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G) PERFORMANCE OF DANCE			Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☐	Outdoors ☐	Both ☑
Day	Start	Finish	Further Details		
Mon			DANCE PERFORMANCES MAY TAKE PLACE IN MARQUEES. "FLASH MOB" PERFORMANCES MAY TAKE PLACE OUTDOORS		
Tue					
Wed			Seasonal Variations		
Thur					
Fri	11·00	23·00			
			Non Standard timings		
Sat	11·00	23·00			
Sun	11·00	23·00			

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H) ANYTHING SIMILAR TO E, F OR G			Description of type of entertainment you will be providing
			Where will this activity take place? ☑
Standard days and timings			Read guidance notes 2-6	Indoors ☑	Outdoors ☐	Both ☑

Day	Start	Finish	Further Details
Mon			CABARET MARQUEE - CABARET PERFORMANCES OUTDOOR CABARET/CIRCUS PERFORMANCES MAY TAKE PLACE
Tue			
Wed			Seasonal Variations
Thur			
Fri	11·00	23·00	
			Non Standard timings
Sat	11·00	23·00	
Sun	11·00	23·00	

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I) MUSIC MAKING FACILITIES			Description of facilities for making music		
			Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☐	Outdoors ☐	Both ☑
Day	Start	Finish	Further Details		
Mon			A NUMBER OF STAGES BOTH INDOORS & OUTDOORS. MAIN STAGE, SECOND STAGE, DANCE STAGE, NON MUSIC STAGE, CABARET STAGE		
Tue					
Wed			Seasonal Variations		
Thur	19·00	23·00			
Fri	11-00	23·00			
			Non Standard timings		
Sat	11-00	23·00			
Sun	11·00	23·00			

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J) DANCE FACILITIES			Description of facilities for providing dance
			Where will this activity take place? ☑
Standard days and timings			Read guidance notes 2-6 — Indoors ☐ Outdoors ☐ Both ☑
Day	Start	Finish	Further Details
Mon			A NUMBER OF STAGES & AREAS WHERE DANCE MAY TAKE PLACE
Tue			
Wed			Seasonal Variations
Thur			
Fri	11·00	23·00	
			Non Standard timings
Sat	11·00	23·00	
Sun	11·00	23·00	

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K) SIMILAR ENTERTAINMENT FACILITIES TO I OR J			Description of facilities for entertainment provided
			Where will this activity take place? ☑
Standard days and timings			Read guidance notes 2-6 — Indoors ☐ Outdoors ☐ Both ☑

Day	Start	Finish	Further Details
Mon			A NUMBER OF FORMS OF ENTERTAINMENT MAY TAKE PLACE INCLUDING RECORDED MUSIC, CIRCUS & ACTING
Tue			
Wed			Seasonal Variations
Thur			
Fri	11·00	23·00	
			Non Standard timings
Sat	11·00	23·00	
Sun	11·00	23·00	

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L) PROVISION OF LATE NIGHT REFRESHMENT			Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	Indoors ☐	Outdoors ☐	Both ☑
Day	Start	Finish	Further Details		
Mon			FOOD OUTLETS THROUGHOUT THE LICENSED AREA INCL. CAMPSITE. THE CAMPSITE FOOD OUTLETS WILL BE THE ONLY ONES OPEN 24 HOURS		
Tue					
Wed			Seasonal Variations		
Thur	19·00	0·00			
Fri	0·00	23·59			
			Non Standard timings		
Sat	0·00	23·59			
Sun	0·00	23·59			

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M) SUPPLY OF ALCOHOL				Where will this activity take place? ☑		
Standard days and timings			Read guidance notes 2-6	On the Premises ☑	Off the premises ☐	Both ☐

Day	Start	Finish	Further Details
Mon			A NUMBER OF BARS SERVING ALCOHOL. NO BARS ON CAMPSITE
Tue			
Wed			Seasonal Variations
Thur	19·00	23·00	
Fri	11·00	0·00	
			Non Standard timings
Sat	11·00	0·00	
Sun	11·00	0·00	

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	ALEXANDER KEIR ALLAN		
Address	162 VICTORIA MILL		
	REDDISH		
	STOCKPORT		
		Post Code	S K 5 6 A X
Telephone: Day	07901 655304		
Evening	07901 655304	Mobile	07901 655304
Fax			
E-Mail			

Personal Licence Number	PA0116
Issuing Licensing Authority	NEWCASTLE UNDER LYME

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N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
CABARET MARQUEE WILL ONLY BE OPEN TO UNDER 18s
UNTIL 7.00 PM EACH NIGHT. NO GAMING MACHINES,
NUDITY OR FILMS FOR RESTRICTED AGE GROUPS ON SITE.
THERE MAY BE BURLESQUE PERFORMANCES IN
CABARET TENT, BUT AFTER 9.00 PM.

O) HOURS PREMISES ARE OPEN TO THE PUBLIC			
Standard days and timings			
Day	Start	Finish	Seasonal Variations
Mon	0.00	14.00	
Tue			
Wed			
Thur	18.00	23.59	Non Standard timings
Fri	0.00	23.59	
Sat	0.00	23.59	
Sun	0.00	23.59	

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P) Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)
WEBSITE TO CLEARLY STATE POLICIES WITH REGARDS TO ALL
ASPECTS OF SAFETY ON SITE. SIGNAGE THROUGHOUT SITE
TO FURTHER PROMOTE THESE POLICIES EG. NO SMOKING SIGNS,
LOST CHILDREN POINTS, FIRE EXITS ETC.
b) The prevention of crime and disorder
SIA REGISTERED SECURITY COMPANY TO BE EMPLOYED.
ADDITIONAL TRAINED STEWARDS THROUGHOUT SITE.
CONTINUING CONSULTATION WITH NORTH STAFFS POLICE.
c) Public safety
SIA REGISTERED SECURITY COMPANY TO BE EMPLOYED
CONTINUING CONSULTATION WITH NORTH STAFFS POLICE
CONTINUING CONSULTATION WITH N-U-L H&S TEAM
ALL SAG MEETING RECOMMENDATIONS IMPLEMENTED
d) The prevention of public nuisance
CONTINUING MEETINGS WITH N-U-L NOISE PREVENTION TEAM
PLUS NOISE CONSULTANCY FIRM TO BE EMPLOYED.
SIA REGISTERED SECURITY COMPANY TO MONITOR ALL
ASPECTS OF PUBLIC NUISANCE & PREVENT.
e) The protection of children from harm
SPECIFIC LOST CHILDREN POLICY TO BE AGREED.
NO CHILDREN ALLOWED ENTRY (UNDER 16) UNLESS
ACCOMPANIED BY ADULT (OVER 21). ALL STAFF WORKING
IN CHILDREN'S AREA TO BE OFFICIALLY ACCREDITED.

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PART 5 – CHECKLIST AND DECLARATION

I have: ☑

a) enclosed the fee ☑

b) enclosed the plan of the premises ☑

c) sent copies of the application and the plan to the responsible authorities ☑

d) enclosed the consent form completed by the individual I wish to be the designated premises supervisor (if applicable) ☑

e) I understand that I must now advertise my application ☑

f) I understand that if I do not comply with the above requirements my application will be rejected.

It is an offence, liable on conviction to a fine up to Level 5 on the standard scale, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.

(please read guidance notes 10 and 12)

Signature of applicant or applicant's solicitor or other duly authorised agent.

Signature		Date	1	5	0	6	1	5
Capacity	OPERATIONS DIRECTOR							

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent.

Signature		Date	d	d	m	m	y	y
Capacity								

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Post Town	**Post Code**
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

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NEWCASTLE · UNDER · LYME
BOROUGH COUNCIL

Proposed Designated Premises Supervisor Consent Form

SCHEDULE 2 Article 2

Form of consent given by the person whom the applicant wishes to be the premises supervisor

- If you are completing this form by hand please write legibly in block capitals
- In all cases ensure that your answers are inside the boxes and written or typed in black ink.
- You may wish to keep a copy of the completed form for your records.

SECTION A – PROPOSED DESIGNATED PREMISES SUPERVISOR

Title	**(Delete as appropriate)** Mr / Mrs / Miss / Miss / Other **(please state)**		
Surname	ALLAN		
Forenames	ALEXANDER KEIR.		
Address	162 VICTORIA MILL		
	REDDISH, STOCKPORT		
		Post Code	SK5 6AX
Telephone: Day	—		
Evening	—	**Mobile**	07901 655304
Fax			
E-Mail	ACCOUNTS@THEEXCHANGESTOKE.CO.UK.		
Personal Licence Number	PA0116		
Issuing Licensing Authority	NEWCASTLE-UNDER-LYME		

I, hereby consent to being named as the designated premises supervisor in relation to the application by:
(Details of Premises Licence Holder)

Title	**(Delete as appropriate)** Mr / ~~Mrs~~ / ~~Miss~~ / ~~Miss~~ / ~~Other~~ **(please state)**
Surname	ALLAN
Forenames	ALEXANDER KEIR

In respect of the application for this premises, if that applicable is successful:

Premises Licence Number: **(if applicable)**			
Premises Name	WHITMORE HALL ESTATE		
Address	SJ80 40 63 43		
		Post Code	

Signature **(of proposed DPS)**		Date	14 06 15

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PART 6 – FOR OFFICE USE ONLY

Date Submitted		
Receipt Number		
Fee Paid	£	
Cash ❑	Cheque ❑	Postal Order ❑
Have all boxes on the checklist been ticked?	❑	

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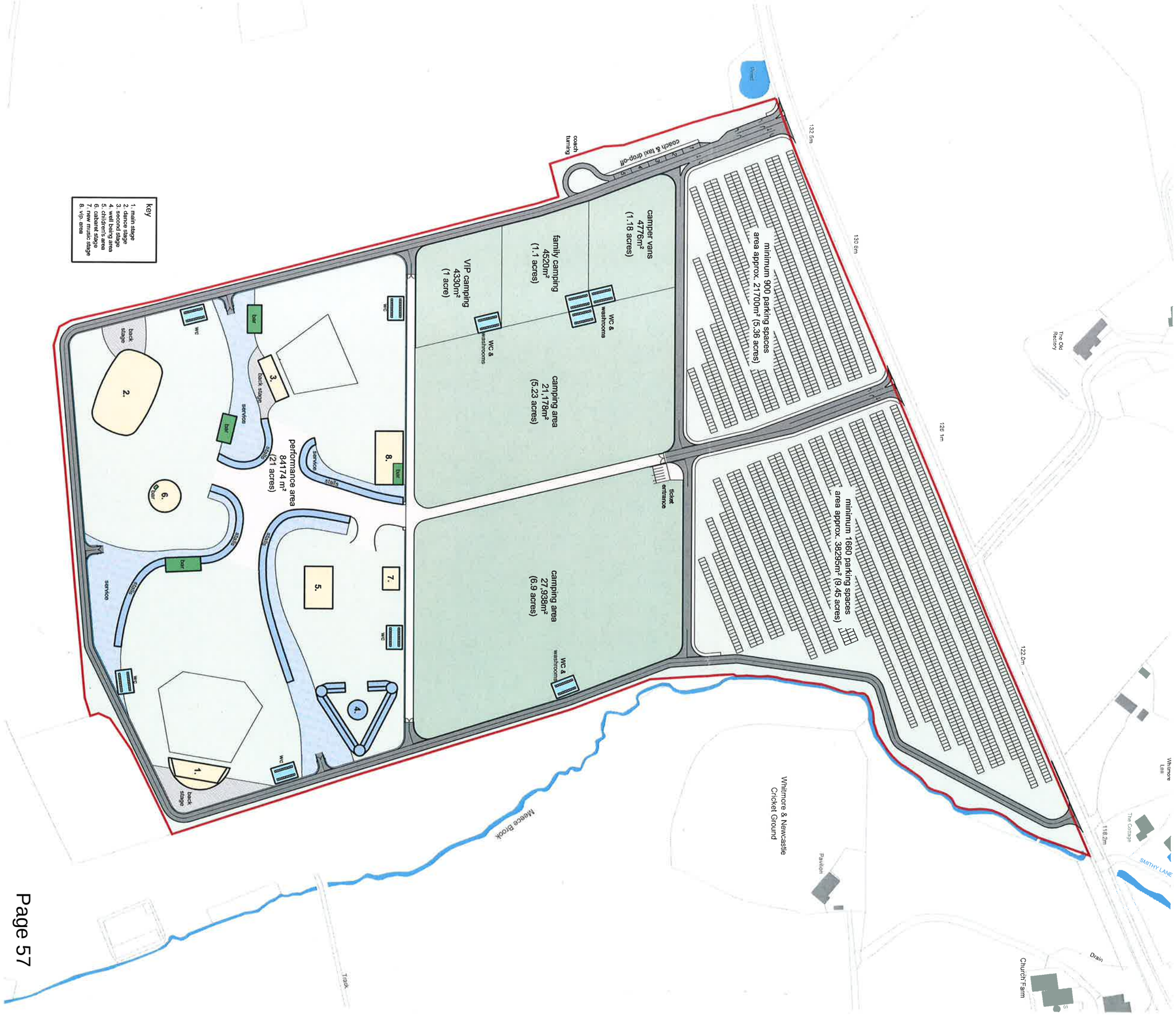

All Dimensions & Levels to be checked and verified by the contractor prior to works commencing. Do not scale this drawing

Any errors to be reported to the Architect immediately

revision	description	date

drawing FS502-02 revision

client
MR G. DONLON

project
WITMORE FESTIVAL SCHEME

location
LAND BETWEEN BALDWIN'S GATE AND WHITMORE, A53

title
PROPOSED SITE LAYOUT

issue
PRELIMINARY

scale
1:2500 @ A3

drawn by	checked by	date
DW.	SD.	23.04.15

TarpeyWoodfineArchitects

10 king street newcastle under lyme staffordshire ST5 1EL
Tel: 01782 632 680 Email: info@tarpey-woodfine.com

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LICENSING ACT 2003
NOTICE OF APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER SECTION 17

Notice is hereby given that on June 22 2015 Wish Promotions Ltd applied to Newcastle-under-Lyme Borough Council for a grant of a Premises Licence in respect of premises Whitmore Hall Estate (Big Field), Ordnance Survey Map Reference : SJ80 40 63 43.

The proposed licensable activities are:
(i) the sale by retail of alcohol
(ii) the performance of play
(iii) an exhibition of a film
(iv) the performance of live music
(v) any playing of recorded music
(vi) the performance of dance
(vii) entertainment of a similar description to that above
(vii) the sale by retail of late night refreshment
to take place July 21 - July 24 2016 and in subsequent years on 3rd weekend of July

Any representations by an interested party or responsible authority regarding the above-mentioned application must be received in writing by :-
Newcastle-under-Lyme Borough Council - Licensing Section, Central Services, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG, or by email to licensing@newcastle-staffs.gov.uk no later than June 20 2015 stating the grounds for representations.

The register of Newcastle-under-Lyme Borough Council and the record of the application can be inspected at the Council's office at the address shown above during normal office hours.

It is an offence knowingly or recklessly to make a false statement in connection to the application. The maximum fine for which a person is liable on summary conviction for the offence is £5,000.

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1. REPORT TITLE **Institute of Licensing Consultation on premise licence conditions**

Submitted by: **Democratic Services Manager**

Portfolio: **Safer Communities**

Ward(s) affected: **Not Specific**

Purpose of the Report

To consider the consultation document from the Institute of Licensing regarding premise licence conditions.

Recommendations

a) **That the Committee consider the consultation document and provide feedback and comments on both the general principles and specific conditions proposed.**

b) **That officers collate the comments and provide a response to the Institute of Licensing (the deadline for responses is 30 September 2015).**

Reasons

Members of the Licensing Committee are often called upon to attach conditions to premises licences following meetings of the licensing sub-committee and are therefore key stakeholders regarding the consultation;

1. **Background**

The Institute of Licensing is consulting members and stakeholders about its draft guidance on premises licence conditions for the Licensing Act 2003.

The project is a response to the legacy of the Licensing Act transition, and the continuing inconsistency in the approach to licence conditions, illustrated through licences overloaded with conditions, together with unenforceable and inappropriate conditions.

In undertaking the project, the Institute of Licensing aims to provide clear guidance to all parties on the proper and effective use of conditions, with guiding principles and precedent conditions designed to provide appropriate wording of conditions that can be individually considered for inclusion on a premises licence where it is appropriate to do so.

2. **Issues**

Current guidance relating to the use of conditions states:

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;

- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

3. **Options Considered**

That a response be provided to the Institute of Licensing regarding the consultation.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- creating a cleaner, safer and sustainable Borough
- creating a Borough of opportunity
- creating a healthy and active community
- transforming our Council to achieve excellence

14. **List of Appendices**

a) *Guidance from the Institute of Licensing on the Consultation*

b) *Consultation Response Form.*

Institute of Licensing -

Project Background

In July 2012, the Institute of Licensing (IoL) announced its intention to develop good practice guidance in relation to licence conditions for premises licences under the Licensing Act 2003.

The move was a response to the legacy of the Licensing Act transition, and the continuing inconsistency in the approach to licence conditions, illustrated through licences overloaded with conditions, together with unenforceable and inappropriate conditions.

In undertaking the project, the IoL aims to provide clear guidance to all parties on the proper and effective use of conditions, with guiding principles and a pool of conditions designed to provide appropriate wording of conditions that can be individually considered for inclusion on a premises licence where it is appropriate to do so.

In order to start the project, we asked for sample conditions and operating schedules, and we received a huge amount of information as a result for which we are grateful.

We are now in a position to seek views on the draft guidance document and the conditions provided within it. It is important to us to gather as many views as possible, so please do take the time to go through this consultation survey and give us your views.

The full draft guidance is available via the IoL's website:
http://www.instituteoflicensing.org/content.aspx?page=GUIDANCE_ON_PREMISES_LICENCE_CONDITIONS

The consultation survey will close on 30 September 2015.

ABOUT YOU

Individual contact details will not be published, although we may publish organisations in an acknowledgement list.

Contact information

Name:

Company:

Email Address:

Phone Number:

Type of organisation:

- ◯ Local authority
- ◯ Industry operator
- ◯ Police authority
- ◯ Legal practice

Other (please specify)

What is your job role?

Are you an IoL member?

- ◯ Yes
- ◯ No

IoL region

- ◯ Eastern
- ◯ East Midlands
- ◯ Home Counties
- ◯ London
- ◯ North East
- ◯ Northern Ireland
- ◯ North West
- ◯ South East
- ◯ South West
- ◯ Wales
- ◯ West Midlands

The guiding principles

Please ensure that you read the full consultation document which contains our guiding principles alongside the conditions contained within this survey.

The consultation document can be accessed via:
http://www.instituteoflicensing.org/content.aspx?page=GUIDANCE_ON_PREMISES_LICENCE_CONDITIONS

The guiding principles are designed to be just that, a guide. They are not intended to be a straightjacket or treated as immutable. We would emphasise that each and every decision to impose a condition must be justified by reference to the particular circumstances of the individual case. If any model condition does not suit the individual case it must be tailored accordingly.

Nevertheless, we suggest that the decision to offer or impose a condition is more likely to be justified if the proposed condition complies with the seven principles set out below.

Conditions imposed on a licence should be:

1) Appropriate, necessary and proportionate;
2) Precise, clear and unambiguous;
3) Practical, realistic and enforceable;
4) Non-duplicative of existing statutory requirements or offences;
5) Self-contained;
6) Modern and fit for purpose;

And, finally:

7) The fewer conditions the better.

We consider each of these guiding principles in turn within the full consultation document.

Do you agree with guiding principles as set out within the consultation document?

- ◯ Strongly Agree
- ◯ Agree
- ◯ Don't know
- ◯ Disagree
- ◯ Strongly Disagree

Please add your comments including your reasons if you do not agree or don't know

The (DRAFT) Conditions

UNDER NO CIRCUMSTANCE SHOULD ANY LICENSING AUTHORITY REGARD THESE CONDITIONS AS STANDARD CONDITIONS TO BE AUTOMATICALLY IMPOSED ON LICENCES.

The following conditions have been derived from various existing 'pools' of conditions offered by many licensing authorities for consideration. Throughout the development of this document, the principles outlined above, and the need for a concise reference for conditions has been supported and underlined by the various examples provided both good and bad. The aim of this pool is to provide a starting point for licensing authorities where the need for a condition has been identified – the wording has been examined from every angle and should provide a template for each condition, which can then be tailored to the needs of the specific licence in question.

The (DRAFT) Conditions: Admission

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

1. No person under the age of 18 shall be permitted to enter or remain on the premises when any "specified activity" is taking place.
• Specified activities are:
• 'Any live performance; or
• Any live display of nudity;
• Which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).
• Display of nudity means
• In the case of a women, exposure of her nipples, pubic area, genitals or anus; and
• In the case of a man, exposure of his public area, genitals or anus,
• NB – The audience can consist of one person.

2. No person under the age of [insert age] years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.

3. No customer shall be permitted to enter or re-enter the premises between the hours of [specify] save for persons who have temporarily left the premises (e.g. to smoke).

4. Between [specified times] no customer shall be permitted to enter or leave the premises by means of [specified entrances].

5. All persons entering or re-entering the premises shall be searched by an SIA registered door supervisor [and all searches must be monitored by the premises CCTV system].

6. Any queue [in a designated queuing area] to enter the premises shall be supervised at all times by door supervisors.

7. Any [designated] queuing area shall be within suitable barriers.

8. No more than (insert number) customers shall be permitted on the premises at any one time.

DESIGNATED SMOKING AREAS
9. Customers permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as [specify location / mark on plan]. No more than [insert number] of customers shall be permitted to remain in the designated smoking area at any one time.

Institute of Licensing -

Please give us your views about the conditions listed above as example conditions relating to admission.

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Alcohol

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

10. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers

11. No beer, lager, cider, ale or spirit mixers with an alcohol by volume content above [insert percentage] will be sold or offered for sale.

12. All sealed containers of alcoholic drinks offered for sale for consumption off the premises must be clearly labelled or marked with the name and postcode of the premises.

13. The premises licence holder must submit to the relevant police officer [insert contact details] a completed risk assessment form as prescribed at least 14 days before any event that is:
• promoted / advertised to the public at any time before the event; and
• features DJ's, MCs or equivalent performing to a recorded backing track; and
• runs anytime between the hours of [insert hours]

Alcohol (Restaurant)

14. The premises must only operate as a restaurant (i) in which customers are seated at a table, (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

15. The supply of alcohol to customers must be by waiter or waitress service only.

Please give us your views about the conditions listed above as example conditions relating to alcohol.

☐ Agree with the conditions as listed

☐ Disagree with the conditions as listed

☐ There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Boxing or Wrestling or indoor sports

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

16. At any wrestling or other entertainments of a similar nature, members of the public must not occupy any seat within [specify distance] of the ring.

Please give us your views about the conditions listed above as example conditions relating to Boxing or Wrestling or indoor sports

- ☐ Agree with the conditions as listed
- ☐ Disagree with the conditions as listed
- ☐ There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: CCTV

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

The Surveillance Camera Code of Practice (issued by the Home Office in June 2013) makes specific reference to licensing authorities and their use of conditions attached to premises licences stating:

'When a relevant authority has licensing functions and considers the use of surveillance camera systems as part of the conditions attached to a licence or certificate, it must in particular have regard to guiding principle one in the [Surveillance Camera Code of Practice]. Any proposed imposition of a blanket requirement to attach surveillance camera conditions as part of the conditions attached to a licence or certificate is likely to give rise to concerns about the proportionality of such an approach and will require an appropriately strong justification and must be kept under regular review. Applications in relation to licensed premises must take into account the circumstances surrounding that application and whether a requirement to have a surveillance camera system is appropriate in that particular case. For example, it is unlikely that a trouble-free community pub would present a pressing need such that a surveillance camera condition would be justified. In such circumstances where a licence or certificate is granted subject to surveillance camera system conditions, the consideration of all other guiding principles in this code is a matter for the licensee as the system operator'.

Guiding Principle One is shown below for information:

Principle 1 - Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.

3.1.1 Surveillance camera systems operating in public places must always have a clearly defined purpose or purposes in pursuit of a legitimate aim and necessary to address a pressing need (or needs). Such a legitimate aim and pressing need might include national security, public safety, the economic well-being of the country, the prevention of disorder or crime, the protection of health or morals, or the protection of the rights and freedoms of others. That purpose (or purposes) should be capable of translation into clearly articulated objectives against which the ongoing requirement for operation or use of the systems and any images or other information obtained can be assessed.

3.1.2 In assessing whether a system will meet its objectives, and in designing the appropriate technological solution to do so, a system operator should always consider the requirements of the end user of the images, particularly where the objective can be characterised as the prevention, detection and investigation of crime and the end user is likely to the police and the criminal justice system.

3.1.3 A surveillance camera system should only be used in a public place for the specific purpose or purposes it was established to address. It should not be used for other purposes that would not have justified its establishment in the first place. Any proposed extension to the purposes for which a system was established and images and information are collected should be subject to consultation before any decision is taken.

The Data Protection Act 1998 allows for CCTV images which can be used to identify an individual to be handed over for the prevention or detection of crime, the prosecution or apprehension of offenders or where the disclosure is required by law, for example, where an officer of the licensing authority is checking that CCTV is being used in accordance with the conditions of a particular licence.

The requirements of the Data Protection Act 1998 are such that such disclosure should be necessary for investigating or preventing a crime or apprehending or prosecuting an offender. As such the police must be able to justify their requests for CCTV images to be disclosed to them.

CCTV DRAFT CONDITIONS:

17. The premises licence holder must ensure that :
a. CCTV cameras are located within the premises to cover all public areas including all entrances and exits [The location of cameras could also be specified on the plan attached to the premises licence].
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 [specify 'at all times while the premises are open for licensable activities' or specify timings]. 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).

Please give us your views about the conditions listed above as example conditions relating to CCTV.

- ☐ Agree with the conditions as listed
- ☐ Disagree with the conditions as listed
- ☐ There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Deliveries

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

18. No deliveries or collections relating to licensable activities at the premises will take place between the hours of [insert hours].

Please give us your views about the conditions listed above as example conditions relating to deliveries

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Dispersals

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

19. The dispersal of customers from the premises must be managed in accordance with the following:

• Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

• Public announcements requesting customers to leave quietly to minimise disturbance to nearby residents

• A [specify minutes] period where [music volume is reduced / lighting increased / alcohol sales cease]

Please give us your views about the conditions listed above as example conditions relating to dispersals

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Glass

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

20. Drinks must only be served in polycarbonate/plastic containers.

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Please give us your views about the conditions listed above as example conditions relating to glass

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Large Events

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

21. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority. *

* Event Mgt plan can be drawn up in consultation with the Safety Advisory Group and Responsible Authorities.

Please give us your views about the conditions listed above as example conditions relating to large events

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Late Night Refreshments

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

22. Customers must not be permitted to remove from the premises late night refreshment provided at the premises between [specify hours/days].

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Please give us your views about the conditions listed above as example conditions relating to late night refreshments

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Noise

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

'Inaudibility' conditions have been popular in the past but have faced sufficient criticism in the courts to be quashed as invalid for lack of precision*. Noise conditions are notoriously difficult to pre-empt and should be applied only where professional advice has been obtained from the licensing authority acoustic advisor. Such conditions will be strictly tailored to the premises in question and the concerns to hand in relation to noise attenuation and resultant nuisance.

* See Developing Retail Ltd v East Hampshire Magistrates' Court [2011] EWHC (Admin)

23. Between [specify hours/ days], the noise climate of the surrounding area must be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured [specified distance(usually in metres, between the noise source and the receiver location(s))] from any facade of any noise sensitive premises over any [specify no. of minutes] period with entertainment taking place, must not increase by more than [specify dB tolerance (e.g. +3 dB, +5 dB, etc.)] as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and the unweighted (i.e. linear) equivalent noise level (LZeq) in the 63Hz 1/1-Octave band, measured using the "fast" time constant, inside any noise sensitive premises, with the windows open or closed, over any [specify no. of minutes] period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place. *

24. The location and orientation of loudspeakers must be as specified on the attached premises plan.

25. An [acoustic lobby / acoustic door / acoustic curtains/ acoustic door seals / automatic door closer] must be installed [specify the location / define on plan].

26. All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.

Noise Limiting Device
27. A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [specify if known] [approved in writing by the appropriate officer of the Council].

* We recognise this condition requires expert input and may not be immediately understandable to the lay man. As such it stands as an exception to our general principles.

Please give us your views about the conditions listed above as example conditions relating to noise

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Outdoor Areas

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

28. No more than [insert number] customers will be permitted to enter or remain in [define outdoor area(s)] of the premises at any one time, between the hours of [specify].

29. Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

Please give us your views about the conditions listed above as example conditions relating to outdoor areas

- ☐ Agree with the conditions as listed
- ☐ Disagree with the conditions as listed
- ☐ There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Records

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

30. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within [specify days / hours or a reasonable time] of a request by an officer of a Responsible Authority.

Please give us your views about the conditions listed above as example conditions relating to records

- ☐ Agree with the conditions as listed
- ☐ Disagree with the conditions as listed
- ☐ There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: SIA (door supervisors)

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

31. All door supervisors, and other persons engaged at the premises, for the purpose of supervising or controlling queues or customers, must wear [high visibility jackets or vests or armbands].

32. Door supervision must be provided on (specify days) . Door supervisors must be on duty from [INSERT HOURS] and must remain on duty until the premises are closed and all the customers have left.

33. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.

34. On [specify days/hours] at least [insert number] of SIA registered door supervisors must be on duty at the premises [specify location at the premises] [or as shown on the plan].

35. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.

36. On [specify days/hours] at least [insert number] of SIA registered door supervisors must be on duty at the premises [specify location at the premises] [or as shown on the plan]. *

* The “industry standard” is generally regarded as a ratio of 1 door supervisor to 100 customers but this will vary according to circumstances..

Please give us your views about the conditions listed above as example conditions relating to door supervisors

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Staff

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

37. A Personal licence Holder must be present at the premises to supervise all sales of alcohol.

38. A direct telephone number for the duty manager must be prominently displayed where it can conveniently be read from the exterior of the premises by the public. The telephone must be manned at all times the premises is open for licensable activities.

39. The PLH/DPS will provide [specify ratio] adult supervisors at a ratio of [specify ratio] who can provide care for the children as they move from stage to dressing room etc., and to ensure that all children can be accounted for in case of an evacuation or an emergency.

Please give us your views about the conditions listed above as example conditions relating to staff

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

The (DRAFT) Conditions: Waste

Under no circumstance should any licensing authority regard these conditions as standard conditions to be automatically imposed on licences.

40. Between the hours of [insert hours] no waste/glass bottles will be moved or deposited outside.

41. At [specify times] [specify areas] outside the premises, including [specify areas] must be swept and/or washed, and litter and sweepings collected and stored [specify storage and collection].

42. Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.

43. Empty bottles which have been collected must be placed into locked bins.

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Please give us your views about the conditions listed above as example conditions relating to waste

- [ ] Agree with the conditions as listed
- [ ] Disagree with the conditions as listed
- [ ] There are other conditions which should be included

Please give details where you disagree with the conditions listed:

Please give details if you think that other conditions should be included in the list

Additional comments

Do you have any other observations or comments on the draft conditions and the guiding principles? Are there areas you feel we should have covered either in more detail or which haven't been covered by any of the conditions at present?

- ( ) Yes - comments below
- ( ) No further comments

Comments:

Many thanks for taking the time to contribute your views for our consideration. The consultation will formally close on 30th September and we will publish our response in due course.

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