

TITLE OF REPORT: **Application for the review of a Premises Licence:**
Prestwold Park Prestwold Lane Prestwold Leicestershire
LE12 5SQ

REPORT OF: **Licensing Manager – Regulatory Services**

1. PURPOSE OF THE REPORT

The Licensing Sub-Committee is asked to consider the application from Mr Robert Barton and Mrs Paula Barton for the review of a Premises Licence for Prestwold Park, Prestwold Lane, Prestwold, Leicestershire, LE12 5SQ. The Premises Licence Holder is Prestwold Farms.

2. BACKGROUND

On 12 December 2008, the Licensing Authority granted a Premises Licence to Prestwold Farms for Part Prestwold Park, Prestwold Hall, Prestwold, Loughborough Leicestershire, LE12 5SQ. The licence number issued was PREM9306.

On 08, June 2018, an application for the grant of a new Premises Licence was received from Prestwold Farms for Prestwold Park, Prestwold Lane, Prestwold, Leicestershire, LE12 5SQ. The licensable area on this application encompassed Prestwold Park and the Wymeswold Airfield. This was an expansion of the current licensable area covered by Premises Licence - PREM9306.

On 07 July 2018, the Licensing Authority granted a Premises Licence to Prestwold Farms for Prestwold Park, Prestwold Lane, Prestwold, Leicestershire, LE12 5SQ. The licence number issued was PREM142098, which is the Licence which is being reviewed. Following the grant of this licence application, PREM9306 was returned to the Licensing Authority with a notice to surrender on Monday, 13 August 2018.

A copy of the current Premises Licence is attached at **Appendix 1**.

3. CURRENT APPLICATION

The review application submitted by Mr Robert Barton and Mrs Paula Barton ('Applicant') is attached at **Appendix 2**.

The Applicant applied for a review of the Premises Licence, under Section 51 of the Licensing Act 2003 on Monday, 17 September 2018. This was following an event held at the premises called 'The Forbidden Forest'.

The Licensing Authority were made aware on Monday, 13 August 2018 that Exurbia Events would be holding a one-day music event, called 'The Forbidden Forest', on Saturday 8th September 2018, between the hours of Midday and 23:00hrs on the Wymeswold Aerodrome, East of the runway at Prestwold Park, Prestwold Lane, Prestwold, Leicestershire, LE12 5SQ.

The information provided was that the event was to be a music led show with an expected audience of 10,000 people. The demographic of the audience will be predominately 18-28 yrs.

The review application for review relates to the following licensing objectives:

- Public safety
- Prevention of public nuisance

The application for review was advertised in accordance with the provisions of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Blue notices were advertised at the premises and surrounding area, within the Charnwood Borough Council Offices and published on the Charnwood Borough Council's website. A copy of the advertisement is attached at **Appendix 3**.

Representations

On 28 September 2018, a representation in support of the review application was received from PC1845 Mike Green, Neighbourhood Officer for Charnwood at Leicestershire Police. The representation relates to the licensing objectives – The Prevention of Crime and Disorder and The Prevention of Public Nuisance. It refers to the occurrence of anti-social behaviour taking place near to the premises during the Forbidden Forest event held on 08 September 2018. The representation is attached at **Appendix 4(a)**.

On 01 October 2018, a representation in support of the review application was received from Mr Chris Lambert, Charnwood Borough Council, Licensing Enforcement Officer. The representation relates to the licensing objective – The Prevention of Public Nuisance and refers to the difficulty local residents were experiencing trying to report noise complaints to the premises licence holder, during the Forbidden Forest event held on 08 September 2018. The representation is attached at **Appendix 4(b)**.

On 11 October 2018, a representation in support of the review application was received from Mr Stuart Adkins, Charnwood Borough Council, Health, Safety and Business Engagement Manager. The representation relates to the licensing objective – Public Safety and was submitted as a result of Forbidden Forest event held on 08 September 2018. The representation is attached at **Appendix 4(c)**.

On 12 October 2018, a representation in support of the review application was received from Ms Beverley Green, Charnwood Borough Council, Environmental Protection Manager. The representation relates to the licensing objective – The Prevention of Public Nuisance and relates to the public nuisance caused by the Forbidden Forest event held on 08 September 2018. The representation is attached at **Appendix 4(d)**.

On 15 October 2018, a supporting statement to the review application was received from Rt. Hon Nicky Morgan MP. The statement relates to a number of representations received from local residents mentioning a particular event, the Forbidden Forest held on 08 September 2018. The statement requests that the views of the residents be taken into consideration when determining the review of the licence. The statement is attached at **Appendix 4(e)**.

A further 21 representations in support of the review application have been received from interested parties. The representations relate to all of the licensing objectives – The Prevention of Crime and Disorder, The Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm. These representations are attached at **Appendix 4(f)**.

On 08 October 2018, a statement of support of the current premises was received from Hoton Parish Council. The statement does not relate to any of the licensing objectives and refers to their views on the current licence and the Forbidden Forest Event that took place on 08 September 2018. The statement is attached at **Appendix 4(g)**.

Parties

The Parties to the hearing will be:

- a) The Applicant, Mr Robert Barton and Mrs Paula Barton, Interested Party
- b) Prestwold Farms, Premises Licence Holder – represented by Shakespeare Martineau LLP

3. FOR CONSIDERATION

The areas for consideration by the Sub-Committee are:

- The application to review the Premises Licence
- The steps to be taken (if any) for the promotion of the licensing objectives

4. POLICY & GUIDANCE

When carrying out its functions the Sub-Committee must have regard to:

- (a) the Statement of Charnwood Borough Council's Licensing Policy, and
- (b) the Amended Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

Relevant parts of the Policy and Amended Guidance are reproduced in **Appendices 5 & 6**. The parties may refer to the Policy and Guidance during the hearing. Complete copies of the Policy and Guidance will be available at the hearing.

5. FOR DECISION

The Licensing Authority may, having regard to the application, take any of the following steps as it considers necessary for the promotion of the licensing objectives:

- Take no action;
- Modify the conditions of the licence (alter, add or remove conditions). The Licensing Authority may attach conditions to any licence which are necessary to the promotion of the Licensing Objectives. A copy of the Model Pool of Conditions from Charnwood Borough Council's Statement of Licensing Policy is attached at **Appendix 7**.
- Exclude a licensable activity from the scope of the licence;
- Remove the designated premises supervisor;
- Suspend the licence for a period not exceeding three months; or
- Revoke the licence