

**LICENSING PANEL  
10 DECEMBER 2013  
10.05 - 11.05 AM**



**Present:**

Councillors Thompson (Chairman), Brossard and Finnie

**In Attendance:**

Simon Bull, Legal Adviser to the Panel

Laura Driscoll, Licensing Team Leader

Amanda Roden, Democratic Services Officer

**1. Declarations of Interest**

There were no declarations of interest.

**2. The Procedure for Hearings at Licensing Panels**

The Chairman confirmed that all parties understood the procedure to be followed for the hearing.

**3. Application for New Premises Licence - North Lake, Ringmead, Bracknell**

The panel's decision was that the application for a new licence in respect of North Lake, Ringmead, Bracknell shall be granted.

The Panel carefully considered all the information presented, both written and oral, from:

- the Licensing Team Leader who outlined the issues;
- the applicant's representative, Mr Reeve;
- the interested parties (2) who submitted oral and written representations, and one other written representation.

together with reference to the appropriate Licensing Objective: The Prevention of Public Nuisance, particularly noise nuisance, the Council's own Licensing Policy and the Secretary of State's guidance. At the conclusion of the proceedings all participants present confirmed that they had been given the opportunity to say all they wished to say.

The Panel noted that there had been no representations made by the responsible authorities; Thames Valley Police, Environmental Protection, Trading Standards, Royal Berkshire Fire and Rescue, Child Protection Committee, Planning, Public Health and Environmental Health & Safety.

The Panel noted that the application was for a maximum of two one-day events each year with the aim of providing entertainment for families and children. A fireworks event held at North Lake had received positive responses and events held at North Lake were well planned, particularly in regard to parking and marshalling.

The Panel found no reason under the four Licensing Objectives to refuse the application. The Panel decided that granting the new licence would promote the four licensing objectives, and noted that the proposed licensing conditions, particularly conditions 10 to 15 at Annex G of the agenda papers, addressed some of the concerns of local residents with regard to noise nuisance.

Reasons for the panels' decision to grant the licence:

The panel and the applicant were assisted by the advice of the panel's legal advisor who advised the objectors to focus their submissions upon the licensing objectives. The majority of the objectors' submissions up until that point had focussed on extraneous matters unrelated to the licensing objectives.

It was conceded by the objectors during oral submissions that they had misread the application and accepted that although the event could take place between Friday at 1600 hours to Sunday at 2200 hours, the applicants were only proposing an event of one days duration over the three day period on two occasions a year. Not two, three day events.

The panel were unprepared to accept that a fire work event held previously at the site of the proposed licensed premises had the characteristic of the Syrian civil war. Neither were they entitled to consider the impact upon wildlife in the area. The reference in the written submissions to the views of the fishing club were not relevant considerations and contrary to the submission in Annexe C under the heading location; nothing in the proposal would substantially interfere with the quiet enjoyment of a residential area. The events were proposed to be of one days duration twice a year and designed for children and families.

The panel also took cognisance of the fact that democratically elected Members of the Town Council would set up a committee to select and ensure only appropriate family and child focussed events would take place on the licensed premises. The licence did not include a licence to sell alcohol.

The applicants were clear that they would liaise with South Hill Park Arts centre so that the applicants did not hold an event on the same day as a significant event at South Hill Park, to avoid a nuisance of too many cars and people converging on the area at the same time on the same day.

The evidence submitted by the objectors concerning the licensing objectives was very light on weight and evidence. References made to historical events nearly 20 years ago concerning WOMAD were also given little weight.

The panel were of the opinion based on the evidence advanced by both the applicant and the objectors that the four licensing objectives would be promoted by the granting of this licence, particularly as the licensing conditions voluntarily offered and accepted by the applicants would promote and safeguard the licensing objectives.

The objectors' concerns focussed on what might happen. If the objectors' fears were realised then under the Licensing Act there was a mechanism for resolving those concerns by either an application to vary the conditions or review the licence. Any interested party could seek a review.

In summary, the Panel decided to agree the new premises licence subject to the proposed licensing conditions at Annex G of the agenda papers.

**CHAIRMAN**

This page is intentionally left blank