

**LICENSING PANEL
20 JUNE 2019
10.00 - 11.40 AM**



Present:

Councillors Tullett (Chairman), Brossard and Porter

Apologies for absence were received from:

Councillors Brunel-Walker

Also Present:

Councillor Dorothy Hayes MBE, Observer

Niamh Kelly, Licensing Officer

Donald Adams, Solicitor

Lizzie Rich, Democratic Services Officer

53. Declarations of Interest

There were no Declarations of Interest.

54. The Procedure for Hearings at Licensing Panels

The procedure for hearings at Licensing Panels was noted by all parties.

55. Application for Variation of Premises Licence for The Royal County of Berkshire Polo Club, North Street, Winkfield

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

- the Licensing Officer who outlined the issues;
- the Applicant,
- the Interested Parties;

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 Police, or any of the other Responsible Authorities.

The Panel reached its decision with a view to promoting the four Licensing objectives under the Licensing Act 2003, with particular reference in this case to the prevention of public nuisance objective, having regard to the provisions of the Act, the Home Office Guidance issued in respect of the same and having regard to the Council's own Statement of Licensing Policy.

The Panel decided that granting the variation of the licence would not have an adverse impact on the promotion of the four licensing objectives and so agreed to grant the variation.

Reasons

The application was to vary the Royal County of Berkshire Polo Club's capacity from 5,000 to 9,999 persons.

The Panel heard from local residents who objected to proposed variation due to previous occurrences concerning noise nuisance emanating from the site being enough to disturb residents in their gardens and when trying to sleep, on a number of occasions throughout the year. There were also concerns regarding the increase in traffic to the site, if the variation were to be granted.

The applicant recognised that there had been historic noise concerns from the Polo Club site but stated that Environmental Health officers had visited the Polo Club on its flagship International Day event last year and had not felt that the noise level constituted a nuisance. The Panel noted that prior to the representations being received in respect of the current application, no recent (specified as within the past 12 months) complaints of noise nuisance had been made to the Licensing Authority, or to Environmental Health.

The Panel noted the Applicant's expressed willingness to listen and work with local residents to discuss and address any concerns they may have as a result of events at the premises and noted that the Applicant has already taken steps to amend its noise management strategy.

The Panel heard that a hotline number had been made available for residents on previous event days to call if they experienced any concerns or problems with noise, and this was available on all major event days. The Panel considered that this number could be republicised and communicated more widely to residents in the local area.

The Panel noted that the original premises licence already had a number of licence conditions attached, especially where the larger events were proposed, including in respect of traffic management as part of a required Event Management Plan and steps required for the monitoring and prevention of noise nuisance under a Noise Management Plan and Community Liaison Plan.

The applicant proposed an additional condition to the licence to stop the use of live percussion instruments at the site after 21:00. The Panel agreed that this was an appropriate step to mitigate against noise at the site.

The Panel queried the traffic management at the site and established that a new Traffic Management Plan had been implemented to address the anticipated increase in traffic on event days. The Traffic Management Plan included four entry/exit gates (one of which was for emergency/VIP use only) rather than the previous Plan which had one. The Panel was informed that there was ample parking space on site for the expected number of cars, and overflow parking was available. Tickets would be offered on a phased entry system, and no priority parking areas would be allocated. It was anticipated that this would alleviate any traffic concerns, as the site would be self-contained. Car and coach parking would be offered for free if booked in advance, to prevent event traffic parking on nearby roads. The revised Traffic Management Plan had been submitted to the Council's Safety Advisory Group, and no concerns had been raised by the Highways department.

It was clarified that 9,999 people included all staff and performers on event days, and that people would be coming and going throughout the day.

The Panel accepted the applicant's proposal to amend an existing condition on the licence regarding the 'buffer zone' on the site as shown by the hatched area marked on the authorised premises plan. This would ensure that no parking or licensable activities would take place within the 'buffer zone', with a view to preventing disturbance to nearby neighbours when visitors were leaving the site.

The applicant informed the Panel that nearby Winkfield residents would be informed of upcoming events at the Polo Club. The Panel requested that this be added to the licence conditions so as to require that written notification be delivered to all residents, within an appropriate zone as agreed with the Licensing Officer, at least 7 days prior to an event taking place.

The Panel also noted that residents were able to seek a review of the licence if there were breaches of the licence and the licensing objectives were not met.

In summary, while the Panel recognised the concerns of residents, it was felt that the Polo Club had taken appropriate steps to mitigate against any noise or traffic issues which may arise from the increased capacity of 9,999. The Panel agreed to grant the licence, with the following additional or amended conditions:

- Paragraph 93.9 of the existing licence be amended to include a statement requiring the Polo Club to distribute a written notification of all large events (being events involving more than 1,000 attendees), at least 7 days prior to any event, to all properties within an appropriate radius of the site, as to be determined by and in agreement with the Licensing Officer. This is in addition to the Public Information Document and any general marketing exercises.
- Paragraph 94 of the existing licence be amended to include a statement that no parking or licensable activity shall be permitted within the agreed 'buffer zone' shown by the hatched area marked on the authorised premises plan.
- An additional condition be included to reflect the agreement that no live percussion instruments including drums shall be permitted in any outdoor or temporary structure after 21:00.

The Panel considered that the number and nature of the conditions now attached to the premises licence were proportionate, justifiable, capable of being met by the Applicant and appropriate to the promotion of the licensing objectives.

CHAIRMAN