

TITLE	TEMPLE ISLAND MEADOW, REMENHAM FARM, REMENHAM LANE, REMENHAM RG9 3DB (REWIND FESTIVAL – RIVAL ORGANISATION)
	APPLICATION FOR REVIEW OF THE PREMISES LICENCE
FOR CONSIDERATION BY	Sub Committee of the Licensing and Appeals Committee on 22 April 2013
WARD	Remenham & Wargrave
STRATEGIC DIRECTOR	Paul Anstey, Joint Service Delivery Manager for Environmental Health & Licensing

OUTCOME / BENEFITS TO THE COMMUNITY

In accordance with S51 of the Licensing Act 2003 and the Wokingham Borough Council Licensing Policy, the application is referred to the Licensing and Appeals Sub Committee for determination as an application for a review and representations have been received.

RECOMMENDATION

The Sub Committee to determine the application to grant or refuse the application, with conditions and/or amendments as appropriate.

SUMMARY OF REPORT

To provide relevant information for the Sub Committee to consider and determine the application from Mr Joe Dray of the Environmental Quality Team of West Berkshire and Wokingham Environmental Health and Licensing Service on behalf of Wokingham Borough Council, as a responsible authority, to review the premises licence PR0338 for Temple Island Meadow, Remenham Farm (Rewind Festival), licence holder The Rival Organisation Ltd.

Background

Section 51 of the Licensing Act 2003 provides for a responsible authority to apply to the licensing authority for a review of a premises licence where problems associated with the licensing objectives are occurring.

The representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives.

Before determining the application, the authority must hold a hearing to consider it and any relevant representations, and take steps as it considers necessary for the promotion of the licensing objectives. The options open to the Sub Committee are:

- Modify the conditions of the licence (The conditions of the licence are modified if

any of them is altered or omitted or any new condition is added) (for a period not exceeding three months or permanently)

- Exclude a licensable activity from the scope of the licence (for a period not exceeding three months or permanently)
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence
- Issue formal warnings to the designated premises supervisor and/or premises licence holder
- Take no action

In determining the application, the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

For the purposes of the Licensing Act 2003, a child is an individual aged under 18.

The Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and the statutory guidance issued under Section 182 of the Licensing Act 2003.

The application for review of the premises licence was received from Mr Joe Dray on behalf of the Environmental Quality Team of West Berkshire and Wokingham Environmental Health and Licensing Service on behalf of Wokingham Borough Council on 6 March 2013.

The grounds for review are:

- There was failure by the licence holder to comply with condition 15 during the 2011 event which resulted in a public nuisance and a warning letter being sent to the licence holder
- There were repeated failures by the licence holder to comply with condition 15 of the licence during the 2012 event
- Complaints were received from local residents alleging noise disturbance during setting up, noise from machinery (including generators running throughout the night causing sleep disturbance) and noise from music
- Lack of confidence in the ability of the event management team to control noise levels and to comply with condition 15 at future events

Condition 15 of the premises licence states:

"The sound level from amplified music, amplified speech or other amplified sound shall not exceed 65 dB LAeq, measured over a 15 minute period between 11:00H and 23:00H at one metre from the façade of noise sensitive residential premises."

Mr Dray has indicated that he will submit a list of proposed amended conditions before the hearing for consideration by the Licensing Sub Committee.

The following documentation is attached – copy of the review application with supporting Appendices 1 to 5 (Appendix A), location / layout plans (Appendix B), copy of the current premises licence (Appendix C) and residents and Remenham Parish Council representations (Appendix D)

Upon receipt the application was checked and confirmed to be correctly made. The 28 day consultation period ran from 7 March to 3 April 2013. The licence holder, responsible authorities, ward members and parish council were advised of the application by email on 6 March 2013.

The application has been advertised correctly, with site notices displayed at Wokingham Borough Council offices and at the premises (put up at the premises with the landowner's consent on 7 March 2013)

During the statutory consultation period of 28 days, representations were also received from residents of Remenham Lane, Remenham Parish Council and Remenham Farm Residents Association:

- Mr Michael Dudley of The Reach, Remenham Lane
- Mr Ron Emerson of The Reeds, Remenham Lane
- Mr David Law of Barnside Cottage, Remenham Lane
- Mr Anthony West of Remenham Manor, Remenham Lane
- Dr John Halsall of Cherwell, Remenham Lane and Chairman of Remenham Parish Council
- Remenham Farm Residents Association

The fire authority responded to confirm they have no fire safety issues with the event.

Thames Valley Police responded to advise no representations or comments.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Not applicable		
Next Financial Year (Year 2)	Not applicable		
Following Financial Year (Year 3)	Not applicable		

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications (how does this decision impact on other Council services and priorities?)

Not applicable

Reasons for considering the report in Part 2

None

List of Background Papers

Application, location plans, representations

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