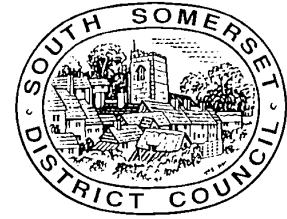


## South Somerset District Council

*Notice of Meeting*



# Licensing Sub Committee

*Making a difference where it counts*

**Tuesday 21st February 2017**

**2.00 pm**

**Council Chamber B  
Council Offices  
Brympton Way  
Yeovil  
BA20 2HT**



(disabled access and a hearing loop are available at this meeting venue)

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Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris, Democratic Services Officer**, website: [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

This Agenda was issued on Tuesday 14 February 2017.

*Ian Clarke, Assistant Director (Legal & Corporate Services)*

This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)



# Licensing Sub Committee Membership

Neil Bloomfield

Crispin Raikes

Martin Wale

## South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

## Members Questions on reports prior to the Meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

## Information for the Public

The Statutory Licensing Committee has responsibility for all activities under the Licensing Act 2003 and the Gambling Act 2005 except for policies and fees. Established under the Licensing Act 2003, It exercises the functions of the Licensing Authority which itself is the Council.

The Other Licensing Committee can be responsible for all other licensing matters. Established by the Council under discretionary power contained in section 101 of the Local Government Act 1972.

It is lawful for the membership of the two committees to be the same, but they are differently constituted and run under different powers.

Meetings of the Licensing Sub Committee are held as required in the Council Offices, Brympton Way.

Licensing Sub Committee agendas and minutes are published on the Council's website [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

# Licensing Sub Committee

**Tuesday 21 February 2017**

## Agenda

### *Preliminary Items*

**1. Declarations of Interests**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

**2. Procedure to be followed when considering licensing applications under the Licensing Act 2003 (Pages 4 - 8)**

**3. Representation following the Application for a New Premises Licence at Wincanton Racecourse, Wincanton, BA9 8BJ (Pages 9 - 48)**

# Agenda Item 2

## **Procedure to be followed when considering Licencing Applications under the Licensing Act 2003**

Pre meeting Prior to the start of the Hearing the Democratic Services Officer will check that any person wishing to address the Sub-Committee is either an Interested Party or an authorised representative of an Interested Party or a Responsible Body and is entitled therefore to do so.

Where there is any doubt about the person's eligibility to address the sub-Committee, the Democratic Services Officer will seek advice from the Legal Officer(s).

### **1. The Chairman will introduce:**

- members of the Sub-Committee (which will be made up of three District Councillors);
- the officers present;
- the Parties and their representatives (if any).

**The Chairman will ask**, before starting the Hearing, if any representations are being withdrawn.

### **2. At the start of the hearing the Chairman will advise:-**

- all Parties of the reason for the Hearing and the procedure to be adopted;
- that where a Party wants another person to appear at the Hearing they must ask permission (under Regulation 8(2)) although such permission will not be unreasonably withheld. No permission is needed where the other person is acting only as the Party's representative;
- that if any Party wishes to ask the Sub-Committee to consider documentary or other information at the hearing, which was not provided before the Hearing, then all Parties must consent;
- that if any Party does not attend or is not represented at the hearing, the Hearing can go ahead but the Sub-Committee will consider any application, notice or written representations received by the relevant deadline from that Party;
- that in some circumstances, the Hearing may be adjourned, where the Sub-Committee consider the public interest demands it.

### **3. The Chairman will ask each Party to confirm receipt of the following documents:-**

- Officer's report relating to the case;
- The procedure to be adopted during the Hearing;
- The documents, which the authority is required to provide under the Regulations – this varies according to the type of application but normally this means checking that the applicant has received copies of all the representations made in response to the application notices.

Any queries on the procedure or the factual content of the Licensing Officer's report should be dealt with at this point, with the assistance of the legal officer(s), as required.

4. **The Chairman will then ask** the Licensing Officer to present their report on the application. The report will include confirmation that the requirements as to advertising the application and the serving of notices have been met.
5. **The Chairman will inform all present - prior to receiving representations** - that each Party will be given an equal amount of time to make their representations. This will normally be a maximum of five minutes. However, the Chairman has discretion about the time given to each Party and may vary the time limit where reasonable to do so although reasons will be given and fairness maintained.
6. **The Chairman will invite any Responsible Bodies present** e.g. representatives of Police/Fire Service/ Environmental Services to address the Sub-Committee on any relevant representations they have made.
7. **The Chairman will then invite:**
  - Parties or their representatives speaking in support of the application (including the applicant for the review) to address the Sub-Committee on their relevant representations. The address shall relate only to those matters already raised in the application, representations or notice (as applicable). No new information can be presented at the hearing unless all Parties agree, however, where the authority has notified the Party that it requires clarification on any points, this should be provided at this stage;
  - Parties or their representatives, speaking in opposition to the application for review, to address the Sub-Committee on their relevant representations. The address shall relate only to those matters already raised in the application, representations or notice (as applicable). No new information can be presented at the hearing unless all Parties agree, however, where the authority has notified the Party that it requires clarification on any points, this should be provided at this stage.

**The Chairman** will permit a Member to seek immediate clarification of a point made by a Party, their representative or any another person permitted to attend where, prior to this point in the Hearing, circumstances arise which make it desirable to do so, provided that the question is relevant and helps the proper conduct of the Hearing. The rules of natural justice will be followed.

No Cross examination will be permitted without the consent of the sub-Committee and this will only be given where Committee considers that cross-examination is required for it to consider the representations, application or notice.

8. **The Chairman will ask** whether anyone has any further relevant comments to make and whether each Party is satisfied with the conduct of the Hearing.
9. **The Chairman will then invite** Members of the Sub-Committee to ask any questions of any of the Parties or any other person permitted by the Sub-Committee to appear at the Hearing.
10. **The Chairman will check with the legal adviser(s) that all relevant points have been addressed before asking the Parties to leave the room while** the Sub-Committee consider its decision in private. Only the clerk and the legal adviser(s) will remain with the Sub-Committee although only the sub-committee will be making the decision.

11. **Once in private the Chairman will advise the other Members** that they must consider all the information before them in making their decision but will disregard any information which is not relevant to the application, representations or notice and which does not relate to promoting the Licensing Objectives. Members will take account of the Statutory Guidance and the Council's Statement of Licensing Policy but shall be free to depart from it where the merits of the case warrant it. Full reasons shall be given for any such departure. If Members require further information from any Party or any further evidence, they will reconvene the hearing with all Parties able to be present.
12. **The Chairman will ensure, on the Parties return to the Hearing room,** that any legal advice given to the Sub-Committee in private is summarised to the Parties.
13. **The Chairman will notify** all Parties of their decision and the reasons for the decision. The decision will normally be given orally, at the Hearing, in a plain English format to help those attending the Hearing to understand it more easily. This is not the official written Notice of Decision which be sent to all of the Parties shortly afterwards.

Where the Sub-Committee is unable to give a decision at the meeting, **the Chairman will advise all Parties when a decision can be expected.** The decision will be sent to all Parties within the timescales set down in the Regulations.

14. **The Chairman will inform all Parties** of their possible rights of appeal (if any).

## **NOTES**

1. A Party is anyone who has submitted an application or made a relevant representation or served a notice.
2. Where an adjournment is granted the Sub-Committee will notify the Parties forthwith of the date, time and place to which the Hearing has been adjourned.
3. Under no circumstances must the Parties or their witnesses offer Members of the Sub-Committee information in the absence of the other Party. Similarly, Members will not attempt to illicit information from any Party to the Hearing in the absence of the other. Members will not make pronouncements on the merits of the case until all the evidence has been heard. These are essential elements of the rules of natural justice.
4. The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice.
5. The Hearing will take place in public. However, the public can be excluded from all or part of the hearing where the Sub-Committee considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

The Sub-Committee may also require a Party to leave the hearing if that Party is behaving in a disruptive manner. The Sub-Committee can refuse to readmit the Party or readmit upon conditions but the Party can nevertheless submit to the Sub-Committee before the end of the Hearing any written information it would have

been entitled to submit orally at the Hearing.

6. District Councillors representing the area (District Council Ward) to which the application refers, or have declared an interest, will not form part of the Sub-Committee.
  7. Where any irregularity is brought to the attention of the Sub-Committee during the hearing, the Sub-Committee may, if it feels that a Party has been prejudiced as a result of the irregularity, take such steps as it thinks fit to cure that irregularity before it makes its determination. However, any irregularity from a failure to follow this procedure shall not of itself render the proceedings void and any clerical errors may be corrected.
-

# Agenda Item 3

## **Representation following the Application for a New Premises Licence at Wincanton Racecourse, Wincanton BA9 8BJ**

*Assistant Director:* Laurence Willis  
*Report Author:* Anita Legg – Licensing Officer  
*Contact Details:* anita.legg@southsomerset.gov.uk or 01935 462134

### **Purpose of the Report**

To inform members that an application has been received from the Jockey Club Racecourses Ltd, for a premises licence to be granted under the Licensing Act 2003 at Wincanton Racecourse, Wincanton BA9 8BJ.

### **Recommendation**

To determine the granting of the premises licence in accordance with the options detailed later in the report.

### **Background**

The Council is the authority responsible for the issue of Premises Licences issued under Section 18 of the Licensing Act 2003.

The Licensing Manager has delegated authority to determine a Premises Licence application, subject to no objections being received from a Responsible Authority or “Other Persons”. In this case, relevant representations were received from three Responsible Authorities therefore it is necessary to convene a hearing to determine the application.

### **Licensing Objectives**

The licensing objectives are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

The licensing objectives are to be considered paramount and the Council has a duty to promote them in its decision making process. An application will not be refused in whole or part or any conditions attached except those offered by the applicant or required by law except where appropriate to promote the licensing objectives.

### **Application**

A copy of the application form is enclosed with the agenda; it does not however include a copy of the plan of the premises, which is available for inspection at the Council offices, Brympton Way, Yeovil.

The details of the application are summarised as follows:

- Applicant: The Jockey Club Racecourses Ltd
- Maximum number of expected attendees 14,999



Licensable activities applied for:

- Plays (A) Indoor and Outdoor**
- Films (B) Indoors and Outdoors**
- Indoor Sporting Events (C)**
- Live Music (E) Indoors and Outdoors**
- Recorded Music (F) Indoors and Outdoors**
- Performance of Dance (G) Indoors and Outdoors**
- Entertainment of a Similar Nature (H) Indoors and Outdoors**
- Supply of Alcohol (J) – Consumption On and Off The Premises**

For the following days and times:

Day	Start Time	Finish Time
Monday	00:00	04:00
Monday	10:00	00:00
Tuesday	00:00	04:00
Tuesday	10:00	00:00
Wednesday	00:00	04:00
Wednesday	10:00	00:00
Thursday	00:00	04:00
Thursday	10:00	00:00
Friday	00:00	04:00
Friday	10:00	00:00
Saturday	00:00	04:00
Saturday	10:00	00:00
Sunday	00:00	04:00
Sunday	10:00	00:00

Seasonal Variations: In addition to these timings, from the end of authorised hours continuing from New Year's Eve until the commencement of authorised hours on New Year's Day for categories A, B, C, E, F, G, H but not for J – Supply of Alcohol

Non-Standard Timings: None

### **Late Night Refreshment (I) – Indoors and Outdoors**

For the following days and times:

Day	Start Time	Finish Time
Monday	00:00	04:00
Monday	23:00	00:00
Tuesday	00:00	04:00
Tuesday	23:00	00:00
Wednesday	00:00	04:00
Wednesday	23:00	00:00
Thursday	00:00	04:00
Thursday	23:00	00:00
Friday	00:00	04:00
Friday	23:00	00:00
Saturday	00:00	04:00
Saturday	23:00	00:00
Sunday	00:00	04:00
Sunday	23:00	00:00

Seasonal Variations: In addition to these timings, from the end of authorised hours continuing from New Year's Eve until the commencement of authorised hours on New Year's Day

Non-Standard Timings: None

**Hours premises open to the public (L) – Not a licensable activity, but shown as part of the application.**

Day	Start Time	Finish Time
Monday	00:00	
Monday		00:00
Tuesday	00:00	
Tuesday		00:00
Wednesday	00:00	
Wednesday		00:00
Thursday	00:00	
Thursday		00:00
Friday	00:00	
Friday		00:00
Saturday	00:00	
Saturday		00:00
Sunday	00:00	
Sunday		00:00

Further details: "Some parts of the premises are understood to contain public rights of way and access therefore cannot be denied, hence the reason for the timings given."

Seasonal Variations: None

Non-Standard Timings: None

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. **(K)**

None.

Additional steps put forward by the applicant to comply with licensing objectives. Please see Section M (pages 16 - 19) of the application form (these where appropriate, will become conditions of the licence, subject to the licence being granted, and are in addition to any further conditions imposed by the Licensing Committee).

Evidence that advertising/notice requirements have been complied with:

- We are awaiting confirmation from the applicant that notice(s) were displayed at premises for the requisite period; the Licensing Enforcement Officer has visited the premises and confirmed the notice was in place at the time of his visit. A further notice was placed in the Western Gazette newspaper on 08 December 2016 of which we have a copy.

### **Representation – Responsible Authorities**

A representation was received from Mrs King on behalf of the Chief of Police for Avon & Somerset.

A representation was received from Mr Hardwill on behalf of the Devon & Somerset Fire & Rescue Service

A representation was received from Mr Hallett on behalf of the Health & Safety team of this Council

### **Representations – Other Persons**

None.

### **Relevant Observations**

A premises licence has already been granted for Wincanton Racecourse for the same areas with the same plans as follows:

**Plays (A) Indoor and Outdoor**

**Films (B) Indoors and Outdoors**

**Live Music (E) Indoors and Outdoors**

**Recorded Music (F) Indoors and Outdoors**

**Performance of Dance (G) Indoors and Outdoors**

**Entertainment of a Similar Nature (H) Indoors and Outdoors**

**Supply of Alcohol (J) – Consumption On and Off The Premises**

Day	Start Time	Finish Time
Monday	00:00	04:00
Monday	10:00	00:00
Tuesday	00:00	04:00
Tuesday	10:00	00:00
Wednesday	00:00	04:00
Wednesday	10:00	00:00
Thursday	00:00	04:00
Thursday	10:00	00:00
Friday	00:00	04:00
Friday	10:00	00:00
Saturday	00:00	04:00
Saturday	10:00	00:00
Sunday	00:00	04:00
Sunday	10:00	00:00

### **Season variations**

None

### **Non-standard timings**

None

### **Late Night Refreshment (I) – Indoors and Outdoors**

For the following days and times:

Day	Start Time	Finish Time
Monday	00:00	04:00
Monday	23:00	00:00
Tuesday	00:00	04:00
Tuesday	23:00	00:00
Wednesday	00:00	04:00
Wednesday	23:00	00:00
Thursday	00:00	04:00
Thursday	23:00	00:00

Friday	00:00	04:00
Friday	23:00	00:00
Saturday	00:00	04:00
Saturday	23:00	00:00
Sunday	00:00	04:00
Sunday	23:00	00:00

**Season variations**

None

**Non-standard timings**

None

**Hours premises open to the public (L) – Not a licensable activity, but shown as part of the application.**

Day	Start Time	Finish Time
Monday	00:00	
Monday		00:00
Tuesday	00:00	
Tuesday		00:00
Wednesday	00:00	
Wednesday		00:00
Thursday	00:00	
Thursday		00:00
Friday	00:00	
Friday		00:00
Saturday	00:00	
Saturday		00:00
Sunday	00:00	
Sunday		00:00

Seasonal Variations:

None

Non-Standard Timings: In practice, the premises is likely to close up to 30 minutes after the termination of licensable activities, to allow for drinking up and orderly dispersion. However it is not intended that any restriction should be applied for any activities that fall outside the remit of the Licensing Act.

Non-Standard Timings: None

A copy of the relevant parts of the premises licence including the conditions is attached at Appendix 1

**Further Information**

The Licensing Act 2003 does not appear to preclude the granting of a second premises licence, and it is possible that a shadow licence could exist as ruled in the case of *Extreme Oyster & Anor v Guildford Borough Council [2013] EWHC 2174* where the applications were made by different entities.

The covering letter of application is also attached at Appendix 2 as it shows as the intention of the applicant.

In determining the application with a view to promoting the licensing objectives in the overall interests of the community, the Committee must have regard to and give appropriate weight to the following considerations:

- Any relevant and valid representation (including supporting documentation received)
- The Latest Guidance issued under s182 of the Act
- The Statement of Licensing Policy issued in January 2014.
- The steps appropriate to promote the licensing objectives as set out in s18(4)
- Human Rights considerations in particular Article 6, Article 8 and Article 1 of Protocol 1

## **Options**

The options available to the committee are stated at section 18 of the Licensing Act 2003 are as follows:

- Grant the licence subject to such conditions which are consistent with the operating schedule modified to such extent as the Authority considers appropriate for the promotion of the Licensing Objectives and any condition, which must under s19-21, be included in the licence s18(4)(a)(i)(ii) together with the current mandatory conditions.
- Exclude from the scope of the licence any of the licensable activities to which the application relates s18(4)(b)
- Refuse to specify a person in the licence as the premises supervisor s18(4)(c)
- Reject the application s18(4)(d).

## **Right of Appeal**

Schedule 5 of the Licensing Act 2003 sets out the rights and procedures for making appeals against the decision of the Licensing Authority:

Where the Licensing Authority has rejected an application for a premises licence, the applicant may appeal to the Magistrates' Court against the decision to reject.

Where the Licensing Authority has granted the licence, the holder of the licence may appeal to the Magistrates Court against any decision to impose conditions on the licence that are consistent with the operating schedule or imposed where having regard to any relevant representations, are considered appropriate to promote the licensing objectives.

Where the Licensing Authority has granted the licence subject to the exclusion of any of the licensable activities or refused to specify a person as the premises supervisor, the holder of the licence may appeal to the Magistrates Court against the decision.

Where a person who made a relevant representation desires to contend that the licence ought not to have been granted, or that on granting the licence, the Licensing Authority ought to have imposed different or additional conditions, or ought to have taken a step to exclude a licensable activity or refused to have specified a person as the premises supervisor, he may appeal against the decision to the Magistrates Court.

The appellant commences the appeal by giving a notice of appeal to the designated officer for the Magistrates' court within 21 days beginning with the day on which the applicant was notified by the Licensing Authority of the decision appealed against.

On determining the appeal, the court may,

- Dismiss the appeal
- Substitute for the decision appealed against any other decision which could have been made by the Licensing Authority; or
- Remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.

and may make such order as to costs as it thinks fit.

## **Background Papers**

Licensing Act 2003

SI 2005 No. 44 Licensing Act 2003 (Hearings) (Regulations) 2005

SI 2005 No. 42 Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005

SI 2010 No.860 Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

The Latest Guidance issued under section 182 of the Licensing Act 2003.

The Statement of Licensing Policy for South Somerset District Council January 2014.

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**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 Jockey Club Racecourses Limited

*(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**

Postal address of premises or, if none, ordnance survey map reference or description Wincanton Racecourse			
Post town	Wincanton	Postcode	BA9 8BJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£65,500

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)

- 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 (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* 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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					



**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) 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 Jockey Club Racecourses Limited
Address 75 High Holborn London WC1V 6LS
Registered number (where applicable) 02909409
Description of applicant (for example, partnership, company, unincorporated association etc.) Racecourse
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start? **As soon as possible**

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Racecourse

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

14,999
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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)

**Provision of regulated entertainment**

Please tick any that apply

- 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 late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	00:00	04:00	<b>Please give further details here</b> (please read guidance note 3)		
	10:00	00:00			
Tue	00:00	04:00			
	10:00	00:00			
Wed	00:00	04:00	<b>State any seasonal variations for performing plays</b> (please read guidance note 4) In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.		
	10:00	00:00			
Thur	00:00	04:00			
	10:00	00:00			
Fri	00:00	04:00	<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
	10:00	00:00			
Sat	00:00	04:00			
	10:00	00:00			
Sun	00:00	04:00			
	10:00	00:00			

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>						
				Outdoors	<input type="checkbox"/>						
				Both	<input checked="" type="checkbox"/>						
Day	Start	Finish	Please give further details here (please read guidance note 3)								
Mon	00:00	04:00									
	10:00	00:00									
Tue	00:00	04:00									
	10:00	00:00									
Wed	00:00	04:00				State any seasonal variations for the exhibition of films (please read guidance note 4) In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.					
	10:00	00:00									
Thur	00:00	04:00									
	10:00	00:00									
Fri	00:00	04:00							Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
	10:00	00:00									
Sat	00:00	04:00									
	10:00	00:00									
Sun	00:00	04:00									
	10:00	00:00									

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	00:00	04:00	<p><b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4) In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.</p> <p><b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>
	10:00	00:00	
Tue	00:00	04:00	
	10:00	00:00	
Wed	00:00	04:00	
	10:00	00:00	
Thur	00:00	04:00	
	10:00	00:00	
Fri	00:00	04:00	
	10:00	00:00	
Sat	00:00	04:00	
	10:00	00:00	
Sun	00:00	04:00	
	10:00	00:00	

**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	00:00 10:00	04:00 00:00			
Tue	00:00 10:00	04:00 00:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4) In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.		
Wed	00:00 10:00	04:00 00:00			
Thur	00:00 10:00	04:00 00:00	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	00:00 10:00	04:00 00:00			
Sat	00:00 10:00	04:00 00:00			
Sun	00:00 10:00	04:00 00:00			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>						
				Outdoors	<input type="checkbox"/>						
				Both	<input checked="" type="checkbox"/>						
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)								
Mon	00:00	04:00									
	10:00	00:00									
Tue	00:00	04:00									
	10:00	00:00									
Wed	00:00	04:00				<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4) In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.					
	10:00	00:00									
Thur	00:00	04:00									
	10:00	00:00									
Fri	00:00	04:00							<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
	10:00	00:00									
Sat	00:00	04:00									
	10:00	00:00									
Sun	00:00	04:00									
	10:00	00:00									



G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	00:00	04:00	<b>Please give further details here</b> (please read guidance note 3)		
	10:00	00:00			
Tue	00:00	04:00			
	10:00	00:00			
Wed	00:00	04:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4) In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.		
	10:00	00:00			
Thur	00:00	04:00			
	10:00	00:00			
Fri	00:00	04:00	<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
	10:00	00:00			
Sat	00:00	04:00			
	10:00	00:00			
Sun	00:00	04:00			
	10:00	00:00			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing  Entertainment similar to that listed above		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	00:00	04:00		Outdoors	<input type="checkbox"/>
	10:00	00:00		Both	<input checked="" type="checkbox"/>
Tue	00:00	04:00	<b>Please give further details here</b> (please read guidance note 3)		
	10:00	00:00			
Wed	00:00	04:00			
	10:00	00:00			
Thur	00:00	04:00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)  In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.		
	10:00	00:00			
Fri	00:00	04:00			
	10:00	00:00			
Sat	00:00	04:00	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
	10:00	00:00			
Sun	00:00	04:00			
	10:00	00:00			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)					
Mon	00:00	04:00						
	23:00	00:00						
Tue	00:00	04:00						
	23:00	00:00						
Wed	00:00	04:00				<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) In addition to these timings, from the end of authorised hours continuing from New Years Eve until the commencement of authorised hours on New Years Day.		
	23:00	00:00						
Thur	00:00	04:00						
	23:00	00:00						
Fri	00:00	04:00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)					
	23:00	00:00						
Sat	00:00	04:00						
	23:00	00:00						
Sun	00:00	04:00						
	23:00	00:00						

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption –</b> <b>please tick</b> (please read guidance note 7)		On the premises	<input type="checkbox"/>				
					Off the premises	<input type="checkbox"/>				
					Both	<input checked="" type="checkbox"/>				
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)							
Mon	00:00	04:00								
	10:00	00:00								
Tue	00:00	04:00								
	10:00	00:00								
Wed	00:00	04:00								
	10:00	00:00								
Thur	00:00	04:00					<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
	10:00	00:00								
Fri	00:00	04:00								
	10:00	00:00								
Sat	00:00	04:00								
	10:00	00:00								
Sun	00:00	04:00								
	10:00	00:00								

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).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	00:00		<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</b></p> <p>NB: Some parts of the premises are understood to contain public rights of way and access therefore cannot be denied, hence the reason for the timings given</p>
		00:00	
Tue	00:00		
		00:00	
Wed	00:00		
		00:00	
Thur	00:00		
		00:00	
Fri	00:00		
		00:00	
Sat	00:00		
		00:00	
Sun	00:00		
		00:00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

In addition to the mandatory conditions :

1. An event management plan will be prepared and deposited with the Licensing Authority at least 12 weeks before any licensable event for more than 1,999 people where a significant proportion of the entertainment is in relation to a concert or other similar musical event or other regulated entertainment, unless there is no objection raised by the Licensing Authority or a similar plan has already been provided. The plan as submitted, plus any revisions, shall be available for inspection by an authorised officer at any time during the event.

This plan shall contain:

- a. General operational procedures for the event
- b. A layout plan for the event
- c. Details of the proposed event promotion and ticketing
- d. An outline of the strategy for the safe public movement during ingress, egress and during the event, including consideration of crowd densities
- e. Details of the assessment of staffing numbers (including SIA staff) and staff deployment within the event area.
- f. Details of all services and other significant infrastructure that is to be provided
- g. Details of waste management
- h. The evaluation of the site plan and layout of the premises identifying potential areas of concern
- i. An assessment of any special effects and control measures that will be implemented
- j. An assessment of first aid requirements and details of provision
- k. An assessment of sound generation, anticipated sound levels and control measures that will be implemented
- l. An assessment of the types of audience behaviour anticipated.
- m. Details of any full scale evacuation and emergency action plan including consideration of flow rates, including hand-over to emergency services
- n. Details of traffic management to and from the event
- o. Security measures to be implemented, including staffing levels and competencies.
- p. Details of crime reduction measures to be implemented, included those in relation to drugs, alcohol, weapons, anti-social behaviour and violence.
- q. Procedures for protecting children from harm, including lost children procedures and supervision ratios of adult to children.

2. It is not permitted that any of the following promotions will be used:-

- drink all you can for a fixed price.
- charging less per unit for multiple units than for single units.
- refusing to sell single measures.
- the running of drinking games or competitions which involve consumption of alcohol or the awarding of drinks as prizes.

3. Staff employed at the premises will be trained as appropriate to their duties to ensure that they appreciate the influence that they can have on the licensing objectives. This training will be refreshed as and when necessary, depending on the individual and the circumstances.

4. Where any structures are erected for the purpose housing a licensable activity, a plan will be prepared showing the location and nature of the structures, the public area and any restricted areas intended for performers. Where any plan differs significantly in layout or means of escape from any other that has previously been submitted to the Council, a copy will be sent at least 10 working days before the use of the structure takes place.

5. No more than 5 events per annum shall be held for audiences of more than 10,000 patrons where the primary purpose of attendance is for the conduct of a licensable activity.

**b) The prevention of crime and disorder**

1. A log book will be kept, which indicates when door supervisors book on and off duty and will record any significant incidents where door supervisors are involved with the entry or egress of patrons from the premises.
2. If in the unlikely case that an incident should arise within the premises where further assistance is required, the Police shall be called
3. Any person who appears to a member of the door staff to be under 18 will be asked for identification before being admitted to the premises where adult entertainment is provided or there is a publicised minimum age of 18 or over.
4. The licensee will adopt a published policy in relation to drugs, weapons and searching which is based upon advice given in writing from the Chief Officer of Police. Notices referring to this policy will be displayed at the premises.
5. The existing CCTV system will be maintained to at least the current standard.
6. The incident book shall contain details of any occasions where entry is refused to a patron, a patron is removed from the premises or any activity of a criminal nature is observed by a member of staff.
7. In locations where CCTV is utilised, it shall be capable of being used for identification purposes and a copy of any recording shall be retained for 30 days. Copies of recordings shall be provided upon request by a police officer as soon as reasonably practicable and in any case within a period of 12 hours.

**c) Public safety**

All issues of public safety are covered by existing legislation, in particular ;  
The Health and Safety at Work etc Act 1974  
The Regulatory Reform (Fire Safety) Order 2005

1. Occupancy calculations for the purposes of the Regulatory Reform (Fire Safety) Order 2005 shall be displayed near the entrance to buildings or rooms to which they apply. Staff performing security functions for those buildings or rooms shall be directed to observe the capacity limits.

**d) The prevention of public nuisance**

Issues of public nuisance are addressed through existing legislation, in particular  
The Environmental Protection Act 1990  
The Noise Act 1996

However;

1. A dispersal policy will be maintained and a wind-down period of at least 30 minutes will be used to assist dispersion before the premises close
2. The contract details of local public transport providers will be available at the premises.
3. Signage will be provided and management measures taken as appropriate to the circumstances to encourage patrons to leave in a responsible manner.
4. The hours of operation will be clearly indicated at the entrance to the premises.
5. Noise levels from licensable activities taking place at the site during the operating hours of 0900-2300 to be no more than 55dB  $L_{Aeq}(15\text{ minutes})$  when measured 1 metre from the facade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer.
6. Noise levels from licensable activities taking place at the site during the operating hours of 2300-00:00 to be no more than 50dB  $L_{Aeq}(15\text{ minutes})$  when measured 1 metre away from the facade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise specified in the event management plan or agreed with the Council's Environmental Health Officer.
7. Noise levels from licensable activities taking place at the site during the operating hours of 0000-0900 to be no more than 45dB  $L_{Aeq}(15\text{ minutes})$  when measured 1 metre away from the facade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer.
- B. Low frequency noise levels from licensable activities in the 63Hz and 125Hz octave bands to be no more than 75dB  $L_{eq}(15\text{ minutes})$  during the operating hours of 0900 2300 when measured 1 metre away from the facade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise specified in the event management plan or agreed with the Council's Environmental Health Officer.
9. Low frequency noise levels from licensable activities in the 63Hz and 125Hz octave bands to be no more than 70dB  $L_{eq}(15\text{ minutes})$  during the operating hours of 2300 2400 when measured 1 metre away from the facade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise specified in the event management plan or agreed with the Council's Environmental Health Officer.
10. Low frequency noise levels from licensable activities in the 63Hz and 125Hz octave bands to be no more than 65dB  $L_{eq}(15\text{ minutes})$  during the operating hours of 0000 0900 when measured 1 metre away from the facade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise specified in the event management plan or agreed with the Council's Environmental Health Officer
11. The licensee will provide a point of contact to the South Somerset District Council , for the duration of any concert event that takes place after 21:00, by nominating a named personnel and telephone number.
12. A hotline telephone number will be provided, for the duration of any concert event that takes place after 21:00, for local residents to contact the organisers with any queries or concerns. The Licensee will ensure that there are an adequate number of lines that are adequately staffed.
13. Outdoor stages and outdoor sound systems being used for licensable activities shall not operate beyond 23:00 hours unless otherwise agreed with an officer of the Local Authority.



e) The protection of children from harm

1. If the person providing licensed activities believes that there is an activity which poses a particular and unacceptable risk to children, no admittance will be permitted for children to the area of that risk unless the risk can be reduced to a level that is reasonable. Access to such areas will be controlled by door supervisors or other staff who will require identification from any person who appears to be a child, as per sale of alcohol below.

2. Where it is suspected that any person attempting to purchase alcohol is under 18, proof of age will normally be required. Acceptable identification will be by means of a passport, driving licence or other identification that is listed as acceptable in the Council's statement of Licensing Policy. Such a request will be in addition to any request for identification that is needed for entry.

3. Challenge 21 shall be adopted at events where alcohol is sold.

**Checklist:**

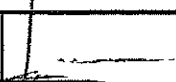
**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises. [Note that the plans are identical to those on licence 002012 and are to be used with this current application]
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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.**

**Part 4 – Signatures (please read guidance note 10)**

**Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	25-11-16
Capacity	Agents and solicitors for the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)**

Laceys Solicitors  
9 Poole Road

Post town	Bournemouth	Postcode	BH2 5QR
Telephone number (if any)	0844 556 1192		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) applications@licensinglawyers.co.uk			

**Premises Licence**

**Premises Licence Number**      002012

**Local Authority Identifier**      SSDCHE408

**Premises Details**                      Wincanton Racecourse  
Wincanton, Somerset, BA9 8BJ

**Telephone number**                      01963 32344

**Where the licence is time limited the dates**

**Start Date:**                      **End Date:**

**Licensable activities authorised by the licence**

**PLAYS**  
**FILMS**  
**LIVE MUSIC**  
**RECORDED MUSIC**  
**PERFORMANCES OF DANCE**  
**OTHER ENTERTAINMENT ACTIVITY**  
**LATE NIGHT REFRESHMENT**  
**SUPPLY OF ALCOHOL**

**The times the licence authorises the carrying out of licensable activities**

**PLAYS**

Monday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Tuesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Wednesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Thursday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Friday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Saturday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Sunday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00

Location: Indoors  
Location: Outdoors

## FILMS

Monday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Tuesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Wednesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Thursday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Friday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Saturday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Sunday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00

Location: Indoors

Location: Outdoors

Further Details: Videographic recordings such as replays of races that have recently taken place, sporting events, music videos and feature films etc may be shown.

## LIVE MUSIC

Monday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Tuesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Wednesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Thursday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Friday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Saturday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Sunday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00

Location: Indoors

Location: Outdoors

## RECORDED MUSIC

Monday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Tuesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Wednesday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Thursday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Friday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Saturday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00
Sunday -	START: 00.00 FINISH: 04.00	START: 10.00 FINISH: 00.00

Location: Indoors

Location: Outdoors

Further Details: Recorded music may be used as part of the 'wind-down' policy, whereby it will be played at a lower volume at least 30 minutes before the cessation of other licensable activities and for up to 30 minutes thereafter. Music typically to facilitate dancing or intersperse other regulated entertainment.

#### PERFORMANCES OF DANCE

Monday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Tuesday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Wednesday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Thursday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Friday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Saturday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Sunday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00

Location: Indoors

Location: Outdoors

Further Details: Dancing may be performed by those playing live or recorded music or by those accompanying the playing of such music - for example, a person singing a song may dance to accompany the music and to entertain.

#### OTHER ENTERTAINMENT ACTIVITY

Monday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Tuesday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Wednesday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Thursday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Friday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Saturday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00  
Sunday - START: 00.00 FINISH: 04.00 START: 10.00 FINISH: 00.00

Location: Indoors

Location: Outdoors

Description of the Type of Entertainment: Entertainment of a licensable nature, such as but not exclusively cabaret, jugglers and clowns

#### LATE NIGHT REFRESHMENT

Monday - START: 23.00 FINISH: 04.00  
Tuesday - START: 23.00 FINISH: 04.00  
Wednesday - START: 23.00 FINISH: 04.00  
Thursday - START: 23.00 FINISH: 04.00  
Friday - START: 23.00 FINISH: 04.00  
Saturday - START: 23.00 FINISH: 04.00  
Sunday - START: 23.00 FINISH: 04.00

Location: Indoors

Location: Outdoors

Further Details: Hot food and drink may be served at any time that the premises are open and it is intended that consumption should take place on the premises, for example as part of a dinner or private party.

#### SUPPLY OF ALCOHOL

Monday -	START: 00.00	FINISH: 04.00	START: 10.00	FINISH: 00.00
Tuesday -	START: 00.00	FINISH: 04.00	START: 10.00	FINISH: 00.00
Wednesday -	START: 00.00	FINISH: 04.00	START: 10.00	FINISH: 00.00
Thursday -	START: 00.00	FINISH: 04.00	START: 10.00	FINISH: 00.00
Friday -	START: 00.00	FINISH: 04.00	START: 10.00	FINISH: 00.00
Saturday -	START: 00.00	FINISH: 04.00	START: 10.00	FINISH: 00.00
Sunday -	START: 00.00	FINISH: 04.00	START: 10.00	FINISH: 00.00

#### The opening hours of the premises

Monday -	START: 00.00	FINISH: 00.00
Tuesday -	START: 00.00	FINISH: 00.00
Wednesday -	START: 00.00	FINISH: 00.00
Thursday -	START: 00.00	FINISH: 00.00
Friday -	START: 00.00	FINISH: 00.00
Saturday -	START: 00.00	FINISH: 00.00
Sunday -	START: 00.00	FINISH: 00.00

Non Standard Timings: In practice, the premises is likely to close up to 30 minutes after the termination of licensable activities, to allow for drinking up and orderly dispersion.

However, it is not intended that any restriction should be applied for any activities that fall outside of the remit of the Licensing Act.

#### Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On the Premises  
Off the Premises

#### Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Jockey Club Racecourses Ltd  
The Jockey Club, 75 High Holburn, London, WC1V 6LS

Telephone Number  
Email (where relevant)

#### Registered number of holder, for example company number, charity number (where applicable)

125772 Company No. 02909409

#### Annex 1 – Mandatory conditions

No supply of alcohol may be made under the premises licence –

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film must be restricted in accordance with the film classification.

Admission of children must be restricted in accordance with any recommendation made by the film classification body or the licensing authority.

In this section –

“children” means persons aged under 18, and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39).

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the

purpose of encouraging the sale or supply of alcohol for consumption on the premises—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the



policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the operating Schedule**

### **General - all objectives**

1. An event management plan will be prepared and deposited with the Licensing Authority at least 12 weeks before any licensable event for more than 1,999 people where a significant proportion of the entertainment is in relation to a concert or other similar musical event or other regulated entertainment, unless otherwise agreed with the Licensing Authority. The plan as submitted, plus any revisions, shall be available for inspection at any time during the event

This plan shall contain:

1. General operational procedures for the event
2. A layout plan for the event
3. Details of the proposed event promotion and ticketing
4. An outline of the strategy for the safe public movement during ingress, egress and during the event, including consideration of crowd densities

5. Details of the dispersal of patrons
6. Details of the assessment of staffing numbers (including SIA staff) and staff deployment within the event area.
7. Details of all services and other significant infrastructure that is to be provided
8. Details of waste management
9. The evaluation of the site plan and layout of the premises identifying potential areas of concern
10. An assessment of any special effects and control measures that will be implemented
11. An assessment of first aid requirements and details of provision
12. An assessment of sound generation and control measures that will be implemented
13. An assessment of the types of audience behaviour anticipated.
14. Details of any full scale evacuation and emergency action plan including consideration of flow rates, including hand-over to emergency services
15. Details of traffic management to and from the event
16. Security measures to be implemented, including staffing levels and competencies
17. Details of crime reduction measures to be implemented, included those in relation to drugs, alcohol, weapons, anti-social behaviour and violence
18. Procedures for protecting children from harm, including lost children procedures and supervision ratios of adult to children 2. It is not permitted that any of the following promotions will be used:-
  - drink all you can for a fixed price.
  - charging less per unit for multiple units than for single units.
  - refusing to sell single measures.
  - the running of drinking games or competitions which involve consumption of alcohol or the awarding of drinks as prizes.
3. The premises must support the Portman Group Code of Practice on Naming, Packaging and Promotion of alcoholic drinks.
4. Staff employed at the premises will be trained as appropriate to their duties to ensure that they appreciate the influence that they can have on the licensing objectives. This training will be refreshed as and when necessary, depending on the individual and the circumstances.

### **Prevention of Crime & Disorder**

1. Any door staff who are employed at the premises will be registered with the Security Industry Authority. A log book will be kept, which indicates when door supervisors book on and off duty and will record any significant incidents where door supervisors are involved with the entry or egress of patrons from the premises. If in the unlikely case that an incident should arise within the premises where further assistance is required, liason will take place with the Police as necessary.
2. Any person who appears to a member of the door staff to be under 18 will be asked for identification before being admitted to the premises where adult entertainment is provided or there is a publicised minimum age of 18 or over.

3. The licensee will adopt a published policy in relation to drugs, weapons and searching which is based upon advice given in writing from the Chief Officer of Police. Notices referring to this policy will be displayed at the premises.
4. The existing CCTV system will be maintained to at least the current standard.
5. The incident book shall contain details of any occasions where entry is refused to a patron, a patron is removed from the premises or any activity of a criminal nature is observed by a member of staff.
6. In locations where CCTV is utilised, it shall be capable of being used for identification purposes and a copy of any recording shall be retained for 30 days. Copies of recordings shall be provided upon request by a police officer as soon as reasonably practicable and in any case within a period of 12 hours
7. Challenge 21 shall be adopted at events where alcohol is sold

### **Public Safety**

1. The maximum number of persons to be allowed in specific parts of the premises at any time during a performance, whilst a licensable activity is being conducted shall be:-

Kingwell rooms:

- |  |              |
|--|--------------|
| a)ground floor bar (for any type of function) –        | 100 persons. |
| b)the building as a whole (for any type of function) - | 200 persons. |

Hatherleigh rooms:

- |   |              |
|---|--------------|
| a) when used for a closely seated audience –                      | 270 persons. |
| b)when used for dancing -   | 240 persons. |
| c)when seating is provided at tables -                            | 110 persons. |
| d)when used for dancing, and seating is also provided at tables - | 140 persons. |

Unless otherwise agreed with the Fire Authority

2. Adequate lighting will be maintained at all times to a level that will facilitate emergency egress from any licensed area.
3. An evacuation plan will be developed and maintained, which will be advised to all relevant members of staff.
4. Where any structures are erected for the purpose housing a licensable activity, a plan will be prepared showing the location and nature of the structures, the public area and any restricted areas intended for performers. Where any plan differs significantly in layout or means of escape from any other that has previously been submitted to the Council, a copy will be sent at least 10 working days before the use of the structure takes place.
5. When holding licensable activities, a sufficient number of staff will be engaged to assist in safe access and egress from the property. The number of staff required will be determined on a case-by-case basis.

### **Prevention of Public Nuisance**

1. A dispersal policy will be maintained and a wind-down period of at least 30 minutes will be used to assist dispersion before the premises close

2. The contract details of local public transport providers will be available at the premises.
3. Signage will be provided and management measures taken as appropriate to the circumstances to encourage patrons to leave in a responsible manner.
4. The hours of operation will be clearly indicated at the entrance to the premises.
5. Noise levels from licensable activities taking place at the site during the operating hours of 0900 – 2300 to be no more than 55dB LAeq(15 minutes) when measured 1 metre from the façade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer.
6. Noise levels from licensable activities taking place at the site during the operating hours of 2300 – 2400 to be no more than 50dB LAeq(15 minutes) when measured 1 metre away from the façade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer.
7. Noise levels from licensable activities taking place at the site during the operating hours of 0000 – 0900 to be no more than 45dB LAeq(15 minutes) when measured 1 metre away from the façade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer
8. Low frequency noise levels from licensable activities in the 63Hz and 125Hz octave bands to be no more than 75dB Leq(15 minutes) during the operating hours of 0900 – 2300 when measured 1 metre away from the façade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer
9. Low frequency noise levels from licensable activities in the 63Hz and 125Hz octave bands to be no more than 70dB Leq(15 minutes) during the operating hours of 2300 – 2400 when measured 1 metre away from the façade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer
10. Low frequency noise levels from licensable activities in the 63Hz and 125Hz octave bands to be no more than 65dB Leq(15 minutes) during the operating hours of 0000 – 0900 when measured 1 metre away from the façade of any noise sensitive properties as identified in the Event Management Plan, unless otherwise agreed with the Council's Environmental Health Officer
11. The licensee will provide a point of contact to the South Somerset District Council, for the duration of any concert event that takes place after 21:00, by nominating a named personnel and telephone number.
12. A 'hotline' telephone number will be provided, for the duration of any concert event that takes place after 21:00, for local residents to contact the organisers with any queries or concerns. The Licensee will ensure that there are an adequate number of lines that are adequately staffed.
13. Outdoor stages and outdoor sound systems being used for licensable activities shall not operate beyond 2300 hours unless otherwise agreed with an officer of the Local Authority.

## **Protection of Children**

1. If the person providing licensed activities believes that there is an activity which poses a particular and unacceptable risk to children, no admittance will be permitted for children to the area of that risk unless the risk can be reduced to a level that is reasonable. Access to such areas will be controlled by door supervisors or other staff who will require identification from any person who appears to be a child, as per sale of alcohol below.

2. Where it is suspected that any person attempting to purchase alcohol is under 18, proof of age will normally be required. Acceptable identification will be by means of a passport, driving licence or other identification that is listed as acceptable in the Council's statement of Licensing Policy. Such a request will be in addition to any request for identification that is needed for entry.

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

Not applicable.

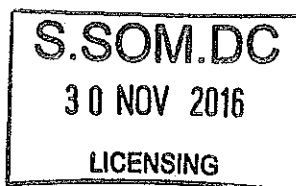
## **Annex 4 – Plans**

Copy attached, original plans with Licensing Department, South Somerset District Council, The Council Offices, Brympton Way, Yeovil, Somerset, BA20 2HT.

**LACEYS SOLICITORS**  
INCORPORATING HLF

Our Ref : JGP/CTW/B  
Your Ref :

The Licensing Authority  
South Somerset District Council  
Council Offices  
Brympton Way  
Yeovil  
BA20 2HT



25 November 2016

Dear Sirs

**Re: Wincanton Racecourse**

We are instructed by our clients to make an application for a premises licence in respect of the above premises and therefore submit the attached electronic application, including the consent of the Designated Premises Supervisor. The plans for this application are identical to those that already exist on the current licence for the premises and we hope that you will agree to attach those to the application. Should you require electronic copies to be forwarded, please advise us.

The purpose of this application is to increase the numbers of patrons at a limited number of events per annum and to update the existing licence. Some conditions on the existing licence, which duplicate a statutory provision or where another statutory provision has precedence, have not been included in the application, bearing in mind the Secretary of State's Guidance under section 182 of the Licensing Act 2003 at 1.16 and elsewhere.

This application could have been made by way of a variation, but by applying for a new licence it protects the authorisation already in place and has the effect that any conditions imposed over those that already exist would only have application during any additional hours that are granted.

It is possible to have more than one licence in force at the same time, as set out in the decision of *R (Extreme Oyster And Star Oyster Ltd) v. Guildford Borough Council* [2013] EWHC 2174 (Admin), [2014] LLR 126, QBD, but should the current application be granted as applied for, then it is the intention that the existing licence will be surrendered.

Should a hearing be necessary, we would of course seek to amplify or extend these points and submit additional documentation to respond to representations.

We hope that there will be no representations on the application, but we would make it clear that our clients are willing to discuss the proposals with any concerned party and will consider modifications of the application if it will address those concerns. In the first instance, contact can be made with Mr Payne, who is dealing with this application and whose contact details appear at the foot of this letter.

9 Poole Road, Bournemouth, Dorset BH2 5QR

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