

# A G E N D A

## Regulatory Sub Committee

Date: **Friday 8 May 2009**

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Time: **10.00 am**

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Place: **The Council Chamber, Brockington, 35  
Hafod Road, Hereford**

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Notes: Please note the **time, date** and **venue** of the meeting.

*For any further information please contact:*

*Ricky Clarke, Democratic Services Officer, Tel:  
01432 261885 Fax: 01432 260286  
E-mail: [rclarke@herefordshire.gov.uk](mailto:rclarke@herefordshire.gov.uk)*

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**Herefordshire Council**



# AGENDA

## for the Meeting of the Regulatory Sub Committee

To: Councillors JW Hope MBE, P Jones CBE and PJ McCaull

	Pages
<b>1. ELECTION OF CHAIRMAN</b>	
To elect a Chairman for the hearing.	
<b>2. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>3. NAMED SUBSTITUTES (IF ANY)</b>	
To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
<b>4. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS</b>	
The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.	
A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.	
Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.	
<b>5. APPLICATION FOR A PREMISES LICENCE 'BIG CHILL, EASTNOR CASTLE DEER PARK, EASTNOR, LEDBURY, HR8 1RD.'</b>	1 - 2
To consider an application for a premises licence in respect of the Big Chill, Eastnor Castle Deer Park, Eastnor, Ledbury, HR8 1RD.	
<b>Background Papers - Application Form</b>	3 - 20
<b>Background Papers - Environmental Health Comments</b>	21 - 22

**6. APPLICATION FOR A VARIATION OF A PREMISES LICENCE 'BELMONT LODGE GOLF COURSE AND MARQUEE, RUCKHALL LANE, BELMONT, HEREFORD.'** 23 - 30

To consider an application for a variation of a premises licence in respect of Belmont Lodge Golf Course and Marquee, Ruckhall Lane, Belmont, Hereford.

**Background Papers - Application Form** 31 - 52

**Background Papers - Environmental Health Comments** 53 - 54

**Background Papers - Public Comments** 55 - 64



# **The Public's Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Please Note:**

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

## **Public Transport Links**

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.

## **HEREFORDSHIRE COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

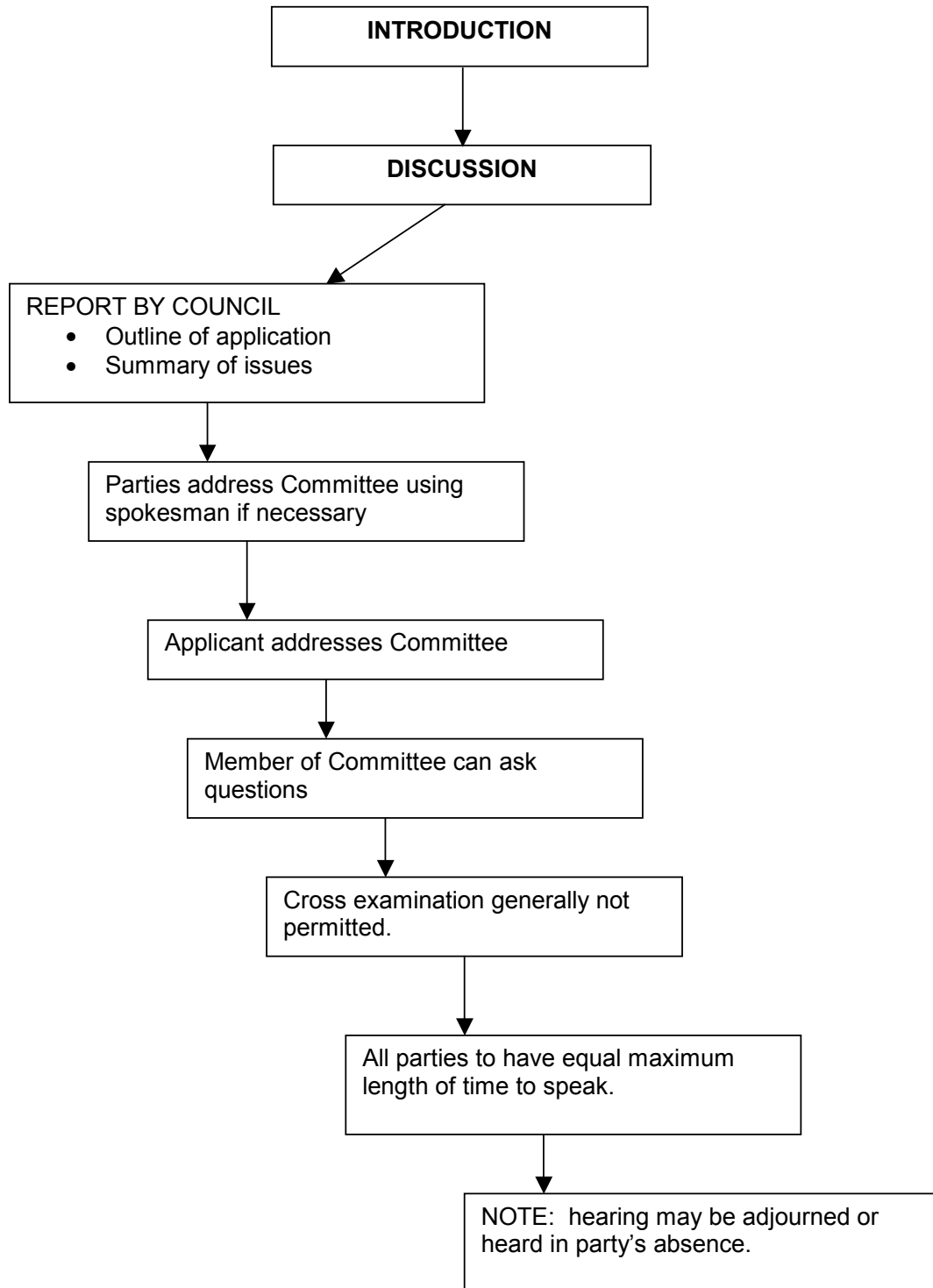
You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.



## LICENCING HEARING FLOW CHART





**APPLICATION FOR GRANT OF PREMISES LICENCE  
'BIG CHILL, EASTNOR CASTLE DEER PARK,  
EASTNOR, LEDBURY, HR8 1RD.' - LICENSING ACT  
2003**

**Report By: Head Of Environmental Health And Trading Standards**

**Wards Affected:**

Ledbury

**1. Purpose**

To consider an application for a premises licence in respect of the Big Chill, Eastnor Castle Deer Park, Eastnor, Ledbury, HR8 1RD.

**2. Background Information**

Applicant	<b>Chillfest Ltd 257-259 Pentonville Road, London, N1 9NL</b>	
Solicitor	<b>N/A</b>	
Type of application:	Date received:	28 Days consultation
<b>New</b>	<b>3 March 2009</b>	<b>30 March 2009</b>

The advertisement for the premises has not been seen at this time.

**3. Licence Application**

The application for a new premises licence has received representations from the Environmental Health Officer. It is therefore now brought before the sub-committee for determination.

**4. Summary of Application**

The application is for a time limited licence to operate between 6 August and 10 August 2009.

5. The licensable activities applied for are (all indoors and outdoors): -  
Plays, Films, Live Music, Recorded Music, Performance of dance, Provisions for making music, Provision of facilities for dancing, entertainment of a similar nature to the provision of facilities for music and dance, Late Night Refreshment and Supply of Alcohol (On & Off Premises).

**6. Current Situation**

The event is run via an Event Management Plan. This is still under discussion between the applicant and the Environmental Health Officer. It is very likely that this will be agreed between all parties in the foreseeable future.

**7. Point of Law**

The Licensing Act 2003 (Hearings) Regulations 2005 section 11(1) states: -  
'an authority may extend a time limit provided for in these Regulations for a specified period where it considers this to be necessary in the public interest'.

**8. Herefordshire Council Licensing Policy**

In making its decision the committee will be obliged to have regard to its own policy, the DCMS guidance and all documents submitted in respect of the application.

**9. Options: -**

It is for the committee to take such steps below as it considers necessary for the promotion of the licensing objectives:

- Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003.
- Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it necessary for the promotion of the licensing objectives and add mandatory condition set out in the Licensing Act 2003.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premise supervisor
- To reject the application.
- To adjourn the matter to a specified date if they felt that it is in the public interest to do so

**10. Officers Recommendation**

The Licensing Officer recommends that as this is a large scale public event where there will be about 40,000 people in attendance that it would be in the public interest to allow the environmental health officer to agree conditions with the applicant.

**11. Background Papers**

- Application Form
- Environmental Health Representation

**Background papers were available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford, 30 minutes before the start of the hearing.**





*Paid Receipt  
394729  
2/3/09*

**Licensing Section, Unit 10, Blackfriars Street, Hereford, HR4 9HS**

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTION 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.

**We CHILLFEST LTD apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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 EASTNOR CASTLE DEER PARK, EASTNOR, LEDBURY, HEREFORDSHIRE	
Post town LEDBURY	Post code HR8 1RD

Telephone Number of premises (if any) N/A

Non-domestic rateable value £0

**Part 2 – Applicant Details**

Please state whether you are applying for a premises licence as

- |   |   |                             |
|---|---|-----------------------------|
|   | Please tick <input checked="" type="checkbox"/> Yes |                             |
| a) an individual or individuals*                |   | Please complete section (A) |
| b) a person other than an individual*           |   |                             |
| i. as a limited company                         | YES   | 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) |

ELI PREM – 1

Issue 1 03/05

*NP000 9472*



- 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 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:

- I am currently 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

Please tick ✓ Yes  
YES

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

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

**Surname**

**First Names**

I am 18 years old or over

Please tick  
✓ Yes

**Current postal address if different from premises address**

**Post Town**  **Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname  First Names

I am 18 years old or over

Please tick  
✓ Yes

Current postal address if different from premises address

Post Town

Post Code

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 case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name CHILLFEST LTD
Address 257-259 PENTONVILLE ROAD, LONDON, N1 9NL
Registered number (where applicable) 04588637
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY
Telephone number (if any) Katrina Larkin: 07949 233 826 or 020 7685 0521
e-mail address (optional) katrina@bigchill.net

**Part 3 – Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
06.	08.	2009

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

Day	Month	Year
10.	08.	2009

If 5,000 or more people attend the premises at any one time, please state the number 39,999

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

THE PREMISES IS A 'GREEN FIELD' SITE. IT CONSISTS OF A NUMBER OF FIELDS. A PLAN SHOWING THE PRECISE LOCATION OF THE PROPOSED EVENT SITE HAS BEEN SUBMITTED TO THE STATUTORY AUTHORITIES AS PART OF THIS PREMISES LICENCE APPLICATION. A ONE YEAR TEMPORARY PREMISES LICENCE IS BEING SOUGHT FOR AN EVENT THAT WILL BE HELD ON THE SECOND WEEKEND IN AUGUST. TEMPORARY STRUCTURES IN THE FORM OF BIG TOPS, MARQUEES AND OUTDOOR STAGES WILL BE ERECTED FOR THE PROVISION OF REGULATED ENTERTAINMENT AND ENTERTAINMENT FACILITIES. WITHIN THE LICENSED AREA THERE WILL BE A NUMBER OF FOOD OUTLETS FOR THE PROVISION OF LATE NIGHT REFRESHMENT ALONG WITH A NUMBER OF BAR SERVERYS IN VARIOUS LOCATIONS FROM WHICH THE SALE AND SUPPLY OF ALCOHOL WILL TAKE PLACE. ALL OF THE ABOVE FACILITIES, ALONG WITH ANY ADDITIONAL ONES, HAVE BEEN CLEARLY MARKED ON THE SITE PLAN THAT HAS BEEN SUBMITTED AS PART OF THIS LICENCE APPLICATION.



What licensable activities do you intend to carry on from the premises?  
 (Sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 to the Licensing Act 2003 - Please see Herefordshire Council's Licensing Act 2003 Guidance)

Please tick  Yes

**Provision of regulated entertainment**

- a) plays (if ticking yes, fill in box A) YES
- b) films (if ticking yes, fill in box B) YES
- 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) YES
- f) recorded music (if ticking yes, fill in box F) YES
- g) performances of dance (if ticking yes, fill in box G) YES
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of entertainment facilities for:**

- i) making music (if ticking yes, fill in box I) YES
- j) dancing (if ticking yes, fill in box J) YES
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) YES

**Provision of late night refreshment** (if ticking yes, fill in box L) YES

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

**IN ALL CASES COMPLETE BOXES N, O AND P**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3). COMEDY AND SPOKEN WORD TO BE PERFORMED ON STAGE TO AUDIENCE. WALKABOUT ARTISTS WILL PERFORM AROUND THE SITE TO SMALL GROUPS. * THE FOLLOWING DAY	Both	YES
Tues					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4).		
Thurs	12:00	05:00*			
Fri	12:00	05:00*	<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)		
Sat	12:00	05:00*			
Sun	12:00	05:00*			

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3). TO PERMIT MUSIC VIDEOS AND PRE-RECORDED VISUAL BROADCASTS AS PART OF A BAND OR DJ SET. ALSO TO PERMIT TRADITIONAL CINEMA FORMAT FILMS TO BE SHOWN. * THE FOLLOWING DAY	Both	YES
Tues					
Wed			<b>State any seasonal variations for the exhibitions of films</b> (please read guidance note 4).		
Thurs	12:00	*05:00			
Fri	10:00	*05:00	<b>Non standard timings. Where you intend to use the premises for the exhibitions of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	10:00	*05:00			
Sun	10:00	*05:00			

**C**

<b>Indoor Sporting Events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details here</b> (please read guidance note 3).
Day	Start	Finish	NOT APPLICABLE
Mon			
Tues			
Wed			
Thurs			
Fri			
Sat			
Sun			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4).
			<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)

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3).  NOT APPLICABLE	Both	
Mon					
Tues					
Wed					
Thurs					
Fri					
Sat					
Sun			<b>State any seasonal variations for the boxing or wrestling entertainment</b> (please read guidance note 4)		
			<b>Non standard timings. Where you intend to use the premises for the boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		



**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 [y]</b> (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3). BOTH AMPLIFIED AND UNAMPLIFIED LIVE MUSIC PLAYED BY A VARIETY OF CONTEMPORARY PERFORMANCE ARTISTS, BANDS AND OTHER PERFORMERS. THERE WILL ALSO BE SOUND CHECKS OUTSIDE THE LICENCED HOURS (AFTER 09:00 ON EACH EVENT DAY). * THE FOLLOWING DAY	Both	YES
Tues					
Wed					
Thurs	12:00	*05:00			
Fri	12:00	*05:00			
Sat	12:00	*05:00			
Sun	12:00	*05:00			
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4).		
			<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)		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of recorded music take place indoors or outdoors or both – please tick [y]</b> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3). AMPLIFIED RECORDED MUSIC PLAYED BY A VARIETY OF CONTEMPORARY PERFORMANCE ARTISTS, MUSIC SYSTEMS OR DJ'S AND OTHERS OF A SIMILAR NATURE. THERE WILL ALSO BE SOUND CHECKS OUTSIDE THE LICENCED HOURS (AFTER 09:00 ON EACH EVENT DAY). * THE FOLLOWING DAY	Both	YES
Tues					
Wed					
Thurs	12:00	*05:00			
Fri	12:00	*05:00			
Sat	12:00	*05:00			
Sun	12:00	*05:00			
			<b>State any seasonal variations for playing recorded music</b> (please read guidance note 4).		
			<b>Non standard timings. Where you intend to use the premises for the performance of recorded music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

**G**

<b>Performance of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick [y]</b> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3). DANCING AS PART OF MUSICAL ENTERTAINMENT ON STAGE AND IN VARIOUS POSITIONS AROUND THE SITE. TO INCLUDE CIRCUS STYLE ACROBATIC / CABARET / VARIETY PERFORMANCES. * THE FOLLOWING DAY	Both	YES
Tues					
Wed					
Thurs	12:00	*05:00			
Fri	12:00	*05:00			
Sat	12:00	*05:00			
Sun	12:00	*05:00			
			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4).		
			<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 12)		



**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)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick [y]</b> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 3).		
Tues			NOT APPLICABLE		
Wed			<b>State any seasonal variations for entertainment of a similar description to that falling within (e) (f) (g)</b> (please read guidance note 4).		
Thurs					
Fri			<b>Non standard timings. Where you intend to use the premises for the entertainment of 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)		
Sat					
Sun					

**I**

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for making music you will be providing</b>		
Day	Start	Finish	<b>Will the facilities for making music take place indoors or outdoors or both – please tick [y]</b> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	YES
Mon			<b>Please give further details here</b> (please read guidance note 3).		
Tues			FROM TIME TO TIME THE FOLLOWING FACILITIES MAY BE PROVIDED AT THE PREMISES: AMPLIFIED AND UNAMPLIFIED FACILITIES FOR IN HOUSE SOUND/MUSIC SYSTEM INCLUDING KARAOKE AND MUSICAL INSTRUMENTS, VIDEO AND TV OR FILM SCREENS * THE FOLLOWING DAY		
Wed			<b>State any seasonal variations for the provisions of facilities for making music</b> (please read guidance note 4).		
Thurs	12:00	*05:00			
Fri	12:00	*05:00	<b>Non-standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	12:00	*05:00			
Sun	12:00	*05:00			

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for dancing you will be providing</b>		
Day	Start	Finish	<b>Will the facilities for dancing be indoors or outdoors or both – please tick [y]</b> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	YES
Mon			<b>Please give further details here</b> (please read guidance note 3). PROVISION OF PERMANENT OR TEMPORARY DANCE FLOORS OR IN OTHER AREAS THROUGHOUT THE SITE * THE FOLLOWING DAY		
Tues					
Wed			<b>State any seasonal variations for the provisions of facilities for dancing</b> (please read guidance note 4).		
Thurs	12:00	*05:00			
Fri	12:00	*05:00	<b>Non-standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	12:00	*05:00			
Sun	12:00	*05:00			

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment facility you will be providing</b>		
Day	Start	Finish	<b>Will the entertainment facility be indoors or outdoors or both – please tick [y]</b> (please read guidance note 2)	Indoor	
				Outdoor	
				Both	YES
Mon			<b>Please give further details here</b> (please read guidance note 3). PRODUCTION ELEMENTS SUCH AS LIGHTING AND STAGE DECORATIONS FOR THE PURPOSES OF PERFORMANCES. * THE FOLLOWING DAY		
Tues					
Wed			<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</b> (please read guidance note 4)		
Thurs	12:00	*05:00			
Fri	12:00	*05:00	<b>Non-standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	12:00	*05:00			
Sun	12:00	*05:00			

**L**

<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 [y]</b> (please read guidance note 2)	Indoor	
Day	Start	Finish		Outdoor	
				Both	YES
Mon			<b>Please give further details here</b> (please read guidance note 3). SUPPLY OF HOT FOOD AND/OR HOT DRINKS AT CONCESSION LOCATIONS WITHIN THE EVENT SITE AND ON THE CAMPSITES * THE FOLLOWING DAY		
Tues					
Wed			<b>State any seasonal variation for the provision of late night refreshment</b> (please read guidance note 4)		
Thurs	23:00	*05:00			
Fri	23:00	*05:00	<b>Non-standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	23:00	*05:00			
Sun	23:00				
		*05:00			

**M**

<b>Supply of alcohol*</b> Standard days and timings (please read guidance note 6)			<b>Will the sale of alcohol be for consumption– please tick [y]</b> (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
				Both	YES
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  * THE FOLLOWING DAY		
Tues					
Wed			<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)		
Thurs	11:00	*05:00			
Fri	11:00	*05:00			
Sat	11:00	*05:00			
Sun	11:00				
		*05:00			



**\*If applying to supply alcohol you must provide Premises Supervisor Details**

**State the name and details of the individual whom you may wish to specify on the licence as Premises Supervisor**

Name: Andrew Snell

Address: 2 Lebanon Gardens, Wandsworth, London

Postcode: SW18 1RG

Personal Licence Number (if known): LBWands/00833

Issuing Licensing Authority (if known): Wandsworth

**N**

**Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in the respect of children** (please read guidance note 8)

ACCESS TO ANY AREAS ON SITE THAT ARE UNSUITABLE FOR CHILDREN WILL BE RESTRICTED TO PERSONS AGED 18 OR OVER. APPROPRIATE CAUTIONS FOR FILMS WILL BE PROVIDED TO PARENTS AND GUARDIANS IF NECESSARY AND DETAILS OF THE FILMS CLASSIFICATION WILL BE ADVERTISED. FURTHER DETAIL CONCERNING THE USE OF THE PREMISES THAT MAY GIVE RISE TO CONCERN IN THE RESPECT OF CHILDREN, AND MEASURES TO PROTECT CHILDREN WILL BE GIVEN IN THE EVENT MANAGEMENT PLAN.

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variation</b> (please read guidance note 4)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	* THE FOLLOWING DAY
Mon			
Tues			
Wed			
Thur	09:00		<b>Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
		*00:00	
Fri	00:00		
		*00:00	
Sat	00:00		
		*00:00	
Sun	00:00		
		*16:00	

**P**

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

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

The company has operated this event for a number of years. Management, employees and any other person or organisation contracted to work at the event must operate in accordance with existing policies and procedures.

These operating policies & procedures are identified in the Event Management Plan which will be submitted as a separate document to the responsible authorities for consultation purposes. The Licensable Activities shall be carried out from 6<sup>th</sup> August to 10<sup>th</sup> August 2009 inclusive.

An Event Management Plan will be produced by the licence holder for the Event. The first draft is to be produced for the consideration of Responsible Authorities at least four months prior to the Event to which it relates with the licence holder using best endeavours to procure the production of the final agreed version at least four weeks prior to that Event. The Event Management Plan will contain an appropriate level of detail so as to properly promote the licensing objectives. It shall be produced following consultation with the Responsible Authorities and to their agreement, using the Multi Agency meetings for this purpose.

The Event shall take place in accordance with the Event Management Plan produced for the Event and agreed with the Responsible Authorities. The licence holder will act in a manner consistent with their commitment to maintaining good order and decent behaviour within the licensed premises and will take all due precautions to ensure the safety of the public, employees and performers.

The licence holder will appoint an Event Safety Company, who is of sufficient competence, status and authority to advise the licence holder effectively on safety at the licensed premises. The Event Safety Company will have a 24hr presence throughout the licensed period.

Authorised officers of the Licensing Authority and the Responsible Authorities who are in the course of their duties, will be given access to all parts of the licensed premises for the purposes of monitoring and enforcing the observance of any conditions and any other relevant legislation.

The licence holder will provide an Event Control Centre where one person from each of the Responsible Authorities will be offered a place so as to maintain a presence on site to ensure good communication between all Responsible Authorities during the Event.

The licence holder will make arrangements for a dedicated telephone line to be made available and manned for the receipt of any complaints from the general public whilst the Event is taking place. The telephone number will be publicised locally and all complaints recorded.

The Event Management Plan shall be agreed with the Responsible Authorities and shall include:  
roles and responsibilities of persons in connection with the management of the event, along with details, arrangements and plans in respect of:

Venue and Site Design  
 Fire Safety  
 Major Incident Planning (Emergency planning)  
 Communication  
 Crowd Management  
 Transport Management  
 Structures  
 Barriers  
 Electrical Installations and Lighting  
 Food, Drink and Water  
 Merchandising and Special Licensing  
 Amusements, Attractions and Promotional Displays  
 Sanitary Facilities  
 Waste Management  
 Sound: Noise and Vibration  
 Special Effects, Fireworks and Pyrotechnics  
 Camping  
 Facilities for People with Disabilities  
 Medical, Ambulance and First Aid Management  
 Information and Welfare  
 Children  
 Performers  
 TV and Media  
 Health and Safety Responsibilities

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

**PREVENTION OF CRIME:**

1. That a revised and completed Event Management Plan will be submitted to the Licensing Authority, West Mercia Constabulary, and Hereford and Worcester Fire and Rescue Authority by the 10<sup>th</sup> July 2009.
2. That any variations to the Event Management Plan made after the 10<sup>th</sup> July 2009, will be notified in writing to the Licensing Authority, West Mercia Constabulary and Hereford and Worcester Fire and Rescue Authority, and will meet the requirements and expectations of those authorities.
3. That the completed Event Management Plan will meet the requirements of the above Licensing Authority, West Mercia Constabulary and Hereford and Worcester Fire and Rescue Authority, in respect of the 4 licensing objectives, and will contain a detailed account of security and stewards numbers and their roles and responsibilities based on the risk assessment.
4. That the number of Police Officers and Police Support Officers on site during the festival will be those agreed in writing between West Mercia Constabulary and Chillfest Ltd.

**c) Public safety**

**PUBLIC SAFETY:**

5. That a suitable and sufficient Event Management Plan shall be provided to the satisfaction of Environmental Health by 27<sup>th</sup> March 2009. The Plan should be a working document providing details of how the event is to be conducted and safety issues addressed, it should address safety issues raised by the Safety Advisory Group, include an event risk assessment and provide specific details on the following areas:

1. Fire safety
2. Electrical safety
3. Slips, trips and falls
4. Lighting
5. Stages & Barriers
6. Sanitary provisions



7. Waste receptacles & collection
8. Vehicle & pedestrian movements
9. Crowd management & security
10. Structural safety
11. Water, Food & drink
12. Sound (noise & vibration)
13. Adverse weather
14. Special effects (including fireworks)
15. Emergency evacuation

6. No significant alterations to the site layout or entertainment activities provided on the site that could affect the organizers ability to fulfill the four licensing objectives shall be made without prior notification to, and approval by, Environmental Health.

#### **Electrical Installations**

7. All electrical installations and equipment are to be provided in accordance with the advice and guidance outlined in the Event Safety Guide [ISBN 0 7178 2453 6].

8. On completion of electrical installations on the site, and prior to commencement of the event, a competent person shall sign-off all electrical installations as safe.

#### **Temporary Demountable Structures**

9. A satisfactory completion certificate shall be provided by a competent person for all temporary demountable structures in the entertainment area prior to the start of the event.

#### **Regulating Numbers of Persons in Tented Structures**

10. The maximum permitted numbers, in all tented structures where regulated entertainment is provided, shall be agreed by Environmental Health prior to first use.

11. Suitable means of regulating the number of persons present, in the tented structures at any time when used for entertainment, shall be included in the Event Management Plan to the satisfaction of Environmental Health.

12. The licensee shall nominate a person to manage each tented area whilst open to the public and that person shall, on request of an authorised officer, demonstrate the means of regulating numbers.

#### **Stewards**

13. A sufficient number of stewards shall be provided in all entertainment areas to the satisfaction of Environmental Health.

14. All stewards shall be fit to carry out their allocated duties, aged 18 years or over and shall not consume or be under the influence of alcohol or other drugs.

15. All stewards must be trained, briefed and equipped (including appropriate PPE) to a standard that reflects their responsibilities.

16. All stewards are to be readily identifiable by the wearing of distinctive tabards (or similar), clearly and indelibly marked with the words "STEWARD".

17. All stewards to have a means by which they are individually identifiable by a number.

#### **Drinking Water**

18. Free and unrestricted access to drinking water standpipes shall be provided at all times and without charge.

#### **Lakes**

19. The licensee shall ensure, where reasonably practicable, that no one enters the lakes within the festival site.

#### **Lighting**

20. Adequate levels of illumination shall be provided throughout the site for the duration of the event.

d) **The prevention of public nuisance**

**PREVENTION OF PUBLIC NUISANCE:**

**Noise and Sound Management and On Site Exposure**

The Licensee shall ensure that over the duration of the event the following restrictions are adhered to:

21. The Peak Sound Pressure Level in any part of the audience areas of the event shall not exceed 140 dB, and;
22. The Event Equivalent Continuous Sound Level in the audience areas shall not exceed 107dB(A) and;
23. Suitable ear protection equipment shall be made readily available to all staff working in the entertainment areas.

**Off-Site Exposure**

Noise levels arising from the event, when measured at locations to be specified by the Licensing Authority, shall be as follows:

24. Between 09.00 and 23.00 hours the Music Noise Level (LAEq) shall not exceed the background noise level (LA90) by more than 15 dB.

**For Friday & Saturday Night Performances:**

25. Between the hours of 23.00 and 02.00 hours, the Music Noise Level (LAEq) shall not exceed the background noise level (LA90) by more than 10 dB.

26. Between the hours of 02.00 and 09.00 hours, the Music Noise Level shall not exceed background levels and should be inaudible inside any noise sensitive dwelling with windows closed.

**For the Sunday Night Performance:**

27. Between the hours of 23.00 and 01.00 hours, the Music Noise Level (LAEq) shall not exceed the background noise level (LA90) by more than 10 dB.

28. Between the hours of 01.00 and 09.00 hours, the Music Noise Level shall not exceed background levels and should be inaudible inside any noise sensitive dwelling with windows closed.

29. The licensee shall immediately comply with any request to reduce or adjust noise levels/frequency spectra made by an officer of the council or the Police Force.

30. The Licensee shall make appropriate arrangements for the assessment of noise for the duration of the event, which will be documented. A copy of all noise assessment data will be made available to an authorised officer upon request.

**Refuse**

31. All rubbish shall be adequately stored in appropriate containers. Such containers will be sufficient in number and suitably located around the site.

32. No waste shall be burnt on site before, during or after the festival. All waste produced on site shall be collected and disposed of by a licensed, authorised waste company.

e) **The protection of children from harm**

**PROTECTION OF CHILDREN:**

**Films**

33. Children under the age of 18 will not be allowed in the film area whilst material that is considered unsuitable for under 18's is showing. After 21:00hrs the film area will be restricted to 18's and over only.

**Supply of Alcohol**

34. Proven methods (such as the 'challenge 21' method) shall be employed for the prevention of unlawful supply, consumption and use of alcohol and other products, which is illegal to sell to children.



Please tick ✓ Yes

- I have made or enclosed payment of the fee YES
- I have enclosed the plan of the premises YES
- I have sent copies of this application and the plan to the responsible authorities (please read guidance note 14) YES
- I have enclosed the consent form completed by the individual I wish to be the premises supervisor, if applicable YES
- I understand that I must now advertise my application YES
- I understand that if I do not comply with the above requirements my application will be rejected YES

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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.** (please see guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

26.02.09

Capacity

DIRECTOR

**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 address for correspondence associated with this application (please read guidance note 13)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

## PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively) where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve or New Years Eve.
6. Please give timings in 24 hour clock and only give details for days of the week you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.
14. The responsible Authorities to which copies of your application must be sent in full are West Mercia Constabulary and Hereford & Worcester Fire Authority. Applications may be sent by post or electronically to the following addresses:

At the same time or at least within 48 hours of making an application to the Licensing Section of Herefordshire Council, a copy of your application and all supporting documentation must be sent to

**The Chief Officer  
The Licensing Unit  
West Mercia Constabulary  
Bath Street  
Hereford  
HR1 2HT**

AND, if applying for a variation of an existing licence or a new premises licence you must also send a copy of your application and plans to the Chief Fire Officer

**The Chief Fire Officer  
Hereford & Worcester Fire & Rescue Service  
West District  
St Owens Street  
Hereford  
HR1 2JW**

## MEMORANDUM

To : J. LINDSAY-JONES, LICENSING ASSISTANT, LICENSING SECTION

From : RICHARD CORFIELD, ENVIRONMENTAL HEALTH OFFICER,  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Tel : 01432 261666 My Ref : REC/HH

Date : 30<sup>th</sup> March 2009 Your Ref :

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**LICENSING ACT 2003**  
**NOTIFICATION OF APPLICATION FOR GRANT OF AN OCCASIONAL PREMISE**  
**LICENCE FOR 6<sup>TH</sup> – 10<sup>TH</sup> AUGUST 2009**  
**'BIG CHILL' EASTNOR CASTLE DEER PARK, EASTNOR, LEDBURY.**

In respect of the above application I have no objection to the grant of the premises licence subject to the following additional conditions in order to prevent public nuisance.

### **Public Safety**

-

### **Prevention of Public Nuisance**

The final version of the event management plan must be approved by the Local Authority prior to the event.

The sound management report produced by Vanguardia, or other noise consultant, must be made available to the Local Authority for perusal and any recommendations incorporated into the event management plan prior to the event.

### **Prevention of Crime and Disorder**

-

### **Protection of Children from Harm**

-

PP



**RICHARD CORFIELD**  
**ENVIRONMENTAL HEALTH OFFICER**  
**ENVIRONMENTAL HEALTH AND TRADING STANDARDS**



## APPLICATION FOR VARIATION OF A PREMISES LICENCE IN RESPECT OF BELMONT LODGE GOLF COURSE AND MARQUEE- LICENSING ACT 2003

Report for: Head Of Environmental Health And Trading Standards

### Wards Affected:

Hereford City

### 1. Purpose

To consider an application for a variation of a premises licence in respect of Belmont Lodge Golf Course and Marquee, Ruckhall Lane, Belmont, Hereford

### 2. Background Information

Applicant	<b>Christopher Tilden Smith</b>	
Type of application:	Date received:	28 Days consultation
<b>Variation</b>	<b>27 February 2009</b>	<b>26 March 2009</b>

The advertisement for the premise has been seen and approved.

### 3. Current Licence

The current licence allows: -

Provision of regulated entertainment

1. A performance of live music (Indoors & outdoors)
2. Any playing of recorded music (Indoors & outdoors)
3. A performance of dance (Indoors & outdoors)
4. Other regulated entertainment (Indoors & outdoors)

Provision of entertainment facilities

5. Making music (Indoors & outdoors)
6. Dancing (Indoors & outdoors)
7. Other entertainment facilities (Indoors & outdoors)

Provision of refreshment or alcohol

8. Sale by retail of alcohol (For consumption on the premises)

The times the licence authorises the carrying out of licensable activities are:-

A performance of live music

Monday-Saturday: 12:00 - 00:00

Sunday: 18:00 - 00:00

Any playing of recorded music

Monday-Sunday: 07:00 - 00:00

A performance of dance

Monday-Thursday: 18:00 - 00:00

Friday-Sunday: 12:00 - 00:00



Other regulated entertainment; Making music; Dancing; Other entertainment facilities  
 Sunday-Friday: 18:00 - 00:00  
 Saturday: 12:00 - 00:00

Sale by retail of alcohol  
 Monday-Sunday: 10:00 - 00:00

Non standard timings:  
 Dancing; A performance of live music  
 New Years Eve until 01:00 Indoors only

The Marquee which is only licensed between April – October

A performance of live music (amplified)  
 Monday – Saturday 12:00 – 18:30

A performance of live music (unamplified)  
 Monday – Sunday 07:00 – 00:00

Any playing of recorded music  
 Monday – Sunday 07:00 – 00:00

Other regulated entertainment; Making music; Dancing; Other entertainment facilities  
 Monday Sunday 12:00 - 00:00

Late Night Refreshments  
 Monday - Sunday 23:00 – 00:00

Sale by retail of alcohol  
 Monday - Sunday: 10:00 - 00:00

4. **Summary of Variation Application**

There is an application to change the licensable activities shown on the premise licence which refers to the use of the marquee between 1 April to 31 October. This is to vary the hours as follows:-

A performance of live music – inside the marquee both amplified and unamplified between the 1 April to 31 October and outside unamplified only in the summer months during the hours of 12:00 to 01:00 Monday to Saturday and 12:00 to 00:00 on a Sunday.

Any playing of recorded music – inside the marquee Monday-Saturday 07:00 to 01:00

A performance of dance, other regulated entertainment (Similar to Live/Recorded or Performance of Dance), provision of facilities for making music and dancing or facilities of a similar nature in the marquee both amplified and unamplified during Monday-Saturday 12:00 to 01:00 and 12:00 to 00:00 on Sundays.

Late Night Refreshment in the marquee between 23:00 to 01:00 Monday to Saturday and 23:00 to 00:00 on a Sunday

Sale by retail of alcohol – in the marquee between 10:00 to 01:00 Monday-Saturday and 10:00 to 00:00 on a Sunday.

Non standard timings: Summer months only for Marquee 1 April to 31 October.

## 5. **Removal of Existing Conditions**

The application requests that the following conditions attached to the licence be removed.

### Licensing Conditions

#### General

Alcohol shall not be sold or supplied except during permitted hours.

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
- c) during the first twenty minutes after the above hours the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- d) the sale of alcohol to a trader or club for the purposes of the trade or club;
- e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- f) the taking of alcohol from the premises by a person residing there; or
- g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

### Licensing objectives

#### General:

Management and staff at Belmont are committed to providing our guests and their families with a safe and responsibly run environment.

We do not tolerate drunken and inappropriate behaviour, nor do we promote excessive consumption of alcohol through irresponsible drink promotions and pricing Belmont has a positive reputation and it is managements sincere intention to keep it that way.

#### Prevention of Crime:

All areas on the licensed premises are adequately lit and CCTV cameras are strategically located in 9 positions within the licensed area.

CCTV footage is stored for a period of 3 months.

There is always a senior member of management on duty and staff are instructed to refuse service and access to persons displaying signs of overindulgence or aggression.

Alcohol stocks are kept locked in secure stores in areas not visible or accessible to the public.

We follow all the preventions to eradicate any Crime or Disorder

**Public Safety:**

Belmont currently complies with all statutory health and safety requirements regarding procedures and signage.

Management is on site at all times to ensure the safety of our guests in the event of emergency. This person will also be a first aider.

A direct telephone line to a taxi company is provided free of charge.

**Public safety**

Where regulated entertainment and alcohol is provided on any premises there is increased risk to public safety. I am confident that the premises is effectively managed in respect of health and safety legislation, however I would like to see the following specific conditions added to further safeguard public safety:

We are members of the Croners organization and are visited and checked by there organization twice a year

**General**

The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises. A risk assessment for all licensed outdoor areas, shall be recorded and maintained. Adequate systems shall be in place to ensure the actions (and precautions) identified in the risk assessment are effectively implemented.

**Crowd Control**

Adequate systems shall be in place to control numbers of persons entering the marquee to prevent overcrowding and alleviate crowd control problems.

**First Aid**

The Licensee shall ensure that an adequate and appropriate supply of first aid equipment and material is available on the premises.

**Prevention of Public Nuisance:**

Being fairly isolated, Belmont is not usually associated with instances of public nuisance. Drinking of alcohol is confined to the designated food and beverage areas and because of policies in place and the nature of the business, management is on hand in the unlikely event of such disturbance.

Reports of occasional noise from our seasonal marquee is currently being handled by Belmont Management. An acoustics consultant has been appointed to look into the matter and to recommend an effective means of controlling noise emission levels. It is envisaged that this will be resolved during 2005. Investigations to date have indicated that bands and amplified vocals are the main cause of such occasional disturbance.

The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance.

Amplified live music shall only be provided in the marquee or outdoor area between 12.00 hours (midday) and 18.30 hours Monday to Saturday and not at any time on Sundays.

Unamplified live music shall be provided in the marquee or outdoor area between 12.00 hours (midday) and 00.00 hours (midnight) Monday to Saturday and 18.00 hours to 00.00 hours (midnight) Sunday.

All live music in the marquee or outdoor area shall be maintained at background levels only.



No karaoke shall be provided in the marquee or outdoor area at any time.  
The marquee or outdoor area shall not be used for the consumption of alcohol or licensable activities after 00.00 hours (midnight) on any day.  
No recorded music shall be provided in the marquee before 10.00 hours or after 00.00 hours (Midnight) on any day.  
We carry out regular sound Checks on all area around the Grounds of Belmont Lodge & Golf

**Protection of Children:**

Our restaurant and public lounge are smoke free areas and children are permitted in these areas.

Staff are instructed to refuse service or request Proof of Age cards in the event of any doubt of the age of the person being served

Childrens high chairs are provided in our restaurant.

As a general rule, we do not allow functions for under 18's, school year ends and similar events.

All the team are trained to think "21" before serving our member or guests

Conditions attached following a hearing: -

The condition stating 'it is our intention not to allow live music in our marquee from 2006 onwards, as an added measure we will not be permitting any form of music/performance/dance etc beyond midnight' to be removed from the licence as requested.

**INFORMATIVE NOTE**

**THIS INFORMATIVE NOTE MUST BE READ IN CONJUNCTION WITH THE ABOVE TABLE CONCERNING THE MARQUEE**

The applicant is reminded of the existing condition on the licence which states that amplified live music shall not be provided in the marquee or outside areas after 18:30 hours Monday to Saturday and at no time on a Sunday

**6. Summary of Representations**

Copies of the representations can be found from Environmental Health and Interested parties in the background papers.

**West Mercia Police**

Have no representation to make in relation to the application.

**Environmental Health**

The Environmental Health Officer has made representation and object to the variation.

**Fire Authority.**

The fire authority has no comment to make in relation to the application.

**Interested Parties.**

The Local Authority has received letters of representation in respect of the application, from interested parties, these are contained within the background papers.

**7. Issues for Clarification**

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The following information has been requested to assist the committee: -

Whilst information has been provided about how the proposed internal design of the marquee will reduce noise by a certain level, no information has been provided in respect of the level of the noise within the marquee which is to be controlled. Nor has any information been provided about the noise levels to be experienced by residents who have been subject to noise problems in the past.

Also no information has been provided about how noise breakout from the premises will be controlled.

There has been no contingency plan put forward to demonstrate what additional action would be taken if the proposed build design did not work.

This information will be essential for the committee to be able to make an informed judgement in respect of the grant of the variation of the licence.

The requested information shall be given to the Committee at the hearing in support of your application, representation or notice.

## 8. **Committees Responsibility**

The committee is responsible for promoting the four licensing objectives.

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- The steps that are necessary to promote the licensing objectives;
- The representations (including supporting information) presented by all parties;
- The Guidance issued to local authorities under Section 182 of the Licensing Act 2003
- The Herefordshire Council Licensing Policy

## 9. **Options: -**

It is for the committee to take such steps below as it considers necessary for the promotion of the licensing objectives:

- Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003.
- Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it necessary for the promotion of the licensing objectives and add mandatory condition set out in the Licensing Act 2003.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To reject the application.
- To reach some other decision.

## 10. **Background Papers**

- a. Environmental Health & Trading Standards Comments
- b. Application Form
- c. Representations from interested parties.

**NOTES****RELEVANT, VEXATIOUS AND FRIVOLOUS REPRESENTATIONS**

9.8. A representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the DCMS website.

9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.

9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.

9.11. Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgment. This may be difficult for ward councilors receiving complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the subcommittee before any decision is taken that necessitates a hearing. Any ward councilor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

**Licensing Authorities power to exercise substantive discretionary powers.****The British Beer and Pub Association (2) The Association of Licensed Multiple Retailers (3) The British Institute of Inn keeping V Canterbury City Council.**

Contesting the validity of the Licensing policy that asks for certain requirements before the application has been submitted. In the summing up the Judge states; The scheme of the legislation is to leave it to applicants to determine what to include in their applications, subject to the requirements of Section 17 and the Regulations as to the prescribed form and the inclusion of a statement of specified matters in the operating schedule. An applicant who makes the right judgement, so that the application gives rise to no relevant representations, is entitled to the grant of a licence without the imposition of conditions. The licensing authority has no power at all to lay down the contents of an application and has no power to assess an application, or exercise substantive discretionary powers in relation to it, unless there are relevant representations and the decision – making function under section 18 (3) is engaged.

**Application to vary a premises licence 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 Golf Inns Ltd

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b> PR00667
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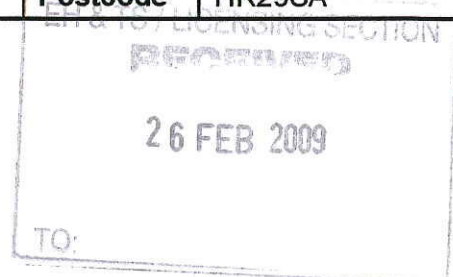
**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Belmont Lodge & Golf Belmont HR29SA			
<b>Post town</b>	HEREFORD	<b>Post code</b>	HR29SA

Telephone number at premises (if any)	01432352666
Non-domestic rateable value of premises	£65,000

**Part 2 – Applicant details**

<b>Daytime contact telephone number</b>	01432352666		
<b>E-mail address (optional)</b>	christopher.smith@belmont-hereford.co.uk		
<b>Current postal address if different from premises address</b>	Same Address as Above		
<b>Post Town</b>	Hereford	<b>Postcode</b>	HR29SA



**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year

**Please describe briefly the nature of the proposed variation** (Please see guidance note 1)  
Belmont Lodge & Golf wishes to have the availability to have Live/Amplified and Unamplified Music and Regulated Entertainment to be made available in our Marquee, between the Hours 12.00 (Midday) till 0100 am Monday to Saturday and Sunday 12.00 (Midday) till 0000 Midnight from 1<sup>st</sup> April to 31<sup>st</sup> October

Plus Live unamplified Music out doors near the Marquee for Functions Summer months only, 1<sup>st</sup> April to 31<sup>st</sup> October

The reason for this Proposed Variation is that Belmont Lodge & Golf is receiving an increased number of events and the clients are all requesting the facility for Music and Dancing at there events. Belmont will be making sure that the Marquee is suitably erected to have any attenuation to sound, maintained as to not cause a problem or nuisance to any neighbouring properties.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

## Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

### **Provision of regulated entertainment**

**Please tick yes**

- |  |                                     |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A)   | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)   | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)  | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)  | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)   | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)<br>(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

### **Provision of entertainment facilities:**

- |  |                                     |
|--|-------------------------------------|
| i) making music (if ticking yes, fill in box I)  | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)   | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)<br>(if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

### **Provision of late night refreshment** (if ticking yes, fill in box L)

### **Sale by retail of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**



**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play 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 type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Tue					
			<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)		
Wed					
Thur					
Fri					
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films 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 type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><u>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</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Tue					
			<b><u>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</u></b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></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><u>Please give further details here</u></b> (please read guidance note 3) Inside the Marquee for Amplified and Unamplified Music 1 <sup>st</sup> April to 31 <sup>st</sup> October and Outside for Unamplified Music Only summer months only and all year for Belmont Lodge & Golf Bar.		
Mon	12.00	0100			
Tue	12.00	0100	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4) Summer months only for Marquee 1st April to 31 <sup>st</sup> October All year for Belmont Lodge & Golf Bar all year		
Wed	12.00	0100			
Thur	12.00	0100	<b><u>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</u></b> (please read guidance note 5)		
Fri	12.00	0100			
Sat	12.00	0100			
Sun	12.00	0000			



**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"/>
Mon	12.00	0100	<b>Please give further details here</b> (please read guidance note 3) Both in the Marquee Summer months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year.- Amplified and Unamplified	Both	<input checked="" type="checkbox"/>
Tue	12.00	0100			
Wed	12.00	0100	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4) Both in the Marquee Summer Months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Thur	12.00	0100			
Fri	12.00	0100	<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) Both in the Marquee Summer Months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Sat	12.00	0100			
Sun	12.00	0000			

# 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)			<b><u>Please give a description of the type of entertainment you will be providing</u></b> Karaoke or Similar		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	12.00	0100		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	12.00	0100	<b><u>Please give further details here</u></b> (please read guidance note 3) Marquee Summer Months 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Wed	12.00	0100			
Thur	12.00	0100	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4) Marquee Summer Months 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Fri	12.00	0100			
Sat	12.00	0100	<b><u>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</u></b> (please read guidance note 5) Marquee Summer Months 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Sun	12.00	0000			

I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b> This facility could be a live Band, Steel Band, Harpist, Pipes, String Instruments or Similar or Disco	
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3) This would be Amplified or Unamplified in the Marquee and Belmont Lodge & Golf Bar but only un amplified out side the Marquee 1 <sup>st</sup> April to 31 <sup>st</sup> October  <b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4) Marquee summer months 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge and Golf Bar all year  <b><u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) Marquee Summer months 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year	
Mon	12.00	0100		
Tue	12.00	0100		
Wed	12.00	0100		
Thur	12.00	0100		
Fri	12.00	0100		
Sat	12.00	0100		
Sun	12.00	0000		



J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see 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 a description of the facilities for dancing you will be providing</b> All Dancing will be on a Portable Dance Floor ( Marquee) and Wooden Floor in Belmont Lodge & Golf Bar	
Mon	12.00	0100	<b>Please give further details here</b> (please read guidance note 3) All Dancing will be from Amplified and Unamplified Band's or Disco	
Tue	12.00	0100		
Wed	12.00	0100	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4) All Dancing in the Marquee Summer Months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year	
Thur	12.00	0100		
Fri	12.00	0100	<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</b> (please read guidance note 5) All Dancing in the Marquee Summer Months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year	
Sat	12.00	0100		
Sun	12.00	0000		



**K**

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b> Karaoke or Similar		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	12.00	0100		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	12.00	0100	<b><u>Please give further details here</u></b> (please read guidance note 3) Marquee Summer only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar All Year using Amplified or Unamplified Equipment		
Wed	12.00	0100			
Thur	12.00	0100	<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4) Marquee Summer Months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Fri	12.00	0100			
Sat	12.00	0100	<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) Marquee Summer months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Sun	12.00	0000			

**L**

Late night refreshment Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23.00	0100	<b><u>Please give further details here</u></b> (please read guidance note 3) Marquee Summer months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Tue	23.00	0100			
Wed	23.00	0100	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) Marquee Summer Months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Thur	23.00	0100			
Fri	23.00	0100	<b><u>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</u></b> (please read guidance note 5) Marquee Summer months only 1 <sup>st</sup> April to 31 <sup>st</sup> October and Belmont Lodge & Golf Bar all year		
Sat	23.00	0100			
Sun	2300	0000			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) All areas both Marquee and Belmont Lodge & Golf Bar to be able to serve Alcohol 10.00 am to 1.00 am Monday to Sunday Summer only 1 <sup>st</sup> April to 31 <sup>st</sup> October Marquee and Belmont Lodge & Golf Bar all year No other Variation required  <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)		
Mon	10.00	0100			
Tue	10.00	0100			
Wed	10.00	0100			
Thur	10.00	0100			
Fri	10.00	0100			
Sat	10.00	0100			
Sun	10.00	0000			

**N**

**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



O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) All year
Day	Start	Finish	
Mon	7.00	0200	
Tue	7.00	0200	
Wed	7.00	0200	
Thur	7.00	0200	
Fri	7.00	0200	<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</b> (please read guidance note 5) All Year
Sat	7.00	0200	
Sun	7.00	0200	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
Annex 2 - Conditions consistent with the operating Schedule

Licensing conditions  
General  
Alcohol shall not be sold or supplied except during permitted hours.

The above restrictions do not prohibit:

- during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
- during the first twenty minutes after the above hours the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- the sale of alcohol to a trader or club for the purposes of the trade or club;
- the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

- f) the taking of alcohol from the premises by a person residing there; or
- g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

**Licensing objectives**

**General:**

Management and staff at Belmont are committed to providing our guests and their families with a safe and responsibly run environment.

We do not tolerate drunken and inappropriate behaviour, nor do we promote excessive consumption of alcohol through irresponsible drink promotions and pricing

Belmont has a positive reputation and it is managements sincere intention to keep it that way.

**Prevention of Crime:**

All areas on the licensed premises are adequately lit and CCTV cameras are strategically located in 9 positions within the licensed area.

CCTV footage is stored for a period of 3 months.

There is always a senior member of management on duty and staff are instructed to refuse service and access to persons displaying signs of overindulgence or aggression

Alcohol stocks are kept locked in secure stores in areas not visible or accessible to the public.

We follow all the preventions to eradicate any Crime or Disorder

**Public Safety:**

Belmont currently complies with all statutory health and safety requirements regarding procedures and signage.

**Management is on site at all times to ensure the safety of our guests in the event of emergency.**

This person will also be a first aider.

A direct telephone line to a taxi company is provided free of charge.

**Public safety**

Where regulated entertainment and alcohol is provided on any premises there is increased risk to public safety. I am confident that the premises is effectively managed in respect of health and safety legislation, however I would like to see the following specific conditions added to further safeguard public safety:

We are members of the Croners organization and are visited and checked by there organization twice a year

**General**

The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises. A risk assessment for all licensed outdoor areas, shall be recorded and maintained. Adequate systems shall be in place to ensure the actions (and precautions) identified in the risk assessment are effectively implemented.

**Crowd Control**

Adequate systems shall be in place to control numbers of persons entering the marquee to prevent overcrowding and alleviate crowd control problems.

**First Aid**

The Licensee shall ensure that an adequate and appropriate supply of first aid equipment and material is available on the premises.



**Prevention of Public Nuisance:**

Being fairly isolated, Belmont is not usually associated with instances of public nuisance. Drinking of alcohol is confined to the designated food and beverage areas and because of policies in place and the nature of the business, management is on hand in the unlikely event of such disturbance.

Reports of occasional noise from our seasonal marquee is currently being handled by Belmont Management. An acoustics consultant has been appointed to look into the matter and to recommend an effective means of controlling noise emission levels. It is envisaged that this will be resolved during 2005. Investigations to date have indicated that bands and amplified vocals are the main cause of such occasional disturbance.

The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance.

Amplified live music shall only be provided in the marquee or outdoor area between 12.00 hours (midday) and 18.30 hours Monday to Saturday and not at any time on Sundays.

Unamplified live music shall be provided in the marquee or outdoor area between 12.00 hours (midday) and 00.00 hours (midnight) Monday to Saturday and 18.00 hours to 00.00 hours (midnight) Sunday.

All live music in the marquee or outdoor area shall be maintained at background levels only.

No karaoke shall be provided in the marquee or outdoor area at any time.

The marquee or outdoor area shall not be used for the consumption of alcohol or licensable activities after 00.00 hours (midnight) on any day.

No recorded music shall be provided in the marquee before 10.00 hours or after 00.00 hours (Midnight) on any day.

We carry out regular sound Checks on all area around the Grounds of Belmont Lodge & Golf

**Protection of Children:**

Our restaurant and public lounge are smoke free areas and children are permitted in these areas.

Staff are instructed to refuse service or request Proof of Age cards in the event of any doubt of the age of the person being served Annex 2 - Conditions consistent with the operating Schedule

- The condition stating 'it is our intention not to allow live music in our marquee from 2006 onwards, as an added measure we will not be permitting any form of music/performance/dance etc beyond midnight' to be removed from the licence as requested.

- **INFORMATIVE NOTE**

**\* THIS INFORMATIVE NOTE MUST BE READ IN CONJUNCTION WITH THE ABOVE TABLE CONCERNING THE MARQUEE**

The applicant is reminded of the existing condition on the licence which states that amplified live music shall not be provided in the marquee or outside areas after 18:30 hours Monday to Saturday and at no time on a Sunday

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
--



**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

Nil

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

All areas on the licensed premises are adequately lit and CCTV cameras are strategically located in 9 positions within the licensed area.  
CCTV footage is stored for a period of 3 months.  
A senior member of management shall always be on duty.

**c) Public safety**

A direct telephone line to a taxi company is provided free of charge.

The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises. A risk assessment for all licensed outdoor areas, shall be recorded and maintained. Adequate systems shall be in place to ensure the actions (and precautions) identified in the risk assessment are effectively implemented.

**Crowd Control**

Adequate systems shall be in place to control numbers of persons entering the marquee to prevent overcrowding and alleviate crowd control problems.

**First Aid**

The Licensee shall ensure that an adequate and appropriate supply of first aid equipment and material is available on the premises

**d) The prevention of public nuisance**

The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance. No karaoke shall be provided in the outdoor area at any time. The outdoor area shall not be used for the licensable activities after 00.00 hours (midnight) on any day. Regular sound checks will be carried at least hourly at locations to be agreed with the Environmental Health Officer.

A record will be kept of the sound level records which shall be made immediately available to the Licensing Authority or Police.

**e) The protection of children from harm**

Proven methods shall be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other products, which is illegal to sell to children.

Staff should ensure sight of evidence of age from any person appearing to those engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol.

Associated notices indicating age restrictions for children concerning the sale of alcohol.

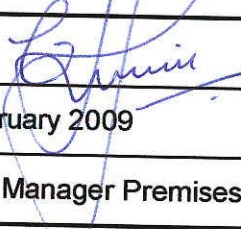
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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**

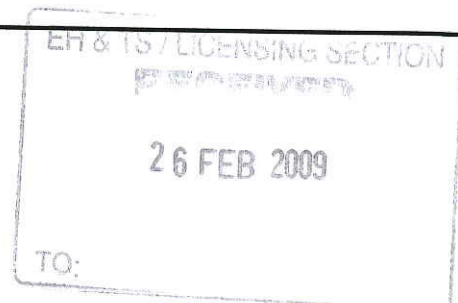
**Part 5 – Signatures** (please read guidance note 10)

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

Signature	
Date	12 <sup>th</sup> February 2009
Capacity	General Manager Premises Licence Holder Number 1171/1

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd 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	





<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b>			
Christopher Tilden Smith Belmont Lodge & Golf Belmont. Hereford HR29SA			
<b>Post town</b>	Hereford	<b>Post code</b>	HR29SA
<b>Telephone number (if any)</b>	01432352666		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> christopher.smith@belmont-hereford.co.uk			

### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## MEMORANDUM

To : J. LINDSAY-JONES, LICENSING ASSISTANT, LICENSING SECTION  
From : RICHARD ROBERTS, ENVIRONMENTAL HEALTH OFFICER,  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS  
Tel : 01432 261668 My Ref : RLR/HH  
Date : 25<sup>th</sup> March 2009 Your Ref :

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**LICENSING ACT 2003  
NOTIFICATION OF APPLICATION FOR GRANT/VARIATION OF PREMISES LICENCE  
AT BELMONT LODGE & GOLF, RUCKHALL LANE, BELMONT. HR2 9SA**

Having assessed the above application, I would make the following representation.

**Public Safety**

-

**Prevention of Public Nuisance**

The Premises is not in close proximity to other residential properties, however the premises including the marquee is set in a very quiet rural area with generally low background noise levels, particularly at night.

A number of complaints have been received by Environmental Health regarding excessive noise from functions held in the marquee, and have been the subject of investigation for some time. There have also been a number of public representations regarding the variation of the licence. The management of the premises have commissioned a noise assessment report for the marquee, including a method of reducing the noise from the marquee by lining it with sound insulation material. However, this assessment does not appear to provide any predicted noise levels at the receptor properties or inside the marquee.

I object to the variation of this licence and recommend that all existing conditions stay in place.

If Members of the Committee were to agree to the variation, I recommend a condition be placed on the licence for maximum noise levels in dB(A) at the noise sensitive dwellings.

**Prevention of Crime and Disorder**

-

**Protection of Children from Harm**

-

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**RICHARD ROBERTS  
ENVIRONMENTAL HEALTH OFFICER  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**





**HEREFORDSHIRE COUNCIL**  
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

**When completing this form please print clearly and legibly.**

Please return this form, and any additional information within the statutory period to:  
**The Licensing Section,**  
County Offices,  
PO Box 233,  
Bath Street, Hereford,  
HR1 2ZF  
licensing@herefordshire.gov.uk

<b>Your Name:</b> NICOLA FYLES	<b>Contact Telephone No.</b>
<b>Address:</b> FAIRFIELD BREINTON HEREFORD HR47PD	<b>E-mail address:</b>
	<b>Please state your interest in the premises you are making a representation about:</b> Clerk to Breinton Parish Council
<b>Name &amp; Address of premises you are making a representation about:</b> Belmont Lodge & Co	

**DATA PROTECTION ACT 1998.** Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>
<b>Public Safety</b>
<b>To Prevent Public Nuisance</b> Amplified music in the marquee disturbs many households in Breinton to an unacceptable degree.
<b>To Protect Children from Harm</b>

Signed:  
Date:

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline on 01432 260105**





HEREFORDSHIRE  
COUNCIL

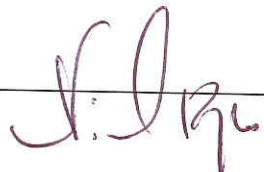
**Representation Form – Interested Parties  
Suggested Conditions**

Premise: NICOLA FYLERS Your name: Clark to Breithm Parish

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<b>To Prevent Crime and Disorder</b>
<b>Public Safety</b>
<b>Prevent Public Nuisance</b> • The soundproofing measures taken should be tested before any change to the licence takes place. Only when noise levels have been proven to be acceptable should any change to the licence be considered
<b>Protect Children from Harm</b>

Signed: 

Date: 12.3.09.

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

## BREINTON PARISH COUNCIL

FAIRFIELD, BREINTON, HEREFORD, HR4 7PD

01432 263471

Email: [eylespn@fish.co.uk](mailto:eylespn@fish.co.uk)

12 March 2009

Licensing Manager  
Herefordshire Council  
County Offices  
Bath Street  
Hereford, HR1 2HQ

Dear Sir/Madam

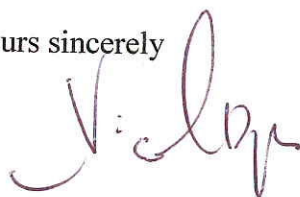
### **Belmont Hotel and Golf Club**

The members of Breinton Parish Council should be grateful to be informed when the Licensing Committee meets to discuss Belmont Hotel and Golf Club as they would like to be represented by a speaker.

I would represent Breinton Parish Council but am on holiday for most of April. Please let me know in the near future when the meeting is likely to be so that I may arrange for someone else to speak in my place should that be necessary.

**Should the date of the meeting not be arranged before I leave, I should be grateful if you would inform our Vice Chair, Mrs Liz Morawiecka, Warham Farm, Breinton, Hereford, HR4 7PE of the date so that she may make due representation on my behalf.**

Yours sincerely



**Nikky Eyles  
Parish Clerk**



HEREFORDSHIRE COUNCIL  
Licensing Act 2003

REPRESENTATION FORM – INTERESTED  
PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Please return this form, and any additional information within the statutory period to:  
The Licensing Section,  
County Offices,  
PO Box 233,  
Bath Street, Hereford,  
HR1 2ZF  
licensing@herefordshire.gov.uk

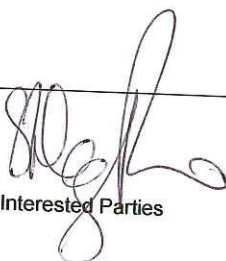
<b>Your Name:</b> STEPHEN B. WEGG-PROSSER	<b>Contact Telephone No.</b> 07917 620 222
<b>Address:</b> Flat One Warham House Breinton Hereford HR4 7PF	<b>E-mail address:</b> swp@wegg-prosser.demon.co.uk
	<b>Please state your interest in the premises you are making a representation about:</b> eg local resident/local business LOCAL RESIDENT
<b>Name &amp; Address of premises you are making a representation about:</b> BELMONT LODGE AND GOLF, BELMONT, HEREFORD HR2 9SA	

**DATA PROTECTION ACT 1998.** Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>
<b>Public Safety</b>
<b>To Prevent Public Nuisance</b> As advised last July when I submitted a similar Representation form regarding this matter, Belmont Lodge and Golf (BLG) is situated across the River Wye from my house at Warham House, which houses 5 family units. The proposed variation of the current licence to allow amplified music to be played for six nights per week during the time that the Marquee is in position until 1.00 a.m. and on Sundays until midnight is excessive and intrusive. In the summer of 2008 when amplified music was played out, in contravention of the licence, the noise levels experienced across the River Wye within the grounds of Warham House were intolerable. Even with the windows closed, people living at the house found they could not concentrate on anything except trying to stop the noise. Telephoning BLG was sometimes helpful but on other occasions no-one answered the phone. The Environmental Health Officer confirmed that the noise was excessive when she visited Warham. Noise disturbance is a public nuisance. Overleaf I suggest conditions which we would find acceptable, following discussions with the Manager of BLG. We appreciate that BLG must remain a profitable venture but see no reason for amplified music in the summer months after midnight, 6 nights per week, playing a part in that profitability.
<b>To Protect Children from Harm</b>

Signed: S.B. Wegg-Prosser  
Date: 10<sup>th</sup> March 2009



ELI REPRES – 1 Representation Form – Interested Parties

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

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**Representation Form – Interested Parties  
Suggested Conditions**

**Premises Belmont Lodge and Golf : Your name: S.B. WEGG- PROSSER**  
It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<b>To Prevent Crime and Disorder</b>
<b>Public Safety</b>
<b>Prevent Public Nuisance : It is proposed by Belmont Lodge and Golf that there will be appropriate limitation on the degree of noise by way of controlling decibel level within the marquee (limitators on the DJ's deck) and outside (sound proofing of some part of the marquee walls and ceiling, and straw bales erected against the northern end of the marquee). On the condition that such control is fully installed by the end of April 2009 and fully tested (including testing within the environs of Warham) and the sound levels are commensurate with not disturbing neighbours nor causing a public nuisance, then we would not object to amplification within the marquee to be permitted on Fridays and Saturdays only, and then only until midnight. There should be no permissions after midnight. If the sound levels then experienced during the first two months of the permitted use of the marquee (May and June) are found to be tolerable, then we suggest that the Manager of BLG applies again to the Licensing authority for an extension to the licence to cover the hours up to midnight on Sun – Thursday, and up to 1.00 a.m. on Fridays and Saturdays for the months permitted, i.e. July to September, and thereafter May to September for a 3 year period only, such application to be subject to the usual consultation process .</b>
<b>Protect Children from Harm</b>

Signed: S.B. Wegg-Prosser  
Date: 12<sup>th</sup> March 2009

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

Licensing Section  
Herefordshire Council

**APPLICATION FOR GRANT/VARIATION OF LICENCE AT  
BELMONT LODGE AND GOLF, BELMONT, HEREFORD,  
HR2 9SA APPLIED FOR ON 27<sup>TH</sup> FEBRUARY**

Dear Sir/ Madam,

We are an Interested Party making a Representation to the Licensing Section , Herefordshire Council regarding the above application.

The above applicants have applied for an extension to their license to play amplified music in their temporary marquee situated between the tall majestic front of the Belmont golf house and the River Wye banks.

We live north east of this situation, downriver and raised from this building. In the past we have easily and clearly heard music from the functions which have occasionally taken place in the marquee. This music is loud enough to disturb the ability to be in our own garden and indeed required childrens bedroom windows to be closed on hot nights to get them to sleep.

When we first viewed and bought the house in the early months of the year, no marquee was erected and visible, hence we had no knowledge of the possibility of these occurrences. The marquee apparently has its roof replaced from April to October. When they first happened we were surprised as to where the music was coming from as the majestic tall building of Belmont golf house seems far away and around the bend of



the River Wye from us. The geography of the land and perhaps weather conditions must play a part in the carrying of noise.

We have, however, been very tolerant of this noise as it was only occasional and we were sensitive to the business side of the events to the club. We have never rung to protest in view of this.

It has now come to our attention that the music we were hearing, extending well into the night, was outside of the license held which is to be allowed to play music to 6 .30pm. We are shocked that now there is an application to vastly extend the present license to be able to play music outside on every single day of the week to 1am except Sunday which would be till midnight!

A visit to the site was arranged by the Manager, Mr Smith yesterday. After accepting that it is possible to hear the music so far away, he described various ways that he was considering to reduce the noise level and he had taken advice from a noise engineer. These included bales of straw, a variation of which had been used in the past and insulation of a part of the roof area (20%) and some of the walls of the marquee and an electric noise limiter. There was discussion of an earth bund ,which had been erected but then removed in the past. It had been a condition to the erection of the Marquee . Mr Smith also agreed that he could not confidently state that these measures will be adequate to solve the problem of noise disturbing neighbours in Breinton.

As stated before, we appreciate that a business is being run and we have shown respect to this by neighbourly toleration. Indeed, it would be lovely if the business could use their profits to maintain the beautiful Grade 2 Listed building they own and perhaps thus increase their use of it reducing the future need for a marquee.

We appreciate any effort being made to attempt to reduce the noise level and the opportunity to discuss this yesterday in the Golf Club building and see the site. We do however worry that due to the geography of the site and location of the marquee next to a tall reflective building that noise regulation will still be a problem. In view of this we feel that a license limiting the number of events (average one per week ) would be a good way forward and that this could be reviewed after a period of time.



This would allow business to continue and would continue to limit the disturbance to everyone if the sound measures do not prove effective.

Appropriate review would then be possible. We also understand that separate building license renewal will be required for the marquee after 2009.

We are grateful for you for taking our thoughts into account.

Yours faithfully



Dear Sir/Madam,

**Objection to Belmont Lodge And Golf Ltd License Variation Request.**

With regard to the application by Belmont Lodge to vary its licensing conditions we wish to object strongly to this application on the grounds of noise nuisance from music and fireworks. Our property is less than 1 mile north east of Belmont Lodge and over the last few years our evenings and sleep have been regularly disturbed on Saturday nights by the noise from discotheques and live music emanating from the marquee and from firework displays. We are very concerned that they are seeking to have live and amplified music to 1a.m. for 6 nights of the week, and to midnight for the remaining night of the week. We feel that this request in respect of the marquee is excessive and would be detrimental to our family life if approved.

Our family have lived here for well over 15 years and, in the years since Belmont Lodge have been holding parties in a marquee, noise from this has been a major issue. We do not think that any guarantees made by the management to control sound levels can be relied upon, as when undertakings have been given in the past they have not been adhered too. We are certain that the noise levels from the marquee would not be tolerated during the day, when the golf course is being used. Why should we have to put up with it in the evenings and at night, particularly during the summer, when we want to relax?

One of us attended a meeting with the current manager of Belmont Lodge over their proposals to reduce the level of sound coming from the marquee. Whilst we welcome their attempts to ameliorate the noise nuisance, we have concerns that the pressure to maximise profits has not resulted in as good a sound proof system as we would have hoped. They have said that they only intend to sound proof less than 20% of the marquee roof and walls, and this is the end around the dance floor. Why not sound insulate the whole marquee? We have concerns that the noise will still escape through the 80 + % of uninsulated marquee if permission is given for live and amplified music in the marquee, rather than in the main building.

We would propose that Belmont Lodge is restricted to non-amplified music in the marquee and strictly limited to the period for which they currently have planning permission for, which is from May to October. This would not restrict the number of events being held within the confines of Belmont House, which do not cause the same level of noise nuisance. Also, because of the close proximity of residential and animal dwellings to Belmont Lodge, only silent fireworks should be used if firework displays are required.

We would also like to request that Environmental Health Officers decide the setting and location of any noise limiters that Belmont Lodge management propose to use to ensure that the noise levels set are suitable. We would welcome Belmont Lodge's sound people to come and perform sound checks at our, and any other affected properties, so that they can measure, and restrict accordingly, the level of noise from the marquee sound system.

The planning permission on the marquee is from May 2009 and is due to finish in October 2009. However, we are concerned that the management have again ignored planning conditions and this time arranged functions in the marquee outside the period of the planning consent. This does not give us confidence that the management will adhere strictly to any requirements of the licencing committee should permission be granted as requested by the licensee.

We appreciate that Belmont Lodge have a business to run and Belmont Lodge have ownership of Belmont House, a large listed building, which provides adequate space for private functions and where live music, karaoke, etc. could be played without causing any noise nuisance to other people and to which we would have no objection. Hedley Lodge and the Three Counties Hotel hold similar private functions and wedding parties, but whilst they are in fact closer to our house, we have never been disturbed by activities at either of these establishments.

Yours sincerely,