

Public Document Pack

Mid Devon District Council

Licencing Sub Committee

Monday, 16 June 2025 at 10.30 am
Phoenix House

Membership

Cllr D Broom
Cllr A Cuddy
Cllr L G J Kennedy

A G E N D A

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- 1 **Apologies**
To receive any apologies for absence.
- 2 **Election of Chair**
To elect a Chair for the Licensing Sub-Committee.
- 3 **Determination of a Premises Licence for Shobrooke Park, Crediton, EX17 1DG (Pages 3 - 92)**
An application has been received for a new premises licence for Shobrooke Park, Crediton, EX17 1DG.

Relevant representations have been received and the Licensing Authority (Mid Devon District Council) must hold a hearing to determine the application.

Stephen Walford
Chief Executive
30 May 2025

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LICENSING SUB COMMITTEE

DATE OF HEARING: MONDAY 16TH JUNE 2025

DETERMINATION OF A PREMISES LICENCE APPLICATION FOR SHOBROOKE PARK, CREDITON, EX17 1DG

Cabinet Member(s): David Wulff, Cabinet Member for Quality of Living, Equalities and Public Health

Responsible Officer: Simon Newcombe, Head of Housing and Health

Reason for Report: An application has been received for a new premises licence for Shobrooke Park, Crediton, EX17 1DG

Relevant representations have been received and the Licensing Authority (Mid Devon District Council) must hold a hearing to determine the application.

RECOMMENDATION: That this application be decided in accordance with the licensing objectives.

Financial Implications: The potential cost of defending an appeal in the courts.

Legal Implications: If there is an appeal against the decision Mid Devon District Council (the Council) could find itself bearing the costs.

Risk Assessment: If the decision is not reasonably and lawfully made it could be overturned on appeal to the Magistrates' Court.

Equality Impact Assessment: No equality issues identified for this report.

Relationship to Corporate Plan: Not applicable

Impact on climate change: Not applicable

Additional information relevant to this application: The process of applying for these licences is prescribed by regulations made under the Licensing Act 2003 (the "Act"). The applicant must copy their applications to the "Responsible Authorities" consisting of the Police, Fire Service, Weights and Measures (Trading Standards), body responsible for Health and Safety (Environmental Health), Environmental Health for nuisance, the Planning Authority, the Licensing Authority, the local Director of Public Health, the body responsible for Child Protection and the Home Office. If the application is submitted online the Licensing Authority must forward it to all Responsible Authorities.

Although not a requirement under the Act, this Council also notifies the relevant town or parish council for where the premises are located.

Applicants are also obliged to advertise their applications in two ways – on the premises and in a local newspaper.

1.0 THE PREMISES AND RELEVANT HISTORY

1.1 An application has been submitted for a new premises licence for Shobrooke Park, Crediton, EX17 1DG.

1.2 The applicant has given the following description of the premises in the application form:

'The Premises is historic parkland attached to what was an old manor house, which was destroyed during WW2. The landowner lives on the old site of the original house in a bungalow built in the mid century.'

The landowner has a current event licence for the site, which is not a premises licence and therefore does not allow sale of alcohol.

We have been holding an annual event on the site for the last 14 years. Improvements made to the estate by the landowner, have made it much easier to access and the potential of the site to hold more events has been realised.

The annual event which has traditionally been held on the site, on the weekend that follows the late May bank holiday, is an event for Exeter University students. The event has gradually grown to 7000 students, all of whom are brought to site in buses and taxis therefore the impact on the local residents is minimal. There has historically been no problems or issues with any aspect of the event, and it is a well-respected and popular event which sells out in minutes.

Due to the capacity and landscaping of the site, It would be really nice to hold other events such as family fete's, plays in the amphitheatre, or other music events. Therefore, we are applying for a licence for a larger physical area, which will encompass the majority of Shobrooke Park. Not all of which for licensable activities, and not necessarily to be used all at once, but to allow scope for different events in different locations.

This licence would allow events to happen on any day of the year. We propose to limit this licence to 10 events per year where licensable activities take place, in no way contravening the current licence held by the landowner for their own events. Of these 10 events, no more than 2 would be 3 days and 8 would be 1 day. (a 1 day event can span midnight. i.e. 10am – 2am counts as 1 day for the purposes of this application). No event would last longer than 3 days.

We do not propose to operate events all-day every day, however, for example, we may wish to run a family event on a Saturday running from 10am to 8pm, but further into the year, on a different Saturday we may wish to run a music event which starts later but finishes at 4am.

We have no plans to run any events later than 2:30am, however, we are applying for a longer licenced period to allow us to keep the site open later than planned without breaching licence conditions in the rare occurrence we should need to – in 2023 we were at risk of having a H&S compliance issue due to having to close the site because of licence conditions, this meant a massive egress of guests that would not be easy to safely manage. To mitigate a similar situation we are applying for slightly longer licencing hours to allow us the flexibility to keep a venue open longer in this scenario. In addition, we are applying for the maximum capacity for the largest event that we wish to hold. A theatre event would likely be held with a 400 cap. Whereas the current

Enchanted Garden Ball event would like to gradually grow from the current 7500 capacity up to 9999.

We will cap the attendance to; 8000 in 2025, 9000 in 2026 and 9999 in 2027. This number also includes all staff, artists, security and management, not only ticket holders.

For events of 8000+ then full plumbing will be installed around the site for free drinking water. However, we will endeavour to provide water stations for attendees to fill their own receptacles or those purchased via the bars.

For all events a site plan and an EMP will be produced and kept on site for the duration of the event, along with it's build and break phases. The SAG will be notified for all events over 500 capacity via email. Organisers will attend SAG meetings if requested to do so.

For any amplified events, a licence condition would be that all sound systems are directed away from local residences. We would request that the sound engineers have a sound monitor at the control position to ensure that sound levels are kept to a reasonable volume. Theatre and unamplified events will generally not require a noise management plan. However, with larger, louder events, such as anything with a "professional level PA" (more than simply a couple of speakers), or runs beyond 22:00, then a noise management plan will be created and submitted to the SAG. The sound operators will be required to operate within the bounds of the NMP. For events of 5000+ capacity an external noise monitoring company is to be employed who will visit the most noise sensitive locations throughout the event to ensure sound levels are kept within the legal bounds.'

Premises history

- 1.3 The amphitheatre area of the site has held a premises licence (no alcohol) since 2006. This is licence number MDV PL0069.
- 1.4 There is another, permanent, premises licence for the site which has been used to cover the annual event known as 'Enchanted Garden Ball'. This is licence number MDV PR0405 and was initially granted in 2018. This particular licence permits licensable activities at one event per year.
- 1.5 Prior to 2018, records show that the site benefited from separate time-limited premises licenses between 2013 – 2017. The Licensing Officer believes these temporary licences were to cover the 'Enchanted Garden Ball' event.
- 1.6 So all parties are aware, the Act permits more than one licence to have effect for a premises (or part of a premises) at any one time.
- 1.7 The Licensing Officer has asked the Environmental Health Team for details of any complaints made against the annual event held at the premises over the last 3 years. No relevant records were found.
- 1.8 If any party to the hearing believes this is incorrect and that relevant complaints have been made previously to the Local Authority, they can highlight this prior to the hearing by emailing details to licensing@middevon.gov.uk. In doing so

they should confirm their name, the approximate date of the complaint, reference numbers provided by the Council and details about the issue(s).

- 1.9 So the Sub-Committee are aware, the organisers of the event known as 'Enchanted Garden Ball' have, for a number of years, engaged with the Safety Advisory Group (SAG).
- 1.10 The SAG is an impartial advisory group that provides a single point of contact for coordinated and consistent advice to be given to event organisers. Members include Licensing, Environmental Health, Police, Fire Service, Ambulance Service and the Highways Authority.

2.0 THE APPLICATION

- 2.1 The application for a new premises licence was submitted by Showbitz Limited.
- 2.2 The application was initially submitted in March 2025. However, there was an error with the application and as a result, the application had to be resubmitted.
- 2.3 In summary, the following activities / times has been applied for:

Activity	Indoors / Outdoors (or both)	Days	Times
Plays and Films,	Both	Mon - Thu	10:00 – 02:00
		Fri - Sat	10:00 – 04:00
		Sunday	10:00 – 02:00
Live music	Both	Mon - Sat	10:00 – 04:00
		Sunday	10:00 – 02:00
Recorded music, Performance of dance and 'anything of a similar description'	Both	Mon – Sun	10:00 – 04:00
Late night refreshment	Both	Mon – Sun	10:00 – 04:00
Supply of alcohol	For consumption ON and OFF the premises	Mon – Sun	10:00 – 04:00
Hours premises open to the public	N/A	Mon – Sun	09:00 – 04:30

Table 1: Activities / times requested on application

Late night refreshment

- 2.4 It should be noted that late night refreshment relates to the supply of hot food or hot drink between the hours of 23.00 and 05.00. This is highlighted because

the applicant has asked for it to be licensed from 10:00 and at this time, the requirement for a licence would not apply.

Adult entertainment

- 2.5 Box K of the application asks the applicant to highlight any adult entertainment that may give rise to concerns in respect of children. The applicant has stated:

'At present and within all current expectation. Any adult entertainment will be ONLY at OVER 18 events.

All alcohol sales that are not at solely over 18 events will be subject to challenge 25.

Any events that allow under 18's on to site will have additional safeguarding policies in place'.

- 2.6 The Guidance notes on the application form give further information about what applicants should detail in this section and it states:

'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 or the presence of gaming machines'.

- 2.7 It is therefore requested that the applicant provide specific details of any adult entertainment they intend to provide prior to the hearing and with their response to the Notice of Hearing.

- 2.8 The application form is attached as **Annex 1** and the plan submitted with the application is attached as **Annex 2**.

3.0 CIRCUMSTANCES IN WHICH ENTERTAINMENT ACTIVITIES ARE NOT LICENSABLE AND IMPACT ON CURRENT APPLICATION

- 3.1 Many activities that previously required a licence are no longer themselves licensable under the Act (assuming specific requirements are met). Further details about this can be found here:

<https://www.gov.uk/guidance/entertainment-licensing-changes-under-the-live-music-act>

- 3.2 So parties are aware, with regards to live and recorded music, a licence is not required for these activities if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and

- the audience is no more than 500 people

3.3 A licence is also not required to:

- put on unamplified live music at any place between the same hours; or
- put on amplified live music between 08.00 and 23.00, in a workplace that does not have a licence, provided that the audience does not exceed 500.

3.4 This is highlighted because the applicant has applied for live and recorded music and depending on the specific circumstances, it may not always be considered licensable.

Impact of licence conditions on non-licensable entertainment

3.5 Any conditions added on a determination of an application for a premises licence which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 where the following conditions are met:

- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- if the music is amplified, it takes place before an audience of no more than 500 people; and
- the music takes place between 08.00 and 23.00 on the same day.

3.6 Essentially, if the live or recorded music is not considered licensable, any conditions on a licence which apply will be 'suspended'.

Dealing with issues as a result of non-licensable entertainment

3.7 Issues or problems relating to activities which are not considered licensable can still be addressed. For example, if music is causing a nuisance, Environmental Health can still take action under the Environmental Protection Act 1990.

3.8 From a licensing perspective, any potential licence can be reviewed and at this stage, conditions could be made to have effect or be placed on the licence. It is important to note that this power follows on from an application to review a premises licence and this is not a relevant consideration for the current application.

4.0 LICENSING OBJECTIVES

4.1 All applicants are required to set out in their application the steps they intend to take to promote the four licensing objectives. These are:

- **The prevention of crime and disorder**

- **Public safety**
 - **The prevention of public nuisance; and**
 - **The protection of children from harm.**
- 4.2 The applicant has provided information and proposals on this, and these can be seen in Section M of the application (attached as **Annex 1**).
- 4.3 Paragraph 1.2 of this report replicates what the applicant has said in the description of the premises section of the application. Because some of this information appears to include restrictions / conditions, the Licensing Officer feels it may be helpful to highlight the following:
- The Licence would permit up to TEN 'events' per year. Of these TEN events, up to TWO could last for a maximum of 3 days. The other EIGHT would last no longer than 24 hours.
 - The maximum attendance will be restricted for any one event to 8,000 in 2025; 9,000 in 2026; and 9,999 in 2027.
 - A site plan and Event Management Plan (EMP) will be produced for all events and kept on site.
 - The SAG will be notified of all events with a potential capacity of 501 and above.
 - 'Larger' and 'louder' events, such as anything with a professional level PA and events that run beyond 22:00 will have a noise management plan and this will be submitted to the SAG.
 - Where an event has a potential capacity of 5,000 or more, an external noise monitoring company will be employed to conduct noise monitoring at the most noise sensitive locations.
- 4.4 Section M of the application contains further conditions which includes, but is not limited to:
- The EMP (and all associated documents) will be made available to the SAG no later than 2 months prior to an event.
 - So far as is reasonable practicable, events will run in accordance with the EMP.
 - A Full EMP will be submitted to the SAG for all events with a potential capacity of 2,500 or more.
 - Smaller events (defined as those with a capacity of 500 – 2,500) will have a 'scaled back' EMP that may be supplied to the SAG on request.

- The SAG will be made aware of all events with a potential capacity of 500 or more, via email, at least three months prior to the event wherever possible*, and 'certainly' for events with a potential capacity of 2500 or more.

* NOTE: Wording such as '*wherever possible*' is not recommended within licensing conditions in relation to notification requirements.

Additional information / confirmation requested from the applicant

4.5 The Licensing Officer has looked at the application and would like the applicant to clarify / confirm the following issues:

- a) Confirm how small and large events are defined. 'Smaller' events appear to be defined as those with a potential capacity of 500 – 2,500 and large events as 2,501 and above. However, the wording in one section of the application appears to indicate that an event of 2,500 would be considered a large event. This is important to clarify because it effects whether or not an EMP will be proactively supplied to the SAG or alternatively, made available on request.
- b) Confirm if any events with a proposed capacity of less than 500 would take place. If so, would an EMP be produced for them?
- c) Confirm how far in advance the SAG will be advised of small / large events.
- d) Confirm how far in advance an EMP will be made available to the SAG, prior to the event starting.
- e) Confirm that the EMP for small events will need to be requested by the SAG whereas the EMP for large events will be proactively circulated to them.
- f) Confirm when an external noise monitoring company will be used to a) monitor sound levels and b) produce a noise monitoring plan?

Conditions relating to an EMP

- 4.6 In order to allow some degree of flexibility, the applicant has not necessarily listed specific event conditions per say, but has instead referred to an EMP and the requirement to have this on site.
- 4.7 This practice is not uncommon for such events / licences and there are strong pragmatic reasons for this. Overly specific conditions on a Premises Licence may be suitable for one event held at the site but could be counter-productive to another. The ability to amend / create an EMP for each event ensures a proper risk assessment can take place and suitable safeguards adopted in light of the specific issues identified.
- 4.8 A condition requiring an EMP can be specific in the sense that it can include details of what issues it should cover, as a minimum. For example, the applicant has stated that it will include things like a noise monitoring plan; risk

assessments; site plan; crowd management plan; fire safety risk assessments; medical plan; and alcohol management plan.

- 4.9 Other specific plans / documents that an EMP may include can relate to access / egress; transport, communication; and waste management.
- 4.10 The Council's Licensing Policy is covered in more detail in section 8 of this report. However, given its relevance to large scale events and EMP's, it is felt appropriate to highlight the following at this stage:

The Council encourages the promotion of well-run events within the district and recognises the benefits that such events can bring to the local economy and community. (Paragraph 4.38)

Large scale events, such as outdoor musical festivals and other events, have significant potential to undermine the promotion of the licensing objectives, due to their size, complexity and the potential implications for planning such events. (Paragraph 4.39)

The Council strongly recommends that organisers of large scale public events consult the Safety Advisory Group (SAG) at the earliest opportunity to discuss arrangements for the licensing of those activities. This will help to ensure that they can obtain expert advice on how best to minimise the risk of injury and public nuisance. (Paragraph 4.40)

The application may involve the preparation of a substantial Event Management Plan which may take some time to complete. We recommend applicants engage with the SAG process a minimum of 6 months prior to the proposed event starting date. This is important to ensure that there is adequate time to apply for and obtain the relevant licences for the event to take place. (Paragraph 4.41)

5.0 RESPONSIBLE AUTHORITIES

- 5.1 Responsible Authorities under the Act are notified of all new premises licence applications. The onus is on each Responsible Authority to determine when they have appropriate grounds to make a representation.

- 5.2 The Responsible Authorities are:

- Police
- Fire Service
- Environmental Health (nuisance and health and safety)
- Planning Authority
- Licensing Authority
- Health and Safety Executive
- Weights and Measures (Trading Standards)
- the body responsible for Child Protection
- the local Director of Public Health

- Home Office

5.3 No Responsible Authorities made a representation against this application.

6.0 OTHER PERSONS

6.1 The Act allows 'other persons' to make representations provided they are relevant and not considered frivolous or vexatious. To be relevant, a representation must relate to the likely effect of the grant of a licence on the promotion of one or more of the licensing objectives. The Section 182 Guidance states that '*... representations should relate to the impact of licensable activities carried on from premises on the objectives*' (Paragraph 9.4).

6.2 In this case, the Licensing Authority received 10 'negative' representations against the application that contain, to varying degrees, relevant information.

6.3 All of the representations are attached in full as **Annex 3 – 12**.

6.4 One of these representations was submitted in the form of a petition. This has been treated as one representation from the 'lead' signatory, supported by the other signatories, in accordance with Paragraph 5.21 of the Licensing Authorities Statement of Licensing Policy.

6.5 It should be noted that the hearing gives those that have made representations an opportunity to amplify and clarify the relevant issues they have raised. Additionally, it would be helpful if any party that has a suggested condition or recommendation make this clear to the Sub-Committee on the day.

6.6 A map showing the location of the premises in relation to those that have submitted representations will be available for Members of the Sub-Committee.

7.0 LICENSING OFFICER COMMENTS ON REPRESENTATIONS

Issues not likely / less likely to be relevant under the Act

7.1 As stated in Paragraph 6.1 of this report, representations must relate to the impact of licensable activities carried on from premises on the licensing objectives. It is the Licensing Officers view that elements of the representations are not relevant and what follows is a brief overview of these issues.

7.2 It is important to note that just because something is not considered as relevant under the Act, this does not mean the issue itself does not merit attention. It just means that the Act is not seen to be the relevant process / legislation to deal with the issue.

7.3 Please be aware that what follows is not intended to cover all of the issues raised in representations. The Licensing Officer has tried to pick out what is believed to be some of the broad themes / areas of representations and give some information about these in particular.

Impact on wildlife / livestock

7.4 It is not felt that the impact of licensable activities on local wildlife / livestock is relevant. Representations must relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. This issue appears to have been linked to the public nuisance objective.

7.5 The Section 182 Guidance states that:

'The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter'. (Paragraph 2.21)

7.6 A public nuisance is an act that interferes with the rights of the public generally - wildlife / livestock cannot be considered to be the public and the impact of licensable activities on them is therefore not thought to be relevant.

7.7 It should also be noted that general legislative provisions exist to deal with certain wildlife protection issues (i.e. The Wildlife & Countryside Act 1981).

Resources of the Police and Local Authority

7.8 The issue of authority resources has been raised and the Section 182 Guidance is clear that conditions and requirements placed on licences must be focused on the issues that are within their control.

7.9 The applicant cannot control the resources of other bodies and it is not felt relevant.

7.10 It should also be noted that Responsible Authorities, including the Police, did not make a representation. The Section 182 Guidance confirms that *'Licensing authorities should look to the police as the main source of advice on crime and disorder'*. (Paragraph 2.1)

Safety of those not using the premises

7.11 The public safety licensing objective relates to the safety of those using the premises. This is confirmed in the Section 182 Guidance which states that: *'Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation'*. (Paragraph 2.8)

- 7.12 It is the view of the Licensing Officer that this objective does not extend to the safety of people not using the site (i.e. people that may simply be walking on nearby roads and not attending the relevant site / event).

Perceived 'need' for such a premises and times of other licensed premises

- 7.13 The Section 182 Guidance confirms the perceived need for the premises is not relevant from a licensing perspective. It states:

"Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy. (Paragraph 14.19)

- 7.14 Examples have also been given of other licensed premises finishing earlier than what the applicant has applied for. The Licensing Officer is of the view that the times permitted by other licences, be they shorter or longer, will vary based on a whole host of reasons and this fact alone is not relevant. What is important is the potential impact of the proposed licensable activities on the licensing objectives, in this particular case.

Anti-social behaviour once individuals are beyond the direct control of the applicant

- 7.15 The S182 Guidance confirms that:

'Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night'. (Paragraph 2.27)

- 7.16 This is highlighted because a number of representations have raised the issue of anti-social behaviour and it is important to remember that an applicant cannot be held responsible for the actions of people once they have left the immediate vicinity of the premises.

Planning

- 7.17 One of the representations states that prior to any decision being made on the application, the Licensing Authority should satisfy itself that the licensable activities are permitted from a planning perspective.
- 7.18 The Licensing Officer is of the view that this should not be the case. With regards to the Act, planning permission is not a 'prerequisite'. The Section 182 Guidance states that:

‘The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs’. (Paragraph 14.65)

- 7.19 So the Sub-Committee are aware, the Licensing Team notified the local planning authority of the application (in accordance with the requirements of the Act) and no representation was made.
- 7.20 They did however provide some additional information highlighting that planning permission would be required for a change of use of the land should the site be utilised for events on more than 28 days in any calendar year.

Marketing and sales of properties

- 7.21 The Licensing Officer does not believe the licensing objectives extend to the marketability of properties yet to be built or sold. The Licensing Authority is not making a decision based on individual financial interests but is considering the impact of licensable activities on the licensing objectives.
- 7.22 However, the Licensing Officer believes that the potential impact of licensable activities on those living at the site may be relevant, but clearly this is a theoretical impact and the Sub-Committee would need to consider this accordingly.

Access to land

- 7.23 The granting of a licence does not permit, in itself, someone to use / restrict access to a site. The Act does not require proof of ownership or confirmation of right of use. Clearly, if the landowner did not want or intend to allow their land to be used in such a way they could make a representation on the application themselves, in addition to taking action should the site be used illegally (i.e. trespass).
- 7.24 If a landowner decides that someone can use their site, thereby potentially preventing access to the site by others, the Licensing Officer does not believe the Licensing Authority has any jurisdiction in this matter.

General road, traffic and parking concerns

- 7.25 The Licensing Officers usual view is that the general use of the road is not a relevant licensing consideration. For example, many premises are situated next to public roads and licence holders cannot dictate / control how people choose to drive or travel to and from the premises.

7.26 This is not to say a licence holder has no responsibilities with regards to ensuring patrons / customers can, for example, leave the premises safely. The Section 182 Guidance states:

'Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- *Providing information on the premises of local taxi companies who can provide safe transportation home; and*
- *Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks'. (Paragraph 2.16)*

7.27 These examples are indicative of the type of things that the applicant can directly control and this is the general principle applied by the Licensing Officer.

7.28 Additionally, it should also be remembered that planning is a separate regime to licensing and issues regarding traffic and highway safety may be planning considerations.

7.29 However, the Licensing Officer feels, on the individual merits of this application, that the applicant's ability and duty to control issues relating to traffic management goes beyond what would usually be expected of a licensed premises (i.e. a pub or a shop). This is in light of the location of the site, the number of people that may attend events (up to 9,999) and the applicants previous practices.

7.30 When considering this issue and possible resolutions, the Licensing Officer believes it is important to note the following information.

7.31 The Highways Authority is not a Responsible Authority under the Act. However, as noted above, they sit on the SAG and are responsible for considering highway related issues for events.

7.32 In relation to the annual event held at this site, the Highways Authority has informed us that it has previously operated under a Temporary Traffic Regulation Order (TTRO). The Highways Officer has confirmed that to the best of their knowledge, they are not aware of any issues being reported with this arrangement.

7.33 The Highways Authority have also confirmed that if future events are to be held at this location by the same event organiser, they would request a suitable traffic management plan for each event.

7.34 It is clear that any potential future event would need to be reviewed by the relevant authorities on its own individual merits. This is important to highlight because the way in which issues such as traffic are managed can vary significantly from event to event and even over time for the same event. In light of the role of the Highways Authority, it is suggested that it would not be appropriate to have conditions on a non-time limited premises licence to do with

specific highway / traffic related plans (should the Sub-Committee be minded to grant any such licence).

- 7.35 To be clear, this is not to say that conditions about access / egress issues could not be placed on a licence. It is instead to say that the Licensing Officer feels, based on the individual merits of this case, that specific requirements relating to traffic management issues would be best left to the EMP. This will enable input from relevant bodies, such as the Highways Authority.
- 7.36 With regards to potential parking issues, it appears that other relevant legislation could also apply. For example, it is an offence to park on a dropped kerb; cause an obstruction and park dangerously or in a way that would prevent emergency vehicles from accessing the street. Additionally, parking on someone else's land could constitute trespass.
- 7.37 This is highlighted because the licensing process should not seek to duplicate other regulatory regimes. Additionally, such issues could potentially occur if the site was used for non-licensable events - there would then be a reliance on other legislation / resolutions as a result.

The Purple Guide

- 7.38 The Licensing Officer believes it is important to briefly highlight the information and guidance that event organisers are provided via the Purple Guide to Health, Safety and Welfare at Music and Other Events ('Purple Guide').
- 7.39 Originally published by the Health & Safety Executive (HSE) and now drawn up by the Events Industry Forum, this guide highlights the event organiser's legal responsibilities when holding an event. Importantly, the requirement to ensure, so far as is reasonable practicable, the health, safety and welfare of their employees and others, such as the attending public, does not depend on the provision of licensable activities. The health and safety requirements therefore apply to a wide range of events, including those not licensed under the Act.
- 7.40 For example, if Shobrooke Park was to be used for an event that did not include licensable activities, a premises licence would not be required. However, thousands of people may still attend and as highlighted in the Purple Guide, there would still be a legal requirement for the event organiser to consider a broad range of issues, including traffic management.
- 7.41 The Purple Guide has a specific section on traffic management plans and highlights that if there is potential for disruption, the event organiser should consult with the Highways Authority about the event. It also confirms that plans should be agreed with the Local Highways Authority and/or Highways Agency through the SAG. The Licensing Officer believes this further supports the idea that any potential conditions on a licence should allow specific traffic related plans to be tailored to the specific event being held.

Issues considered relevant under the Act

7.42 There are various issues raised in representations that are, in the view of the Licensing Officer, considered to be relevant. Because copies of representations are attached to this report, and because those that made these representations will be invited to expand on them at the hearing, the Licensing Officer does not feel it is necessary to provide significant details about each of them here.

7.43 Relevant issues include, but may not be limited to:

- Incidents of anti-social behaviour at the premises and its immediate vicinity
- Concerns around illegal drug taking at the site
- Noise pollution
- Light pollution
- Litter pollution
- Safety of those using the site, including access / egress¹
- Access to site for emergency vehicles¹
- Drink driving²
- The above being compounded by the number of proposed attendees and the times licensable activities have been applied for

¹ *These issues link to the point(s) made above in Paragraph 7.25 onwards of this report. Although relevant, the Licensing Officer believes that it may not be appropriate for specific details of traffic plans to be placed on a premises licence as a condition, especially when the intention is to potentially utilise the site for different events. A more appropriate condition would highlight the requirement for a traffic management plan (as part of an EMP) and facilitate and enable the involvement of other relevant bodies, such as the Highways Authority.*

² *Although drink driving is considered to be potentially relevant, it must be remembered that the licensing process should focus on the matters which are within the control of the applicant / licence holder.*

7.44 To be clear, the above list is not intended to be a complete overview of every representation submitted.

7.45 If any 'Other Person' has comments or observations to make about the above, i.e. if they believe that issues are relevant under the Act but have been considered as not being relevant, they are asked to contact the Licensing Team on receipt of this report and provide any information in support of their view. This can be done by emailing licensing@middevon.gov.uk or alternatively writing to Licensing, Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton, Devon, EX16 6PP.

8.0 LICENSING POLICY

8.1 The Act requires the Council, as the Licensing Authority, to formally adopt a policy setting out how it will deal with its duties under the Act. The Policy must be considered in its entirety, but in order to help proceedings, the following information is highlighted in advance of the hearing.

- 8.2 *In carrying out its licensing function the Licensing Authority must promote the following four licensing objectives:*
- *The prevention of crime and disorder*
 - *Public Safety*
 - *The prevention of public nuisance*
 - *The protection of children from harm (Paragraph 2.2)*
- 8.3 *It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not therefore be seen as a “cure all” for solving all problems within the community... (Paragraph 3.2)*
- 8.4 *Where no relevant representations are received, the application will be granted on the terms applied for. Where relevant representations are received, the application will be considered by a Licensing Sub Committee at a hearing... (Paragraph 5.13)*
- 8.5 *Any Other Person attending a hearing may expand on their representation but may not introduce new or different representations. (Paragraph 5.14)*
- 8.6 *When determining a licence application, the overriding principle adopted by this Licensing Authority will be that each application will be determined on its merits. The Licensing Authority will have regard to any guidance issued by the Home Office, this Policy and any measures it deems necessary to promote the licensing objectives. The Licensing Authority may depart from the guidelines in this Policy if it has justifiable and compelling reasons to do so. The Licensing Authority will give reasons for any such departure from the Policy. (Paragraph 6.3)*
- 8.7 *The Licensing Authority will expect applicants to demonstrate in their applications active steps for the promotion of the licensing objectives. When determining an application, a key consideration for the Licensing Authority will be the adequacy of measures proposed in the Operating Schedule to promote the licensing objectives having regard to the type of premises, the licensable activities to be provided, the nature of the location and the needs of the local community... (Paragraph 6.4)*
- 8.8 *The authority will also have regard to wider considerations affecting the residential population, businesses and the amenity of an area. These include alcohol-related violence and disorder, antisocial behaviour, littering and noise, particularly late at night and in the early morning. (Paragraph 6.5)*
- 8.9 *Since the introduction of the Act, the Licensing Authority’s experience is that the vast majority of complaints about licensed premises are caused by public nuisance, in particular excessive noise from live and recorded music and disturbance caused by customers congregating outside licensed premises. The Licensing Authority will expect applicants to have particular regard to these issues and, if considered appropriate, to include in their Operating Schedules adequate and effective steps to control noise and disturbance from their premises. (Paragraph 6.6)*

- 8.10 *When determining an application, the authority will consider all relevant evidence, both oral and written, provided by parties to a hearing. Evidence which is irrelevant will be disregarded. The authority encourages applicants and persons making representations to attend hearings so that they can give evidence. Where an individual fails to attend the hearing, the authority will consider their application or representation but may attach less weight to it. (Paragraph 6.7)*
- 8.11 *It should be noted that, when determining an application, the authority is making a judgment about risk. A key purpose of the licensing function is not to respond to crime and disorder, nuisance or public harm once it has happened but to make an informed assessment of the risk of such things occurring if a licence is granted and to take such steps as it considers appropriate to prevent or minimise such risks. (Paragraph 6.8)*
- 8.12 *Licence conditions will be tailored to the individual application and only those considered appropriate to meet the licensing objectives will be imposed. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection, for example Health and safety at work, fire safety legislation etc. (Paragraph 6.9)*
- 8.13 *The Licensing Authority will also take into account when making its decision that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour, especially once individuals have left licensed premises and are therefore beyond the direct control of licensees. However, when making a decision, the authority will focus on the direct impact of the activities taking place on the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. (Paragraph 6.10)*
- 8.14 *The 'need' or demand for a licensed premises of any kind or the commercial damage that competition from a new licensed premises would do to other licensed premises in an area will not be matters that the authority will consider when discharging its decision making function. (Paragraph 6.11)*
- 8.15 *The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When the authority's discretion is engaged consideration will be given to the individual merits of an application but the presumption will be to grant the hours requested unless there are objections to those hours raised by Responsible Authorities or Other Persons on the basis of the licensing objectives. (Paragraph 6.15)*
- 8.16 *In general, applications for licensed premises located in residential areas wishing to open beyond 23.00, and those operating a beer garden or outside area beyond 21:00, will be expected to have a higher standard of control included within their operating schedule to address any potential public nuisance issue. (Paragraph 6.16)*

- 8.17 *Where representations are received, stricter conditions relating to noise control may be appropriate and necessary in sensitive locations such as residential areas. (Paragraph 6.17)*
- 8.18 *In considering relevant representations, the Licensing Authority will consider the adequacy of measures proposed to deal with the potential for nuisance and/or public disorder having regard to all the circumstances of the case. (Paragraph 6.19)*
- 8.19 *The Authority will pay particular attention to the effect (or potential effect) of licensable activities on those living, working or otherwise engaged in the area concerned and, where relevant representations are received, may attach conditions if it considers it appropriate for the promotion of the licensing objectives. (Paragraph 6.27)*
- 8.20 *Conditions attached by the Authority to Premises Licences and Club premises certificates will relate to matters falling within the control of individual licensees. It is recognised that the licensing function cannot be a mechanism for the control of disorderly behaviour by individuals once they are beyond the direct control of the licence holder. However, the Licensing Authority and Responsible Authorities may take action where it can be established that there is a clear linkage between disorderly behaviour and a specific premises. (Paragraph 6.28)*
- 8.21 *The Authority will not impose inappropriate or over-burdensome conditions on licences. The Authority may, however, if its discretion is engaged, impose conditions where existing legislation does not provide adequate controls and additional measures are considered to be appropriate for the promotion of the licensing objectives. (Paragraph 6.29)*
- 8.22 *When determining the appropriate set of conditions the Licensing Authority will focus primarily on the individual style of the premises and the licensable activities proposed. Consideration should also be given to the following:*
- *The size, nature and style of operation*
 - *Whether the premises is part of a multiple operator's chain and therefore more likely to have an operating schedule that is tried and tested*
 - *The cumulative effect of conditions in terms of cost and practical implementation*
 - *The likely cost of the condition(s) for the operator*
 - *Whether a simpler or better way of dealing with a perceived problem could be found*
 - *Whether there is an actual risk of undermining an objective, as opposed to a conceivable risk. In the latter case, there is no need for the condition*

- *Whether the condition will be enforceable, if it is not specific or could be considered subjective it may not be enforceable. (Paragraph 6.30)*

8.23 Members must have regard to the Licensing Authority's Policy when making their decision and it can be viewed in full here: <https://www.middevon.gov.uk/business/licensing/statement-of-licensing-policy-licensing-act-2003/>.

9.0 GOVERNMENT GUIDANCE

9.1 Members are also obliged to have regard to the Guidance produced under Section 182 of the Act. The most recent version of this was published in February 2025 and some relevant sections are highlighted below. The full Guidance can be viewed here:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

9.2 *Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is encouraged.*

Licence conditions:

- *must be appropriate for the promotion of the licensing objectives;*
- *must be precise and enforceable;*
- *must be unambiguous and clear in what they intend to achieve;*
- *should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
- *must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- *should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- *should not replicate offences set out in the 2003 Act or other legislation;*
- *should be proportionate, justifiable and be capable of being met;*
- *cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and*
- *should be written in a prescriptive format. (Paragraph 1.16)*

9.3 *Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health. (Paragraph 2.22)*

- 9.4 *Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues. (Paragraph 2.23)*
- 9.5 *As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate. (Paragraph 2.24)*
- 9.6 *Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave. (Paragraph 2.25)*
- 9.7 *Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night. (Paragraph 2.27)*

10.0 DETERMINATION AND OPTIONS OF THE SUB-COMMITTEE

- 10.1 *The Section 182 Guidance states that: ‘As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered*

appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits. (Paragraph 9.37)

10.2 *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 appropriate to promote the licensing objectives;*
- *the representations (including supporting information) presented by all the parties;*
- *this Guidance;*
- *its own statement of licensing policy. (Paragraph 9.38)*

10.3 *Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. (Paragraph 9.42)*

10.4 *The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. (Paragraph 9.43)*

10.5 *Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters... (Paragraph 9.44)*

Options of the Sub-Committee

10.6 The Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. This may include:

- Granting the licence as applied for

- Granting the licence subject to appropriate modifications necessary for the promotion of the licensing objectives
- Excluding from the scope of the licence any of the licensable activities to which the application relates
- Refusing to specify a Designated Premises Supervisor
- Rejecting the application

10.7 Reasons must be given for the decision and they must set out the matters taken into consideration and why such a decision was arrived at.

10.8 Members have five working days from the conclusion of the hearing to make a decision.

11.0 APPEAL

11.1 If any party (i.e. applicant or 'other person') is dissatisfied with the decision made then they have the right of appeal to the Magistrates' Court within 21 days of formal notification of the decision.

12.0 THE PROCESS FOR THIS HEARING

12.1 The Council have an adopted procedure for hearings and this attached to this report as **Annex 13**. In so far as is possible and practicable, the Licensing Authority will work in accordance with this procedure.

13.0 ANNEXES TO THIS REPORT

Annex 1	Copy of application form
Annex 2	Plan of premises
Annex 3 - 12	Representation 1 - 10
Annex 13	Hearing procedure

Contact for more Information: Tom Keating (Specialist Lead, Licensing) / tkeating@middevon.gov.uk OR Harriet Said (Team Lead, Commercial) / hsaid@middevon.gov.uk

Circulation of the Report: Legal Services / Members of Licensing Sub-Committee / Applicant / Other Persons

List of Background Papers:

- Licensing Act 2003 - <https://www.legislation.gov.uk/ukpga/2003/17/contents>
- Section 182 Guidance - <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
- Mid Devon District Council Licensing Act Policy - <https://www.middevon.gov.uk/business/licensing/statement-of-licensing-policy-licensing-act-2003/>

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

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Showbitz Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Shobrooke Park			
Post town	Crediton	Postcode	EX17 1DG

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

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

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

f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name - Showbitz Limited
Address - 3 Southernhay West, Exeter, EX1 1JG
Registered number - 07281764
Description of applicant - Limited Company

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	6	052025

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

DD	MM	YYYY

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

The Premises is historic parkland attached to what was an old manor house, which was destroyed during WW2. The landowner lives on the old site of the original house in a bungalow built in the mid century.

The landowner has a current event licence for the site, which is not a premises licence and therefore does not allow sale of alcohol.

We have been holding an annual event on the site for the last 14 years. Improvements made to the estate by the landowner, have made it much easier to access and the potential of the site to hold more events has been realised.

The annual event which has traditionally been held on the site, on the weekend that follows the late May bank holiday, is an event for Exeter University students. The event has gradually grown to 7000 students, all of whom are brought to site in buses and taxis therefore the impact on the local residents is minimal. There has historically been no problems or issues with any aspect of the event, and it is a well-respected and popular event which sells out in minutes.

Due to the capacity and landscaping of the site, It would be really nice to hold other events such as family fete's, plays in the amphitheatre, or other music events. Therefore, we are applying for a licence for a larger physical area, which will encompass the majority of Shobrooke Park. Not all of which for licensable activities, and not necessarily to be used all at once, but to allow scope for different events in different locations.

This licence would allow events to happen on any day of the year. We propose to limit this licence to 10 events per year where licensable activities take place, in no way contravening the current licence held by the landowner for their own events. Of these 10 events, no more than 2 would be 3 days and 8 would be 1 day. (a 1 day event can span midnight. i.e. 10am – 2am counts as 1 day for the purposes of this application). No event would last longer than 3 days.

We do not propose to operate events all-day every day, however, for example, we may wish to run a family event on a Saturday running from 10am to 8pm, but further into the year, on a different Saturday we may wish to run a music event which starts later but finishes at 4am.

We have no plans to run any events later than 2:30am, however, we are applying for a longer licenced period to allow us to keep the site open later than planned without breaching licence conditions in the rare occurrence we should need to – in 2023 we were at risk of having a H&S compliance issue due to having to close the site because of licence conditions, this meant a massive egress of guests that would not be easy to safely manage. To mitigate a similar situation we are applying for slightly longer licencing hours to allow us the flexibility to keep a venue open longer in this scenario.

In addition, we are applying for the maximum capacity for the largest event that we wish to hold. A theatre event would likely be held with a 400 cap. Whereas the current Enchanted Garden Ball event would like to gradually grow from the current 7500 capacity up to 9999.

We will cap the attendance to; 8000 in 2025, 9000 in 2026 and 9999 in 2027. This number also includes all staff, artists, security and management, not only ticket holders.

For events of 8000+ then full plumbing will be installed around the site for free drinking water. However, we will endeavour to provide water stations for attendees to fill their own receptacles or those purchased via the bars.

For all events a site plan and an EMP will be produced and kept on site for the duration of the event, along with it's build and break phases. The SAG will be notified for all events over 500 capacity via email. Organisers will attend SAG meetings if requested to do so.

For any amplified events, a licence condition would be that all sound systems are directed away from local residences. We would request that the sound engineers have a sound monitor at the control position to ensure that sound levels are kept to a reasonable volume. Theatre and unamplified events will generally not require a noise management plan. However, with larger, louder events, such as anything with a "professional level PA" (more than simply a couple of speakers), or runs beyond 22:00, then a noise management plan will be created and submitted to the SAG. The sound operators will be required to operate within the bounds of the NMP. For events of 5000+ capacity an external noise monitoring company is to be employed who will visit the most noise sensitive locations throughout the event to ensure sound levels are kept within the legal bounds.

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

9999

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	X
b)	films (if ticking yes, fill in box B)	X
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)	X
f)	recorded music (if ticking yes, fill in box F)	X
g)	performances of dance (if ticking yes, fill in box G)	X
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	X

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	X
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	10:00	02:00	<u>Please give further details here</u> (please read guidance note 4) Plays may be performed in the purpose built amphitheatre, in a temporary structure, or promenade around the site.		
Tue	10:00	02:00			
Wed	10:00	02:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	10:00	02:00			
Fri	10:00	04:00	<u>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</u> (please read guidance note 6)		
Sat	10:00	04:00			
Sun	10:00	02:00			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	10:00	02:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	10:00	02:00			
Wed	10:00	02:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	10:00	02:00			
Fri	10:00	04:00	<u>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</u> (please read guidance note 6)		
Sat	10:00	04:00			
Sun	10:00	02:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Thur			
Fri			<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> (please read guidance note 6)
Sat			
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<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> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	10:00	04:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	10:00	04:00			
Wed	10:00	04:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	10:00	04:00			
Fri	10:00	04:00	<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> (please read guidance note 6)		
Sat	10:00	04:00			
Sun	10:00	02:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	X
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	10:00 -----	04:00 -----			
Tue	10:00 -----	04:00 -----			
Wed	10:00 -----	04:00 -----			
Thur	10:00 -----	04:00 -----	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Fri	10:00 -----	04:00 -----			
Sat	10:00 -----	04:00 -----	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	10:00 -----	04:00 -----			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	10:00	04:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	10:00	04:00			
Wed	10:00	04:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	10:00	04:00			
Fri	10:00	04:00	<u>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</u> (please read guidance note 6)		
Sat	10:00	04:00			
Sun	10:00	04:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing Unknown at this time.		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon	10:00	04:00		Outdoors	
				Both	X
Tue	10:00	04:00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	10:00	04:00			
Thur	10:00	04:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	10:00	04:00			
Sat	10:00	04:00	<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> (please read guidance note 6)		
Sun	10:00	04:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	X
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	10:00	04:00			
Tue	10:00	04:00			
Wed	10:00	04:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	10:00	04:00			
Fri	10:00	04:00			
Sat	10:00	04:00	<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> (please read guidance note 6)		
Sun	10:00	04:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	X
Mon	10:00	04:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Tue	10:00	04:00			
Wed	10:00	04:00			
Thur	10:00	04:00	<u>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</u> (please read guidance note 6)		
Fri	10:00	04:00			
Sat	10:00	04:00			
Sun	10:00	04:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Christopher Davis
<div style="background-color: black; height: 50px;"></div>	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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 9).

At present and within all current expectation. Any adult entertainment will be ONLY at OVER18 events.

All alcohol sales that are not at solely over 18 events will be subject to challenge25.

Any events that allow under 18's on to site will have additional safeguarding policies in place.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	04:30	
Tue	09:00	04:30	
Wed	09:00	04:30	
Thur	09:00	04:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri	09:00	04:30	
Sat	09:00	04:30	
Sun	09:00	04:30	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

An Event Management Plan (EMP) (including Noise Management Plan), Risk Assessments, Site Plan, Crowd Management Plan, Fire Safety Risk Assessments, Medical Plan and Alcohol Management Plan will be made available to the local Safety Advisory Group no later than 2 months prior to the event date.

So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan and no changes may be made to this plan after 28 days prior to the event date unless the changes have been requested/advised by a responsible authority.

The EMP will form part of the premises licence conditions and it will be the responsibility of the licence holder to ensure these are complied with.

All events planned will take into consideration the guidelines laid down in the Purple Guide, Fire Reform Act and all other relevant guidance and legislation.

The safe capacity of the site should be worked out in conjunction with the Fire reform act and Purple guide where Evacuation Time, Escape route capacities, Exit flow rate and Occupancy levels should be considered in conjunction with the amount of infrastructure present.

There will always be adequate security staff over and above the recommendations in the Purple Guide for the nature of the event. This will include SIA, supervisors and stewards as necessary. As a general rule we aim for 1:100 security, with additional personnel on gates, venue entrances and roaming. This brings the ratio to about 1:75.

For events of 500+, the SAG and therefore all agencies will be made aware of the size, duration and nature of the event. All events will have some form of Event Management Plan, and site plan. The event EMP will be scaled as deemed necessary for the size, scale and nature of the event. A full scale EMP will be submitted to the SAG for events with capacity of 2500 or more. For smaller events (500-2500) a scaled back EMP may be supplied if requested. The SAG will be made aware of all events with 500+ capacity, by email, at least three months prior to the event wherever possible, and certainly for 2500+ capacity events. The EMP will be kept on-site for the duration of the event, it's build and break phases. The event will be run in accordance with the EMP that is produced and specific for that event. The event organisers will attend a SAG meeting at any point should they be requested to do so.

First aid and welfare provision will be provided for all scales of event. From 1000 capacity events upwards, depending on the capacity and nature of the event, medical personnel with more advanced training will be on-site for the duration. For events of 5000+ full paramedics and ambulances will be available should the EMP deem them necessary.

Provision of toilet facilities will be offered over and above those outlined in the Purple Guide. Our usual practice is to assume 100% female occupancy with 100% male occupancy added on top – most complaints for events seem to be about toilets and we are keen to be different.

For larger scale events (2500+) or those with amplified music late into the evening/night, sound levels will be monitored by the event. Depending on the nature of the event, an external noise monitoring company may be used to produce a Noise Management Plan and continuously assess the sound levels (SPL) at various locations that they have identified as the most noise sensitive areas. On smaller

events, such as theatre shows, or those with just a couple of speakers, the sound engineer may have a monitor set up at the control position to enable them to keep levels within the correct parameters.

For the current annual student event, all guests access the site via buses or taxis. There is no parking allowed on-site for anyone, other than staff, for the duration of that event, thereby increasing safety and removing any concerns about drink-driving. An external company is used to create a TTRO, one-way system, and supply traffic marshals for the duration of the event. For smaller events, we may create an on-site carpark or allow customers to drive to site depending on the nature of the event and considering the impact on the local residents. We will take guidance from the SAG and Highways for the larger events. On-site carparking will be determined by each event, but there is access in to the park via the western entrance, as well as via North and South lodges. Therefore giving various options for the location of carparking depending on the design and nature of the event.

For events where under18's are allowed, a safeguarding plan suitable to the size and nature of the event will be enacted as per the EMP and/or as agreed by the SAG (should the nature of the event require the SAG to be notified).

b) The prevention of crime and disorder

See above

c) Public safety

See above

d) The prevention of public nuisance

See above

e) The protection of children from harm

See above

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	
•	I have enclosed the plan of the premises.	
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	
•	I understand that I must now advertise my application.	
•	I understand that if I do not comply with the above requirements my application will be rejected.	
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15) 	
Signature		
Date	17 April 2025	
Capacity	Director	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

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. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:
 - A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:
 - does not have the right to live and work in the UK; or
 - is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

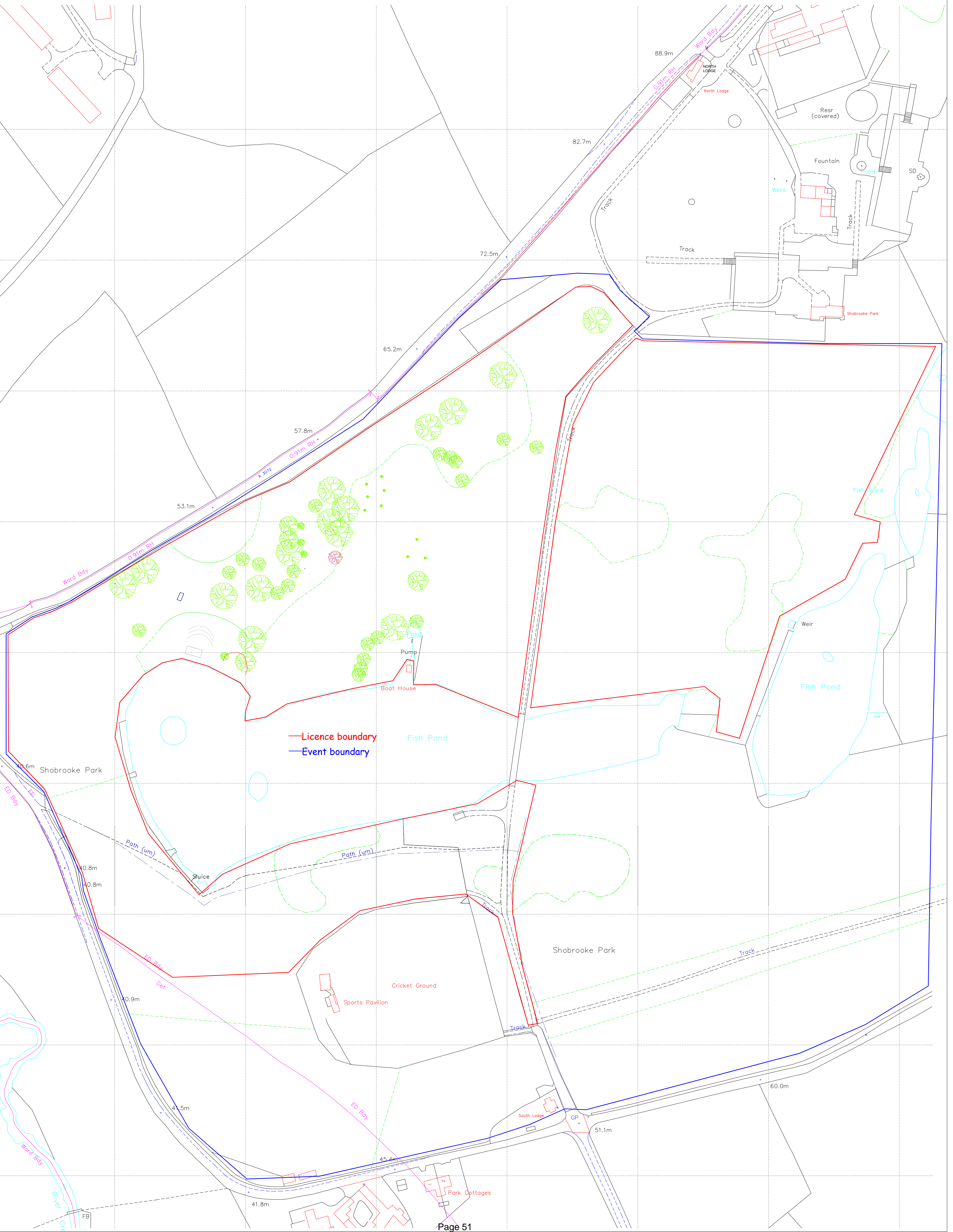
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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Date: 1 May 2025

SENT VIA POST

FAO:

Licensing Team
Mid Devon District Council
Phoenix House, Phoenix Lane
Tiverton
Devon
EX16 6PP

Bellway Homes
South West
1st Floor
2540 The Quadrant
Aztec West
Almondsbury
Bristol
BS32 4AQ

Dear Sir / Madam

Shobrooke Park, Crediton - Application for a Premises Licence (Reference 030254)

By way of introduction, my name is Sam Sowden Operations Director of Bellway Homes South West. As a preliminary point I am writing in connection with the above site at Shobrooke Park, Crediton and Showbitz Limited's proposals for a New Premises Licence to hold a number of events at this location.

Background

Bellway Homes acquired Land at Creedy Bridge, Crediton and secured Reserved Matters Approval (RMA) on 8th March 2022.

Bellway's proposals include the erection of 257 dwellings and up to 5 Gypsy and Traveller pitches; associated works in connection with 8.6ha of land to facilitate future Crediton Rugby Club and up to 1.1ha of land for future primary school; details of landscaping, public open space and other associated infrastructure and engineering operations and access and highway work following outline approval 17/00348/MOUT.

At the time of writing, good progress is being made on site with the construction of main infrastructure underway and development of housing.

Current Position

Bellway Homes development site at Land at Creedy Bridge, Crediton is located approximately 5-minute walking distance to Shobrooke Park where the proposals are being put forward.

I wanted to take the opportunity to outline a few areas that may warrant closer attention or further consideration, to ensure successful outcomes and mitigate potential concerns of future residents living or purchasing new homes at our development site.

Concerned Area 1 – Noise Disturbance

There are uncertainties regarding the impact of noise arising from the proposals at Shobrooke Park given the proximity to our development site. We understand that the proposals include

sound systems which could be operational between the hours of 10:00am and 04:00am depending on the nature of the event. Furthermore, we understand the proposals require capacity for mass amounts of people.

Bellway therefore recommend that a more detailed assessment to confirm any noise implications arising from the development proposals during the operational hours is undertaken (if not done so already). This would enable a robust assessment of impact to future and existing residents to be concluded. By undertaking the above works or not permitting the New Premises Licence until the outcome is known, this will enable noise impacts to be fully accounted for before the proposals can be permitted.

Concerned Area 2 – Engagement with Residents and Addressing Concerns

We understand that existing residents have raised concerns with the proposals. Bellway recommend engaging with key stakeholders and the community further to provide additional insights and highlight considerations that may not yet been addressed.

For example, there is concerns that such events could result in potential risk to the park's condition if adequate precautions are not taken. Given the expected footfall and nature of activities associated with the event, there is possibility that the grounds, facilities and general environment of the park could be left in an undesirable state. This could not only affect the appearance of the grounds and useability of the space, but it would result in significant cost and time restoring to its original condition.

Therefore, Bellway recommend that if not provided already, until such time further clarifications are provided by the applicant, that the grant of the New Premises Licence isn't permitted until measures have been fully considered to safeguard the park, including appropriate site management, post event clean up responsibilities and possible restrictions on high impact activities.

Concerned Area 3 – Marketing and Sales

Whilst Bellway understand the proposals may have certain merits and community advantages, it is a concern that the type of proposal e.g. the amount of mass people in attendance and the lateness of proposed events could result in noise implications. This could have a negative impact on the marketability of properties being sold by Bellway. The nature of the event proposed may affect buyer perceptions and could present challenges in selling the homes, given our sites close proximity to Shobrooke Park. The consequence is that such proposals could influence the sales trajectories of the site.

Concerned Area 4 – Traffic and Parking Issues

Bellway would also like to raise concerns over increased visitor numbers in the locality. For proposals of such mass, with limited parking available at Shobrooke Park, this has the potential to result in obstructed access on the local highway network. As such, until such time a solution for parking and visiting routes is provided, Bellway recommend the proposals are not permitted to ensure safety to the local highway network.

Concerned Area 5 – Security and Safety Risks

It is fully appreciated that it is an impossible task to control individuals' behaviour, a general point I'd like to make is to ensure consideration is given to anti-social behaviour. Large gatherings may bring concerns about anti-social behaviour, vandalism or general safety – particularly where alcohol is involved.

Concerned Area 6 – Impact on Wildlife

Consideration (if environmental information hasn't yet been provided), should be given to the impact on pets and wildlife – noting that noise and crowds can distress and disrupt animals and species particularly during nighttime hours.

Conclusion

I understand the date for representations closes on 16th May 2025. As such, given the matters raised above, it is respectfully requested that the Licensing team reviews the relevant points to ensure that residential amenity is safeguarded and considerations to the environment is fully accounted for. It would also be helpful to understand what conditions will be applied around noise control, clean up responsibilities and frequency limits to help preserve the park for all users. If such information hasn't been adequately assessed, it is recommended that a decision is delayed until the outcome is known.

Yours faithfully

Sam Sowden
Operations Director
Bellway Homes South West

Caroline Prouse



Cheriton Fitzpaine,

Crediton, Devon EX17



Mid Devon District Council,

Licensing Department

Phoenix House,

Phoenix Lane,

Tiverton, Devon EX16 6PP

24th April 2025

RE: Licensing Act 2003 - Premises License Register as at 11:12 on 24 April 2025

Open application 030254 which is a New Application for Premises License with Alcohol

Dear Sir/Madam,

I am writing to formally object to the application for a new premises licence submitted by Showbitz Limited (Applicant: Chris Davis) for Shobrooke Park, submitted on 17 April 2025. As a resident of the local community, I wish to raise serious concerns regarding the significant adverse impact the granting of this licence would have on the wellbeing, peace, and safety of local residents and the surrounding environment.

Impact on Local Community and Vulnerable Populations

Shobrooke Park is a tranquil, historically significant green space that is regularly enjoyed by the local community for walking, fishing, and recreation. The proposal to hold up to 10 large-scale events per year, with some extending until 4:00 AM, is deeply troubling. Of particular concern is the proximity (less than 100 metres) to a local nursing home, which houses vulnerable residents whose health and wellbeing could be seriously compromised by loud, amplified music, increased foot traffic, and associated disturbances.

The cumulative effect of multiple high-capacity events—potentially drawing up to 9,999 attendees—poses a direct threat to the mental and physical comfort of nearby residents, including elderly individuals, families with children, and those with sensory sensitivities. Not to mention detrimental impact upon livestock and damage to property adjacent to the venue.

Noise, Litter, and Environmental Degradation

While the applicants have acknowledged the need for Noise Management Plans and external sound monitoring, the proposed licensing hours (up to 04:30 daily) are excessive and unnecessary for a location within a quiet rural community. Even with noise mitigation measures, the very nature and volume of the proposed events will result in considerable noise pollution, especially during late-night and early-morning hours.

Additionally, increased footfall and vehicular access will inevitably result in increased littering, strain on local waste services, and potential degradation of the park's natural environment, including its lake and wildlife. While the application refers to toilet and water provisions, no assurances have been given on the responsible handling of waste disposal post-event.

Traffic and Public Safety Concerns

The influx of thousands of attendees—whether transported by bus, taxi, or private vehicle—will overwhelm the local infrastructure. The nearby roads are not designed to accommodate such high volumes of traffic, leading to safety risks for pedestrians, congestion, and disruption to local routines. While a traffic plan is mentioned, this is insufficient reassurance without specific guarantees about vehicle numbers, off-site parking, and emergency access routes.

Lack of Community Consultation and Transparency


It is concerning that there appears to have been no meaningful engagement with the local community prior to this application. For such a substantial expansion of activity on a previously low-impact site, local residents should have been consulted and their views meaningfully considered in advance of this submission.

Conclusion

While community events can bring vibrancy and social value, the scale, frequency, and nature of the proposed activities are incompatible with the character and capacity of Shobrooke Park and its surrounding community. I respectfully urge the Licensing Authority to refuse this application in its current form, and to encourage the applicant to engage more deeply with the local community to seek a revised and more balanced approach.

Thank you for your attention to this matter.

Yours faithfully,

A black rectangular box redacting the signature of Caroline Prouse.

Caroline Prouse

1 of 2

MID DEVON LICENSING AUTHORITY**Licensing Act 2003: Representation form**

NOTE: This form includes a section to confirm successful mediation between Responsible Authorities and the applicant. This includes the agreement of conditions.

1. Your details

Responsible Authority:	MID DEVON DISTRICT COUNCIL
Your Name:	MR. C. A. CLIFFORD
Job Title:	RETIRED ENGINEER (Professional)
Postal address:	██████████ Fairfield Road, Crediton, Devon EX17 2 ██████████
Email address:	██
Contact telephone number:	██

2. Premises details

Name of the premises you are making a representation about:	SHOBROOKE PARK
Name of the applicant:	Showbiz Limited
Address of the premises you are making a representation about:	Shobrooke Park, Shobrooke, Crediton, Devon

3. Representation information

Which of the four licensing objectives does your representation relate to?	Yes Or No	Please detail the reason(s) for your representation, including any relevant evidence. This MUST include a clear statement as to why the representation is considered appropriate and necessary. Please use separate sheets if necessary.
To prevent crime and disorder	YES	No Police present in Crediton & when called have to come from Exeter
Public safety	YES	Infra-structure can not handle large number of people. Anti Social behaviour
To prevent public nuisance	YES	Unreasonable hours, drunk people, noisy people, leading to anti-social behavior, also drug distribution!
To protect children from harm	YES	Children will be at risk and given a bad example of being responsible!

4. Additional information and mediation

Do you have any suggested conditions or alterations to the application that would remedy your representation? If so, please list them clearly. Please use separate sheets if necessary.	Do NOT GRANT THE LICENSE.	
If the applicant agrees to the amendments you have set out in the box above, would you be willing to withdraw your representation?	Yes	No ✓
If you agree to withdraw your representation, do you also agree that there is no need for a hearing?	Yes	No ✓
If you are unwilling to withdraw your representation, please detail the reasons for this. This information will be provided to the licensing sub-committee in advance of a hearing.	This area is not suitable for large number of people attending an event as the residents are use to the quite of the country!	
Any additional information?	People near Shalbrooke Park, Crediton do not want a Glasonbury events on their doorsteps.	

Signe

Date: 30th April, 2025

Please return this form along with any additional sheets to: Mid Devon Licensing Authority, Phoenix House, Phoenix Lane, Tiverton, Devon, EX16 6PP, or email to licensing@middevon.gov.uk. This form must be returned within the Statutory Period. For more details please check with the Licensing Section on 01884 255255.

5. Confirmation of agreement

If an amendment to the application has been agreed between the applicant and the Responsible Authority making the representation, the applicant must sign below to confirm the amendments to the application set out above and their agreement.

Name of applicant:

Signed:

Date:

Mid Devon District Council – Licensing Act 2003

REPRESENTATION FORM

This representation is made about the premises to be licensed as detailed below:

Your full name	Charlotte Smith
The name of the organisation / body you represent (if appropriate)	N/A
Postal address	████ Spruce Park, Crediton EX17 3 █████
Email address	██
Contact telephone number	██

Name of the premises you are making a representation about	Shobrooke Park
Address of the premises you are making a representation about	Shobrooke Park, Crediton EX17 1DG

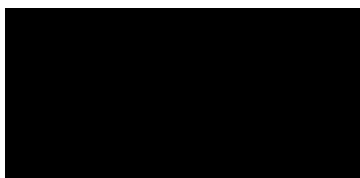
Your representation must relate to one of the four Licensing Objectives

Licensing Objective	Yes Or No	<i>Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	Yes	<p>Alcohol sale - with the legal sale of alcohol in such a rural location we will see an increase in antisocial inebriated behaviour, noise and litter in both the park and surrounding areas.</p> <p>Festivals attract a variety of individuals including drug dealers leading to further illegal activity and antisocial behaviour.</p> <p>The Police already struggle with the antisocial behaviour on the Crediton High Street by the Bank so will likely mean more investment in cost and time for the town to be supervised / managed.</p>
Public safety	Yes	<p>As Shobrooke Park is a rural location, with no night buses or trains, there will be a higher risk of drink driving causing further risk to public safety especially with the draw of a 24 hour Macdonalds locally to the venue. The last bus from crediton to Exeter is at 22.30, the same with the train, meaning that those commuting to the festival for the day will likely drink and drive.</p> <p>The litter from such events (see all music festivals from Glastonbury to Reading for the impact this has) poses a threat to children and animals who enjoy the park from broken glass, left over drugs and alcohol etc.</p> <p>The Road infrastructure is not suitable for events – it is all small lanes with limited or no pavement risking pedestrians who walk to Shobrooke Park including those at Creedy View Care Home, specialising in those with special needs, who are walked by their carers along these lanes.</p>
To prevent public nuisance	Yes	<p>Consideration of the affects regular events will have on nearby residents including the residents of Crediton Town, the new residents of Libbets Grange just 400 yards from the park and the Creedy View Care Home less than 200</p>

		<p>yards from the park, farmers, or the many people that enjoy the beautiful park including children, dog walkers etc. including:</p> <p>Noise – Crediton Town is in a valley and all noise travels through (including the sound of a motorbike travelling along the A377 through town). We are already disturbed and inconvenienced by the noise (music, fair ground and people) from the annual Enchanted Garden Ball for Exeter University Students which is held there which goes on until late. To monitor noise will obviously cost additional money for the council during events and to have a hotline / email address for residents to make complaints or report concerns from residents which may require immediate action – including calling out the police.</p> <p>This is a very agricultural parish and on any day there can be up to 100 tractor movements and, during harvest season that figure will double.</p> <p>With the increase in traffic for 'festival' traffic this will significantly impact those who commute and the many lorries who travel daily (Crediton Milling and others).</p>
To protect children from harm	Yes	See above regarding litter, antisocial inebriated behaviour, drugs, drink driving risks and the noise disrupting both children and adults.

<p>If you are making a representation against a new application or full variation, please suggest any conditions that could be added to the licence to remedy your representation (or other suggestions you would like the Licensing Sub Committee to take into account).</p>	<p>Hours to be 11am – 11.30pm on a Friday and/or Saturday.</p> <p>Hours to be 11am – 10pm on a weekday & Sundays.</p> <p>Retain the current maximum capacity at 7,500 people.</p> <p>A maximum of 4 events per annum.</p> <p>Formal limit of the 'event' the length of time to a maximum of 2 days with no 'pre-event' options i.e. camping, like at Glastonbury and Reading where you can turn up a day before to camp ahead of the festival start.</p> <p>Further the timings above for noise are in line with Reading Festival as an example of an event in the centre of a city / town which must reduce noise after 11.30pm. This will obviously cost additional money for the council to monitor noise levels during events and to action any complains or reports of concerns from residents.</p>
--	--

Signed:



Date: 08/05/2025

Please see notes on reverse

NOTES

If you are making a representation in relation to a 'new' premises or a 'full variation' please read the following notes.

1. If you do make a representation you will be able to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made in your absence.
2. This form must be returned within the statutory period of 28 days following submission of a valid application to the Licensing Authority.
3. You may make a representation wherever you live in relation to the premises but your representation must be relevant.
4. Representations can only relate to the four licensing objectives.
5. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available.
6. Please return this form when completed to:

Licensing, Mid Devon District Council, Phoenix House, Phoenix Lane,
Tiverton, Devon, EX16 6PP.

Alternatively, you can email it to licensing@middevon.gov.uk.

If you are making a representation in relation to a 'minor variation' please read the following notes:

1. If you do make a representation, you should be aware that the application will be determined by an Officer. There will be no hearing and there is no right of appeal.
2. This form must be returned within the statutory period of 10 working days following submission of a valid application to the Licensing Authority.
3. You may make a representation wherever you live in relation to the premises but your representation must be relevant.
4. Representations can only relate to the four licensing objectives.
5. Please return this form when completed to:

Licensing, Mid Devon District Council, Phoenix House, Phoenix Lane,
Tiverton, Devon, EX16 6PP.

Alternatively, you can email it to licensing@middevon.gov.uk.

Shobrooke Park

Shobrooke Park, Crediton, Devon, EX17 1DG

Open application 030122 which is a New Application for Premises Licence

Applicant(s)

Full Name	Showbitz Limited
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I am writing to make representations re the Showbitz application for Shobrooke Park.

I am a Crediton resident who makes frequent use of the lanes local to Shobrooke – usually by bike – and am a frequent visitor to Shobrooke Park.

The lanes around Shobrooke cannot cope with the amount of anticipated traffic for such large events held many times throughout the year and no account has been made of the inevitable increased traffic in the area from the large Libbetts Grange development currently under construction just across the road from Shobrooke. Also there is a care home just opposite the park where vulnerable residents frequently walk the lanes with their carers and heavy traffic could be a danger for them.

The current annual arrangement relies on a voluntary one-way system which local residents appear to accept on the basis of it being once a year but with up to 10 big events each year and much of these coming by car, this co-operation is likely to break down.

The current annual event with Exeter students is seemingly unlicensed but the new events will see alcohol on sale (on and off the premises) throughout the day until 04:00 so the nature of the events are likely to change in terms of being much noisier with the risk of public disorder.

The application refers to access improvements already made by the landowner. What are these other than a pointless short path leading to a gate unfenced on either side (so also pointless) at the main public entry point? This looks like a box-ticking exercise with no indications as to where the car park will be situated and with what access. The application has been left deliberately vague on these key points in my opinion.

Given the size of these events, local residents must assume that pedestrian access is likely to be limited on many days of the year when these events are on and being set up and taken down.

This application does not seem to warrant the likely disruption to local people, some of whom are vulnerable, and a cursory inspection of the local infrastructure would show that this agricultural area is the wrong place to be holding massive public events on a regular basis. There is no overriding public need for this application as other existing venues suitable for such events already exist in the Exeter area with better road access.

I urge the authority to dismiss this application.

John Everitt

Peoples Park Road

CREDITON, Devon EX17 2



PETER + LIZ ZEALLEY

LOWER COOMBE LOTTAGES

SHOBROOKE

CNESTON EX17

Dear Sir/Madam

Re: Licence Application at Shobrooke CNE

We object to the licensing application on the following grounds:-

1. ADVERSE IMPACT OF NOISE ON LOCAL HUMAN POPULATION. I SLEEP 10pm - 4am!
2. IMPACT OF NOISE ON LOCAL WILDLIFE - BIRDS, GEESSE, DEER, BATS, DOORMILE
3. PLASTIC AND OTHER LITTER IN LANES AND FIELDS A DANGER TO WILD AND DOMESTIC ANIMALS
4. TRAFFIC - TIVERTON ROAD, ROADS THROUGH CNESTON AND LOCAL LANES ARE NOT DESIGNED FOR THOUSANDS OF CARS. BLOCKED ROADS WILL BLOCK ACCESS FOR EMERGENCY VEHICLES
5. TIMING. 4am is TOO LATE, 1am MAX. SOME OF US HAVE TO SLEEP.
- ONE DAY EVENTS ONLY - NO OVERNIGHTS
6. LACK OF INFRASTRUCTURE - NO PARKING, TOILET OR LANDING FACILITIES
7. NUMBERS - 10,000 IS TOO MUCH - 1,000 MAX, IF AT ALL.

Shobrooke is a peaceful, country area. This application is totally inconsiderate to locals + wildlife and inappropriate to the area.

Yours Faithfully

Mid Devon District Council – Licensing Act 2003

REPRESENTATION FORM

This representation is made about the premises to be licensed as detailed below:

Your full name	LIZ ZEALLEY
The name of the organisation / body you represent (if appropriate)	—
Postal address	LOWER COOMBE COTTAGES, SHOBROOKE CREDITON EXIT 1
Email address	
Contact telephone number	
Name of the premises you are making a representation about	SHOBROOKE PARK
Address of the premises you are making a representation about	SHOBROOKE PARK EXIT 1 DB

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		
To prevent public nuisance	✓	NOISE POLLUTION ENVIRONMENTAL DAMAGE TOO MANY PEOPLE + CARS LATE IS UNREASONABLE
To protect children from harm		

If you are making a representation against a new application or full variation, please suggest any conditions that could be added to the licence to remedy your representation (or other suggestions you would like the Licensing Sub Committee to take into account).	LIMIT TIME TO 12am. LIMIT PEOPLE + CAR NUMBERS FINE OWNERS OVER LITTER DAMAGE
--	---

Signe

Pleas

Date: 10 / MAY 2025

Mid Devon District Council – Licensing Act 2003

REPRESENTATION FORM

This representation is made about the premises to be licensed as detailed below:

Your full name	PETER ZEALY
The name of the organisation / body you represent (if appropriate)	—
Postal address	LOWER LOOMBS LOTTAGES SHOBROOKE EX17 1
Email address	
Contact telephone number	

Name of the premises you are making a representation about	SHOBROOKE PARK
Address of the premises you are making a representation about	SHOBROOKE PARK EX17 1DB

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		
To prevent public nuisance	✓	LOUD NOISE BEYOND 12am IS SOCIALLY UNACCEPTABLE TOO MANY PEOPLE TOO MUCH TRAFFIC ON ROAD AND LANES NO PARKING NO INFRASTRUCTURE IMPACT OF LITTER ON WILDLIFE
To protect children from harm		

If you are making a representation against a new application or full variation, please suggest any conditions that could be added to the licence to remedy your representation (or other suggestions you would like the Licensing Sub Committee to take into account).	LIMIT NUMBERS TO 1000 + CARS TO 500 FINISH 1am AT LATEST. GIVE UP ON THIS AS IS TOTALLY INAPPROPRIATE FOR THIS AREA. BUILD A DUAL CARRIAGEWAY TO SHOBROOKE.
--	---

Signed:

Date: 11 MAY 2025

Please

Below please find my outlined objections to the proposed license at Shobrooke Park. This email supercedes my earlier one which has been put to one side because there was an irregularity in Showbitz's original application.

The application: It is stated that there will be ten events held 'throughout the year' with only two of them being held over three days for a maximum attendance at each event of 9,999 (e.g. 10,000 people). The license application is to run from 10.00am until 4.00am the following day, consecutively.

My observations on this application: It is highly unlikely any event will be held over the winter months of October to March. Whilst on their website Showbitz might claim they have done work for Exeter Cathedral, I see this as no more than an attempt to legitimised their activities.

To all intents and purposes this application at Shobrooke Park would appear to be to stage 'raves' or the equivalent. The EIGHTEEN HOUR ALCOHOL license application, which could run consecutively over three days, should be enough to comprehend the intentions of Showbitz.

Does their application indicate in any way what events they propose?

My Objections to this application:

1. Residential Care Home: There is a special needs residential care home not 200 yards from the front gate of Shobrooke Park. Patients often walk with their carers on the narrow lanes here.

2. New Residential Housing Development: A new residential housing development is under construction again not 400 yards from Shobrooke Park. It is unlikely these or other existing residents would welcome the activities or sound of 10,000 people at 4.00am.

3. Tractor movements: This is a deeply agricultural area. On any day there may be as many as 100 tractor movements within the small lanes of the parish. In silage/harvest/hay harvest/corn drilling (eg March to September) that figure would double.

4. Shobrooke Park as dog walking facility: Access to dog walkers (for which I understand the owners of Shobrooke Park are paid) would presumably be denied during the 'events'.

5. Canada geese: There is a twice daily migration of Canada geese from Powderham Castle to Shobrooke Park. This routine would be severely disturbed.

6. Road Infrastructure: With the exception of the Crediton to Tiverton Road, all other access to Shobrooke Park is via small lanes. The Crediton to Tiverton road is a main artery for lorries (e.g. Crediton Milling) and commuters who would be deeply impacted by any festival traffic.

Many thanks

Rory Knight Bruce



Letters to the Editor

Share your views: editor@c

ONE OF THE IMAGES WAS MAMHEAD HOUSE

THE Country House shown on the right hand page of your unidentified photographs in last week's Crediton Courier is Mamhead House, one of the finest country houses in South West England.

It is situated in a prominent position at the end of the Haldon Hills and with commanding views along the East Devon coastline.

It was built in 1833, replacing a much older house on the Estate, for Robert Newman, MP for Exeter and designed by the great late Victorian architect Anthony Salvin, a pupil of Nash and highly influenced by Pugin.

At 37,437 square feet it must be one of the largest residential properties in Devon.

As an estate agent with Strutt and Parker in Exeter I had the privilege of selling Mamhead House in 1988 for a private family, who had leased it to Dawlish College a school for challenged young boys.

I then sold it again on two subsequent occasions, firstly for an eminent local businessman who had used it for his offices and then for a private owner to an overseas purchaser.

I trust that this information is of interest and helpful to you.

Robin Thomas
East Raddon
Thorverton

OBJECT TO SHOBROOKE PARK BECOMING 'GLASTON- BURY'-LIKE FESTIVAL SITE

A LOCAL man has written the following letter to Shobrooke Parish Council concerning a proposed licensing application at Shobrooke Park.

The letter reads:

"I write with considerable alarm at the proposed licensing application by an entertainments company, Showbitz, to hold up to 10 events a year (in reality they are likely to be between April and September) at Shobrooke Park.

The application is for up to 10,000 people and a license to serve alcohol between 10am and 4am the following day with at least three proposed events to be



A photograph of Mamhead House, Exeter, taken more recently.

held over three days.

No indication as to what type of event is given but it would not take a genius to work this out.

Whilst such 'events' bring little to the local economy (think Glastonbury) they come with significant worries to the local, working and farming community.

Let me be specific in my objections:

1) Creedy View Care Home, specialising in those with special needs, is not 200 yards from the main gate of Shobrooke Park. Often those in care are walked by their carers on these narrow roads.

2) Residential Housing: The new residential housing development under construction is 400 yards from the edge of Shobrooke Park.

3) Tractor movements: This is a deeply agricultural parish. On any day there may be up to 100 tractor movements and, during harvest times (May to September) that figure will double.

4) Dog Walkers: At present there is a (presumably commercial) arrangement for dog walkers to come into Shobrooke Park. They would, one assumes, be denied access on 'event' days or weekends.

5) Road Infrastructure: With the exception of the Crediton

to Tiverton road, all other roads accessing Shobrooke Park are small lanes. The Crediton to Tiverton road is a busy arterial route, used daily by many lorries (Crediton Milling and others) and commuters. All would be severely disrupted by any 'festival' traffic.

This licensing application is due to be heard on April 11.

I would urge anyone who has any doubts about its benefit to contact the Shobrooke Parish Council, Mid Devon District Council (licensing department) and Mel Stride MP."

Rory Knight Bruce
Address Supplied
Crediton

HELP SHAPE THE FUTURE OF CREDITON FOODBANK!

WE are excited to share that Crediton Foodbank is planning a new initiative — The Pantry — a progressive and community-focused approach to supporting local people facing food insecurity.

We are following similar initiatives seen across the UK that have seen promising success.

As part of our ongoing commitment to finding innovative, sustainable solutions, The Pantry will offer more choice and dignity to clients who are ready to take

Mid Devon District Council - Licensing Act 2003

Representation Form

This representation is made about the premises to be licensed as detailed below:

Your full name: Stephanie Allen

The name of the organisation / body you represent (if applicable): N/A

Postal Address: [REDACTED] High Street, Crediton, Devon, EX17 3 [REDACTED]

Email address: [REDACTED]

Contact telephone number: [REDACTED]

Name of the premises you are making a representation about: Shobrooke Park

Address of the premises you are making a representation about: Shobrooke Park, Crediton, Devon EX17 1DG

I would like to object to the following application 030254 based on the following objections.

To prevent crime and disorder:

Yes

- ☐ I am confused as to why an entertainment management company is applying for the license rather than the venue (Shobrooke park already has a license (without alcohol) in place) or why the operating bar company haven't applied themselves as they will be the people responsible for the sale of the alcohol (both in a physical and monetary sense). How can the applicant ensure an unnamed third party they hire in will be responsible with ensuring the safety of all at the venue & the surrounding area. What have they put in place appropriate actions/conditions?
- ☐ The applicant states that organisers will arrange/ attend SAG meetings if requested, this should be a given condition with the first meeting being 6months prior to the event date which is the fairly standard timeframe for other venues, especially when the applicant expects by 2027 to have one of the events to have 9999 bodies on site (granted this is made up of consumers and staff)
- ☐ Furthermore to the applicants SAG timeframe this would be insufficient timeline as SAG should happen before application to Devon County Council for TTRO. According to Devon County Council TTRO needs to be made three months prior to an event date as

applications take ten weeks to process. And events would not fall under any criteria for being able to apply for an emergency TTRO/TTRN. Even if Devon County Council deem that the event does not need a TTRO a three month notice still needs to be given for it application to be considered/reviewed.

Public Safety:

Yes

- ☐ I feel the 4am finish time is inappropriate, this based on the (excluding nightclubs) there are no other established local venues with such an long timeframe Westpoint Arena, Exeter racecourse, Exeter Castle etc which stop at 1pm with the occasional license application to 2pm.
- ☐ If Westpoint can finish a concert prior to midnight with some big headliners, then I am failing to see the reason behind the 4am finish
- ☐ Furthermore the applicant has stated they are not planning on running any event later than 2.30am, surely this is when the timings should finish when the licensable activity has finished, this doesn't mean all occupants need to be off site.

To prevent public nuisance:

Yes

- ☐ Light & noise pollution to 4am will not only affect the residential surrounding area (existing and new builds) but also the unesco biosphere of which Dark Skies is apart of.
- ☐ If an event has 7500 consumers that is a minimum of 75 coaches (based on 100 seater coach) attending site, not only would this cause disruption to the highway but also when the coaches leave the elevated noise level of them all disbursing in their various directions of travel.
- ☐ With the opening of the new McDonalds which is 24hrs, unless transportation is given the strictest no go to stop there. The site could get overrun/overcrowded. Which incidentally is next to a main road and a train track, near a 24hr Asda shop/fuel station and anyone who knows the area will know of the 24hr milk parlour/vending machine next to Mole Avon.

To protect children from harm:

Yes

- ☐ As stated above the residential children will incur disruption to sleep with the light and noise pollution.
- ☐ If you are only able to arrive/leave via coach how are under 18's attending the event to be supported should the need arise for them to leave site (non emergency)

Signed:



Date: 16th May 2025

Mid Devon District Council
Licensing Department
Phoenix House
Phoenix Lane
Tiverton EX16 6PP

12 May 2025

Email: licensing@middevon.gov.uk

Dear Sir/Madam

Application: 030254 by Showbitz Limited
Premises: Shobrooke Park, Crediton, EX17 1DG
Our client: Crediton Care and Support Homes Limited
Representations: in objection to the Application

Background

We act for Crediton Care and Support Homes Limited. This representation relates to our client's operations in Creedy Court and Woodleigh, Shobrooke (the **Property**). Our client is regulated by the Care and Quality Commission (**CQC**) and provides the following 24-hour residential care services at the Property:

- Accommodation for persons who require nursing or personal care
- Caring for adults over 65 yrs
- Caring for adults under 65 yrs
- Learning disabilities
- Mental health conditions
- Physical disabilities

More information on our client's service range can be found on its website¹. In summary, Creedy Court is a multidisciplinary residential care home providing accommodation and personal care for up to 18 people with complex care needs. This means disabilities as well as medical needs, including end of life care needs.

The Property is spread out across two annexes (each for one person) and two further sections of the building called Westleigh (for up to six residents) and Eastleigh (for up to ten residents). The Property is accessed from the road approached from Creedy Bridge (A3072). This is the only route for emergency access to the Property. The Property has

¹ <https://autismcare.co.uk/facilities-services/>

limited on-site parking. The Property requires 24/7 emergency access. This is a CQC requirement and a contractual commitment with Devon County Council and relevant health authorities.

These operational details are provided upfront, to help substantiate the grounds of representation **in objection**, set out in this letter.

Our client is required to continually assess, manage and monitor risk and the safety of its residents. The Application causes our client serious operational concerns, and our client is dutybound to lodge this representation with Mid Devon District Council as Licensing Authority.

The Guidance

This representation has been prepared having regard to the Home Office guidance issued under section 182 of the Licensing Act 2003 (February 2025) (the **Guidance**). Section 4 of the 2003 Act provides that, in carrying out its functions, the Licensing Authority must have regard to the Guidance.

The Guidance encourages greater community involvement in licensing decisions and encourages Licensing Authorities to give local residents and businesses the opportunity to have their say regarding licensing decisions that may affect them. This representation has been prepared with this inclusive, overarching objective in mind.

No Prior Consultation

The Guidance states at paragraph 9.3:

Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application

With regret, this process of prior contact/consultation has not happened. There has been no prior consultation with our client about the Application – **even though this is an application which was ‘restarted’ due to validation errors in the application as originally submitted.**

Relevant Representation

In formulating this representation, our client has had regard to the following licensing objectives:

1. prevention of crime and disorder;
2. public safety;
3. prevention of public nuisance; and
4. protection of children from harm.

Our client considers that the Application comes into conflict with at least objective no. 3, but likely also objectives 2 and 4, for the reasons set out in this letter.

Licensable Activities

The Application seeks permission for:

- a performance of a play
- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late-night refreshment
- the supply of alcohol,

the “**Licensable Activities**”.

The Application seeks permission to carry out the Licensable Activities between 9:00 to 04:30 – using the 24-hour clock, meaning until 04:30 in the morning (the **Licensing Hours**).

The range of Licensable Activities is incredibly broad and includes the supply of alcohol on and off the premises between 10:00 and 04:00 Monday to Sunday. The Licensing Hours are also extremely permissive. The Applicant describes this as a “cover-all” Application.

We note that the scale of the proposed events is significant. The Applicant states that a theatre event would be capped at 400 participants whereas the annual Enchanted Garden Ball event is projected to grow up to 9999 participants by 2027.

The breadth of Licensable Activities, Licensing Hours and indicative scale of events covered by the Application causes our client significant and justified concern, for the reasons set out in this letter.

Proposed Limitations and Conditions

The Applicant offers to limit the Licensable Activities to 10 events a year, with no events lasting longer than 3 days (except potentially theatre performances and plays etc.).

The Applicant also proposes to employ sound engineers to ensure sound levels are kept to a “reasonable volume”, with amplified events or those running beyond 22:00 being subject to a “noise management plan”, and with events of 5000+ capacity subject to professional monitoring. (We note that the Application later suggests that sound levels would be professionally monitored for events of 2500+, so it is not clear which threshold applies; this should be clarified before determination).

In terms of conditions, the Applicant is offering conditions requiring an Events Management Plan (including a Noise Management plan) and a Crowd Management Plan, amongst other mitigation measures designed to achieve compliance with health and safety, fire risk and wider staff and attendee welfare considerations.

Our client’s position is that these proposed limitations and conditions do not go far enough. In practice, even 10 events a year of the types and at the capacities proposed in the Application could mean all year-round nuisance to our client’s sensitive and important operations at the Property and to other residents and businesses in the locality.

Our client remains of the view that despite the proposed limitations and conditions, the Licensable Activities and Licensing Hours are wholly inappropriate for the locality, for the reasons set out below.

Detailed Objection on Public Nuisance Grounds

The Guidance states at paragraph 9.4 that (our emphasis added):

*... a representation by a business person that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, **would be relevant**.*

On this basis, we consider our client's concerns to be highly relevant to the determination of this Application.

The starting point is that the Licensable Activities and Hours of Operation represent a significant departure from the annual May Ball event described in the Application (the baseline for disruption and disturbance). Our client has endured the operational interference and disruption caused by this single large event, with managed flexibility. However, we would like the Licensing Authority to be aware that this event has not taken place without incident or inconvenience or jeopardy for our client. For example, people attending the Ball have used our client's car park to park their vehicles and exhibited antisocial behaviours in the vicinity of the Property (including relieving themselves in our client's car park).

The range of Licensable Activities, including the supply of alcohol on and off the premises Monday to Sunday between 10:00 and 04:00, would intensify and amplify the previously suffered access, amenity, security and environmental impacts beyond levels which are tolerable or reasonable.

In summary, our client's position is that the Licensable Activities would:

- Give rise to **adverse traffic and parking issues** which would impede the effective and safe operation of our client's business at the Property
 - Staff, visitors and emergency vehicles need 24/7 access to the Property; staff work on up to 5 shifts in a day
 - These traffic and parking issues would not be adequately resolved by a one-way system or traffic marshals employed to steward individual events
 - The one-way system proposed is likely to conflict with our client's own emergency plan – as noted above, there is only one access to the Property; what happens in an event of emergency at the care home?
 - The proposal of an on-site carpark is particularly worrying – our client notes that the current annual event does not permit any on-site parking, but this is clearly not sustainable for the level/frequency of events proposed, especially if the supply of alcohol is permitted
 - Where would this on-site car park be located and how would it relate to the access to the Property detailed above?

- **Obstruct the emergency access to and from the Property**, which are required to be maintained 24-7, again impeding the effective and safe operation of our client's business at the Property
- **Give rise to noise at volumes and frequencies that would cause unreasonable disturbance and interfere** with the effective and safe provision of care services at the Property

Our client is, with good reason, concerned about the additional risk factor presented by the proposed supply of alcohol for consumption on and off the premises. The behavioural consequences of drinking will invariably make the parking, traffic management, noise control and other security and amenity issues relating to the Licensable Activities much harder to control effectively.

The Applicant states that the "safe capacity of the site", "exit flow rate" and "occupancy levels" will be worked out together with the Safety Advisory Group (**SAG**). Our client's position is that **none of these matters can be properly determined without first assessing our client's operational needs at the Property**. Would our client be part of the SAG, if the Application is permitted? They absolutely need to be involved in the process, if the Application is permitted.

For events of 5000+ in capacity, the Applicant states that "full paramedics and ambulances will be available should the approved Emergency Management Plan deem them necessary". Our client's position is that the Licensable Activities are likely to disable our client to comply with its own emergency management plans.

As explained above, our client is providing care to vulnerable children and adults which requires a generally tranquil and peaceful operating environment. Preserving uninterrupted safe access to and from the Property for staff, clients and emergency services is a CQC requirement.

Public Safety and Protecting Children from Harm

Our client is concerned that the scale of events combined with the supply of alcohol for consumption on and off the premises will invariably exacerbate security and safety issues endemic to large public gatherings. Overall, the Licensable Activities make for a generally volatile and insecure environment, incompatible with the delivery of care services to vulnerable young people and children who need routine, peace and quiet.

Planning

Paragraph 9.45 of the Guidance provides:

Where businesses have indicated, when applying for a licence under the 2003 Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs

The Council in its capacity as local planning authority has confirmed that permitted development rights are available for events which are not held for more than 28 days in a calendar year. It is not entirely clear whether the events covered by this Application, looked at cumulatively with other events held on the premises, would be limited to 28 (or fewer) days in a calendar year. The Applicant states:

Of these 10 events, no more than 2 would be 3 days and 8 would be 1 day. (a 1 day event can span midnight. i.e. 10am – 2am counts as 1 day for the purposes of this application). No event would last longer than 3 days.

However, the Application also refers to a “current licence held by the landowner for their own events”.

If the events organised by the landowner are being held on the same premises as covered by this Application, the total number of events could well exceed 28 days in a calendar year and take the use outside of the scope of permitted development rights. Clarification should be obtained from the Applicant on this point.

The Application should not be approved unless and until the Licensing Authority has satisfied itself that the Licensable Activities are permitted in planning terms.

Conclusion

In summary, our client has serious and justified concerns about the nature, duration and character of the Licensable Activities during the proposed License Hours, and their effect on its ability to deliver safe and effective services at the Property. The Licensable Activities give rise to traffic, parking, noise and other effects which are disproportionate and unreasonable to all persons living and working in the area, especially our client. The Licensable Activities could bring our client in conflict with its legal and other commitments to the CQC, Devon County Council and wider health authorities. Furthermore, they are likely to cause tremendous disruption to individuals who require routine and tranquillity.

Our client is not persuaded that their concerns can be appropriately addressed via licence conditions or other mitigations. **As noted above, Applicant has not consulted with our client about the Application, or the limitations or conditions. There has been no engagement over the operational consequences for our client and no mitigations have been offered to help safeguard our client’s business continuity and minimise impacts on residents.**

We trust you agree that the representations in this letter are relevant and certainly not frivolous or vexatious in nature. Our client is not raising these grounds to cause aggravation or annoyance, or on anti-competitive grounds. Instead, our client has reasonable cause and justification to be concerned about the Licensable Activities for which permission is sought and respectfully asks that the Application is refused on this basis.

Yours faithfully



TOZERS LLP

Email: 

23 April 2025



Licensing Team,
Mid Devon District Council
Phoenix House
Phoenix Lane
TIVERTON
EX16 6PP

Name of Applicant: Showbitz Limited

Premises Name: Shobrooke Park

Address of Premises: Shobrooke Park, Crediton EX17 1DG

Type of Application: New Premises Licence

We the undersigned profoundly object to the proposed application by Showbitz Limited to hold events at Shobrooke Park, Crediton. Times of events proposed are from 10.00 am to 4.00 am the next day depending on the nature of the event. The new application states *'events to vary between 1 and 3 days, however there will be no more than 2 x 3 day events and 8 x 1 day events per year'* is totally unacceptable. There are houses nearby and the noise level would be beyond comprehension. These events will no doubt be staged on open ground and in the summer months and therefore could be every other week or less. Sound travels over a wide area even up to 2 miles away.

I doubt very much if people purchasing the nearby new properties currently being built at Pedlars Pool would appreciate being kept awake at night with noise or would they even know that this proposal is being sought prior to their purchase?

With a maximum site capacity of 9999 there will no doubt be trouble, police would have to control crowds, traffic will be horrendous and with the proposal of alcohol being sold, and drink driving inevitably there will be drugs and needles, a huge hazard where sheep graze. There will be disturbance of wild flowers and of course noise will affect the sheep. The narrow lanes would not cope with the amount of cars and tractors which use these roads during harvest time. It is a lovely area for dog walkers so no doubt they will be denied access during these events. The area cannot take the capacity of this number of cars and people.

We do not want another Glastonbury on our doorsteps.

Name	Address	Signature
→ Wendy Thards	█ Fairfield Rd. Crediton	

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23 April 2025

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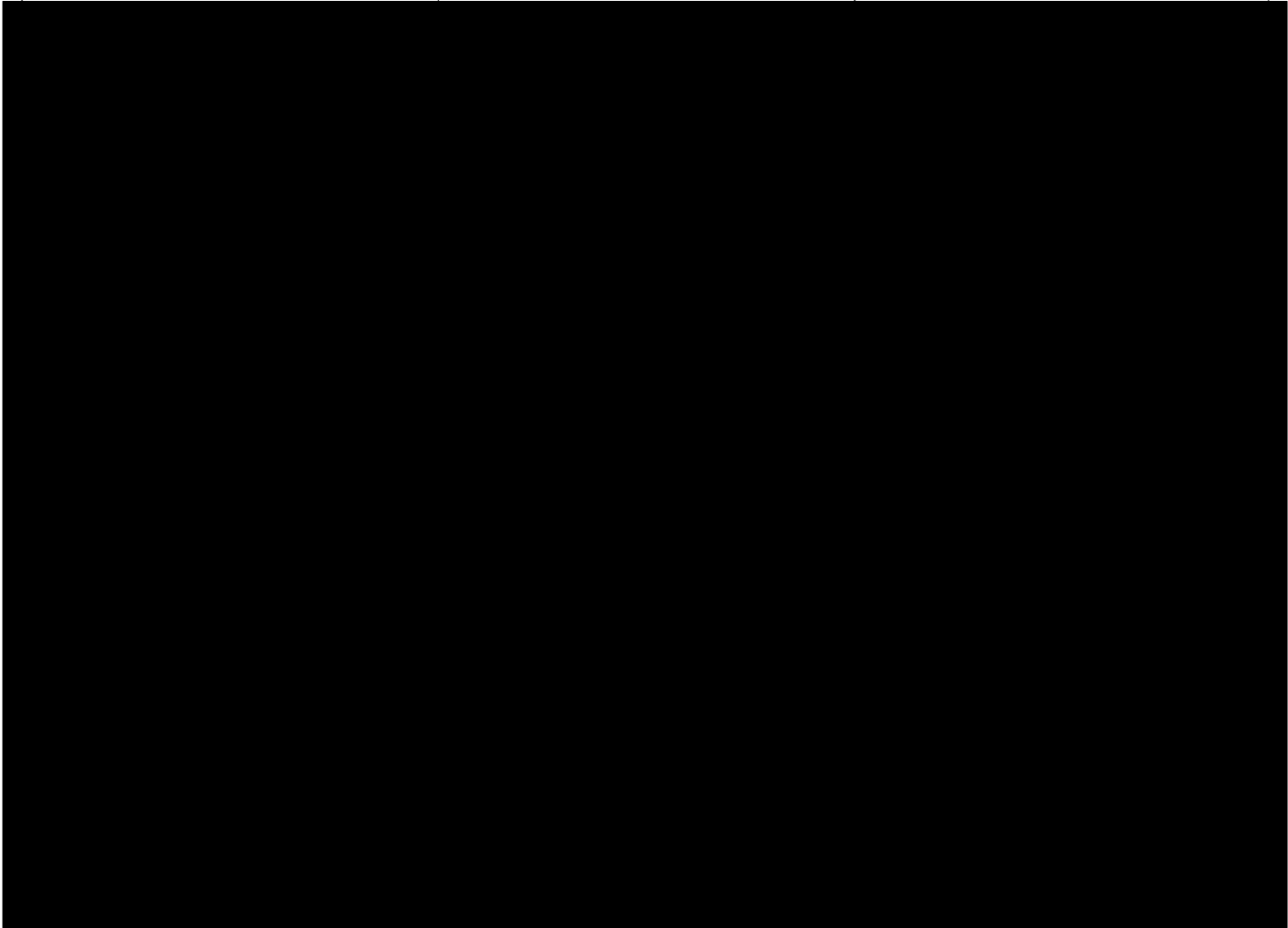
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MID DEVON DISTRICT COUNCIL – LICENSING COMMITTEE

Protocol and Procedure for Licensing Sub-Committee Hearings

1.0 Introduction

- 1.1 The role of the Sub-Committee is to determine Applications / Notices in an impartial manner in accordance with the relevant provisions of the Licensing Act 2003, national guidance and the Council's Policies.

2.0 Composition of Sub-Committee

- 2.1 The Sub-Committee shall usually consist of three Councillors drawn on a "panel" basis from the membership of the Licensing Committee.
- 2.2 In forming the Membership of the Licensing Sub-Committee for a hearing, and where Councillors availability permits, Members Services shall try to ensure that:
- There are at least two experienced Members in attendance
 - Rotation of Membership

'Experienced' is defined as having previously taken part in two separate hearings.

- 2.3 Members may sit on a Hearing which relates to their own Ward as long as there is no conflict of interest 'and any relevant declarations are made at the beginning of the meeting.
- 2.4 The Chairman for a Hearing shall be selected from the Members that form the Sub-Committee.
- 2.5 When unforeseen circumstances require, or an urgent matter has arisen, the Sub-Committee may be made up of two Councillors as opposed to three.

3.0 Hearings to be held in public

- 3.1 Licensing Hearings shall take place in public. However, the Sub-Committee may exclude the public (including a party to the hearing) from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.
- 3.2 The Sub-Committee may require any person attending the hearing who is in their opinion behaving in a disruptive manner to leave the hearing and may:
- a) refuse to permit that person to return, or

- b) permit him/her to return only on such conditions as the Sub-Committee may specify,

but such a person may, before the end of the hearing, submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave.

4.0 Time of Hearings

- 4.1 Hearings of the Licensing Sub-Committee shall usually be held at the Council Offices during the day.

5.0 Notice of Hearing

- 5.1 The Licensing Authority shall give parties to the Hearing a notice stating the date, time and place where the Hearing is to be held. This is the 'Notice of Hearing' and must be given in accordance with the provisions of the regulations.
- 5.2 The Notice of Hearing shall be accompanied by information regarding the following:
 - a) the rights of a party provided for in regulations 15 and 16 of the Licensing Act 2003 (Hearings) Regulations 2005
 - b) the consequences if a party does not attend or is not represented at the Hearing
 - c) the procedure to be followed at the hearing; and
 - d) any particular points on which the Licensing Authority considers that it will want clarification from a party at the hearing.
- 5.3 Each party shall respond to the Notice of Hearing within the time prescribed by regulations which shall be stated on the Notice itself. The response must state:
 - a) whether he/she intends to attend or be represented at the hearing;
 - b) whether he/she considers a hearing to be unnecessary

6.0 Right of Attendance, Assistance and Representation

- 6.1 Subject to paragraphs 3.1 and 3.2, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified. A party may be assisted or represented by their Ward Councillor. Any Councillor undertaking such a role would not take part in the determination of the matter before the Sub-Committee.

7.0 Hearings held on more than one day

- 7.1 When a hearing is to be held on more than one day, the hearing must be arranged to take place on consecutive working days.

8.0 Right to dispense with a hearing

- 8.1 If all parties agree that a hearing is unnecessary, then with the agreement of the Licensing Authority, the hearing may be dispensed with.

9.0 Right to postpone or adjourn a hearing

- 9.1 The Sub-Committee may postpone or adjourn a hearing where it considers this to be necessary for its consideration of any representations or notice made by a party.

10.0 Report

- 10.1 A report prepared by the Licensing Authority will be put before the Sub-Committee.
- 10.2 A copy of the report will be made available to all parties in advance of the hearing.

11.0 Detailed Procedural notes

- 11.1 Detailed procedural notes for the most regularly heard hearings are available and will be circulated in advance of the relevant hearing. These procedural notes cover the following applications / notices:

- New Premises Licence / Variation of existing Premises Licence (or Club Premises Certificate)
- Temporary Event Notices
- Review of a Premises Licence or Club Premises Certificate

12.0 Procedure at hearing - General

- 12.1 At the beginning of the hearing, the Chairman and members of the Sub-Committee will introduce themselves, invite parties to identify / introduce themselves and then explain the procedure that the Sub-Committee intends to follow.
- 12.2 If applicable, the Sub-Committee will then consider any request made by a party for any other person to appear at the hearing. Permission shall not be unreasonably withheld.
- 12.3 Where the written evidence or information provided by the applicant or any other party has raised legal issues or submissions, the Chairman may request that any legal

representatives present at the hearing and the legal representative of the authority address the Sub-Committee on the legal points raised.

- 12.4 The hearing shall take the form of a discussion led by the Sub-Committee on any matter that is relevant to the application, notice or review.
- 12.5 The Chairman should indicate that members of the Sub-Committee have read the circulated papers; therefore there is no need for parties to repeat points that have already been made in representations.
- 12.6 In circumstances where there are a number of parties who wish to make the same or similar representations the nomination of a single spokesperson will usually be encouraged, and would normally be expected. This does not prevent those who have made representations from speaking during the hearing.
- 12.7 Applicants and other parties will not usually be given a time limit to present their application / representations but the Sub-Committee may stop them should they begin to repeat themselves or straying from what is considered to be relevant matters.
- 12.8 In considering any representations or notice made by a party the Sub-Committee may take into account documentary or other information produced by a party either before the hearing or, with the consent of all other parties, at the hearing. A party introducing documentary evidence at a hearing should bring sufficient copies for all other parties and the Sub-Committee.
- 12.9 Members of the Sub-Committee may ask any question of any party or other person appearing at the hearing.
- 12.10 The Sub-Committee will disregard any information given by a party that is not relevant to the application, notice or representations made.
- 12.11 Parties may question any other party if permission is given by the Sub-Committee. Cross examination will not be allowed unless the Sub-Committee considers that it is required for it to consider the representations, application or notice as the case may require.
- 12.12 Hearsay evidence is admissible but consideration will always be given to the weight, if any, to be attached to such evidence, depending on the circumstances in which it arises.

13.0 Roles of Officers

Representative of Legal Services

- 13.1 The role of the representative of Legal Services will be to deal with any questions of law, matters of practice and procedure and where appropriate assist the Sub-Committee in formulating the reasons for its decision. They may ask questions of parties and witnesses in order to clarify the evidence and any issues in the case.

Representative of Member Services

- 13.2 The role of the representative of Member Services will be to make a record of the proceedings both by way of notes of the evidence / information given and a minute of the decision reached, inclusive of the reasons for the decision.

Licensing Officer

- 13.3 The role of the Licensing Officer will be to introduce the application / notice, outline the relevant facts and any issues involved through the presentation of their report.

14.0 Determination of Applications / Notices

- 14.1 Unless the matter being considered by the Sub-Committee falls within one of the categories listed in point 14.2, the Sub-Committee has five working days to make their determination beginning with the day, or the last day, on which the hearing was held.
- 14.2 In relation to the following matters, the Sub-Committee must make its decision at the conclusion of the hearing:
- a) A counter notice following an objection to a temporary event notice
 - b) Review of a premises licence following closure order

15.0 Record of proceedings

- 15.1 A record of the hearing shall be made by authority and kept for six years from the date of the determination or, where an appeal is brought against the determination of the authority, the record must be kept for six years from the date of disposal of the appeal. The authority may also record the proceeding through audio tape.

16.0 Appeals

- 16.1 Either those who have made an application or those who have made a representation on an application may have the right to appeal the authorities decision to the Magistrates Court.

- 16.2 An appeal must be commenced within twenty one days beginning with the day on which the appellant was notified by the licensing authority of their decision.

17.0 Irregularities

- 17.1 Proceedings will not be rendered void only as a result of failure to comply with any provision of the Hearing Regulations.
- 17.2 Where the authority considers that any person may have been prejudiced as the result of an irregularity relating to the Hearing Regulations, it will take such steps, as it thinks fit to cure the irregularity, before reaching its determination.
- 17.3 Clerical mistakes in any document recording a determination of the authority, or errors arising in such a document as the result of an accidental slip or omission, may be corrected by the authority.

The following information and procedures are associated with this document

Legislation

- The Licensing Act 2003 (Hearings) Regulations 2005:
 - http://www.legislation.gov.uk/uksi/2005/44/pdfs/uksi_20050044_en.pdf

Hearing Procedures

- New / Variation of Premises or Club
- Temporary Event Notices
- Review

Hearing Guidance

- General guidance to attendees

HEARING PROCEDURE: NEW / VARIATION OF PREMISES OR CLUB

Introduction and Preliminary remarks

1. The following parties will introduce themselves:
 - The Chairman of the Sub-Committee
 - Members of the Sub-Committee
 - Council Officers (legal advisor, member services officer and licensing officer)
2. The Chairman will ask for any declarations of interest.
3. The Chairman will announce if the hearing is to be held in public or private session.
4. The Chairman will ask those present to introduce themselves. This will be the order in which they present their case and is as follows:
 - Applicant and any person representing or assisting them
 - Responsible Authorities that have made a relevant representation
 - Other Parties who have made a relevant representation. If a spokesperson has been appointed / nominated for a group they should be identified.
5. The Sub-Committee will consider any requests by a party for any other person to appear at the hearing. Such permission shall not be unreasonably withheld provided proper notice has been given in response to the Notice of Hearing.
6. The Chairman will confirm that members of the Sub-Committee have received and read the paperwork and as such, parties will not need to repeat verbatim what they have already submitted.
7. The Chairman will state that time limits will not be set for speakers but if it is felt that matters are being repeated or are irrelevant, they or the legal advisor may move the discussion on.

Statement by the licensing officer

8. The Chairman will ask the officer to summarise the matter under consideration and present the salient points of the report.
9. Each other party (if permitted by, and via the Chairman) may then ask questions of the licensing officer based on what they have heard. This will be in the following order:

- Applicant
- Responsible Authorities
- Other Parties
- Sub-Committee

10. The licensing officer may respond to any new issues raised.

Case for the applicant

11. The applicant (or their representative) to present case in support of the application.

12. Each other party (if permitted by, and via the Chairman) may then ask questions of the applicant (or their representative) based on what they have heard. This will be in the following order:

- Responsible Authorities
- Other Parties
- Sub-Committee

13. The applicant (or their representative) may then respond to any new issues raised

Case for responsible authorities (i.e. Police, Environmental Health)

14. The representative of each responsible authority will be invited in turn to present the views of their organisation.

15. Each other party (if permitted by, and via the Chairman) may then ask questions of the representative based on what they have heard. This will be in the following order:

- Applicant
- Other Parties
- Sub-Committee

16. The representative may then respond to any new issues raised.

Case for the 'other parties'

17. Those who have made representations will be invited to present their views.

18. If a spokesperson has agreed to speak on behalf of a several people, all of those he/she represents may add any further points after.

19. Each other party (if permitted by, and via the Chairman) may then ask questions of the other party based on what they have heard. This will be in the following order:

- Applicant
- Responsible Authorities
- Other Parties
- Sub-Committee

20. The other party may then respond to any new issues raised.

Discussion about conditions

21. If it appears to any party that one or more of the issues raised during the hearing could be dealt with by means of a condition attached to the licence, that person may put forward the suggestion(s) to the Chairman at this stage. All other parties are to be given an opportunity to comment and express a view on any proposed condition.

Summary

22. Any party wishing to summarise his or her views may do so, in the order in which they presented their case. This will usually be as follows:

- Applicant
- Responsible Authorities
- Other Parties

The decision

23. The Sub-Committee will retire to reach a decision in private, accompanied by the Council's representatives from legal and members services.

24. Members of the Sub-Committee return. Any legal advice given in the absence of the parties will be repeated in public and all parties given an opportunity to respond before a decision is announced.

25. The Chairman to announce the Sub-Committee's decision if one has been made. This can include giving reasons (if finalised). If the Sub-Committee is minded to grant with the addition of conditions they may give the generals of the condition and the intention of them. Specific wording in line with the Sub-Committees direction may then be delegated to the Licensing Officer to prepare and send out in the decision notice.

26. The Council's legal officer will then outline the rights of appeal.

27. The decision and rights of appeal will be confirmed in writing by the licensing officer.