

**APPLICATION FOR A NEW PREMISES LICENCE FOR  
WARMINGTON MILL, EAGLETHORPE,  
WARMINGTON**

**LICENSING PANEL HEARING TUESDAY 2 APRIL 2019**

The Licensing Panel has considered this application for a new Premises Licence for; Warmington Mill, Eaglethorpe, Warmington and has taken into account the Health Protection Manager's report and all relevant representations, video footage and documents submitted.

After careful deliberation and consideration of the Licensing Objectives, ENC's Statement of Licensing Policy and Guidance issued under Section 182 of the Licensing Act 2003, the Panel has reached a decision.

The Panel has unanimously decided to refuse the application in its entirety:

The Panel made reference to;

- The Licensing Objectives
- The options available to the Panel – Under the Licensing Act 2003
- The legal test to be applied
- Section 182 Guidance.

The Panel considered the representations made by Environmental and Health Protection Officers, Warmington Parish Council and the local residents.

From the evidence given the Panel were not satisfied that the applicant had adequately addressed the following:-

1. The potential noise nuisance from the venue
2. The Applicant could not demonstrate suitable enforceable control measures to mitigate the potential noise nuisance.
3. Public safety relating to specific hazards namely,
  - The water surrounding the venue
  - The presence of deep water at the rear of the building to be used for wedding ceremonies

- The presence of deep and fast flowing water on three sides of the mill building (to be used for receptions and functions)
- The presence of a weir and sluice gate next to the mill building controlled by the Environmental Agency
- The close proximity of the venue to moored boats
- Fencing around much of the location which allows easy access to the water for children and intoxicate adults
- The lack of lighting around much of the location to suitably illuminate pathways and the areas of water
- The absence of any life saving equipment

The Panel also took into account the licensing objective of promoting the protection of children from harm.

The Panel also took into consideration the impact that granting the licence would have on the quality of life on nearby residents. The Panel took on board the Environmental Protection Officer's comments in relation to the levels of noise at peak times when guests arrive or leave the venue. The Panel were concerned that the smoking area suggested by the Applicant had not been given suitable consideration.

The Panel referred to Section 2.7 of the Section 182 Guidance, during their deliberations and noted that the Licence Holder would have the responsibility to ensure the safety of those using their premises. However, the Applicant was not able to convince the Panel that she had the ability or authority to put in suitable measures to satisfy the Panel

The Decision Notice will be sent out in writing. If aggrieved with the Panel's decision, the Applicant and any Party that has made representation has the Right to Appeal to the Magistrates Court within 21 days of receiving the Decision Notification letter.

Chairman Councillor B Jenney

2 April 2019