

Borough Council of King's Lynn & West Norfolk

Report to Licensing Sub-Committee under the Licensing Act 2003

Date of Hearing: 21st July 2021

Application for Grant a Premises Licence

- Paradise Gardens Hydro & Urban Lifestyle Show, The 100 Acres, Cowles Drove, Hockwold Cum Wilton, IP26 4JQ
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Applicant – Urban Hydro Ltd

Introduction

1. A premises licence is required under the Licensing Act 2003 (the 'Act') for the sale of alcohol, regulated entertainment or for the provision of late night refreshment (i.e. the supply of hot food and drink between 11pm and 5am). The four licensing objectives to be considered when determining the application, and relevant representations, are:

- the prevention of crime & disorder,
- public safety,
- the prevention of public nuisance, and
- the protection of children from harm

The Application

2. Urban Hydro Ltd have made an application under Section 17 of the Act for the licensable activities of 'sale of alcohol by retail', 'live music', 'recorded music', 'performance of dance' and 'late night refreshment'. A copy of the application is attached at Appendix 1 and if granted would allow the premises to operate between Thursday 2nd September 2021 and Monday 6th September 2021 as follows:

<u>Licensable Activity</u>	<u>Days</u>	<u>Times</u>
Sale of Alcohol by Retail On the premises	Friday to Sunday	10am until 11pm
Provision of Live Music, Recorded Music and Performance of Dance Outdoors	Friday to Sunday	10am until 1am
Provision of Late Night Refreshment Both	Friday to Sunday	11pm until 1am

Mandatory Conditions

3. The Act provides for the following seven mandatory conditions to be attached to all premises licences authorising the sale of alcohol for consumption on the premises:-

- (a) Under Section 19(2) of the Licensing Act 2003, no supply of alcohol shall be made under this premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (b) Under Section 19(3) of the Licensing Act 2003 every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (c) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - I. games or other activities which require or encourage, or are designed to require or encourage, individuals to drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or drink as much alcohol as possible (whether within a time limit or otherwise);
 - II. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - III. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - IV. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - V. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- (d) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (e) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises

licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark, or an ultraviolet feature.

- (f) The responsible person must ensure that where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- I. beer or cider: ½ pint;
- II. gin, rum, vodka or whisky: 25ml or 35ml; and
- III. still wine in a glass: 125ml;

These measures must be displayed in a menu, price list or other printed material which is available to customers on the premises and if a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

- (g) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; 'permitted price' is the price found by applying the formula - $P = D + (D \times V)$ where; P is the permitted price; D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol. A 'relevant person' means the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, or the personal licence holder who makes or authorises a supply of alcohol under such a licence. 'Valued added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

The permitted price must be rounded up to the nearest penny.

A change to the permitted price which would apply as a result of a change to the rate of duty or VAT charged in relation to alcohol would not apply until the expiry of the period of 14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

Conditions Consistent with the Operating Schedule (Proposed Conditions)

4. The following conditions have been identified from the operating schedule (paragraph 'M' on the application) or agreed following consultation with the applicant.

- (a) Amplified music shall only be played between the hours of 14:00hrs and 23.00hrs.

- (b) All unamplified acoustic music shall finish by 1am.
- (c) A Noise Management Plan, NMP1 – must be submitted to and approved by the Community Safety and Neighbourhood Nuisance team within 7 days of the grant of a licence and must be implemented as approved at all times thereafter. Any amendments to the plan must be approved by the Community Safety and Neighbourhood Nuisance team. The Noise Management Plan must be made available upon request at any time to the Community Safety and Neighbourhood Nuisance Team and must include the following:
 - (i) The operational noise level must not exceed 5dB above the background noise level measured at the boundary of the two nearest receptors, (Red Barn, Kens Corner) measured as a 5minLAEQ.
 - (ii) An example complaint log which will include a section to record actions taken to reduce noise should be submitted as part of the NMP.
 - (iii) Monitoring must take place every hour at each location and there will be a specific point of contact for complaints about noise who is able to react immediately, an example monitoring form must also be submitted within the NMP.
 - (iv) The NMP also needs to consider the control of noise for the whole event. Noise from traffic, equipment on site, such as generators, noise from people on site such as crowd noise and possible noise from people in the car parks (car stereos etc).
- (d) 24 hour security presence must be on site. Border patrols will be performed a minimum of every 60-90 minutes during hours of darkness to ensure patrons are not leaving site by means other than the main entrance or emergency exits during an emergency event. During the hours of daylight security will be posted at strategic points giving visibility of the perimeter at all times.
- (e) Fencing/barriers must be placed around the perimeter of the event to ensure patrons cannot access the neighbouring RSPC reserve land.
- (f) Steward and traffic management staff must be present along Cowles Drove and Station Road between the hours of 10am and 10pm Thursday to Sunday to assist with the flow of traffic.
- (g) The license shall authorise a cumulative maximum attendance of the event of up to 8,000 to include all public weekend tickets, day tickets as well as staff and complimentary performer passes.
- (h) An initial Event Management Plan (EMP) shall be made available to the Licensing Authority at least 60 days prior to the commencement of the event period.
- (i) The EMP shall contain detailed proposals for the event in policies and plans to promote all the licensing objectives of public safety, prevention of crime

and disorder, prevention of public nuisance and protection of children from harm.

- (j) All sales of alcohol and other drinks must be provided in non-glass drinking vessels. All glass bottled drinks shall be decanted at point of sale.
- (k) Signage will be displayed to indicate that No glass containers or bottles shall be allowed inside the main site with the exemption of approved event traders. Bottle banks and amnesty containers must be placed at the entrances to facilitate disposal.
- (l) Adequate lighting shall be provided to all access/exit routes to and from the licensed site, campsites and toilet blocks when the public are in attendance.
- (m) Children aged 18 or under will not be permitted within the licensed area at any time, except within the area marked 'Crew Camp' on the site plan.

Representation from Responsible Authorities

Section 13(4) of the Act defines the 'Responsible Authorities' as the statutory bodies that must be sent copies of an application. Representations made must relate to the licensing objectives.

5. Norfolk Fire Service have submitted a letter in relation to this application, a copy of which can be found at Appendix 2 to this report. There are no other representations from any of the 'responsible authority' to consider. Namely:

- Norfolk Constabulary;
- Norfolk Trading Standards;
- Norfolk Safeguarding Children's Board;
- Public Health;
- Community Safety & Neighbourhood Nuisance (BCKLWN)
- Planning (BCKLWN);
- Environmental Health (BCKLWN);
- Licensing Authority (BCKLWN);
- Home Office (Alcohol Team).

Representations from 'Other Persons'

As well as the responsible authorities, any other person can play a role in a number of licensing processes under the Act. This Includes any individual, body or business that are entitled to make representations to applications. Representations made must relate to the licensing objectives.

6. There are 16 representations from 'other persons' to consider. Copies of these representations are attached to this report at Appendix 3.

Notices

7. The applicant is responsible for advertising the application by way of a notice in a specified form at the premises for not less than 28 consecutive days and in a local newspaper on at least one occasion. The Public Notice appeared in the Lynn News on Friday 11th June 2021 and should have been displayed on the premises up to and including the 1st July 2021.

8. In accordance with the Licensing Act (Hearings) Regulations a notice of the application was also published on the Borough Council's website for the duration of the consultation period.

Plans

9. A plan showing the layout of the premises is attached at Appendix 4 and a location plan is attached at Appendix 5 showing the approximate location of the nearby objectors in relation to the premises.

Borough Council of King's Lynn & West Norfolk's Licensing Policy

10. The current Statement of Licensing Policy under the Act was approved by full Council on the 14th January 2021. The following extracts may be relevant to this application and assist the Sub-Committee:

3.0 Fundamental principles

- 3.1 The 2003 Act requires that the Council carries out its various licensing functions so as to promote the following four licensing objectives:
 - (a) the prevention of crime and disorder,
 - (b) public safety,
 - (c) the prevention of public nuisance, and
 - (d) the protection of children from harm.
- 3.2 Nothing in this 'Statement of Policy' will:
 - (a) undermine the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its own merits;
 - (b) override the right of any person to make representations on an application.
- 3.3 Every application will be dealt with impartially and on its individual merits. The Borough Council will not refuse to grant or vary an application unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or other person, such as a local resident or local business, which is a relevant representation.
- 3.4 Licensing is about regulating licensable activities on licensed premises and any conditions that are attached to premises licences or club premises certificates will be focused on matters which are within the control of the individual licensee or club, i.e. the premises and its vicinity.
- 3.5 Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. The Borough Council, in addressing this matter, will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 3.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of

the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy throughout the borough.

5.0 Licensing Hours

5.1 With regard to licensing hours, due consideration will be given to the individual merits of an application. The Borough Council recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which could lead to disorder and disturbance.

5.2 The Borough Council wants to ensure that licensing hours do not inhibit the development of thriving and safe night-time local economies. This is important for investment, local employment and attractive to domestic and international tourists. Providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

9.0 Public Safety

9.1 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. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

9.2 A number of matters should be considered in relation to public safety. These could include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with emergency services;
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises; and
- Considering the use of CCTV.

- 9.3 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The Borough Council expects applicants to consider these when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.

10.0 Prevention of Public Nuisance

- 10.1 Licensed premises, especially those operating late at night and early in the morning can cause a range of nuisances which impact on people or businesses in the vicinity. The concerns will mainly relate to noise but could also include light pollution and noxious smells. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate.

14.0 Planning & Building Control

- 14.1 Planning, Building Control and licensing are separated and consider different (albeit related) matters. For instance, licensing considers public nuisance whereas planning considers amenity. As such licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Licensing Committees are not bound by decisions made by a planning committee, and vice versa.

17.0 Conditions

- 17.1 The Borough Council will not impose conditions unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or other persons, such as a local resident or local business, which is a relevant representation, or is offered in the applicant's Operating Schedule. Any conditions will be proportional and appropriate to achieve the licensing objectives.

Guidance Issued Under Section 182 of the Licensing Act 2003

Under Section 4 of the Act, Licensing Authorities must have regard to guidance issued under Section 182. The current Guidance was issued by the Home Office in April 2018 and offers advice to Licensing authorities on the discharge of their functions under the Act.

11. The following extracts may be relevant to this application and assist the Licensing Sub-Committee:

Licensing Objectives and Aims

- 1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 1.3 The licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

- 1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
 - Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
 - Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
 - Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
 - Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Licence Conditions – General Principles

- 1.16 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, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
 - 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.

Each application on its own merits

- 1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder.

Public nuisance

- 2.15 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.
- 2.16 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.
- 2.17 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 (see chapter 15). 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.

- 2.18 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.
- 2.19 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.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 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.

Public Safety

- 2.7 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. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a

person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts;
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises and
- Considering the use of CCTV in and around the premises.

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. Applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

2.10 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.

Determining Applications

9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance

with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

Where Representations Are Made

- 9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant, (see paragraphs 9.4 to 9.10 below) the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Relevant, vexatious and frivolous representations

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson 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. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

Disclosure of personal details of persons making representations

- 9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

Hearings

- 9.37 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.
- 9.38 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.
- 9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is

an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

- 9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

Determining Actions that are Appropriate for the Promotion of the Licensing Objectives

- 9.42 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.
- 9.43 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.
- 9.44 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 the 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. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the

evidence on both the risks and benefits either for or against making the determination.

Proposed conditions

- 10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.
- 10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

Imposed Conditions

- 10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.
- 10.9 It is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives.

Proportionality

- 10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case by case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessel or identity scanners where they would not be appropriate to the specific premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

The need for licensed premises

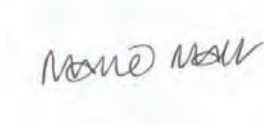
- 14.19 There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority 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.

Determination

12. Having regard to the representations received, the Licensing Sub-Committee are requested to consider the application, this report and take such steps as it considers appropriate for the promotion of the licensing objectives. These steps are:

- a) To grant the application under the terms and conditions applied;
- b) To grant the application with conditions that the Sub-Committee considers appropriate for the promotion of the licensing objectives;
- c) To reject all or part of the application.

13. The Sub-Committee are reminded that full reasons for their decision must be given as both the applicant and persons making representations have a right of appeal against that decision to the Magistrates' Court.



Marie Malt

Senior Licensing Officer
Environment & Planning
9th July 2021

Appendix:

1. Copy of Application
2. Copy of letter from Norfolk Fire Authority
3. Copies of letters of Representations from 'other persons'
4. Premises Plan of Layout
5. Location Map

Background Papers:

1. The Licensing Act 2003
2. Borough Council's Statement of Licensing Policy (14th January 2021)
3. Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

Your ref no: Form ref:
GNZCNFBZ

Form title: Apply for a new premises licence or a full variation

Page: Coversheet

This form was started at:	26/05/2021 16:11:19
This form was completed at:	26/05/2021 20:49:22
Internal form classification:	N / A
Openprocess state:	

Page: Tell us who you are

You can only vary a premises licence if you are the premises licence holder, solicitor or other duly authorised agent.

Are you completing this form on behalf of the applicant?	No - I am the applicant
In what capacity is the applicant applying for a premises licence?	As a limited company
Please confirm the following:	The applicant is carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

Page: Tell us about the other applicants

If you are a limited company, the address provided must match the record on Companies House

Name	Urban Hydro Ltd
Address line 1	unit 9 Damgate Lane industrial estate
Address line 2	Damgate Lane
Address line 3	Acle
Address line 4	Norwich
Postcode	NR13 3DJ
Daytime telephone number	
Email address	
Registered number, if applicable	12958472

Page: Tell us about the premises

A licence is not 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.

What are you applying for?

apply for a new premises licence

Section: Apply for a new premises licence

Name of premises or business

Paradise Gardens Hydro & Urban Lifestyle Show

Address line 1

The 100 Acres

Address line 2

Cowles Drove

Address line 3

Hockwold Cum Wilton

Address line 4

Postcode

IP26 4JQ

Telephone number at the premises

Please give a brief description of the premises

4 farmers fields upon which we intend to hold a trade show with additional entertainments. The event will include the sale of alcohol for consumption on the premises, performance of live music, playing of recorded music, some limited performance of dance and the provision of late night refreshment

Please refer to the sitemap for details of where licensable activities shall take place within the premises

When do you want the premises licence to start?
(dd/mm/yyyy)

02/09/2021

If you wish the licence to be valid only for a limited period, when do you want it to end? (dd/mm/yyyy)

06/09/2021

What is the non-domestic rateable value (NDRV) of the premises?

None - £4,300

If you're unsure of the non-domestic rateable value you can double check this on the [GOV.UK](https://www.gov.uk) website. **If the premises hasn't been set a non-domestic rateable value by the valuation office, then please select the lowest band.**

How many people are expected to attend the

5,000 - 9,999

premises at any one time?

If you have 30,000 or more people attending at any one time, you will need to [contact us](#).

What you will need to pay

The application fee for a non-rateable value below £4,300 is:	£100.00
---	---------

The additional application fee for 5,000 - 9,999 attendees is:	£1000.00
--	----------

Annual payments

Each premises licence we grant will need to pay an [annual fee](#). We will invoice you annually on the date when the first licence was issued.

Where do you want your annual invoice sent to?	Applicant's address
--	---------------------

Page: Tell us which licensable activities

Will you be providing plays at the premises?	No
Will you be providing films at the premises?	No
Will you be providing indoor sporting events at the premises?	No
Will you be providing boxing or wrestling entertainment at the premises?	No
Will you be providing live music at the premises?	Yes

A licence is not 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 nonresidential 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.

Will you be providing recorded music at the premises?	Yes
---	-----

A licence is not 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 nonresidential 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.

Will you be providing performances of dance at the premises?	Yes
--	-----

A licence is not 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.

Will you be providing anything of a similar description to live music, recorded music or performances of dance at the premises?

No

Will you be providing late night refreshment at the premises?

Yes

Late night refreshment is only licensable between the hours of 11pm and 5am.

Will you be selling or supplying alcohol at the premises?

Yes

Page: Provision of live music

Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activity.

Section: Monday

Start time

End time

Section: Tuesday

Start time

End time

Section: Wednesday

Start time

End time

Section: Thursday

Start time

End time

Section: Friday

Start time 10:00

End time 23:59

Section: Saturday

Start time

End time 23:59

Section: Sunday

Start time

End time 23:59

Will the provision of the live music take place indoors, outdoors or both?

Outdoors

Please provide further details here

We intend to have live bands playing amplified music from 2 large stages. Other live music will be played unamplified on a much smaller acoustic stage
In this context Indoors refers to a tent or marquee

Please state any seasonal variations for the provision of the live music

Where you intend to use the premises for the provision of live music at different times to those listed above, please specify below:

The form will not let me fill out the correct times for some reason.

We intend to play amplified music only between 14:00 - 23:00 on Friday, Saturday and Sunday
unamplified music will be played between 10:00 am until around 1:00 am the following morning on Friday, Saturday and Sunday

Page: Provision of recorded music

Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activity.

Section: Monday

Start time

End time

Section: Tuesday

Start time

End time

Section: Wednesday

Start time

End time

Section: Thursday

Start time

End time

Section: Friday

Start time 10:00

End time 23:59

Section: Saturday

Start time 10:00

End time 23:59

Section: Sunday

Start time 10:00

End time 23:59

Will the provision of the recorded music take place indoors, outdoors or both?

Both

Please provide further details here

There will be recorded music played amplified from the 2 larger stages between 14:00-23:00 on Friday, Saturday and Sunday
There may be some very low level recorded music played on the smaller acoustic stage outside of this time but no later than 1:00am on Friday, Saturday or Sunday and if it were played this would largely be incidental

**Please state any seasonal variations for the provision
of recorded music**

**Where you intend to use the premises for the
provision of recorded music at different times to
those listed above, please specify below:**

Page: Provision of performances of dance

Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activity.

Section: Monday

Start time

End time

Section: Tuesday

Start time

End time

Section: Wednesday

Start time

End time

Section: Thursday

Start time

End time

Section: Friday

Start time 10:00

End time 23:59

Section: Saturday

Start time 10:00

End time 23:59

Section: Sunday

Start time 10:00

End time 23:59

Will the provision of the performances of dance take place indoors, outdoors or both?

Both

Please provide further details here

We may have some dance performances taking place inside the acoustic stage tent or outside in the arena area. It is not a core entertainment of the event

Please state any seasonal variations for the provision of performances of dance

Where you intend to use the premises for the

There may be limited dance performances in the acoustic

provision of performances of dance at different times to those listed above, please specify below:

stage tent up till 1:00am on Friday, Saturday and Sunday - the form doesn't seem to allow me to put this in the timings boxes above

Page: Provision of late night refreshment

Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activity.

Section: Monday

Start time

End time

Section: Tuesday

Start time

End time

Section: Wednesday

Start time

End time

Section: Thursday

Start time

End time

Section: Friday

Start time 08:00

End time 23:59

Section: Saturday

Start time 08:00

End time 23:59

Section: Sunday

Start time 08:00

End time 23:59

Will the provision of late night refreshments take place indoors, outdoors or both?

Both

Please provide further details here

Food vendors on site will be providing food and soft drinks to customers

Please state any seasonal variations for the provision of late night refreshment

Where you intend to use the premises for the provision of late night refreshment at different times

Food vendors will be open until around 1:00 am on Friday, Saturday and Sunday - the form doesn't seem to allow me

to those listed above, please specify below: to put these times?

Page: Provision of alcohol

Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activity.

Section: Monday

Start time

End time

Section: Tuesday

Start time

End time

Section: Wednesday

Start time

End time

Section: Thursday

Start time

End time

Section: Friday

Start time 10:00

End time 23:00

Section: Saturday

Start 10:00

End time 23:00

Section: Sunday

Start time 10:00

End time 23:00

Will the provision of alcohol take place on the premises, off the premises or both?

on the premises

Please state any seasonal variations for the provision of alcohol

Where you intend to use the premises for the provision of alcohol at different times to those listed above, please specify below:

Page: Tell us about the Designated Premises Supervisor (DPS)

Is this an application for a commercial premises licence requiring a DPS for alcohol sales?	Yes
Are you the proposed Designated Premises Supervisor (DPS)?	No

Section: Tell us about the DPS

Please state the name and details of the individual who you wish to specify on the licence as Designated Premises Supervisor (DPS).

Title	Ms
Forename (s)	Louise Amy
Surname	Render
Date of birth (dd/mm/yyyy)	
Nationality	
Address line 1	
Address line 2	
Address line 3	
Address line 4	
Postcode	
Personal licence number:	
Issuing licensing authority:	South Norfolk Council

You can use the following upload facility to provide a DPS consent form completed by the above individual:

Uploaded files*

[Consent Form - Signed.pdf](#)

* If empty, no files were uploaded

Page: Tell us the premises opening hours

Please tell us the hours the premises are open to the public. Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activities.

Where the 'on sale of alcohol' is present, you may wish to consider drinking up time, for example, alcohol sales end at 23:00, premises open until 23:30.

Section: Monday	
Start time	
End time	14:00
Section: Tuesday	
Start time	
End time	
Section: Wednesday	
Start time	
End time	
Section: Thursday	
Start time	12:00
End time	
Section: Friday	
Start time	
End time	
Section: Saturday	
Start time	
End time	
Section: Sunday	
Start time	
End time	
Please tell us about any seasonal variations	
Please tell us where you intend to use the premises at different times to those listed above, please specify below:	The form above doesn't necessarily make it clear. This is a camping event so customers will be on site from 12:00 Thursday until 14:00 the following Monday. The areas for licensable activities will be closed to the public overnight from around 1:30 am

Page: Tell us about the operating schedule

Please highlight any services, activities, entertainment or matters ancillary to the use of the premises that may give rise to concern in respect to children

We see no rise of concern in respect to children as the event is for over 18s only so no children will be present in any area with a licensable activity

Please describe the steps you intend to take to promote the four licensing objectives:

General - List here the steps you will take to promote all four of the licensing objectives

This license shall authorise only the event named Paradise Gardens Hydro and Urban Lifestyle Show which shall allow access to public ticket holders on the premises for no more than 6 days

The license shall authorise a cumulative maximum attendance of the event of up to 8,000 to include all public weekend tickets, day tickets as well as staff and complimentary performer passes.

The breakdown of the event will be made available for the licensing authorities and Responsible Authorities

Regulated Entertainment shall be restricted within the blue lines on the sitemap attached to the license application

Supply of alcohol shall be restricted within the red lines on the sitemap attached to the license application. Alcohol may be consumed outside of these areas but not outside of the wider premises.

Late night refreshment shall be restricted within the green lines on the sitemap attached to the license application

An initial Event Management Plan (EMP) shall be made available to the Licensing Authority at least 60 days prior to the commencement of the event period.

The EMP shall contain detailed proposals for the event in policies and plans to promote all the licensing objectives of public safety, prevention of crime and disorder, prevention of public nuisance and protection of children from harm.

The prevention of crime and disorder

The perimeter of the event shall be secured at all reasonable access points prior to public ticket holders being admitted to the main site.

The campsites, car parks and event arena shall be patrolled by security and stewards during the event and license period.

Security staff will carry out random searches at the entrances to the event for drugs, offensive weapons and other contraband or prohibited items. Signage will be displayed to indicate that No glass containers or bottles shall be allowed inside the main site with the exemption of approved event traders. Bottle banks and amnesty containers shall be placed at the entrances to facilitate disposal.

All sales of alcohol and other drinks shall be provided in non-glass drinking vessels. All glass bottled drinks shall be decanted at point of sale

	<p>The designated Premises Supervisor (DPS) or nominated deputies shall be present on the licensed site when alcohol is being supplied under the premises license.</p>
Public safety	<p>Risk assessments shall be carried out by suitably competent and experienced persons to identify appropriate levels of medical, welfare and other public health resources to provide initial on-site treatment for a range of reasonably foreseeable conditions and incidents</p> <p>No animals other than assistance dogs, helper dogs and dogs from security or Police are to be allowed onto the main site during the event period</p> <p>A suitably qualified and competent person shall prepare and implement a Crowd Dynamics Plan which shall be included as part of the EMP and will demonstrate how public safety risks shall be properly assessed and mitigated</p> <p>A suitably qualified competent person shall prepare and implement a Trader Information Management Plan which shall be included as part of the EMP.</p> <p>Details of food and drink vendors shall be provided to the licensing authority at least 14 days prior to the event, to include:</p> <p>Location of each vendor on the sitemap provided to the licensing authority</p> <p>Details of each vendor to include: trading name, contact details, local authority to which the vendor is registered</p> <p>Any vendor found to be contravening any of the condition of the operating schedule, the EMP or other part of the premises license shall be prohibited from trading during the event of license period</p> <p>A suitably qualified and experienced person shall prepare and implement a Campsite Management Plan which shall be included as part of the EMP</p> <p>Toilet facilities shall be provided in sufficient numbers, above those required within the relevant guidelines. They shall be emptied and cleaned on a regular basis and shall be distributed across the entire event site</p> <p>A ready supply of wholesome drinking water shall be made available free of charge at water points throughout the site during public occupation</p> <p>A suitably competent person shall prepare and implement On and Off Site traffic Management Plans which shall be included as part of the EMP</p> <p>The Off Site management plan shall include details on:</p> <p>Parking Provisions</p> <p>Road Signage and offsite infrastructure</p> <p>Road Closures if needed</p> <p>Contingency plans for ground surfaces</p> <p>Separation of vehicles and pedestrians</p> <p>Contractors, traders and access routes during the build</p> <p>Access routes for service vehicles during the event period</p> <p>Measures to limit the exposure of the public to excessive musical noise shall be included in the Noise Management Plan</p> <p>Adequate lighting shall be provided to all access/exit routes</p>

	to and from the licensed site, campsites and toilet blocks when the public are in attendance
The prevention of public nuisance	<p>Amplified music shall only be played on any system rated above 200 watts within the areas marked in blue on the sitemap.</p> <p>No music shall be played on any system rated above 200 watts after 24:00 on any day during the license period</p> <p>Litter bins shall be provided throughout the campsites, the main event arena and around the campsites and shall be regularly emptied by the litter teams to prevent a build up of waste</p> <p>Temporary lighting shall be located and directed as far as is practicable to minimise risk of nuisance caused by noise and light spillage to the occupiers of residential properties</p>
The protection of children from harm	<p>The event is for over 18s only.</p> <p>The only exception may be children of core crew who will be required to remain in the crew camping area at all times and under the direct supervision of their parent or guardian at all times. Therefore no under 18s will at any time be in the area of a licensable activity – please refer to the sitemap as referenced under section A of this document.</p> <p>Checks shall be carried out at the gates and also at any bars should someone appear to be under 18.</p> <p>“Challenge 25” sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol</p> <p>The DPS or person on their behalf shall ensure that all staff engaged in the sale of alcohol have received suitable training or instruction in relation to the prevention of sales to person under 18 years of age.</p> <p>No person under the age of 18 shall be permitted to serve alcohol</p> <p>Soft drinks and free drinking water shall be available on site as an alternative to alcohol</p>

Page: Documents checklist - applying for a premises licence

You must tick the following statements to confirm you've understood them:

Checklist	<ul style="list-style-type: none">✓ I understand that I must advertise the application both in the newspaper (within 10 working days) and on the premises (the day after the application is accepted). The Borough Council will send the notice once the application is accepted✓ I will send a copy of the advert once it has appeared in the newspaper - do not advertise until accepted✓ I understand that if I do not comply with the above requirements my application may be rejected✓ The DPS named in this application 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, if appropriate
------------------	--

As part of this application, you need to provide the following information:

You can use the following upload facility to provide a copy of the set to **scale plans** for the premises:

Uploaded files*

[site plan for council.jpg](#)

* If empty, no files were uploaded

You can use the following upload facility to provide a **DPS consent form** completed by the proposed premises supervisor:

Uploaded files*

[Consent Form - Signed.pdf](#)

* If empty, no files were uploaded

You can use the following upload facility to provide documents demonstrating your **right to work** in the UK:

Uploaded files*

* If empty, no files were uploaded

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), you'll need to provide the 9-digit 'share code' provided to the applicant for that service.

How many share codes do you need to tell us about?	
Any further information	It is my understanding that as the applicant is a company rather than an individual we do not need to prove a right to work in the UK?

Page: Payment summary

Application fee for RV below 4300	£100.00
Application fee for 5000 to 9999 attendees	£1000.00
Total	£1100.00

Page: Declaration and payment

Review your answers

Before clicking 'submit' you must review all of the answers you've provided. **Once your form has been submitted, you cannot make any changes.** If you need to make any amendments to this form, then click 'previous' (you will need to click the declaration box first). Please click on the following link to double check your answers.

[Open a read only view of the answers you have given \(this will open in a new window\)](#)

Privacy notice

The Council has a duty to process and store your personal information safely and securely in line with data protection legislation, which here means the General Data Protection Regulations (Regulation (EC) 2016/679 which is in force from 25 May 2018) (GDPR) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then any successor legislation to the GDPR.

The Borough Council of King's Lynn and West Norfolk (the Council), of Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX is the data controller for the purposes of the GDPR and associated domestic law.

We will use your personal information for the purposes of the provision of the licensing services. The processing of this information is necessary for the Council to undertake a public task, i.e. the processing is necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law, in this case the Licensing Act 2003, as amended.

Your data may be shared between Council departments and other agencies where there is lawful authority to do so.

Your information will be kept strictly confidential. It will be stored separately from other information in a secure, password-protected database on the Council's computer system.

Your personal information will be kept for as long as you require a licence and for a period after the service is terminated. You can find more information about our retention policy on the [privacy notice](#) page. We will only use your data within the terms of data protection laws, will delete your data securely and only keep it for as long as necessary. We will review dates for keeping personal data in the future and if necessary update these privacy notices.

You may see copies of the data held about you and ask for it to be corrected or deleted.

You can find more information about Data Protection and the Council's Data Protection Officer, on our [Data Protection](#) page.

If you are unhappy with the way your personal information is being handled you can contact the [Independent Information Commissioner](#).

Declaration

Please read this declaration carefully before you press submit.

- I certify to the best of my knowledge and belief, the information supplied by me on this form is accurate
- I understand that 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
- I understand that 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 believe, that the employee is disqualified

- I understand the personal information collected on this form will be used by the Borough Council of King's Lynn and West Norfolk to process my request, and deliver the service
- I understand the personal information will only be disclosed to the Norfolk Constabulary Licensing Team and the Home Office in connection with delivering this service
- 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 related 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

You can find out more detailed information about our Privacy Policy, on our [privacy notice page](#).

☒ **I confirm that all of the details I have provided are correct and I understand that the information provided on this form is subject to the provisions of the above privacy notice.**

Once you've completed the declaration, please 'submit' your form. You will then be passed to a secure site to make your payment.

Marie Malt
Senior Licensing Officer
Borough Council of King's Lynn &
West Norfolk

Please ask for **Mick Beard**

Direct Dial:

Email:

My Ref:

Your Ref:

00094347

01 July 2021

Dear Madam,

The Regulatory Reform (Fire Safety) Order 2005

**Premises: Paradise Gardens - Hydro & Urban Lifestyle Show, The 100 Acres,
Cowles Drove, Hockwold Cum Wilton, Thetford, IP26 4JQ.**

Norfolk Fire and Rescue Service have concerns over fire safety at the proposed event and will be attending the Safety Advisory Group meeting for the event, where we will be looking to ensure compliance with the above Order.

We will require suitable and sufficient fire risk assessments for the whole event and suitable arrangements for fire appliance access, access to fire-fighting water, car parking, spaces for separation of vendors, portable fire-fighting equipment (including adequately trained personnel), fire alarm warning systems, emergency lighting, warning and fire exit signs and clear and obvious escape routes among other things before making further comment.

If there are any additional questions at this time, please do not hesitate to contact me.

Kind regards

Mick Beard, Senior Fire Safety Inspector – Western

For The Chief Officer

Paradise Gardens Hydro & Urban Lifestyle Show, The 100 Acres, Cowles Drove, Hockwold
Cum Wilton, IP26 4JQ

Representations from other persons –

No.	Name/s	Address
1		
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17th. June 2021

Re:- Proposed Festival Hockwold 2021 Council Ref. 21/00398/LA-PRE.

At The 100 Acre Farm along Cowles Drove Hockwold (road status-unadopted).

to:- Hockwold Parish Council ()
to:- West Norfolk District Council (ehlicensing@west.norfolk.gov.uk)
to;- Norfolk County Council (cldr.martin.storey.@westnorfolk.gov.uk)

I must congratulate the Urban Hydro Ltd. organisation on their presentation regarding the proposed Festival to be held in Hockwold in September 2020.

I do have some reservations with various aspects I feel should be brought to your attention.

(a) The 100 Acre Farm, Paradise Farm, as the sponsors now want it to be known, is approximately one mile down an unadopted dirt track/road. This in itself will create a problem because an unstable dirt track/road that alters according to the varying weather conditions would find difficulty to be maintained as a safe passage of access when the proposed 8 to 10 thousand people and their various vehicles descend upon it. For the number of people that Urban Hydro Ltd. are expecting, it is estimated that an expected minimum of 5000 to 7000 plus vehicle journey's will take place up and down this dirt track road during the five days of the festival that is assuming they stay on site for the duration. I would also question if Hockwold village is ready to cope with this volume of traffic bearing in mind that there is virtually no public transport to and from the village. The Unadopted Roads Act states that it is the responsibility of the residents on that road to maintain it in a reasonable condition. The cost to the residents after the vast number of people and their vehicles have possibly caused irreparable damage to the road could be beyond their means. I was told by the person representing the Urban Hydro Ltd. operation that there would be money made available for any repairs done to the road, but no concrete proposals were offered. This would represent in my opinion an unsafe passage for those attending the festival and an unknown cost to the residents who live and work along Cowles Drove.

(b) There are always winners as there are losers in a venture such as that, that is being

proposed. Unfortunately the losers are going to be those that have lived and worked along Cowles Drove for many years, some all their lives. The reason why people would choose to live outside of a village where there are no normal facilities such as made up road, lighting, sewerage etc. would not include being engulfed by 8 to 10 thousand people so that someone can make money, however the presentation issued by Urban Hydro Ltd. gives the impression otherwise. This is a money making enterprise, Urban Hydro Ltd. is not a small country business. Exploitation to the cost of others is what comes to mind. This proposed Festival cannot be compared to Festivals held in public places such as show grounds where safe access is established.

(c) Security. Cowles Drove is a small cut off from the minor B1112 road that is the main/only artery between the American bases of Mildenhall, Lakenheath and that of Feltwell these bases have individual services that are interlinked such as the Doctors surgeries the Fire service, the Hospital etc. if a hold up in an emergency occurred due to congestion created by the already estimated number of vehicles trying to access the site from the said B1112 road this could cause a problem I would not like to have to explain.

There are two options that could solve all of these problems

Don't support the application, or, alternatively refuse to issue a licence for the festival

or

Access the site from an alternative route.

1.

There is an alternative way onto the proposed site. If the entrance was changed from Cowles Drove to the back road, which is also a dirt track/road, that can be accessed along Black Dyke road. The back road leads almost directly onto the proposed site and would alleviate any possible congestion problems, no disruption to residents, no damage to the dirt track/road used by those living and working along Cowles Drove. It would be much easier to Police and Marshall. If this was to be used as an alternative access to the site diversion signs would need to be prominently placed. And no-entry signs for Festival goers would need to be erected at the entrance to Cowles Drove.

A precedent was set some years ago when the village fete was held on a site off of the Black Dyke road, it was most successful.

The back road would need some pre festival work but as the organisers say they have money that has been set aside for repairing and reconstituting Cowles Drove if that money was used for the proposed alternative route It could be a win win option for everybody.

If a licence were to be issued under whatever circumstances I would urge the licensing authority to only issue a one off licence not something that can be exploited later



From: [redacted]
Sent: Thursday, June 24, 2021 12:30:00 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Proposed event at Cowles Drove, Hockwold, Norfolk.

Dear Sirs,

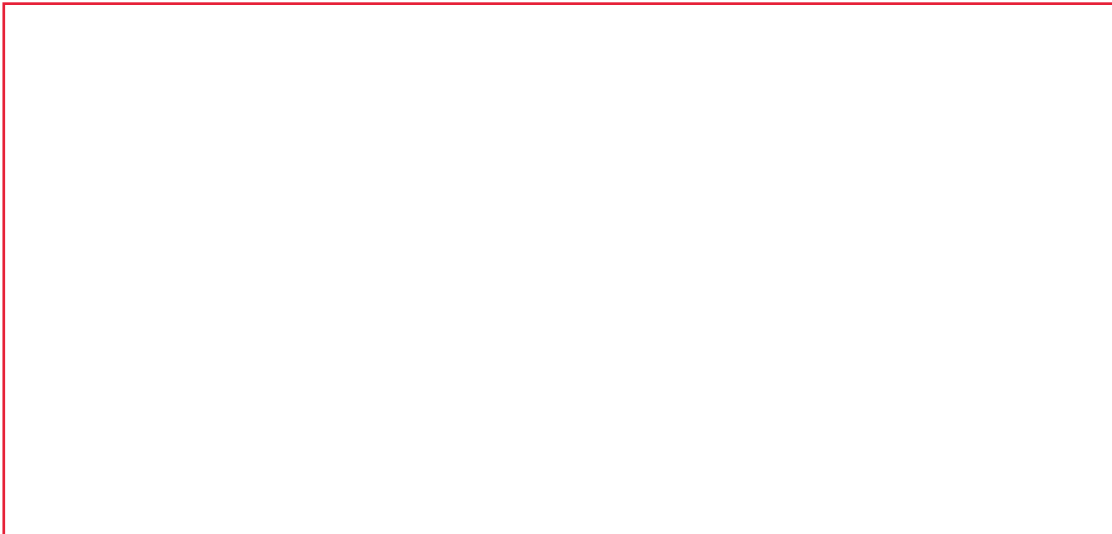
Further to the attached application for "New Premises Licence" I would like to lodge my objection. Although the proposal is for sale of alcohol, late night refreshment and entertainment, the event itself is for "hydroponics, music and urban lifestyle event". The information received states 4,000 campers and some 4,000 day visitors. This is clearly unacceptable! Cowles Drove comprises of a short distance of concrete road as far as Freedom Farm. This road was funded by 3 residents at the time. It then becomes an unmade road, i.e dirt track for local farmers and other householders to access their properties. To contemplate this amount of traffic alone using this only access, apart from the noise issues, safety of our properties, etc., beggars belief.

I sincerely hope that this event does not take place and the powers that be can see deeper into the problems that this will entail.

Yours faithfully,

[redacted]

From:
Sent: 25 June 2021 12:24
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Licensing application 21/00398/LA_PRE



Dear KLWNBC/Environment and Planning

With reference:- Proposed Application for the New Premises Licence for Festival at Hockwold. Reference **21/00398/LA_PRE**

We are writing with reference to the above application, firstly may we point out that we have no objection to people enjoying themselves whatsoever.

We would like to lodge our objection to this Licence.

These are our reasons and reservations, the main reason being the road in which we live on.

“The 100 Acres” of land on which the said Festival is to take place is about 1 mile down the drove. Cowles Drove is council owned up to the end of the tarmac and then a concrete road was put into another section by Trevor C Cobbold Agricultural for the farm use up to a speed ramp and after the speed ramp is a dirt track. Cowles Drove for those of you that do not know is classed as an unadopted road. An unadopted road means quoting Highways:

An “unadopted road” is simply a track or road which has not been adopted by a local authority and so the said authority has no responsibility to maintain it. The first point of call is to check ownership of the road on the Land Registry title or the original title deeds as the owner may need to be approached. If this is not clear, it is usually the case that a property adjoining an unadopted road will have been granted a

right of way by the private owner. Rights of way are generally coupled with an obligation to cover a proportion of the costs of maintaining the road. It is sometimes the case, however, that ownership is unclear and no such right of way or obligation for maintenance exists.

According to the Highway Authority, when a road is private or unadopted, the “frontagers” are responsible for maintenance and repairs. “Fronting” is defined in the Highways Act 1980 as “adjoining” and so a property need not specifically front the road in order for the owners to be deemed responsible.

I have checked with Highways, Highway Boundaries and Land Registry and there is no legal owner listed and therefore the maintenance is quoted by the Land Registry and Highway Boundaries: **“the prerogative of the people living on the said road.”**

We understand that Festival event is based on Hydroponics, music and urban lifestyle and is expected to receive up to 8000+ visitors including campers as well as musicians, band members, stall holders, the organisers, and staff. The gates will open to the public on the 2nd September until 6th September meaning over the 5 days as well as setup days prior to this around 6000-8000+ vehicles can be expected to use the drove over this period.

The drove alters immensely due to weather conditions and use for which I have attached photos dated accordingly. All within 1 week, the 15th being the day we scraped the road to level it out.

We personally maintain the road at a cost to ourselves to keep our vehicles and the neighbours' cars nice and to welcome our customers. We regularly buy road planings to fill in holes and scrape road to keep it smooth. I was personally texted and visited to be told that money would be offered for the repairs if any damage was caused by the Festival and future events?? Is this Festival a one off?? There are winners and losers in all situations, but we feel we will lose out drastically if this goes ahead. Our own business will be open those days and we feel that our customers will have a difficult journey to reach us stuck in traffic and therefore loss of earnings to us and will we be left to repair the drove at our own expense.

Security is also a big issue, last time an event was held down Cowles Drove we were personally robbed that night whilst asleep in our home. Alcohol will be available and no doubt those camping will bring their own, how will they stop people from wandering onto our properties down the drove day or night?

There is another way from Black Dyke Road to Cross Drove, why is this not suggested?

These fields are used by cows and have been farmed agriculturally for many years and there are many hedgerows which are home to birds, insects and much wildlife, these fields border the river to the RSPB site where there is a rare crane nesting with young, one can only imagine the carnage if this goes ahead.

We are still in the midst of a pandemic due to Covid 19 and the situation is due to be reviewed on July 19th 2021 and also feel that 6 weeks after this is too early an event to take place in a community that has not seen a high rate of infection, how will the rules apply sanitation wise as there will be lots of people aswell as food/tattoo/piercing establishments included in the Festival.

There are also many dykes around aswell as fishing lakes and private garden ponds that are over 10ft deep, what will happen if someone wanders to these and who would be liable if anything happens?

We feel that if this license was granted, this would only mean more to come and hope that you also consider the noise to the village as many complaints have been made about Murfitts Industries, imagine this going ahead, the license states Entertainment from 10am-1am.

We do hope that the powers that be can see deeper into the problems that an event like this could entail.

We totally **object** to this for the above reasons.



15th June



22nd June



15th June



From:
Sent: Friday, June 25, 2021 2:13:05 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Proposed Festival At Cowles Drove, Hockwold 21/00398/LA_PRE



24th June 2021

Dear Environment and Planning Licensing

With reference:- Proposed Application for a Premises Licence for
Festival at Hockwold. Reference: **21/00398/LA_PRE**

We are writing with reference to the above application, firstly may we point that we totally **object** to this as we live directly opposite where this event is to take place on Cowles Drove.

Cowles Drove is called an unadopted road which means that it is our responsibility as residents to make all repairs and maintain. Our neighbour kindly upkeep the drove and has done so for many years and this would be total carnage to the drove as it is only a dirt track and could not stand all those vehicles descending upon a weekend period. The drove changes with weather conditions and sometimes even the Dustmen refuse to come down when it is bad. We came to live here in Cowles Drove in peace and in the past have had many unwanted visitors from the raves and parties that have gone on further down the drove. We have Horses, dogs, cats, chickens and they are not used to noise and when we say directly opposite us this Festival is straight across the road from our house, our home.

The only water on the premises is not legal, no account with Anglian Water as have made own connection into water main.

Security is going to be a big issue, last time an event was held down Cowles Drove people broke into our sheds and demolished our satellite dish which sits outside our gate on the drove, how do we know that this will not happen again, people will be high and drunk and no-one can legally contain them from wandering onto our properties along the drove.

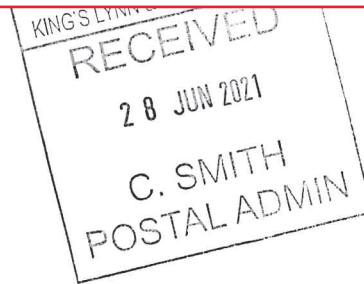
Music from 10am around the clock until 1am is absurd in a residential area or don't we matter??

When visited they told us music will stop at 11pm, license clearly states 1am.

What about fire risk, if we have a dry summer and the dykes are dry the river is at the end of the fields, where will the water come from??

We totally **object** to this for the above reasons.

Environment and Planning - Licensing,
King's Lynn and West Norfolk Borough Council
King's Court
Chapel Street
King's Lynn
PE30 1EX



22nd June 2021

Re: 21/000398/LA PRE – Application for New Premises Licence

Dear Sir or Madam,

We are writing to make you aware of our deep concerns and strong objections to the recent Application for New Premises Licence displayed at Kens Corner and Red Barn, on Cowles Drove, Hockwold – cum - Wilton. Details of this proposed festival/rave of 8,000 people can be found here: <https://paradisegardenshydroshow.com> . We were approached by the applicant of this proposed festival/rave and given assurances which do not appear to match the application submitted.

In brief, our objections are these and relate to three of the Licensing Objectives.

1) There is a risk to Public Safety

- You may be aware that the County Council considers Cowles Drove an adopted road, meaning that we the residents are responsible for its maintenance. The Drove is an unmade road with ruts and an uneven surface.
- We cannot guarantee the road surface is safe for a festival/rave of 8,000 people where the surface would certainly degrade further with heavy traffic. There are ditches to the side of the road and near the proposed venue with no barriers or protection from hazards such as the dyke.
- Moreover, the properties on the Drove, including ours, have large ponds without barriers which would represent a potential hazard to festival/rave attendees.
- There is no street lighting to keep people, particularly those under the influence of alcohol, safe and aware of these hazards.

2) There is a risk of Crime and Disorder

- Given the road is unmade and adopted by the residents, in the view of the County Council, there is no regular police presence or patrol of these areas and on the occasions the emergency services have been called the response time is long, and vehicles such as ambulances struggle on the unmade surface (Photographic

evidence of the unmade track can be provided). There is a risk of disorder and potential crime.

- This event is targeted at 18+ year olds and is not a family event. It is being hosted by a company which appears to have no track record of hosting this type of event and there is no apparent police or security presence. The risk of antisocial behaviour and drug use is clearly a large risk.

3) There is a risk of Public Nuisance

- The adopted nature of the road, means there is no parking control and there is no way to police poor parking. The event costs £50 per day or £100 for the weekend, or people could park up and camp along the unmade road for nothing and listen to the music bringing their own alcohol. Therefore, the risk of Public Nuisance is high and again there is no guarantee of regular police or parking control as there are no road markings.
- The lack of street lighting, permeable boundaries to properties, hazards such as dykes, ruts and water hazards with no barriers, signage or lifesaving equipment means that the risk of 8,000 people attending a festival/rave with alcohol on sale represent a clear risk of creating a public nuisance.
- There are no bins or receptacles for the collection of rubbish and litter.
- The event will clearly only stop selling drink and playing loud music until 01:00am in the morning and as such, represents a Public Nuisance to the residents. The risk of noise exceeding permitted levels is high in a large, open, flat area.

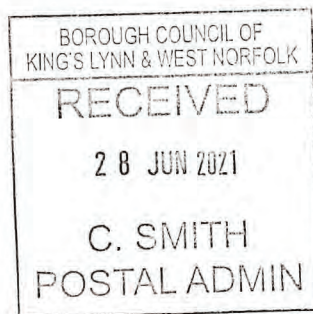
In addition to the objections that relate to the licensing objectives, we have broad concern about this event. The residents maintain an unmade, rutted track that is time consuming and expensive. Sending 4,000 campers for the weekend and 4,000 day visitors for each of three days down this track will cause it to degrade and we will need to live with the consequences.

There is genuine concern here that inviting 8,000 people per day to an area with almost no police presence is a severe risk to property and potential crime. More than that, however, is the risk of open, permissive drug use in an unsupervised area. I am sure you can appreciate why we are so very worried about this. The media is filled with examples of raves that have gone horribly wrong. Without rules, structures and oversight (none of which Cowles Drove offers) this appears to be a recipe for putting the public at risk, inviting crime and disorder and creating a public nuisance.

Can anyone confirm if this licence is for one event, or a permanent right to sell alcohol at this 'venue' (it is a field)? You can appreciate, I am sure, our growing anxiety that the tranquil Norfolk village we love is about to irrevocably change.

Your sincerely





25th June 2021

Dear Sirs,

With regards to the Application for the New Premises Licence Application Ref: 21/00398/LA_PRE made by Urban Hydro Ltd I would like the Council to take the following into consideration.

I understand Urban Hydro are planning, indeed have sold tickets to, a 5 day festival for 10,000 to 12,000 people on The 100 Acres. I am extremely concerned regarding the logistics of such an enterprise.

Cowles Drove

Cowles Drove is an ancient drove road, unadopted by the local Council and in reality a dirt track. This is the only vehicle access to the site. The nearest actual road being the B1112 which links the USA bases of Feltwell, Lakenheath and Mildenhall. Only the first 4/10th of a mile is concrete. Then one must travel over a mile of dirt track before reaching the proposed site. At places the drove is not wide enough for two vehicles to pass safely. This is totally unsuitable for the large number of vehicles planned.

This is mainly a working agricultural area and the vehicles using the drove are tractors and heavy lorries. A wheel span of 8 – 12 enables these lorries, and of course the tractors, to adequately navigate the rutted and holed surface of this dirt track. Ordinary cars have to zig zag along the drove at very low speeds to avoid damaging their suspension. Indeed sometimes the drove is practically impassable. The farmers do attempt to fill in the ruts and holes but the drove is never smooth and flat.

Being on the fens there are drainage dykes (the responsibility of Southery & District Internal Drainage Board). The proposed site has a dyke running the entire length on its south boundary and one on the entire length of its north boundary. The dyke on

the northern boundary has one bridge over it large enough for one vehicle at a time to access the land. It is surely unsafe to only have this one bridge as both the entrance and exit for 10,000 – 12,000 visitors. Not to mention if emergency vehicles needed to attend.

Water

Anglia Water's pipe does not go as far down the drove as the proposed site. There is a small pipeline which a farmer laid down many years ago. Anglia Water is aware of a few farms still using this but it is not of their approved size and the pressure is totally inadequate for its present use. Therefore all the water needed for such an event would need to be transported to the site. An extremely large amount I would think with the current need for hand washing due to Covid ; sanitation (there is no mains sewage in the whole of Hockwold let alone along Cowles Drove); and most worrying of all in the case of a fire.

Electricity

There is no electricity as far as the proposed site as it is just agricultural farmland. Cowles Drove has no street lighting along its entire length.

Mobile Phone Signal

It is not always possible to get a phone signal along the drove. Again this could be a problem in an emergency.

Disturbance

The land all along Cowles Drove is isolated countryside not so much picturesque more the farming workplace for food production. Farm vehicles need clear access 7 days a week to the thousands of acres of which Cowles Drove is the only access. A five day festival has the potential to disrupt the efficient running of the essential production of our food and could put farmers livelihoods at risk.

I understand if permission is granted several festivals a year could be held.

Farm animals could be disturbed with the noise, lights, and fire exhibits. There are cattle, sheep, and horses living along the drove, not to mention the wild life. Deer; hares; voles; snakes; and of course a multitude of birds including, swans; owls; and fen harriers. Along the southern boundary of the proposed site is the Little Ouse river and the RSPB Lakenheath Fen bird sanctuary. The birds living or visiting there

will be disturbed as will the human visitors who pay to experience the peace and quiet of the reserve. This could well affect the income of the RSPB.

Need

East Anglia has an abundance of venues where such events can be staged. i.e. The Suffolk Show-ground; Norfolk Show-ground; the Latitude Festivals; Several large Country Estates; and in the closer vicinity is High Lodge (Forestry land); and Hockwold Hall. All of these have more than one access from more than one concrete road.

Local Development Plan

The above are the reasons why I would like the council to reject this application but I believe it would also be contrary to the Councils own Local Development Plan.

It is hard to explain the working agricultural environment that is Cowles Drove and the lack of facilities that people living and working in towns and urban environments just accept as normal. I often have to explain to people visiting or trying to sell me something that “we have no mains gas supply or main drainage in the whole of the village” and the lack of amenities gets more pronounced along Cowles Drove. I would urge the committee who will be deciding on this application to actually visit the proposed site to see for themselves how unsafe and unsuitable it is for such events.

Yours very truly,



Environment & Planning – Licensing,
Borough Council of Kings Lynn & West Norfolk,
Kings Court,
Chapel Street,
Kings Lynn
PE30 1EX

From:
Sent: 29 June 2021 13:26
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Application number: 21/00398/LA_PRE



I am writing as I wish to OBJECT to this application.

My reason is the venue is not suitable for this type of event or amount of people.
It's a dirt track to the field where said event is to take place and the road is not suitable as only one way in and out. This is not a secure site its an agricultural field at present with cows and crops.

Safety will be a big issue with regards to security and emergency services. There is large dykes to 2 sides of field as well as fishing and private lakes in the vicinity.

Fire is a big risk. Fire acts are advertised, campers will use bbqs, smoking, these are at present grass and wheat fields. A large fire broke out in buildings on Cowles Drove 27th July 2021 and fire crews found it hard to get water as dykes were low and had to get water from village.
I have only just been told about event so not advertised well.

I object.

Thanks

-----Original Message-----

From:
Sent: 29 June 2021 21:43
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Application number: 21/00398/LA_PRE

To:
Environment and Planning - Licensing, Borough Council of King's Lynn & West Norfolk, King's Court,
Chapel Street, King's Lynn,
PE30 1EX

I would like to object to this licence being issued.

My reason for this objection is that the venue is not suitable for this type of event.

The licence is for a large music and hydroponics festival that has been widely advertised on social media. The tickets state that the event will be 8,000 people, but we have no way of knowing if this number is correct. (The organisers are selling tickets informally and could have sold many more than this number).

Event website: <https://paradisegardenshydroshow.com>

Unsuitable site:

The event is situated one mile down an unmade track, with one entrance in and out. This is not suitable for emergency vehicles.

The event organisers cannot secure the site. This is an unofficial venue in fields. There is no way that they can prevent more people from entering the site. This site risks being overwhelmed.

An event of this size should require an entertainment licence, not just alcohol. The items for sale are superfluous to the music and entertainment on offer. By avoiding an entertainment licence the public are being put at risk.

There is no published provision for safety for this event. Health and Safety, pyrotechnics or Fireworks licences, Disabled access, or on-site First Aid are not mentioned.

The website states: 'Fire Performers: We want to kick off the first year of Paradise Gardens with a bang. Literally!'

Hockwold Thetford Norfolk

June 29th 2021

From the event website:

"Paradise Gardens is about to revolutionise the show culture and become the largest hydroponics, music and urban lifestyle event in the U.K.

We are transforming the typical trade-show landscape by bringing together 40+ big- name music artists across jungle, reggae, hip-hop, drum & bass, electro-swing, acoustic and house and techno with the progressive world of hydroponics.

The show/exhibition is set in 40 acres of glorious countryside and will showcase 125 – 150 of the best and newest brands in U.K. hydroponics, fashion, and urban lifestyle.

This fantastic location will host 2 music stages, 30+ artists, 4,000 campers, some 4,000 day visitors and a huge selection of food & treats vendors.

Our full spectrum lineup will bring you big-name headline acts including Congo Natty, General Levy, Mr Traumatik, Mungo's Hi-Fi, Mickey Finn, Dub Pistols, Danny Wav & more.....all in all making a summer weekend which cannot be missed!"

The local council have had very little time to review this event. The public have been given only 3 days to respond, in writing only, to this application for an alcohol licence. Why is this?

Kind regards



From: [redacted]
Sent: 30 June 2021 09:01
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Cc: [redacted]
Subject: APPLICATION NO 21/00398/LA_PRE

To:
Environment and Planning - Licensing, Borough Council of King's Lynn & West Norfolk, King's Court,
Chapel Street, King's Lynn,
PE30 1EX

I would like to object to this licence being issued.

My reason for this objection is that the venue is not suitable for this type of event.

The licence is for a large music and hydroponics festival that has been widely advertised on social media. The tickets state that the event will be 8,000 people, but we have no way of knowing if this number is correct. (The organisers are selling tickets informally and could have sold many more than this number).

Event website: <https://paradisegardenshydroshow.com>

Unsuitable site:

The event is situated one mile down an unmade track, with one entrance in and out. This is not suitable for emergency vehicles.

The event organisers cannot secure the site. This is an unofficial venue in fields. There is no way that they can prevent more people from entering the site. This site risks being overwhelmed.

An event of this size should require an entertainment licence, not just alcohol. The items for sale are superfluous to the music and entertainment on offer. By avoiding an entertainment licence the public are being put at risk.

There is no published provision for safety for this event. Health and Safety, pyrotechnics or Fireworks licences, Disabled access, or on-site First Aid are not mentioned.

The website states: 'Fire Performers: We want to kick off the first year of Paradise Gardens with a bang. Literally!'

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The local council have had very little time to review this event. The public have been given only 3 days to respond, in writing only, to this application for an alcohol licence.

I am also deeply concerned about the traffic issues within the village an event this size will generate, both from a safety and disruptive perspective.

Kind regards



Kind regards



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

From:
Sent: 30 June 2021 13:23
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Application no: 21/00398/LA_PRE

Dear Sirs,

Re: above application by Paradise Gardens Hydro Show

I would like to object to this licence being issued.

My reason for this objection is that the venue is not suitable for this type of event.

The licence is for a large music and hydrophonics festival that has been widely advertised on social media. The tickets state that the event will be 8,000 people +, but we have no way of knowing if this number is correct. (The organisers are selling tickets informally and could have sold many more than this number).

Event website: <https://paradisegardenshydroshow.com>

Unsuitable site

The event is situated one mile down an unmade track, with one entrance in and out. This is not suitable for emergency vehicles. Map attached.

The event organisers cannot secure the site. This is an unofficial venue in fields. There is no way that they can prevent more people from entering the site. **This site risks being overwhelmed.**

An event of this size should require an entertainment licence, not just alcohol. The items for sale are superfluous to the music and entertainment on offer. By avoiding an entertainment licence the public are being put at risk.

There is no published provision for safety for this event. Health and Safety, pyrotechnics or fireworks licences, Disabled access or on-site First Aid are not mentioned.

The website states: "Fire performers: We want to kick off the first year of Paradise Gardens with a bang. Literally!"

From the event website:

"Paradise Gardens is about to revolutionise the show culture and become the largest hydrophonics, music and urban lifestyle event in the UK.

We are transforming the typical trade-show landscape by bringing together 40+ big-name music artists across jungle, reggae, hip-hop, drum & bass, electro-swing, acoustic and house and techno with the progressive world of hydrophonics.

The show/exhibition is set in 40 acres of glorious countryside and will showcase 125-150 of the best and newest brands in the UK, hydrophonics, fashion and urban lifestyle.

This fantastic location will host 2 music stages, 30+ artists, 4,000 campers, some 4,000 day visitors and a huge selection of food and treats vendors.

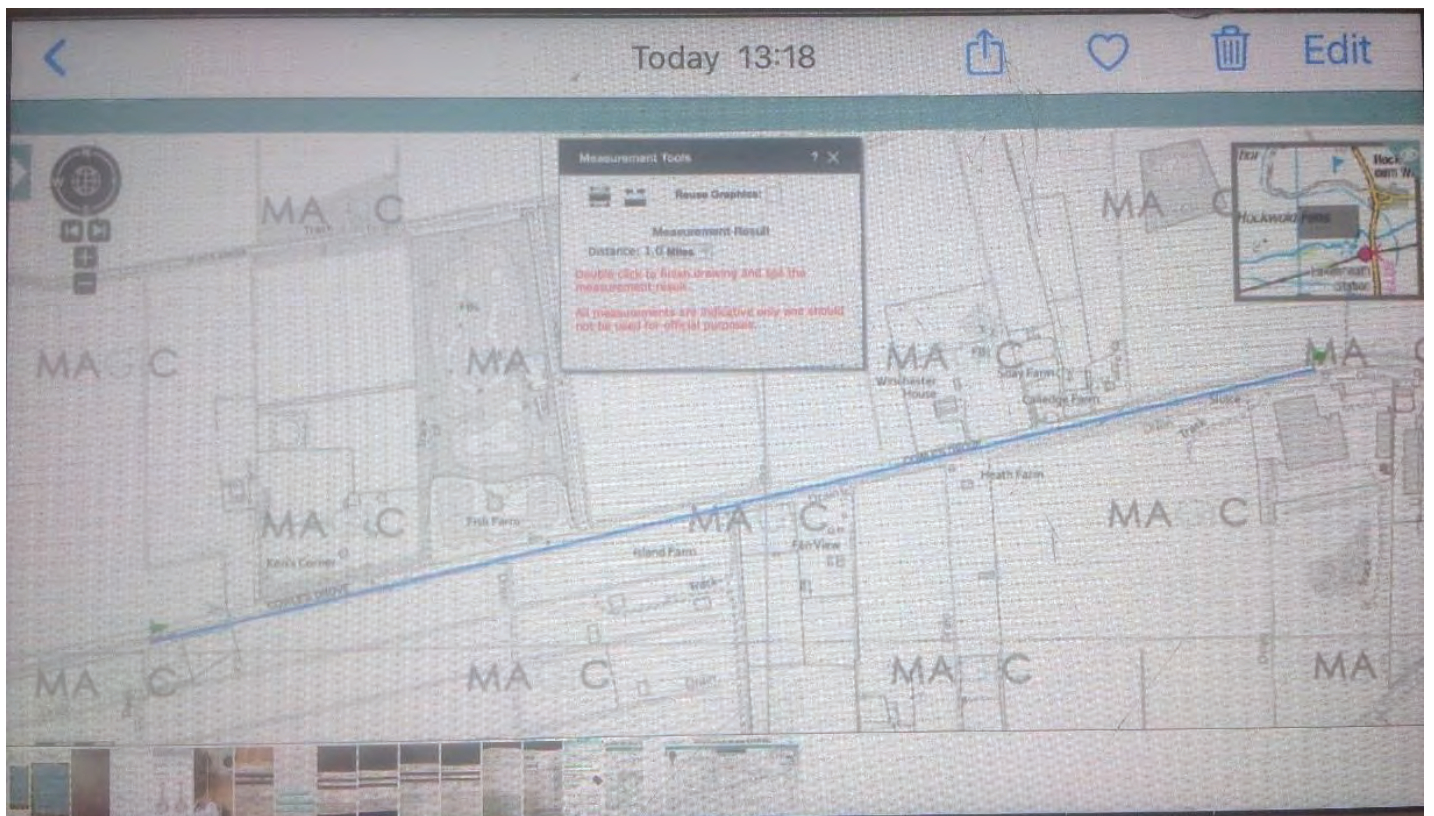
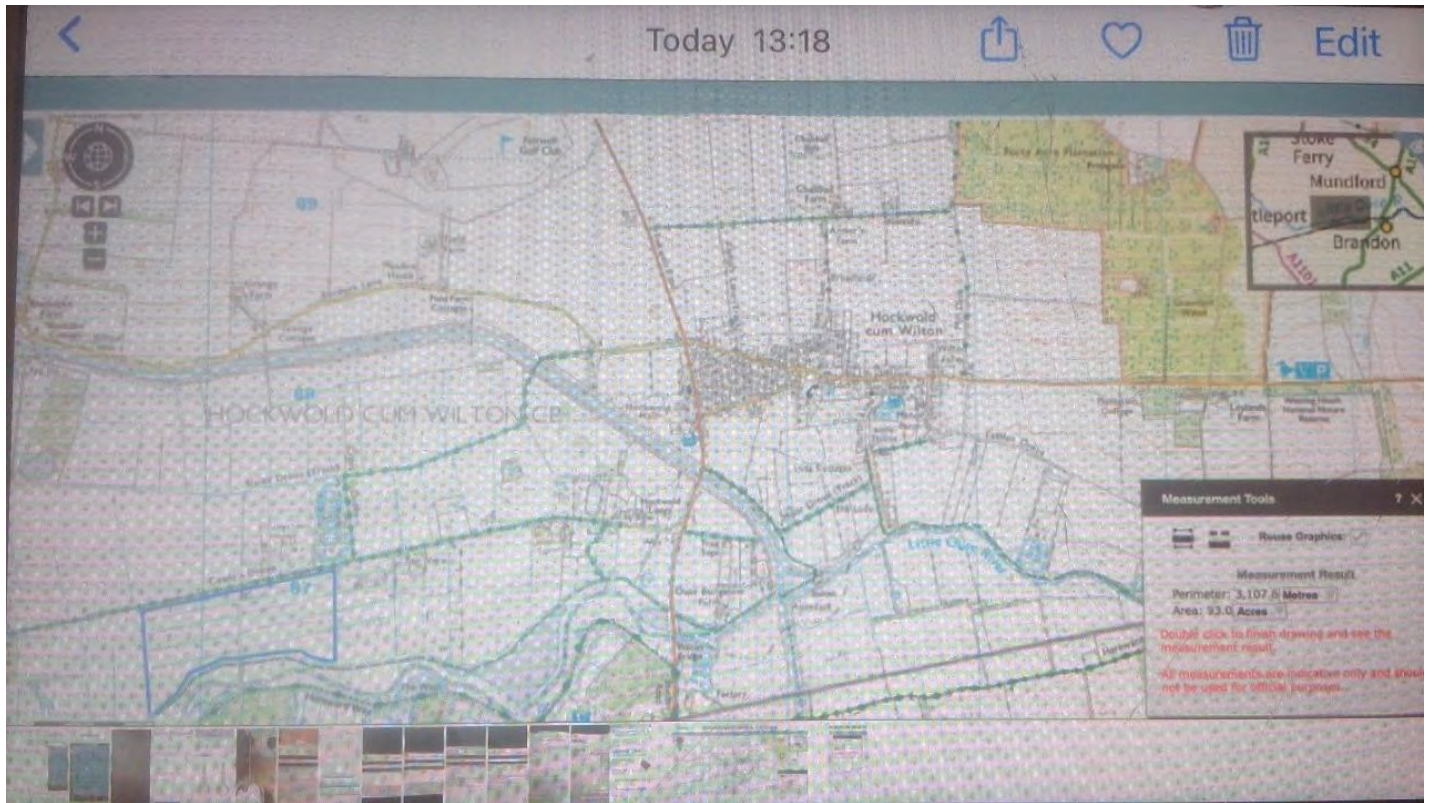
Our full spectrum lineup will bring you big name headline acts including Congo Natty, General Levy, Mr Traumatik, Myngo's Hi-Fi, Mickey Finn, Dub Pustols, Danny Wav & more....
....all in all making a summer weekend which cannot be missed!"

The local council have given very little time to review this event. The public have been given only 3 days to respond, in writing only, to this application for an alcohol licence. Why is this?

Nothing about this application is acceptable from the site, access, health and safety not to mention the disruption to local people over the 4 days planned from noise nuisance to traffic problems created by the sheer volume of people expected to attend.

Yours faithfully,

Resident



From:
Sent: 30 June 2021 13:27
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Objection to licence application 21/00398/LA_PRE

Please find attached a letter in response to a planned event of which a licence application has been submitted.

Environment and Planning - Licensing, Borough Council of King's Lynn & West Norfolk, King's Court,
Chapel Street,
King's Lynn,
PE30 1EX

Application number: 21/00398/LA_PRE

I would like to object to this licence being issued.
My reason for this objection is that the venue is not suitable for this type of event.
The licence is for a large music and hydroponics festival that has been widely advertised on social media. The tickets state that the event will be 8,000 people, but we have no way of knowing if this number is correct. (The organisers are selling tickets informally and could have sold many more than this number).

Event website: <https://paradisegardenshydroshow.com>

Unsuitable site:

The event is situated one mile down an unmade track, with one entrance in and out. This is not suitable for emergency vehicles. Map attached.

The event organisers cannot secure the site. This is an unofficial venue in fields. There is no way that they can prevent more people from entering the site. This site risks being overwhelmed.

An event of this size should require an entertainment licence, not just alcohol. The items for sale are superfluous to the music and entertainment on offer. By avoiding an entertainment licence the public are being put at risk.

There is no published provision for safety for this event. Health and Safety, pyrotechnics or Fireworks licences, Disabled access, or on-site First Aid are not mentioned.

The website states: 'Fire Performers: We want to kick off the first year of Paradise Gardens with a bang. Literally!'

Hockwold Thetford Norfolk
June 29th 2021

From the event website:

"Paradise Gardens is about to revolutionise the show culture and become the largest hydroponics, music and urban lifestyle event in the U.K.

We are transforming the typical trade-show landscape by bringing together 40+ big-name music artists across jungle, reggae, hip-hop, drum & bass, electro-swing, acoustic and house and techno

with the progressive world of hydroponics.

The show/exhibition is set in 40 acres of glorious countryside and will showcase 125 – 150 of the best and newest brands in U.K. hydroponics, fashion, and urban lifestyle.

This fantastic location will host 2 music stages, 30+ artists, 4,000 campers, some 4,000 day visitors and a huge selection of food & treats vendors.

Our full spectrum lineup will bring you big-name headline acts including Congo Natty, General Levy, Mr Traumatik, Mungo's Hi-Fi, Mickey Finn, Dub Pistols, Danny Wav & more...

...all in all making a summer weekend which cannot be missed!"

The local council have had very little time to review this event. The public have been given only 3 days to respond, in writing only, to this application for an alcohol licence. Why is this?

The village and surrounding area is not suitable for such a large, disruptive, prolonged and noisy event.

This event is not a community event that will benefit local people.

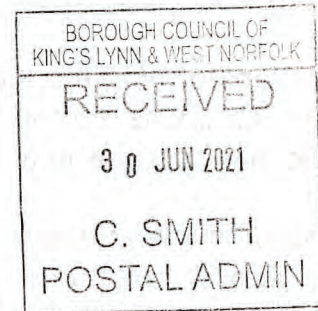
Most residents will have had to email you as there wasn't enough time to respond by post.

Kind regards,



June 29th 2021

Environment and Planning - Licensing,
Borough Council of King's Lynn & West Norfolk,
King's Court,
Chapel Street,
King's Lynn,
PE30 1EX



Application number: 21/00398/LA_PRE

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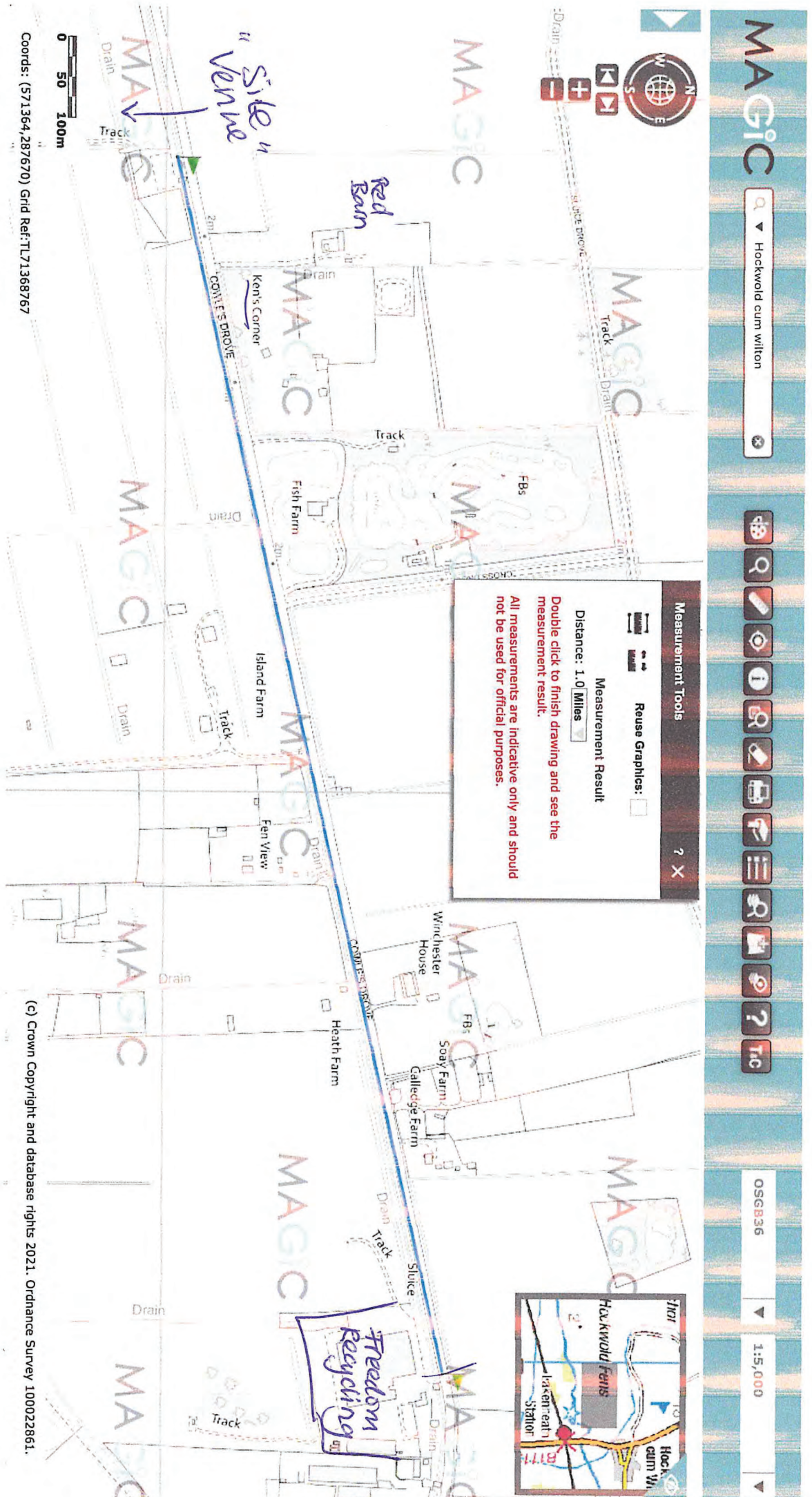
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The local council have had very little time to review this event. The public have been given only 3 days to respond, in writing only, to this application for an alcohol licence. Why is this?

Kind regards,





Blue line is only entrance to highway
= 1 mile unmade tracks

Coords: (571364,287670) Grid Ref: TL71368767

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MAGiC

Hockwold cum wilton



OSGB36

1:20,000



Measurement Tools



Reuse Graphics: ☒

Measurement Result

Perimeter: 3,107.6 Metres

Area: 93.0 Acres

Double click to finish drawing and see the measurement result.

All measurements are indicative only and should not be used for official purposes.

Coords: (574505,286212) Grid Ref: TL74508621

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-----Original Message-----

From:
Sent: 30 June 2021 13:39
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: License Application: 21/000398/LA_PRE

Dear KLWNBC/Licensing

We are writing with reference to the above License Application 21/000398/LA_PRE for the Proposed Festival to take place at Cowles Drove, Hockwold in September.

We would like it noted the we OBJECT to this application for the reasons listed below.

There is one main road to Cowles Drove which is the B1112 this road runs from Feltwell to Lakenheath and carries much traffic in between the RAF bases including many buses for the American schools which will be open during this time. This will be very disruptive to the bases as well as traffic congestion along Station Road (B1112).

The noise from such an event will be astronomical as we already are having complaints within the village being dealt with from the Councils concerning Murfitts Industries noise levels and this will be much worse carried across the open fields to the village.

The Drove itself will not carry such a vast amount of traffic, having worked down there, I know the drive well. Access onto the field is a small single concrete bridge and another access is a dirt bridge crossing the dykes with no side rails. This itself is a safety issue for not only the vehicles but for people crossing the bridges especially small children. Another issue for safety are the dykes that run north and south of the fields concerned and the fishing lakes nearby. People tend to wonder where alcohol is concerned and cannot legally be detained upon the fields, so the residents will then be at risk from trespassers as they have been in the past with illegal events that have been held down there.

On the advertisements of the events online where people are presently buying tickets it does not state age limits. Knowing the sale of alcohol will be over 18 only.

I note that many of the bands advertised are that of rave music and along with raves come drugs, my concern is the safety for the people, will this event be policed and drug dogs at the gates checking as with other festivals.

There is no legal water on this field, there is a tap that has been put on from the farmer and using this is a criminal offense as upon checking with residents no bill is received.

Drink driving is also going to be a issue, people camping will often go off to supermarkets to stock up, not paying beer tent prices but cheaper supermarket prices. Thus public safety is foremost and again Police need to be checking this.

Note: Our Objection

Regards

Hockwold cum Wilton Parish Council
1 Clingos Way, Hockwold cum Wilton
Thetford, Norfolk IP264QD

parishclerkhockwold@gmail.com

From: Parish Clerk Hockwold <parishclerkhockwold@gmail.com>
Sent: Wednesday, June 30, 2021 4:20:54 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Cc:
Subject: Application representations for New Premises Licence_Paradise Gardents Hydro & Urban Lifestyle Show

Dear EH Licensing Agent,

Please find the attached representations for the application below from the Hockwold cum Wilton Parish Council.

Premises Name & Address: Paradise Gardens Hydro & Urban Lifestyle Show

Land SW of Kens Corner And Red Barn Known As The 100 Acres

Cowles_Drove

Hockwold cum Wilton

Norfolk

-

Kind Regards,

Hilary R Cox

Clerk & RFO

Hockwold cum Wilton Parish Council

RE:

Premises Name & Address:

Paradise Gardens Hydro & Urban

Lifestyle Show

Land SW of Kens Corner And Red

Barn Known As The 100 Acres

Cowles Drove, Hockwold cum

Wilton, Norfolk

TO: EH & Licensing - Borough Council of

King's Lynn and West Norfolk

Representations under the four licensing objectives**1. Prevention of crime & disorder**

- There will be litter and the possibility of fly tipping both along Cowels Drove and the surrounding roads by attendees. It would not be fair to expect the local population to clear any rubbish on the rural roads, or take on the additional costs.
- There is not a police presence or patrol in this area. The event will not providing security along the drove, and the safety and peace of mind of the residents should not be forfeited for the benefits of a 5-day event.
- The nature of this type of event will attract both drug use and drug sales. The event states a process to keep this activities off of the site itself, leaving the surrounding area rife with drug interactions.
- There have been instances where emergency services have been substantially delayed when attending an emergency along the drove because of difficulty moving along the unmade surface. This exponential risk to the residents and the 10-12 thousand attendees is far greater than any benefit.
- A recent fire at the recycling centre on Cowels drove saw fire trucks unable to quickly draw water from the dyke, leaving fire trucks to run back and fourth between the fire and local sources to bring in water. This was necessary because no firewater taps are available, and there wasn't enough water available in the dyke. This even is at the end of summer. The dyke will not provide adequate water in case of a fire.
- Anti-social behaviour off site – attendees have strayed off site during previous events held on the drove. There isn't a police presence on the drove, nor is the security team for the event monitoring offsite. This leaves both the residents of Hockwold cum Wilton, but most importantly the residents of Cowels Drove with concerns. The drove hosts local businesses, livestock, fisheries and private residences who are understandable concerned for the safety of their homes, animals, businesses and land. Local residents have seen damage to property from break ins, attendees who go

offsite have used local properties for toilets, dumping grounds and have broken in to outbuildings during past events.

2. Public safety

- Road management – Event planned shuttle bus service from the Brandon train station would most likely run throughout the festival. If the shuttle service route were to include Main Street through Hockwold it would yield traffic safety concerns. The only route through Hockwold is Main Street. Main Street is narrow and already sees traffic and safety issues with the village primary school, narrow pinched sections, local cut through traffic and parking on both sides. If the festival was given a licence for this even, the shuttle bus service and any event vehicles should not be allowed to travel through Hockwold cum Wilton village.
- Access to festival site is over a small one vehicle bridge entrance. This will only allow one vehicle at a time to cross over. With the volume of vehicles, this will lead to even higher levels of traffic and many types of pollution along the drove.
- The traffic (as well as slow moving caravans) entering and exiting Cowles Drove from and onto Station Road that is 60mph. The location of Cowels Drove along Station Road is both hidden in one direction and over the bridge on the other. This area has a history of traffic collisions because of this. This is the only route for the event attendee to access the event.
- Station Road (B1112) is the main artery between the two RAF bases. (Feltwell Base and Lakenheath base) The base school buses as well as the regular flow of base work vehicles and workers depend on this road to travel. Using Brandon as a substitute is both markedly longer and the route is plagued by long stand still traffic and train crossing delays. To subject the local population to both the traffic hazards and the ability to travel for a show is understandable unacceptable.
- Station Road (B1112) is the direct access for residents in Hockwold and Feltwell to travel to the two local surgeries. (Lakenheath Surgery and Feltwell Surgery) This event WILL without a doubt cause stand still traffic and long waits for local residents to pass Cowles Drove, as well as, campers, musicians, band members, stall holders, the organisers, and staff. This junction (B1112 and Cowels Drove) and the drove itself are not fit for purpose and will create increased risk of incident and disruption to essential and non essential travel.
- There is no hard shoulder to pinch past or move around the line of attendee waiting to turn onto Cowles Drove. This event with its expected 10-12 thousand attendees will bring travel along the highway to a standstill.
- Cowles Drove is an adopted road, this leaves the residents along Cowels Drove responsible for its maintenance. The drove has stretches of unmade road with ruts and an uneven surfaces. The events traffic will bring substantial wear and tear on the drove. It is both unreasonable and

impractical to expect the few residents along the drove to shoulder the burden of the work and costs to repair the drove after such a large event.

- It has been pointed out by several landowners that the drove hosts properties with large ponds without barriers which would represent a potential hazard to event attendees who will (and have in the past) stray from the event.
- There is no street lighting to ensure safe travel after dark along the drove for both pedestrian and vehicle travel, as well as the ditches that border the drove. Events like this most assuredly host people who would be under the influence of alcohol and would not be aware of these hazards.

3. Prevention of public nuisance, and

- There will be the risk of attendees parking on the drove, and some will endeavour to camp along the drove on the many private rural lands that encompass the area. With no police presence the local residents are left unaided.
- The affect of the amplified music on the rural setting will be extensive. The residents along the drove have expressed there objections to the event, and its noise disturbance to both the residents and the copious amount of wildlife, horses and livestock. These numerous areas with livestock and horses will be left unprotected and a draw for anti-social behaviour and attendee with lowered decision making capabilities because of alcohol or drug consumption. The local authority has a responsibility to the local land owners.

The Hockwold cum Wilton Parish Council were contacted by many local constituents that object on the same grounds as listed above. The council met on 29th June 2021 to hear from the public and discuss the application. Although the PC have listed the relevant concerns under the four licensing objectives, the overwhelming opinion of the local residents is also filled with frustration over the possible invasion of their rural quiet agricultural area during this event. The substantial impact on the emotional wellbeing and the possible risk of the many interruptions and infringements on their homelife have had a negative impact already. The administrative error listing one of the residents as the licensing agent has further deteriorated the faith in the local authority and the process in general. The Hockwold cum Wilton Parish Council unanimously agreed to send their OBJECTIONS and representations in support of the local residents and their objection to the license.

Kind regards,

Hilary R. Cox, clerk

Hockwold cum Wilton Parish Council

From:
Sent: 30 June 2021 17:26
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: License application

Application number: 21/00398/LA_PRE

I would like to object to this licence being issued.

My reasons for this is that the venue is not suitable for this type of event neither is the road access. The licence is for a music and hydroponics festival that has been widely advertised on social media. The tickets state that the event will have 8,000+ people, but we have no way of knowing if this number is correct. (The organisers are selling tickets informally and could have sold many more than this.

The event is situated one mile down a dirt track, with one entrance in and out, in a field with a concrete bridge which is only passable for 1 vehicle at a time. This is not suitable for emergency vehicles if needed and the bridge has no side rails on for those foot passages an children which is a real safety issue.

This is not a secure site. This is an unofficial venue in fields. There is no way that they can prevent more people from entering the site. This site risks being overwhelmed.

The noise will travel into the village as open fields this will cause a nuisance to residents on the Drove and in the village.

An event of this size should require an entertainment licence, not just alcohol. The items for sale are superfluous to the music and entertainment on offer. By avoiding an entertainment licence the public are being put at risk.

There is no published provision for safety for this event. Health and Safety, pyrotechnics or Fireworks licences, Disabled access, or on-site First Aid are not mentioned.

The website states: 'Fire Performers: We want to kick off the first year of Paradise Gardens with a bang. Literally!'

Fire is going to be a big safety issue because of no water on site and limited access onto field and off of field.

Regards





To whom it may concern,

30/6/21

I am

I am writing to you to object the application 21/00398/LA-PRE.

The said event is to take place on Cowles Drove. On the 27th of June there was a major fire off of this road and the road was closed for several hours by the Fire Service. This road is the only access into the site. How would people exit the site during such an event? How would anyone enter the site if needed?

Harrowden Turf rents land and also owns land that is further down past the site. The land is cropped with turf. This would cause a major impact to the company if we were to have people wondering across the fields. The product could end up with objects dropped on the fields or liquids tipped out on them causing loss of product. How would the event organiser stop people trespassing on the fields around the event?

The road it self is only a gravel track. Who will pay for it be returned to its current state if its damaged? In the event of wet weather, where will all the vehicles park?

I feel that all of the above points need to be addressed before the event is to go ahead. All major events that I've attended have always had many entrance and exit points around the site. The events also have access from a paved road.

Regards,



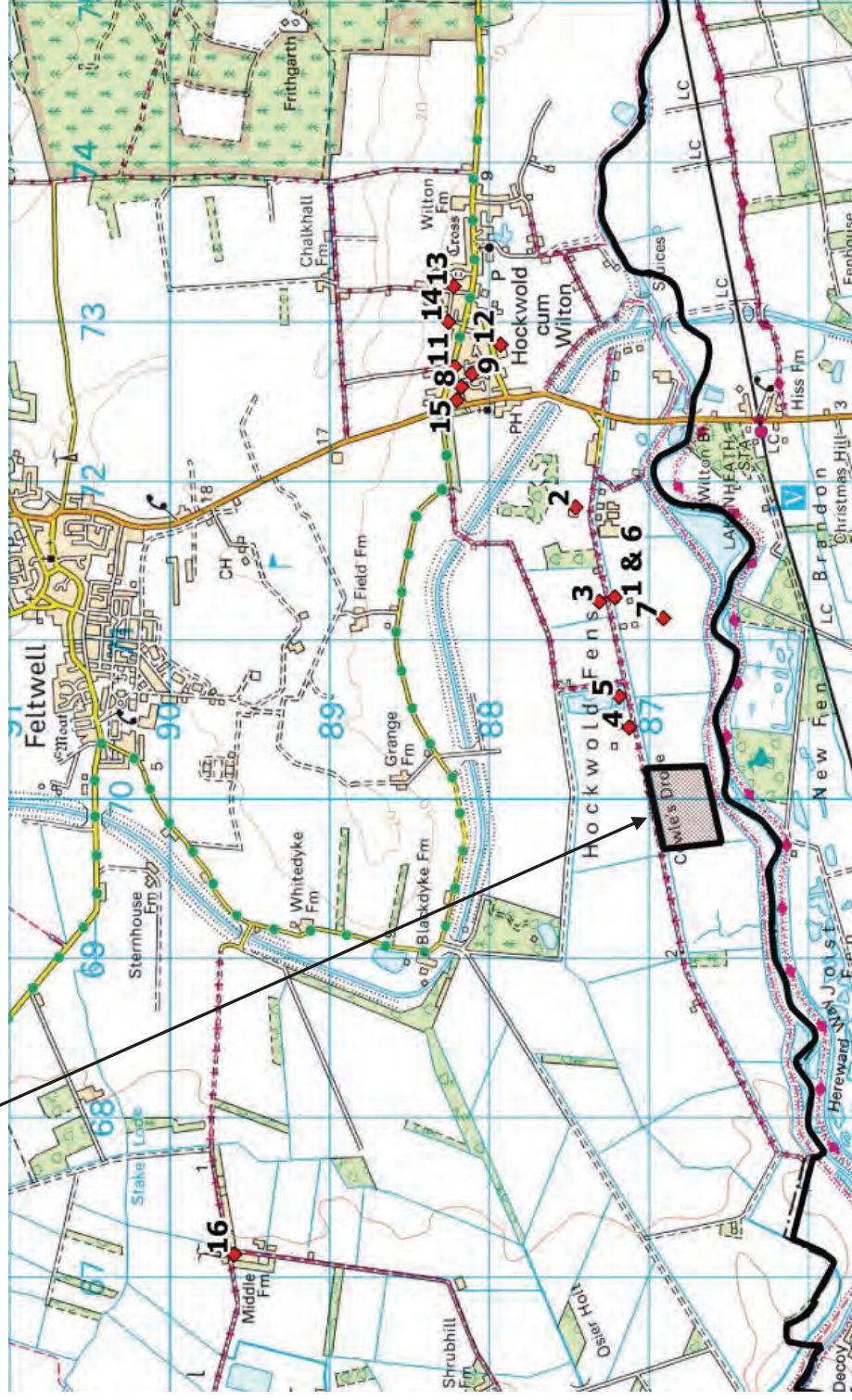
Paradise Gardens Hydro & Urban Lifestyle Show, The 100 Acres, Cowles Drove,
Hockwold Cum Wilton, IP26 4JQ

Appendix 4 to
Report to Licensing Sub-Committee
Re: Paradise Gardens
Dated 9th July 2021



Appendix 5 to
Report to Licensing Sub-Committee
Re: Paradise Gardens
Dated 9th July 2021

Paradise Gardens Hydro & Urban Lifestyle Show, The 100 Acres, Cowles Drive,
Hockwold Cum Wilton, IP26 4JQ



1	2	3	4	5	6	7	8	9	11	12	13	14	15	16	