

## LICENSING ACT 2003

### Representations

Details of the representee:

Name **Henry Moore**

Address **Farmland surrounding Elcot Park Hotel, Elcot, Newburt**

Telephone Number

Email address

**Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.**

Details of the application to make representation(s) on:

Application Reference Number **22/00140/LQN**

Name of Premises **Elcot Park Hotel**

Premises Address **Elcot, Newbury**

Postcode **RG20 8NJ**

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

We act for Henry Moore, who is a farmer who farms land adjacent to where the Elcot Park Hotel has made an application to licence outside space.

For clarity, we attach *SRSL Plan 1* of which Henry Moore's farm is hatched blue. The Elcot Park Hotel is shown white on the drawing. We also attach an additional plan *A3 SRSL Surrounding Ownership* which shows the whole of Henry Moore's tenanted land.

You will be aware that Henry Moore made a representation to the previous application for the variation to the Premises Licence for this site.

We are writing to advise you that our client objects in relation to the following licensing objectives:

1. Prevention of Crime and Disorder.
2. Public Safety.
3. The Prevention of Public Nuisance.

**Public Safety:**

The application proposed by the Elcot Park Hotel to licence land outside is of great concern to our client. Our client runs a working farm, with fields that house a large beef herd of breeding bulls, and cows and heifers both in calf or with calves. The variation proposed to carry out licensable activities outside will have a detrimental impact upon our client and upon the animals which our client has on his farm. The grazing land to which Henry has a 365-day-a-year right to stock lies immediately adjoining the south and east of the Hotel. There is also grazing land to the west of the Hotel, on the other side of the unclassified single track Elcot Turn road.

Our client can confirm that he has experienced problems previously caused when he discovered glasses, beer and wine bottles strewn on his land from within the Elcot Hotel grounds; if this variation is granted then these problems will occur on a regular basis. This is of particular concern from a safety perspective, not only for our client and those persons who come across this glass, but also for his animals. Livestock may become injured by broken glass, or intoxicated on alcohol remnants in bottles. This will result in the animal being distressed and will change their behaviour in a negative way. It could result in more serious cases of the animal becoming violent from its injuries, which is a concern in relation to public safety in proximity to the hotel as a result of the actions of the hotel patrons.

- ELCOT PARK HOTEL (EPH):

Since The Signet Collection purchased Elcot Park Hotel in April 2022 the managing partner, Hector Ross, has proactively worked to ensure engaged & proactive neighbourly relations with Henry Moore and SRSL.

Hector grew up on a farm; and today has a farm in West Berks, and a cattle breeding herd in Scotland. He, and Signet's senior operations team are well versed in both licencing objectives and the care of animals.

Henry Moore has informed Hector of issues in the past regarding glasses / bottles and rubbish being found across the boundary fence.

Hector and his management team have sort to assured Henry that we intend to run a quality establishment and seeks to input the following procedures to keep hotel patrons and guests away from the livestock:

- The Hotel intends to create a wildflowers & long grass meadow (*Attachment 1*) as shown in (*Attachment 2*) areas along the south boundary areas that currently only have the fence dividing line. This would form of a 3meter 'no man's land' to create a thick natural habit boundary deterring hotel patrons trespassing or disturbing livestock. Signs (*Attachment 3*) would be positioned at 20m intervals. Until the meadow has taken time to grow a temporary fence would be installed.
- The eastern boundary fence line from the hotel's carpark (green zone on *Attachment 4*) will be used for employees and spa guests (daytime). This fence line could have a harris fence (*Attachment 5*) installed if deemed absolutely necessary.

### **The Prevention of Public Nuisance:**

We also need to raise the concern that our client has identified that if people have trespassed from the Hotel to our client land, or to the Hotel from our client's land to illegall enter events at the Hotel they could be at danger of being injured by cattle who are sensitive, in particular if they have calves and they believe that they are being threatened.

- (EPH): The hotel management are proactively seeking to put in additional operational procedures and capital investment to work with the grazer/tenant and landlord to ensure hotel patrons & guests and adjacent livestock are kept apart (as per above), and grazing livestock are not disturbed.

At times when the hotel is hosting larger (+100person) private functions EPH occasionally intends to response dedicated representative will monitor licensable and property boundaries to ensure patrons are adhering to licensable procedures.

The recording & monitored CCTV system will cover the south and eastern boundaries that Henry Moore has indicated were historically the areas of concern

### **The Prevention of Crime and Disorder:**

We submit that the incidents of crime and disorder, for a rural farming area, will be heightened by the fact that the application seeks to licence outdoor events which will be attended by members of the public, not just the hotel or their bona fide guests. The application makes no reference to the capacity for any outside event, and how this will be properly managed. The application also refers to the playing of music outside, but the application makes no reference to how noise, which would be transferred both to our client and neighbours in the area, will be managed so as to not cause a noise nuisance.

- EPH: The hotel does not intend to run large public outdoor events.

All events will be hosted, with a limited of 200people for each outdoor event. For any outdoor event of +100people a dedicated resource will be made available to ensure no crime or disorder.

The hotel seeks to play background recorded music on our restaurant terrace (Attachment 6 – Terrace) until 2200hrs. Volume to be restricted to 60dB

The hotel seeks to occasionally host live music solely in the central courtyard (Attachment 6 – Courtyard) until 2200hrs. Volume restricted to 85dB. The courtyard is surrounded by buildings which would dramatically lower the sound to adjacent grazing livestock and neighboring houses. Whilst those choosing to stand next to the speakers might encounter volume up 85dB this is an area to accommodate up to 200people, and the volume would disperse upwards

The hotel does not want to disturb neighbours or countryside hence solely having live music in the courtyard as surrounded by tall buildings

We believe that our client will be disturbed from the activities should the variation be granted, and the application at the moment is deficient in conditions in order to address these points.

In view of the concerns raised above, on the grounds of Public Nuisance, Prevention of Crime and Disorder and Public Safety, our client would like to request that the Committee, should they consider granting this application,

impose stringent conditions upon the Premises Licence to control the outdoor activities which are being sought, in particular the times of the events, the number of events which are sought to take place each year, and the capacity.

Signed: .....

Date:.....22/04.2022.....

Please send completed form to West Berkshire Council, Environmental Health & Licensing,  
Council Offices, Market Street, Newbury, Berkshire RG14 5LD