

Name : [REDACTED]

Full Postal Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Telephone number [REDACTED]

Email address [REDACTED]

Name of premises you are making a representation
about : Forestry England

Address of premises you are making a
representation about Birches Valley Visitor Centre is Birches Valley, Rugeley,
Staffordshire, WS15 2UQ

Please find below my response to sections of the formal update made by Forestry England on their premises
alcohol licence which I would like added to my representation form

Formally, we would like to revise the following terms within our premises licence application:

- Removal of Exhibition of films as a requested form of regulated entertainment.
- Reduction in the supply of alcohol timings to 15:30–22:00.
- Reduction in recorded music timings to 15:30–22:30.
- Reduction of the red-line licensed premises area to the area shown on the enclosed plan.

As the illuminations event planning states that it will finish at 22.30 these reductions are merely lip service.
They were never going to serve Alcohol past 22.00 or play music past 22.30 in the first place.

Prevention of Public Nuisance

Parking is one of the principal concerns raised by our neighbours. Having listened carefully to those concerns,
we are committed to making practical and proportionate amendments to our proposed operation.

If they were truly concerned about the parking issue and listened to us, why did they respond to my email after
the recent concerts asking for them to review the concert parking due to the amount of illegal parking in the
village this year with “it is not an issue we can deal with you should contact the highways agency “

Furthermore, the proposed event would operate on a pulse-format basis. It is therefore materially different from
a festival-style event, as visitor arrivals and departures will be staggered throughout the operating hours rather
than concentrated into a single arrival or departure window.

They cannot control the arrival or departure of vehicles to the extent they are saying due to the fact they have
the events village. People will arrive early or stay late to buy food, alcohol and merchandise.

Go Ape will also be running its sundown adventures 16th October - 8th November 4.15pm – 6.15pm where are
these visitors going to park

Public Safety

Based on current parking activity at Cannock Chase Forest, the anticipated level of parking demand would be
comparable to a normal, busy weekend which has limited disruption to the highways surrounding the forest.
ANPR readings across a 12-month period from 2025-2026 confirms parking regularly exceeds well over 1,000
cars parked over several months of the year, with the record number of cars in 2025 being 1,897.

The busy weekends they talk about will be during the summer months. The roads will be clear, the weather will
be good and it doesn't get dark till well after the car park is shut.

The time of year of the illuminations trail will be winter, cold, icy dark, wet nights

While the original proposal sought flexibility to extend beyond 3 January 2027, we can now confirm, in direct response to resident feedback, that no such extension will be pursued (subject to adverse weather cancellation).

The proposed operating window is during winter there is no way that adverse weather is not going to come into play at which point they can extend there opening into January.

The engineer will *notify* the Production Team when levels approach the limit.

The extract doesn't explain what immediate action must be taken if the limit is exceeded.

The actual dB limits, monitoring locations and consequences of exceeding them aren't provided in this update.

Prevention of Crime and Disorder

We will also ensure that alcohol is served responsibly and in accordance with all relevant requirements. As part of the event paperwork that we are required to provide to the local authority and Safety Advisory Group, we have submitted an Alcohol Management Plan outlining the measures we will have in place to manage the responsible sale and consumption of alcohol during the event. We have adopted several conditions, recommended by Staffordshire Police, as part of the licencing consultation.

They currently do not ensure alcohol is served responsibly at the summer concerts so why would this event be any different. I witnessed several fights and lots of abuse aimed at staff all of which was alcohol induced as it was plainly obvious these people were intoxicated.

It would be useful to see the specific Staffordshire Police conditions, rather than simply being told that they have been adopted.

Dear Licensing Authority,

Re: Objection to Application for Premises Licence under Section 17 of the Licensing Act 2003 by Forestry England for Cannock Chase Forest Birches Valley Rugeley WS15 2UQ

My name is [REDACTED]

I write on behalf of myself, to formally set out representations in objection to the application for a premises licence made under section 17 of the Licensing Act 2003 in respect of the premises known as **Cannock Chase Forest Birches Valley Rugeley WS15 2UQ** ("the Premises"). This letter constitutes relevant representations for the purposes of section 18(6) of the Act and is submitted within the applicable consultation period.

I am an interested party with a direct interest in the outcome of this application, being a person who lives in the vicinity of the Premises and am therefore entitled to make representations in accordance with the statutory framework.

Under section 18(2) of the Licensing Act 2003, the relevant licensing authority is ordinarily required to grant a premises Licence in accordance with the application, subject only to conditions consistent with the operating schedule and any mandatory conditions. However, where relevant representations are made, section 18(3) requires the authority to hold a hearing to consider those representations and, having regard to them, to take such steps as it considers appropriate for the promotion of the licensing objectives. Those steps include granting the Licence subject to modified conditions, excluding licensable activities from the scope of the Licence, or rejecting the application outright.

My representations are directed at the likely effect of the grant of this premises Licence on the promotion of the licensing objectives as set out in section 4 of the Act, namely the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. It is my position that the grant of this Licence, in the terms applied for, would have an adverse effect on one or more of those objectives for the reasons set out below.

Prevention of crime and disorder.

The proposed operating schedule seeks to authorise licensable activities — including the provision of alcohol, the exhibition of films, and the performance of regulated entertainment in the form of music

— from as early as 7.30am until after 11pm. The proposed duration of the licence is unclear save it is suggested it would run for 3 months, which I submit is excessive and disproportionate.

The Premises are situated in proximity to at least two other licensed premises, namely The Horns Pub and The Chase Pub. The cumulative effect of the Premises operating in conjunction with those neighbouring licensed premises will materially increase the number of persons consuming alcohol in the area and the associated risks of crime, disorder, and public nuisance.

I have direct personal experience of the adverse effects caused by large-scale events in the vicinity of the village. The Forestry Commission operates an event known as Forest Live in the area, which is limited to approximately five days of performances, together with a longer period of build-up during which the stage is constructed. Even during that comparatively limited period, yet I and my neighbours routinely experience:

- large numbers of event attendees walking through the village both during the day and late into the evening;
- excessive noise caused by those attendees;
- littering along the routes through the village;
- illegal parking in and around the village; and
- members of the public urinating in public places, including against my rear boundary fence and in the street opposite neighbouring properties along the route taken by attendees returning home.

The proposed licence, if granted in the terms applied for, would authorise an event of significantly greater duration than Forest Live. I submit that the scale, frequency, and duration of the proposed activities will inevitably and materially exacerbate each of the matters described at paragraph above, to a degree that cannot be adequately addressed by conditions alone.

I am aware that my neighbours have directly witnessed members of the public urinating in the street opposite their homes, on the route used by attendees to return from the Premises through the village. This conduct constitutes both a criminal offence and a public nuisance, and its recurrence on a regular and extended basis throughout the proposed licence period would represent a serious and ongoing interference with the quiet enjoyment of my and my neighbours' homes.

I submit that the grant of the premises licence in the terms applied for would be contrary to the promotion of the following licensing objectives under section 4(2) of the Licensing Act 2003:

(i) the prevention of crime and disorder; and (ii) the prevention of public nuisance.

I rely upon the following particulars in support of this representation:

The proposed licensable activities include the provision of alcohol over an extended period from 7.30am until after 11pm. The combination of alcohol provision with live music and film exhibition over a prolonged operating period will foreseeably result in large numbers of intoxicated persons congregating in and moving through the village.

The proximity of the Premises to The Horns Pub and The Chase Pub creates a cumulative risk of disorder. Attendees leaving the Premises, whether during the event or at its conclusion, will pass through the village alongside patrons of those neighbouring licensed premises, increasing the likelihood of anti-social behaviour, disorder, and criminal conduct.

I rely upon the established principle that "crime and disorder" within the meaning of the Licensing Act 2003 is not restricted to alcohol-related crime but bears its literal and broad meaning: *R (Blackpool Council) v Howitt* [2008] EWHC 3300 (Admin), (2009) 173 JP 101. Accordingly, the criminal conduct already observed — including public urination, which constitutes an offence under section 67 of the Criminal Justice and Police Act 2001 and/or at common law — falls squarely within this objective. Illegal parking by event attendees in the village constitutes a further category of criminal and quasi-criminal conduct that has already been observed during the Forest Live event and which will be materially worsened by the grant of the proposed licence in its current form.

The proposed hours of operation, extending from 7.30am until after 11pm, mean that residents will be exposed to the adverse effects of large numbers of attendees for the entirety of the day and into the late evening. This is not a brief or contained period of disruption; it represents a sustained and repeated interference with the ordinary life of the village throughout the proposed licence period.

Prevention of Public Nuisance

The Revised Guidance issued under section 182 of the Licensing Act 2003 (Home Office, December 2022) confirms at paragraph 2.16 that public nuisance retains its broad common law meaning and may include the reduction of the living and working amenity and environment of persons living in the area of the licensed premises. It may also arise from noise, litter, and conduct that is prejudicial to health or the reasonable enjoyment of neighbouring properties.

In *R (Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court* [2009] EWHC 1996 (Admin), [2009] LLR 742, Burton J confirmed that the prevention of public nuisance could include

low-level risk affecting a relatively small number of people living locally. I submit that the conduct described in this representation — including noise, littering, and public urination — satisfies this threshold and constitutes a public nuisance within the meaning of the 2003 Act.

The excessive noise generated by large numbers of attendees walking through the village from 7.30am until after 11pm will materially interfere with my quiet enjoyment of my home throughout the proposed licence period.

The littering caused by event attendees along the routes through the village constitutes a public nuisance and a deterioration of the local environment, as recognised by the Section 182 Guidance. Public urination by attendees — already directly experienced by me and my neighbours during the Forest Live event — constitutes conduct that is both criminal and a public nuisance. I submit that the grant of the proposed licence in its current form will result in this conduct occurring on a regular and sustained basis throughout the licence period, causing serious and ongoing harm to the amenity and wellbeing of local residents.

The proposed duration of the licence is far in excess of the Forest Live event, which itself causes the adverse effects described above over a period of approximately five days. I submit that the proposed licence period is disproportionate and that no conditions short of a significant reduction in the permitted hours and overall duration of the licence could adequately address the harm to the licensing objectives identified in this representation.

As a result of the grant of the premises licence in the terms applied for, I submit that the following harm will be caused:

My and my neighbours will be caused to endure repeated and sustained episodes of excessive noise, littering, illegal parking, and public urination throughout the proposed licence period, materially interfering with their quiet enjoyment of their homes.

The cumulative effect of the Premises operating in proximity to The Horns Pub and The Chase Pub will increase the risk of crime and disorder in the village, including anti-social behaviour and criminal conduct by intoxicated persons.

The proposed hours of operation — from 7.30am until after 11pm — will expose residents to the adverse effects of large numbers of event attendees for the entirety of each operating day, without adequate respite.

The harm described above is not speculative. It is directly evidenced by my personal experience of the Forest Live event, which operates on a significantly smaller scale and for a significantly shorter period than the proposed licence would permit.

I submit that the proposed licence, if granted in its current form, will undermine the promotion of the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance, contrary to the Licensing Authority's statutory duty under section 4(1) of the Licensing Act 2003.

I respectfully request that the Licensing Authority:

- A. Refuse the application for a premises licence in the terms applied for; or
- B. Further or alternatively, impose such conditions upon any licence granted as are necessary and proportionate to promote the licensing objectives, including but not limited to:
 - (i) a significant reduction in the proposed hours of operation, including an earlier terminal hour for the provision of alcohol and regulated entertainment;
 - (ii) a restriction on the overall duration and frequency of events authorised under the licence;
 - (iii) the implementation of a robust dispersal policy, including stewarding along the routes through the village used by attendees;
 - (iv) the provision of adequate toilet facilities on the Premises so as to prevent public urination in the surrounding area;
 - (v) conditions requiring the Applicant to take all reasonable steps to prevent illegal parking by attendees in the village; and
 - (vi) conditions requiring the Applicant to implement a litter management plan covering the routes through the village used by attendees.

In respect of the prevention of public nuisance, I am concerned about noise disturbance to myself and neighboring residents, increased foot traffic and associated anti-social behavior, or the impact of late-night operations on the surrounding area. There are no litter bins on the chase only two actual bins in the village which are already used and filled weekly with ordinary residents/visitor use. Already we are plagued by weekend day-time visitors who leave litter everywhere- I see increased evidence of litter every weekend when I walk my dog on the chase and given the volume of people intended to use this planned Licence far exceeds current use would expect this to grow exponentially. I appreciate that the Forestry Commission do litter pick each weekday morning but they do not litter pick on the outskirts of the woods where I walk. I am also led to understand that the Forest will be blocked off preventing usual dog walking and biking and hiking walking routes which will cause me a personal nuisance and interfere with my daily use. I am 46 years old, my maternal grandparents and my mother have all used the chase for dog walking, biking and hiking throughout our lifetimes and have no special agreement, Licence or arrangement to do so- Nec vi nec clam nec precario "not by force, nor stealth, nor the license of the owner". It is a foundational concept in property law used to define open, peaceful, and independent use of land. I have a right as do other users not to be

prevented from exercising a right of access I have exercised my whole life acquired by long use/ prescription in free use of the chase without being limited by access being blocked. The only time I have ever known the access be blocked was during Covid when people were discouraged for public safety. I do not agree the blocking of routes which I currently use twice a day to walk my dog. Nor do I agree that my access should be limited or blocked over many months – I use the chase every day even in winter to walk my working spaniel and rely on the opportunity to freely change course to avoid other dog walkers and horse riders and people so we may all each enjoy the freedom of the space the Chase allows- blocking or restricting access will be a denial of this freedom.

In support of my objection to the licence application several legal principles and case law are relevant. Public nuisance is defined as an unlawful act or omission that materially affects the reasonable comfort and convenience of life of a class of the public. It can include noise, litter, and obstruction of access, as highlighted in *A-G v PYA Quarries Ltd and . Attorney-General (on the relation of Glamorgan County Council and Pontardawe Rural District Council) v PYA Quarries Ltd* - [1957] 1 All ER 894 (1957). The interference must be more than trivial and sufficiently widespread to affect a class of the public. Public nuisance—general principles, 184. Public nuisance.

In terms of noise disturbance, courts have shown a particular willingness to restrain noise, especially at night, as it can deprive individuals of sleep and interfere with their comfort. For example, in *Halsey v Esso Petroleum Co Ltd* - [1961] 2 All ER 145 (1961). the court restrained noise that caused significant interference with the claimant's enjoyment of their property. Similarly, in *Dennis and another v Ministry of Defence* - [2003] EWHC 793 (QB) (2003). noise levels were objectively assessed to determine their impact. Private nuisance—general principles.

Regarding anti-social behaviour and increased foot traffic, the case of *R v Shorrock* is instructive. Here, the defendant was held liable for public nuisance caused by loud music and disturbances at an event, even though they were not directly present. This demonstrates that granting a licence that facilitates activities leading to noise and anti-social behaviour could constitute a public nuisance. Corporate criminal liability—vicarious liability.

The issue of litter and its impact on the surrounding area also falls within the scope of public nuisance. In *Railtrack plc v Wandsworth London Borough Council* - [2001] EWCA Civ 1236 (2001) the court addressed environmental nuisances caused by pigeon droppings, highlighting that nuisances affecting public spaces can give rise to liability. The lack of adequate litter management, as I described, could similarly be argued to interfere with the reasonable use of public spaces.

Finally, the obstruction of access to public areas, such as the Chase, may also constitute a public nuisance if it materially affects the public's ability to use the space. In *Rose v Miles* (1815). blocking a canal was held to be a public nuisance as it interfered with public navigation. My long-standing use

of the Chase for dog walking and other activities could support a claim of interference with public rights. In addition I have a long term foster child aged 12 whom uses the chase daily for mountain bike riding. To say he is obsessed would be a vast understatement. He is on the chase every day and the planned blocking of routes which he uses to access the chase will block his normal routes and interfere with his enjoyment and use of the chase potentially forcing him to use public highways which presents a risk to him.

In conclusion, the principles of public nuisance, supported by the above case law, provide a strong basis for my objecting to the licence application. The potential for increased noise, litter, anti-social behaviour, and obstruction of access could materially interfere with the comfort and convenience of the public and neighbouring residents.

Public Safety.

In respect of public safety, there are in my view inadequate arrangements for crowd management, insufficient fire safety measures given the summer chaos we have seen with constant fires being started. People park in my road despite traffic cones being placed and I rarely see Forestry commission staff patrolling other than the litter picking on some but not all mornings- but they do this only in the Forest and not in the village so we are left to deal with the rubbish- weekend visitors have been leaving soiled nappies after changing a child due to no bins being available. The heritage trail is poorly lit and recently a jogger was mugged on the trail.

In support of my objection to the granting of an alcohol licence for an up to three-month event in a forested area, several legal principles and case law can be cited, particularly focusing on public safety concerns such as fire safety, crowd management, and general safety measures.

The Licensing Act 2003 establishes public safety as a key licensing objective. This objective is not limited to alcohol-related matters but encompasses broader safety concerns, as clarified in *The Porky Pint Ltd v Stockton-on-Tees Borough Council*. The court in this case confirmed that public safety considerations under the Licensing Act 2003 extend to ensuring the safety of individuals in and around licensed premises, even if the risks are not directly related to alcohol consumption **The Porky Pint Ltd v Stockton-on-Tees Borough Council* - [2023] 1 WLR 2735 (2023). This principle can be applied to argue that the lack of adequate crowd management, fire safety measures, and lighting on the heritage trail poses significant risks to public safety, which should weigh against granting the licence.

Fire safety is another critical concern. Under the Regulatory Reform (Fire Safety) Order 2005, the responsible person must ensure that appropriate fire precautions are in place, including means of escape, fire detection, and arrangements for action in the event of a fire . Commercial Property Standard Enquiries—CPSE, How to conduct a fire risk assessment. The absence of sufficient fire safety measures, particularly in a forested area prone to fires during summer, could be a strong argument against the licence. The case of *R v Brown* highlights the severe consequences of failing to comply with fire safety regulations, where the court upheld significant penalties for breaches that endangered lives . *R v Brown* (2021). This case underscores the importance of robust fire safety measures in any licensed event.

Crowd management is also a significant issue. The London Local Authorities Act 2000 allows councils to consider and implement safety and crowd control measures for licensed events, emphasising the importance of such arrangements in ensuring public safety . London Local Authorities Act 2000 (2000 c vii) (2000). In *R (on the application of Tottenham Hotspur Ltd) v Haringey London Borough Council*, the court recognised the substantial importance of crowd control in large-scale events, noting that inadequate measures could undermine public safety . *R (on the application of Tottenham Hotspur Ltd) v Haringey London Borough Council* (2023). This precedent supports the argument that the lack of visible patrols and effective crowd management in the proposed event area could pose unacceptable risks.

Finally, the lack of adequate lighting and the recent mugging incident on the heritage trail raise concerns about crime prevention, another licensing objective under the Licensing Act 2003. The absence of sufficient lighting and security measures could increase the risk of criminal activity, further justifying an objection to the licence . How to manage health and safety in the workplace.

In summary, the objection to the alcohol licence can be supported by referencing the broad scope of public safety under the Licensing Act 2003, the fire safety obligations under the Regulatory Reform (Fire Safety) Order 2005, and case law such as *The Porky Pint Ltd v Stockton-on-Tees Borough Council* and *R (on the application of Tottenham Hotspur Ltd) v Haringey London Borough Council*. These legal principles and precedents highlight the importance of addressing fire risks, crowd management, and general safety concerns before granting such a licence.

I walk the chase daily in both light and dark and have still fallen over on tree roots whilst wearing adequate hiking boots and using a torch so quite how the authorities expect the people under the influence of alcohol to navigate the terrain without injury baffles me.

Protection of children from harm.

In respect of the protection of children from harm The Statutory Framework and the Protection of Children from Harm Objective must be given due consideration.

The grant of a premises Licence for the sale of alcohol is governed by the Licensing Act 2003. A licensing authority is under a statutory duty to carry out all of its licensing functions with a view to promoting the four licensing objectives, one of which is expressly the protection of children from harm. Licensing and permit offences—overview. When exercising its functions, the licensing authority must also have regard to its own published statement of licensing policy and to any guidance issued by the Secretary of State under section 182 of the Act. Licensing and permit offences—overview. The most recently revised guidance was issued in December 2023. 2 The licensing objectives.

My objection advanced here is directed squarely at the protection of children from harm objective. The concerns raised are threefold: first, the proximity of the premises to Hart school and to youth leisure facilities on the Chase (specifically the mountain bike trails and the play park); second, the absence of adequate age verification measures in the operating schedule; and third, the nature of the entertainment proposed and its potential to generate anti-social behaviour in an area regularly used by children and young people. Each of these concerns is capable of engaging the licensing objective and, taken together, they present a compelling basis upon which the licensing authority should either refuse the application or impose robust conditions.

Proximity to a School and Youth Leisure Facilities

The proximity of proposed licensed premises to locations regularly frequented by children is a matter to which a licensing authority must give considerable weight when assessing the protection of children from harm objective. The Secretary of State's guidance, issued under section 182 of the Act, expressly provides that licensing authorities should give considerable weight to representations about child protection matters. The Chase, comprising mountain bike trails and a play park, is a facility used daily by children and young people, including my long-term foster child, who has used those facilities for over four years. The Hart school is in close proximity to the premises. The concentration of children in the immediate vicinity of the proposed licensed premises is therefore not a speculative or abstract concern; it is a concrete and evidenced feature of the local environment.

Where evidence is presented to a licensing authority linking specific premises or areas with harms to children, including evidence of alcohol-related harms to persons under 18, the guidance requires that such evidence be considered and that the licensing authority consider what action is appropriate to ensure the licensing objective is effectively enforced. Furthermore, in relation to applications for

the grant of a Licence in areas where evidence is presented of high levels of alcohol-related harms in persons aged under 18, the guidance recommends that the licensing authority consider what conditions may be appropriate to ensure that the objective is promoted effectively. I invite the licensing authority to treat the proximity of the premises to the school and youth leisure facilities as a material factor weighing against the grant of the Licence in its current form, and to consider whether any conditions proposed by the applicant are adequate to address this concern.

Absence of Adequate Age Verification Measures in the Operating Schedule

A central concern in this objection is the absence of adequate age verification measures in the operating schedule submitted by the applicant. The Licensing Act 2003 creates a range of offences relating to the sale or supply of alcohol to children, including the offence under section 147 of knowingly allowing the sale of alcohol to an individual under 18 on relevant premises, and the offence under section 147A where alcohol is unlawfully sold on the same premises to a person under 18 on two or more occasions within a period of three consecutive months. Licensing of alcohol and entertainment—overview, Children and alcohol offences under the Licensing Act 2003. The existence of these statutory offences reflects the legislature's recognition that the sale of alcohol to children is a serious harm that licensed premises must actively prevent.

The sentencing guidance applicable to such offences identifies, as a factor indicating higher culpability, the making of no attempt to establish age and evidence of failure to police the sale of alcohol. Children and alcohol offences under the Licensing Act 2003. Where an operating schedule fails to set out adequate age verification measures, it is submitted that the licensing authority cannot be satisfied that the applicant has taken the steps necessary to prevent the sale of alcohol to children. The absence of such measures in the operating schedule is not a technical deficiency; it is a substantive failure to address one of the most direct mechanisms by which the protection of children from harm objective is promoted in practice.

Absence of Trained Support Staff for the Delivery of Age Verification and Responsible Service

Closely related to the absence of adequate age verification measures is the concern regarding the absence of trained support staff for the delivery of age verification and the responsible service of alcohol. Where staff are not adequately trained to identify and refuse service to persons under 18, the risk of unlawful sales to children is materially increased. The guidance makes clear that licensing authorities should consider what conditions may be appropriate to ensure the protection of children from harm objective is promoted effectively, particularly in areas where evidence of alcohol-related harms to under-18s exists. A condition requiring adequate staff training in age verification and

responsible service would be a proportionate and appropriate response to this concern. Will staff required to deal with lost children be DBS checked? What is the plan when the staff reach the end of their shift but any lost children have not been returned to their parent/carer? Has any thought been given to this?

It is further noted that the holder of a personal Licence permits its holder to supply or authorize the supply of alcohol from licensed premises. Licensing of alcohol and entertainment. Where staff who are authorized to prevent sales of alcohol are not adequately trained, the risk of a section 147 offence being committed is heightened, since that offence is committed by a person working on relevant premises in a capacity authorizing them to prevent the sale of alcohol who knowingly allows such a sale. Licensing of alcohol and entertainment—overview. The absence of training is therefore not merely an operational matter; it is directly relevant to the likelihood of criminal offences being committed on the premises to the detriment of children.

Anti-Social Behavior and Its Impact on Children's Use of the Chase

My concern that the grant of the Licence will generate further anti-social behavior in the vicinity of the Chase is a matter that engages both the prevention of crime and disorder objective and the protection of children from harm objective. Licensing and permit offences—overview. The mountain bike trails and play park on the Chase are facilities used daily by children and young people. My long-term foster child has used these facilities for over four years and does so as part of his daily routine, with a direct and evidenced benefit to his mental health and wellbeing. Any increase in anti-social behavior in the vicinity of the Chase, attributable to the grant of the Licence, would inhibit the free use of those facilities by children and young people, including my foster child.

The licensing authority is required to make decisions that are evidence-based, justified as being appropriate for the promotion of the licensing objectives, and proportionate to what they are intended to achieve. Summary of offences under the Licensing Act 2003. I submit that the evidence of the proximity of the premises to youth leisure facilities, combined with the absence of adequate age verification measures and the absence of trained support staff, provides a sufficient evidential basis for the licensing authority to conclude that the grant of the Licence in its current form would not promote the protection of children from harm objective.

The Duty to Give Comprehensive Reasons and the Weight of Representations

It has been held that it is the statutory duty of the licensing authority to give reasons for its decision, and that the fuller and clearer the reasons, the more force they are likely to carry on any appeal. Summary of offences under the Licensing Act 2003. I respectfully submit that, in the event the

licensing authority is minded to grant the Licence, it must engage substantively with each of the concerns raised in this objection and provide comprehensive reasons for its conclusions. A failure to do so may itself constitute a ground of appeal. Summary of offences under the Licensing Act 2003.

The guidance expressly provides that licensing authorities should give considerable weight to representations about child protection matters. This objection is advanced by a local authority foster carer with direct and personal knowledge of the use made of the Chase by children and young people in the locality. My written evidence as to the daily use of the mountain bike trails and play park by my foster child, and the impact that anti-social behavior in the vicinity would have on his mental health (were he unable to access his usual routes) and quiet enjoyment of those facilities, is precisely the kind of evidence that the guidance contemplates should be considered and given weight.

My objection to the grant of this Licence is well-founded in law and in fact. The statutory duty to promote the protection of children from harm, as established above, requires the licensing authority to give considerable weight to the concerns raised. The proximity of the premises to Hart school and to the youth leisure facilities on the Chase, the absence of adequate age verification measures in the operating schedule, and the absence of trained support staff for the delivery of age verification and responsible service, each independently engage the protection of children from harm objective. Taken together, they present a compelling case that the grant of the Licence in its current form would not promote that objective. The licensing authority is required to consider what conditions, if any, would be appropriate to address these concerns, and where no conditions would suffice, to refuse the application. On the stated facts, I believe my position is strong, and the applicant faces a significant evidential burden in demonstrating that the grant of the Licence would not undermine the protection of children who use the Chase and the surrounding facilities on a daily basis.

In conclusion.

It is noted that the licensing authority has the power, following a hearing, to grant the Licence subject to conditions modified to such extent as it considers appropriate for the promotion of the licensing objectives, to exclude certain licensable activities from the scope of the Licence, or to reject the application in its entirety. I respectfully submit that, in the circumstances, the concerns identified above cannot adequately be addressed by the imposition of conditions alone, and that the application should be refused. In the alternative, should the authority be minded to grant the Licence, I requests that the authority give careful consideration to imposing robust conditions addressing each of the concerns raised herein. Specifically limiting the period of the Licence to a less burdensome period such as a one week only period not months on end and not from 7.30am till 11pm. We go to bed before this and our sleep will be disturbed if entertainment goes on till

22.55pm people will be walking past well in the night.

I reserve the right to attend and make oral representations at any hearing convened by the licensing committee to consider this application. I would be grateful if you could confirm receipt of these representations and provide details of the date, time, and venue of any hearing in due course.

Please do not hesitate to contact me should you require any further information in support of these representations.

Yours faithfully,

