

LICENSING SUB-COMMITTEE

REPORT OF THE HEAD OF HOUSING AND PUBLIC PROTECTION

Licensing Act 2003

1. SYNOPSIS

To determine an application for the variation of a Premises Licence in respect of Riding Mill Village Hall Trust, 2 Station Close, Riding Mill, Northumberland, NE44 6HE.

The applicant has applied to vary the licensable activities of:-

- the sale of alcohol
- provision of regulated entertainment

One representation has been received from an interested party on the grounds of:-

- Prevention of Crime and Disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

Within the application The Management Committee have also applied to vary the mandatory alcohol condition requiring a Designated Premises Supervisor (DPS) in respect of a premises licence to be disappplied.

2. DETERMINATION OF APPLICATION

Having considered the report, all relevant representations and verbal submissions from those persons entitled to speak at the hearing; the Sub-committee is required to make its determination in respect of the application at the conclusion of the hearing.

In this particular case, the sub Committee **may**:

- 1) Grant the licence subject to conditions consistent with the operating schedule accompanying the application, modified to such extent as the Sub-committee considers appropriate for the promotion of the licensing objectives. All conditions should be precise and capable of being interpreted and applied by the applicant.

(Conditions may be modified if any of them is altered or omitted or any new condition is added)

and

Any mandatory condition under section 19 of the Act be included in the licence

or

- 2) Grant the licence subject to Section 25A(2) and 41D(3)
- 3) Exclude from the scope of the licence any of the licensable activities to which the application relates
- 4) Reject the application if it is not possible to promote one or more of the licensing objectives by any other means.

Members are reminded that they may only attach additional conditions:

- In respect of those matters that are subject to the application and in respect of which a relevant representation has been made; and
- that are appropriate for the promotion of the licensing objectives.

3. Appeals

If the applicant, responsible authority or interested party who may have made a representation is aggrieved by the decision of the Licensing Sub-Committee in respect of:

- the decision to grant the licence or any part of it as set out in the attached document, or
- failure to exclude from the licence any of the licensable activities requested, or
- the decision to impose the specified conditions, or
- failure to modify or attach different or additional conditions appropriate for the promotion of the licensing objectives.

They may appeal to the Magistrates' Court within a period of twenty-one days beginning with the day on which they receive formal written notification of the determination.

4. CONSULTATION

In accordance with the requirements of the Licensing Act 2003 and regulations made there under, the applicant has undertaken the following consultation in respect of the application:

A copy of the application has been sent to all Responsible Authorities as defined in the Licensing Act 2003 Section 13 (4).

A notice setting out details of the application has been displayed at the premises for a minimum period of 28 consecutive days starting on the day after the application was received by the licensing authority.

By publishing a notice in a local newspaper on at least one occasion during the period of 10 working days starting the day after the application was received by the licensing authority.

5. REPORT

Background

On 7th August 2019 an application was received from The Management Committee of Riding Mill Village Hall Trust for the variation of a premises licence with regards to Riding Mill Village Parish Hall, 2 Station Close, Riding Mill, Northumberland, NE44 6HE.

A copy of the application is attached as **Appendix A**. The applicant has applied to vary the timings for:-

- | | | |
|------------------------------------------|---------------|----------------|
| • Sale of alcohol | 11:00 - 23:00 | Monday- Sunday |
| • Regulated entertainment (within hours) | 11:00 - 23:00 | Monday- Sunday |

Currently the premises is licensed for regulated entertainment from 19:00 - 00:00 Monday to Sunday. Premises licence NPR/1354 is attached as **Appendix B**.

Within the application The Management Committee have also applied to vary the mandatory alcohol condition requiring a Designated Premises Supervisor (DPS) in respect of a premises licence to be disapplied.

The 2003 Act was amended in 2009 to allow certain community premises which have, or are applying for, a premises licence that authorises alcohol sales to also apply to include the alternative licence condition in sections 25A(2) and 41D(3) ("the alternative licence condition") of that Act in the licence instead of the usual mandatory conditions in sections 19(2) and 19(3). Such an application may only be made if the licence holder is, or is to be, a committee or board of individuals with responsibility for the management of the premises (the "management committee"). If such an application is successful, the effect of the alternative licence condition will be that the licence holder (i.e. the management committee) is responsible for the supervision and authorisation of all alcohol sales authorised by the licence. All such sales will have to be made or authorised by the licence holder. There will be no requirement for a DPS or for alcohol sales to be authorised by a personal licence holder. Separate information is attached at **Appendix C**.

One representation has been received from an interested party (**Appendix D**) on the grounds of:-

- Prevention of Crime and Disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

6. Details of Representations

Representations objecting to the application:

Responsible Authorities

Chief Officer of Police	None
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The Fire Authority	None
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Body Responsible for Health and Safety Enforcement	None
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Local Planning Authority	None
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Body Responsible for Minimising or Preventing the Risk of Pollution of the Environment or of Harm to Human Health	None
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Northumberland Area Child Protection Committee	None
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Trading Standards Authority	None
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Interested Parties	Appendix D
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Representations in support of the application	None
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7. **Licensing Policy**

Premises Licences and Club Premises Certificates

Introduction	3.1 – 3.1.6
Premises Licences - applications	Schedule 2
Decision making process	Schedule 5
Prevention of crime & disorder	Appendix A
Public safety	Appendix B
Prevention of Public Nuisance	Appendix C
Protection of children from harm	Appendix D

8. **Guidance – Licensing Act 2003 – Section 182**

In considering the application, Elected Members are also directed to have regard to the guidance issued by the Secretary of State for Culture, Media and Sport under Section 182 of the Licensing Act 2003; specifically:

Section 2 - The Licensing objectives	2.1 - 2.31
Section 4 - DPS in respect of a premises licence	4.52 - 4.65

	to be disapplied	
Section 8 -	Applications for premises licences	8.20 - 8.34
		8.66 – 8.70
Section 9 -	Determining applications	9.3 - 9.10
		9.42 - 9.44
Section 10 –	Conditions attached to premises licences	10.1 - 10.68

9. BACKGROUND PAPERS

Appendix A Application for a premises licence
Appendix B Current Premises licence
Appendix C Representation from interested party

The Licensing Act 2003 and secondary legislation there under
The Council's Statement of Licensing Policy
The Guidance issued by the Secretary of State for Culture, Media and Sport under
section 182 of the Licensing Act 2003

10. CONTACT OFFICER(S)

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