

NORTHUMBERLAND COUNTY COUNCIL

LICENSING HEARING

At the meeting of the **Licensing Hearing** held at Meeting Space - Block 1, Floor 2 - County Hall on Monday, 27 September 2021 at Time Not Specified.

PRESENT

JI Hutchinson (Chair) (in the Chair)

MEMBERS

T Cessford
K Parry (Reserve)

C Hardy

OFFICERS

H Bowers
Gebbie
N Masson

Democratic Services Officer
Senior Licensing Officer
Solicitor

ALSO IN ATTENDANCE

P Nitsch

Applicant

M Baird)
A Lewis)

Interested Parties

Press: 1

1 ELECTION OF CHAIR FOR THE MEETING

Councillor Cessford proposed that Councillor Hutchinson be elected as Chair of the meeting, this was seconded by Councillor Hardy.

RESOLVED that Councillor Ian Hutchinson be elected as Chair for the duration of the meeting.

Ch.'s Initials.....

REPORTS OF THE HEAD OF HOUSING AND PUBLIC PROTECTION**Application for club premises certificate in respect of Riding Mill, Cricket Club, t/a Riding Mill Sports Club, Riding Mill, NE44 6AW.**

The Chair outlined the rules of the hearing and procedure to be followed at the meeting.

Heather Gebbie, Senior Licensing Officer, advised the reason for the hearing was to determine an application for a club certificate in respect of Riding Mill Cricket Club, t/a Riding Mill Sports Club, Riding Mill, NE44 6AW.

Three representations had been received from interest parties on the grounds of public nuisance; protection of children from harm; prevention of crime and disorder and public safety.

The Subcommittee was reminded that they may:

Grant the licence subject to conditions;
Exclude from the scope of the licence, any licensable activities to which the application relates or,
Reject the application if it was not possible to promote one or more of the licensable objectives.

Conditions could only be attached in respect of matters which were subject to the application and in respect of which a relevant representation had been made; and that they were appropriate for the promotion of the licensing objectives.

The four licensing objectives of paramount importance were:

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Mrs Gebbie reported that an application had been received from Mr P Nitsch on 4 August 2021, on behalf of Riding Mill Cricket Club for a premises certificate for Riding Mill Cricket Club.

The applicant had applied for the licensable activities on the premises for the supply of alcohol and regulated entertainment indoors:

Monday - Thursday 12:00 – 23:00

Friday 12:00 – 23:00

Saturday 11:00 – 23:30

Sunday 11:00 – 22:30

A copy of the application was attached as Appendix A. The proposed conditions to form part of the operating schedule could be found on page 4 of the Riding Mill Sports Club Constitution.

Three representations had been received from interested parties (Appendix B).

Ch.'s Initials.....

Further submissions had been received on 15 September 2021 by way of proposed conditions from the objectors (Appendix C).

The Subcommittee received the written report of the Senior Licensing Officer and heard evidence from Mr Nitsch, the Applicant, Chair of Riding Mill Sports Club, Mr Baird and Ms Lewis Buckley, objectors.

The Subcommittee considered the Licensing Act National Guidance and the Council's own Licensing Policy.

Following the hearing, members adjourned to a private session to determine the application.

The Subcommittee took into account all representation both written and oral before them and determined to **GRANT** the licensing application subject to the hours of opening being amended to the effect that the premises will close 30 minutes after the last time for supplying alcohol in each day, as shown in Schedule I of the Application.

Summary of Reasons

1. There is no evidence that noise which would amount to a noise nuisance would be created by the grant of the licence.
2. The Subcommittee took account of the representations but the applicant has satisfied the Subcommittee that they would comply with the licensing objectives by implementing the operating schedule.
3. The Subcommittee took into account the fact that the statutory consultees had not objected to the licence which indicates that the grant of the licence would not breach the licensing objectives.
4. Parking is not a licensable activity.
5. There is no evidence to realistically conclude drink driving will result from the grant of the licence and this is a matter for wider criminal law enforcement.
6. There is no evidence to conclude that littering would inevitably result from the grant of the licence and regard is had to the management arrangement set out in the operating schedule.
7. The licence cannot control matters outside of the licensed premises.
8. The club ensure relevant staff are DBS checked which helps ensure the protection of children from harm.
9. Concerns raised about protecting children from harm, prevention of crime and disorder and public safety are speculative in nature and there is no evidence to support these concerns.
10. With regards to the amendment of the hours of opening (Schedule J to the application) the reason for this was that it was considered excessive to keep the premises open an hour after the last supply of alcohol which would mean excessive to keep the premises open an hour after the last supply of alcohol which would mean the noise of people leaving the premises could occur 30 minutes later than was reasonably necessary.

There is a right of appeal to the Magistrates' Court against this decision which must be lodged within 21 days of the date of the written notification of the decision.

Ch.'s Initials.....

CHAIR.....

DATE.....

Ch.'s Initials.....