

LICENSING ACT 2003**APPLICATION FOR A PREMISES LICENCE**

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1. Summary

To consider an application for a new Premises Licence.

Premises: Stanford Farm Stanford Halfway House Shrewsbury Shropshire SY5 9DW. A location plan is attached to the report as Appendix A.

Shropshire Council being the authorised licensing authority for the above premises has received an application for a new premises licence.

The application has been accepted as a valid application and during the statutory consultation period relevant representations were made. The application is required to be determined by way of a hearing of the Licensing Sub-Committee.

In determining the application the licensing authority must give appropriate weight to:

- the steps that are necessary to promote the licensing objectives;
- the representations (including supporting information) presented by all parties;
- Guidance issued under Section 182 of the Licensing Act 2003;
- Shropshire Council's Licensing Policy.

After considering all the relevant issues the licensing authority may grant the application in full or in part, subject to such conditions that are deemed necessary and appropriate. Any conditions imposed must be appropriate for the promotion of the licensing objectives.

Alternatively the application can be refused if it is considered appropriate for the promotion of the licensing objectives.

Following a hearing, the licensing authority should give its decision and provide reasons to support it. This will be important if there is an appeal by any of the parties.

All parties are required to be notified of a decision and that decision should be accompanied by information on the right of the party to appeal.

2. Recommendations

That the Sub-Committee determines the application in accordance the Statutory Guidance issued under s182 of the Licensing Act 2003, the Council's Statement of Licensing Policy, the information contained within this report, supporting documentation and having had due regard to the applicant and the parties/authorised bodies making relevant representations.

That the Sub-Committee determines the application in accordance with the options in paragraph 9.

That the Sub-Committee provides the reasons for its decision.

REPORT

3. Human Rights Act Appraisal

The Committee is required to consider the consequences of refusal or approval on the applicant's human rights.

4. Financial Implications

None.

5. Purpose of Report

To consider an application for a new Premises Licence for the Stanford Farm Stanford Halfway House Shrewsbury Shropshire SY5 9DW.

6. Background

- 6.1 Miss Lucinda Edwards, has made an application for a new Premises Licence, the requested licensable activities and opening hours are:

Plays (Indoors) and Live Music (Indoors/outdoors)

Monday to Sunday – 10:00 to 23:00

Films (Indoors/outdoors), Indoor Sporting Events, Boxing or Wrestling (Indoors), Recorded Music (Indoors/outdoors), Performance of Dance (Indoors/outdoors) and Supply of Alcohol (on premises)

Sunday to Thursday - 10:00 to 23:00

Friday and Saturday – 10:00 to 01:00

Late night refreshment (Indoors/outdoors)

Friday to Saturday 23:00 to 01:00

Opening Hours

Sunday to Thursday - 10:00 to 23:30

Friday and Saturday – 10:00 to 01:00

- 6.2 For a new application, applicants are required to submit an operating schedule detailing how they intend to promote the four licensing objectives, these are the prevention of crime and disorder, promotion of public safety, the prevention of public nuisance and the protection of children from harm. The applicant has indicated that the following steps would be taken.
- 6.2.1 Prevention of Crime and Disorder
1. SIA qualified door staff for public events that involve sales of alcohol and regulated entertainment past 21:00 (parties/weddings)
 2. Door supervisors will wear a high vis jacket or vest and badge to make them identifiable
 3. No customers to take alcohol off the premises
 4. Obeying all four licensing objectives will be part of training for all staff and part of day to day business.
 5. All functions will be invite or ticket only events. Limited to a maximum of 200 guests. The number of functions limited to 30 per annum.
- 6.2.2 Public Safety
1. Full health and safety risk assessments before each event
 2. All electrical goods being brought onto site to be pat tested
 3. All electrical wiring with electric certificates
 4. Any full time staff to have basic training in first aid and all staff to have training of emergency evacuation
 5. Risk assessments and public liability will be asked for all external contractors.
 6. Ensure all barns are used with no more than capacity issued.
 7. An incident book will be kept on site, and any staff dealing with an incident will complete this.
 8. A first aid box will be available on site.
 9. Advisory 5 mile per hour speed limit signs will be displayed on the exit posts, to be visible to cars exiting the venue.
- 6.2.3 Prevention of Public Nuisance
1. Notice on doors and reminders from staff that all persons should respect neighbouring houses on their departure
 2. We will do regular checks of sound via a meter to make sure that any sound restrictions are being adhered to. These checks will be done in static locations near to neighbouring properties and all checks kept a record of.
 3. All live music to be indoors after 23:00. Doors to be shut on barns, where possible.
 4. All waste will be collected within the farm and put in a waste collection area.
 5. Any regulated entertainment after 23:00 shall be barely audible at the boundary of any noise sensitive premises.

6. Events involving regulated entertainment where more than 200 persons will be in attendance at any time will require an operating plan to be submitted to and approved in writing by the licencing authority at least 28 days prior to the event. The operating plans for the such events shall address the methods to be adopted to meet the four licensing objectives (namely the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm), and to meet the objectives set out in the Shropshire Council Licensing Policy. The operating plan shall include details on security management, noise minimisation, parking, site access and egress, first aid and medical support, electrical safety, and a copy of the health and safety plan for the event.

7. "Please respect our neighbours and leave quietly" notices will be prominently displayed in the car park and in the exit areas of the premises.

6.2.4 Protection of Children from Harm

1. Challenge 25 Policy applied. Signage at points of alcohol sale.
2. Proof of id being passport, photo card driving licence and/or PASS photo card.
3. Challenge log kept and available to responsible authorities upon request.
4. Induction training sessions will be held to train all new staff on the Challenge 25 procedures and briefings to only accept as proof of age a full Passport, Driving License or PASS approved proof of age card. This will be followed by regular staff refresher training to include the Challenge 25 procedures. A documentary record will be kept of all staff training (including refresher training).
5. No one under age 18 to be in any part of the venue that may have entertainment of an adult nature. Clearly visible signs to be put on entrance and door staff to check for id.

7. Objections Received (Responsible Authorities)

None.

8. Objections received (Other Persons)

- 8.1 Four representation have been received from other persons, who have concerns in respect of crime and disorder, public nuisance, public safety and protecting children from harm. Principally the concerns relate to the nuisance/disorder that might be caused if a licence was to be granted and the nature of the access road to the site being unsuitable.
- 8.2 The applicant has indicated that she wishes to continue with the application as detailed above.
- 8.3 The representations have not been withdrawn.

9. Options for Consideration

- 9.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:

- To refuse to grant the licence
- To grant the licence with conditions
- To grant the licence but restrict the licensable activities
- To grant the licence with restricted times

- 9.2 If the application is to be granted in line with the submitted operating schedule then conditions detailed in paragraph 6.2 of this report would need to be included in the licence, if deemed necessary and appropriate, with an appropriate decision.
- 9.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory responsibilities on a premises, it would not be appropriate to impose similar duties.
- 9.4 Members of the Sub-Committee should be advised that the applicant or any other person who made relevant representations in relation to the application may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

10. Standard of Decision Making

- 10.1 In accordance with the provisions of the Licensing Act 2003 and the Council's scheme of delegation, all applications where a relevant representation has been made need to be determined by this Sub-Committee.
- 10.2 When determining the application, the Sub-Committee should only consider issues, which relate to the four licensing objectives. The licensing objectives are:
- The prevention of Crime and Disorder
 - Public Safety
 - The prevention of a Public Nuisance
 - The protection of Children from Harm
- 10.3 Members of the Sub-Committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. Members of the Sub-Committee may deviate from the statutory guidance and licensing policy only if they deem that there is good reason to do so.
- 10.4 Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Shropshire Council Licensing Policy.

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| <p>Guidance issued under section 182 of the Licensing Act 2003 (Mar 2015). The Licensing Act 2003 (Hearings) Regulations 2005. Application form. Copies of representations received. Additional information supplied by applicant's solicitor and the solicitor for one of the parties who submitted a representation.</p> |
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| <p>Cabinet Member (Portfolio Holder)</p> |
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| <p>Cllr M Price</p> |
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| <p>Local Member</p> |
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| <p>Cllr D Roberts</p> |
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| <p>Appendices</p> |
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| <p>Appendix A – Location Plan</p> |
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