

<b>REPORT TO</b>	<b>DATE OF MEETING</b>
LICENSING PANEL	7 <sup>TH</sup> DECEMBER 2015

Report template revised June 2008



<b>SUBJECT</b>	<b>PORTFOLIO</b>	<b>AUTHOR</b>	<b>ITEM</b>
APPLICATION TO VARY PREMISES LICENCE PREMA0008 IN RESPECT OF MUCH HOOLE VILLAGE MEMORIAL HALL	REGENERATION AND LEISURE	NIKY BARRETT	4

## SUMMARY AND LINK TO CORPORATE PRIORITIES

A report to consider an application from The Management Committee of Much Hoole Village Hall to vary Premises Licence PREMA0008 for the Hall, in light of representations received from 2 members of the public.

The application could have the potential to impact on several of the Council's Corporate priorities, however it must be determined in accordance with the Licensing Act 2003, the Council's own Statement of Licensing Policy [25 March 2015] and the Statutory Guidance issued under section 182 of the Licensing Act 2003 [March 2015].

## RECOMMENDATIONS

The panel conduct the hearing in accordance with the Council's hearing procedure (Appendix 1) and determine the application accordingly.

## DETAILS AND REASONING

The premises under consideration is a detached village hall situated centrally in the village of Much Hoole. The current licence authorises the provision of licensable activities, including the sale of alcohol between 11:00 and 23:00, Monday to Saturday and between noon and 22:30 on Sundays.

This application seeks to submit new plans to reflect some internal changes to the building layout and extend the permitted hours for regulated entertainment and the sale of alcohol, until midnight each day of the week. (Appendix 2)

The application has been advertised in accordance with Regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 and attracted 2 representations from members of the public, Mr Barrie Scott and Mrs Sarah Scott. (Appendix 3)

Mr & Mrs Scott have requested that a condition be placed on the licence to the effect that "the extended hours can only be used when a function is being held in the hall and not on any other night"

Lancashire Constabulary, Lancashire Fire and Rescue Service and South Ribble Environmental Health have all responded to the consultation by confirming that they have no objections to the application being granted.

No other responses have been received.

The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. Each objective is of equal importance and they are:

- a) The prevention of crime and disorder;
- b) Public safety;
- c) The prevention of public nuisance; and
- d) The protection of children from harm.

In reaching its decision the Licensing Authority must also have regard to:

- 1. Its own Policy Statement
- 2. Statutory Guidance issued under Section 182 of the Licensing Act 2003

Section 35 of the licensing Act 2003 provides for the determination of an application made under section 34.

S.35(1) This section applies where the relevant licensing authority—

- (a) receives an application, made in accordance with section 34, to vary a premises licence, and
- (b) is satisfied that the applicant has complied with any requirement imposed on him by virtue of subsection (5) of that section.

(2) Subject to subsection (3) and section 36(6), the authority must grant the application.

(3) Where relevant representations are made, the authority must—

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

(4) The steps are—

- (a) to modify the conditions of the licence
- (b) to reject the whole or part of the application

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

## WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these. The risk assessment which has been carried out forms part of the background papers to the report.

<b>FINANCIAL</b>	None
<b>LEGAL</b>	Any party to the hearing who is aggrieved by the decision has the right to appeal to the local Magistrates Court within 21 days.
<b>RISK</b>	The full risk assessment forms part of the background papers to this report. The main points for consideration are summarised here:-

<b>THE IMPACT ON EQUALITY</b>	None
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<b>OTHER (see below)</b>	
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<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

**BACKGROUND DOCUMENTS**

Risk Assessment