

Report of	Meeting	Date
Director of Planning and Development	Licensing Panel	07/11/2023

New Premises Licence application

Is this report confidential?	No
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Is this decision key?	No
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Savings or expenditure amounting to greater than £100,000	Significant impact on 2 or more council wards
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Purpose of the Report

1. To provide an overview of the application and inform Members of the relevant parts of statute and guidance relating to this application.

Recommendations

Members are requested to:

2. Note the content of the report; and determine whether to grant or reject the application.
3. If members grant the application, they are asked to consider whether any additional conditions or restrictions should apply.

Reasons for recommendations

4. As this application has been submitted on behalf of South Ribble Borough Council, for transparency and impartiality reasons, members are asked to determine this application instead of officers as would normally be the case where relevant representation have not been received.

Other options considered and rejected

5. No other options for members to consider.

Corporate priorities

6. The report relates to the following corporate priorities:

An exemplary council	Thriving communities
A fair local economy that works for everyone	Good homes, green spaces, healthy places

Background to the report

7. The licensing authority has received an application submitted by the events team of South Ribble Borough Council, for a premises licence for Leyland Town Centre.
8. Over recent years, the success of community events in the town centre, have seen the size of these events grow.
9. Events such as “The Leyland Light Switch On” and “Taste of Leyland” require authorisation to play amplified music and to sell alcohol.
10. As such the use of Temporary Event Notices for authorisation, have been considered as not good working practice by the licensing authority and the police.
11. Under the Licensing Act 2003, a Temporary Event Notice only permits up to 499 people in one permitted area at any one time, additionally the licensing authority cannot attach any conditions to a Temporary Event Notice unless it relates to an existing premises licence.
12. Issuing a premises licence, will give responsible authorities more enforcement over the event, the following conditions have been agreed between the applicant, the police and the licensing authority, to ease any concerns over the regulation of any event taking place.
 1. *The number of events will be limited to 6 events per year, following agreement with the licensing authority and police licensing department up to 14 days prior to any event.*
 2. *Use of Polycarbonates only, no drinks to be consumed in glass bottles glasses etc. in any area.*
 3. *A risk assessment for each individual event will be produced to licensing and police within 14 days of an event.*
 4. *The risk assessment will include but not limited to*
 - *Use of SIA staff*
 - *Use of stewards*
 - *A tailored event management plan specific to the event.*
 - *Engagement with ESAG before any event.*
 - *First aid cover adequate to each event*
 - *All stewards recognisable with hi visibility clothing*
 - *All stewards will have radios on site*
 - *Public safety announcements as required*
 - *Emergency vehicle access points designated onto site*
 - *Road closure managed by a designated events management company or team*

- *Danger areas roped off.*
5. *Engagement with local resident/businesses regarding road closures before the event.*
 6. *Monitoring of music/sound levels will be logged and available to licensing or police officers at any event.*
 7. *Challenge 25 policy in place, all staff designated for sale of alcohol will be trained to the requirement of the licensing authority and Police.*
 8. *Lost child policy in place before each event.*
 9. *Designated collection point for lost children.*
 10. *Training given to staff regarding loss children before any event.*
 11. *Monitoring by stewards to ensure any safeguarding issues are reported.*
13. No representations have been received against the application. Normally in this case, officers would grant the application with the inclusion of the agreed conditions.
14. But, in this case, members are asked to determine this application, simply for transparency purposes, as this application has been submitted by South Ribble Borough Council itself.
15. The South Ribble Borough Council - Licensing Act 2003 policy states the following in regard to asking members to determine applications.

35.3 With many of the decisions and functions being purely administrative in nature, the grant of non-contentious applications, including for example, those licences and certificates where no representations have been made, has been delegated to licensing authority officers.

35.4 This form of delegations is without prejudice to officers referring an application to the Licensing Committee, if it is considered appropriate in the circumstances of any particular case.

35.5 Decisions in respect of individual applications will be made by a properly appointed licensing subcommittee.

Determination of The Application Under Section 18 Of the Licensing Act 2003

16. Members are requested to determine if the application should be granted with or without modifications or rejected.
17. Section 18 of the Licensing Act 2003 sets out the steps that can be taken, which are;
- To grant the licence subject to any conditions the Licensing Authority considers appropriate for the promotion of the Licensing Objectives.

- To exclude from the scope of the licence any licensable activities to which the application relates
- To refuse to specify a person in the licence as the designated premises supervisor;

or

- To reject the application

18. A licensing authority must carry out its functions under the Act (licensing functions) with a view to promoting the licensing objectives. In carrying out its functions, a licensing authority must also have regard to;

- a) Its own statement of policy published under section 5, and
- b) Any guidance issued by the Secretary of State under section 182.

19. Relevant Policy Considerations, are as follows;

12.2 The licensing authority will consider attaching conditions to licences and permissions to prevent public nuisance. In considering all licence applications, the Licensing authority will consider the adequacy of measures proposed to deal with the potential for nuisance and disorder having regard to all of the circumstances of the application, and in particular consider the following: -

a. the type of activity, the number and type of customers likely to attend;

b. the levels of noise likely to be generated from the premises;

c. particular consideration to be given to the effect of the implementation of the smoking legislation on the four licensing objectives

d. the proposed hours of operation - there is no presumption that the local authority will allow external areas to be used by customers for the consumption of food or drink after 23.00 unless otherwise stated in the particular premises licensing conditions;

e. the levels of public transport accessibility for customers and the likely means of public or private transport that will be used;

f. means of access to the premises for customers;

g. Careful consideration will be given to the dispersal arrangements from premises including the impact of customers waiting around for transport such as taxis or buses or returning to private cars parked in the immediate vicinity. Any foreseeable nuisance in respect of the dispersal of patrons should be mitigated by an adequate and appropriate policy which is implemented and understood by all management and staff at the premises.

h. the cumulative impact of licensed premises;

h. frequency of the activity;

i. the steps the applicant has taken or proposes to prevent disturbance by patrons arriving at or leaving the premises;

j. the steps the applicant has taken or proposes to prevent queuing, or if queuing is inevitable, to divert queues away from neighbouring premises, or otherwise manage the queue to prevent disturbance or obstruction;

k. the arrangements the applicant has made or proposes to make for security lighting at the premises, and the steps the applicant has taken or proposes to take to ensure that lighting will not cause a nuisance to residents;

l. whether routes to and from the premises pass residential premises; m. whether the premises would result in increased refuse storage or disposal problems or additional litter in the vicinity of the premises.

Climate change and air quality

20. The work noted in this report does not impact the climate change and sustainability targets of the Council's Green Agenda and all environmental considerations are in place.

Equality and diversity

21. South Ribble Borough Council is responsible for the licensing of premises under the Licensing Act 2003.

22. This policy applies to all licence holders regardless of gender, age, disability, religious belief, race or ethnic minority or sexual orientation.

23. No overall impacts have been identified across the equality strands within this report.

Risk

24. n/a

Comments of the Statutory Finance Officer

25. There are no financial implications.

Comments of the Monitoring Officer

26. The duty of members to have regard to national section 182 guidance and the Council's adopted statement of licensing policy is referred to in the body of the report. The decision should be based on promotion of the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm

Appendices

Appendix 1 – Application form

Appendix 2 – Plan

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