

## LICENSING SUB-COMMITTEE - 29 MAY 2019

### LICENSING ACT 2003 APPLICATION FOR A NEW PREMISES LICENCE HOLMEWOOD HALL, CHURCH STREET, HOLME, PETERBOROUGH, PE7 3BZ

#### 1. INTRODUCTION

1.1 This application has been made by Country House Weddings Limited. To permit licensable activities to take place at Holmewood Hall as follows:

- a. Provision of plays (indoors)

Mondays to Sundays	23:00 – 01:00
New Years' Eve	23:00 – 02:00
- b. Provision of Live Music (indoors)

Mondays to Sundays	23:00 – 01:00
New Years' Eve	23:00 – 02:00
- c. Provision of Recorded Music (indoors)

Mondays to Sundays	23:00 – 01:00
New Years' Eve	23:00 – 02:00
- d. Provision of Performance of Dance (indoors)

Mondays to Sundays	23:00 – 01:00
New Years' Eve	23:00 – 02:00
- e. Provision of Late Night Refreshment (indoors)

Mondays to Sundays	23:00 – 01:00
New Years' Eve	23:00 – 02:00
- f. Supply of alcohol (for consumption ON the premises)

Mondays to Sundays	11:00 – 01:00
New Years' Eve	11:00 – 02:00
- g. Hours premises are open to the public

Mondays to Sundays	10:00 – 01:30
New Years' Eve	10:00 – 02:30

1.2 Section 'M' of the application form addresses the four licensing objectives. Any proposals made in this section are normally translated directly into conditions that will be attached to the premises licence.

Paragraphs 8.41- 8.49 and Section 10 of the Home Office guidance issued under section 182 refer to the operating schedule and licence conditions.

1.3 A copy of the application and plan are attached as **Appendix A**.

#### 2. BACKGROUND

2.1 Holmewood Hall has previously had the benefit of a premises licence. This licence was surrendered by the property's previous owners in January 2019. Whilst all new applications must be considered on their own merits, the previous licence has been referenced by a person who has made a representation. The details of this licence will be made available at the time of the hearing, if required.

### **3. REPRESENTATIONS**

- 3.1 During the period for representations two representations have been received from 'other persons'. The representations have been attached in their entirety as **Appendix B**.
- 3.2 In addition, in their role as a Responsible Authority, Environmental Health have had discussions with the applicant through their agent, with regard to noise attenuation, with a view to voluntarily including additional conditions on the licence. At the time of writing this report, this matter has not yet been resolved. Correspondence relating to this matter is attached as **Appendix C**. Any further update on this mediation will be provided at the hearing.
- 3.3 Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.
- 3.4 A person who has submitted a relevant representation is entitled to address the Licensing Sub-Committee at the hearing and ask questions of any other party appearing at the hearing.

### **4. GENERAL DUTY/ POLICY CONSIDERATIONS**

- 4.1 The licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives, each objective has equal importance, the objectives 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.
- 4.2 The sub-committee must also have regard to –
- a. its statement of licensing policy, and
  - b. any statutory guidance issued under Section 182 of the Licensing Act 2003.
  - c. the Human Rights Act 1988
- 4.3 The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its district.

### **5. DETERMINATION**

- 5.1. In making a decision, this application must be determined on its individual merits having regard to the representations and supporting documents included as part of the report along with additional information considered relevant at the hearing. As part of the decision process the sub-committee is required to give its reasons for any decision arrived at.
- 5.2. Any decision made by the sub-committee must be reasonable and proportionate and promote the Licensing objectives.
- The Committee may:-
- a. Grant the application as applied for
  - b. Refuse the application
  - c. To grant the licence with conditions or modifications as considered appropriate to promote the licensing objectives

## **BACKGROUND INFORMATION**

Licensing Act 2003.

Guidance issued under section 182 of the Licensing Act 2003.

The Council's Statement of Licensing Policy.

**Licensing Officer: Sarah Mardon**

**10 May 2019**