

**LICENSING ACT 2003
APPLICATION TO REVIEW PREMISES LICENCE
The Seven Wives, Ramsey Road, St Ives, PE27 5RF**

1. INTRODUCTION

- 1.1 Huntingdonshire District Council as the Licensing Authority has received an application to review a premises Licence, from Environmental Health in their capacity as a Responsible Authority under the Licensing Act 2003 ('the Act'), for Premises Licence HDC/PRE00133; The Seven Wives, Ramsey Road, St Ives, PE27 5RF.
- 1.2 The Application was received on 08 October 2021. As required under the Licensing Act 2003, notice of the application was advertised on the Council's website, and blue notices were displayed at or near the premises from 09 October 2021. The 28 day consultation period ended on 05 November 2021.
- 1.3 A copy of the application for review, along with supporting documentation is attached as **Appendix A**, and the current premises licence, including the plan of the licenced area is at **Appendix B**.

2. BACKGROUND

- 2.1. The current Premises Licence Holder is Mr Brandon Bent. Mr Bent has held this licence since June 2018. Mr Bent is also the Designated Premises Supervisor of the Premises.
- 2.2. The music events taking place at the premises have been undertaken using the deregulatory changes that have amended the Licensing Act 2003 namely:
- a. The Live Music Act 2012
 - b. Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013
 - c. The Legislative Reform (Entertainment Licensing) Order 2014
 - d. Deregulation Act 2015 ("2015 Act").
- 2.3 A summary of the amendments relevant to this case are:

A licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

- 2.4 The deregulation also had the effect of suspending any existing licence condition which relate to live or recorded music, during the deregulation period of 08:00 to 23:00.

3. REPRESENTATIONS

- 3.1 During the period for representations four valid representations have been received from 'other persons'. The representations have been attached in their entirety as **Appendix C**.
- 3.2 Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.
- 3.3 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. Live Music Act 2012
 - d. 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. Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
 - a. Lift the suspension of conditions and give renewed effect to an existing condition relating to music. (as detailed at 2.4 above)
 - b. modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition),

for example, by reducing the hours of opening or by requiring door supervisors at particular times;

- c. exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- d. remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- e. suspend the licence for a period not exceeding three months;
- f. revoke the licence.

5.3. Any decision made by the sub-committee must be reasonable and proportionate and 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.

Live Music Act 2012

Licensing Officer: Sarah Mardon

06 November 2021