

NORTH LINCOLNSHIRE COUNCIL
LICENSING (ACTIVITIES) SUB-COMMITTEE

16 November 2023

PRESENT: - Councillors K Vickers, T Ellerby and T Mitchell

The meeting was held in Room G01e/G02e, Church Square House.

2028 **APPOINTMENT OF CHAIRMAN – Resolved** – That Councillor K Vickers be and he was hereby appointed chairman for the meeting.

2029 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY** – There were no declarations of disclosable pecuniary interests, personal or personal and prejudicial interests, or significant contact with applicants, objectors or third parties (lobbying).

2030 **APPLICATION FOR A REVIEW OF A PREMISES LICENCE FOR CROSBYONE CENTRE, DIGBY STREET, SCUNTHORPE, DN15 7LU** – The Director: Communities submitted a report that advised of an application for the review of a premises licence at CrosbyOne Centre, Digby Street, Scunthorpe.

Details of the review application were outlined in the report, together with representations submitted by North Lincolnshire Council's Environmental Protection Department and the Licensing Authority.

The Director in their report reminded the sub-committee that the options available to it under the Licensing Act 2003 when considering such applications were:

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence
- To take no action

Environmental Protection and the Licensing Authority attended the meeting and made representations and responded to questions.

Following the summary of Environmental Protection's case, the meeting was adjourned for deliberation by members, with the sub-committee decision to be communicated to all parties in writing, stating the following decision –

Resolved – The Licensing (Activities) Sub-Committee listened carefully to the representations made by the Applicant for the review (North Lincolnshire

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Council's Environmental Protection Department), the Licensing Authority as a Responsible Authority, and the Licence Holder. The sub-committee also read the documentation contained within the agenda bundle. After taking into account the statutory guidance issued under s182 of the Licensing Act 2003 and the council's Licensing Policy, the sub-committee agreed to allow the premises licence to continue. The members of the sub-committee were satisfied that the Licence Holder understood the seriousness of the noise nuisance complaints made in July and August of 2023. In particular they gave great consideration to the fact that since the complaints had been made, the Licence Holder had constructively and proactively worked with the Applicant for the review to resolve the issues and had agreed to put all preventative measures in place, suggested by the Applicant for the review and the Licensing Authority. However, the members of the sub-committee also agreed to vary the premises licence as follows:

- a) That all the general conditions set out at annex 2 (conditions consistent with the operating schedule) of the premises licence be removed except for the following conditions:
 - i. Patrons leaving the premises shall be encouraged to conduct themselves in orderly manner so as to not cause disturbance or annoyance to local residents or passers-by: and
 - ii. All parts of the premises and curtilage associated with the premises shall be kept in a clean and wholesome condition.
- b) That all the conditions relating to public safety, including those which relate to lighting, fixtures, fittings and decorations, lighting, fire safety, heating and ventilation, sanitary provisions and special risks, set out at annex 2 (conditions consistent with the operating schedule) of the premises licence be removed.
- c) That all conditions relating to protection of children from harm, set out at annex 2 (conditions consistent with the operating schedule) of the premises licence be removed.
- d) That the Licensable Activities hours on the premises licence be changed to the hours set out at Annex C of Appendix F of the agenda bundle, and
- e) That the following conditions be attached and adhered to on the premises licence:
 - i. Condition 1 – that the Licence Holder employ a competent responsible person over the age of 18 who shall be fully trained in relation to the application of the premises licence and its conditions.
 - ii. Condition 2 – the competent responsible person employed by the Licence Holder under condition 1 above shall be present when the premises are used for licensable activities.

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- iii. Condition 3 – where alcohol is brought onto the premises by patrons the competent responsible person employed by the Licence Holder who shall be over the age of 18, shall ensure that persons under 18 are not consuming alcohol on the premises.
- iv. Condition 4 – that the statutory conditions imposed on the premises by the Live Music Act 2012 apply at all times.
- v. Condition 5 – In the absence of the licence holder, or if the licence holder is a Corporation, control of the premises shall be exercised through the competent and responsible person, independent of the event.
- vi. Condition 6 – Boundary checks shall be carried out by a responsible person(s) at hourly intervals throughout periods of regulated entertainment. The date, time, location and signature of the person carrying out the check shall be recorded in a log book. The log book shall be kept on the premises and be made available for inspection upon request by North Lincolnshire Council and/or the Licensing Authority.
- vii. Condition 7 – The Licence Holder or a nominated representative shall produce an Event Management Plan and submit to the Licensing Department for written approval 28 days prior to the first event. The Event Management Plan shall be reviewed at the request of the Licensing Department and submitted for written approval no later than 28-days prior to the start date of the next event.

The Event Management Plan shall include:

- Details of how noise shall be controlled throughout the period of the event and during the periods of regulated entertainment.
 - A procedure for receiving and investigating complaints made during and after the event.
 - Management of bookings and use of rooms
 - Management of persons vacating the premises in a quiet manner
 - The premises shall be vacated by all persons attending events with regulated entertainment by 11pm.
- viii. Condition 8 – All periods of regulated entertainment shall be run in accordance with the approved Event Management Plan.

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- ix. Condition 9 – The Licence Holder shall ensure that all staff employed are fully trained in relation to the application of the premises licence and its conditions, and that a record of any training provided is in a log book. The training log book shall be kept on the premises and be made available for inspection by the Licensing Authority, North Lincolnshire Council or Humberside Police upon request.

The aforementioned conditions were attached to the premises licence:

- to protect the amenities of local residents and patrons frequenting the premises
- to minimise any disturbance to the local residents from patrons frequenting the premises
- to ensure the protection and safety of all patrons and local residents,
- and to adhere to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm licensing objectives.

2031 **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES WHICH MUST BE SPECIFIED**
– There was no urgent business for consideration at the meeting.