

NORTH LINCOLNSHIRE COUNCIL

LICENSING (ACTIVITIES) SUB-COMMITTEE

**LICENSING ACT 2003
APPLICATION TO VARY A PREMISES LICENCE
GOXHILL MEMORIAL HALL, CHAPEL STREET, GOXHILL, DN19 7JJ**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request that the Sub-Committee determines the application to vary a Premises Licence for Goxhill Memorial Hall.
- 1.2 A summary of the application is attached as Appendix A to this report and a copy of the application as Appendix B.
- 1.3 There have been seven representations received, which have been deemed relevant. These are detailed in paragraphs 4.2 and 4.3. Copies of the representations are attached to this report at Appendices H to N.

2. BACKGROUND INFORMATION

- 2.1 In accordance with the provisions of the Licensing Act 2003 and North Lincolnshire Council's scheme of delegation, all applications to vary a Premises Licence where a relevant representation has been made need to be determined by this Sub-Committee.
- 2.2 When determining the application, the Sub-Committee should only consider issues which relate to the four Licensing Objectives, as stipulated by the Act. The Licensing Objectives are:
 - The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm
- 2.3 Members of the Sub-Committee must have regard to the Statutory Guidance issued under Section 182 of the Licensing Act 2003, our Statement of Licensing Policy and our Cumulative Impact Policy. Members of the Sub-Committee may deviate from the Statutory Guidance and Licensing Policies only if they deem that there is good reason to do so. Where Members do deviate from the Statutory Guidance or Policy, full reasons must be provided.
- 2.4 Members of the Sub-Committee should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the

licence and shall only determine the application having had an opportunity to consider all relevant facts. Members of the Sub-Committee should not hear or decide on any applications for premises licences in their own Ward.

- 2.5 Members of the Sub-Committee shall remember that they are acting in a quasi-judicial role in determining the application and shall remain in the room so that they hear all the evidence before determining the application. The determination shall be based on the evidence provided, which is relevant to the Licensing Objectives.
- 2.6 The options available to the Sub-Committee having considered all the relevant information are as follows:
 - To refuse to vary the licence
 - To vary the licence with additional conditions
 - To vary the licence without additional conditions
 - To vary the licence, but restrict the licensable activities
 - To vary the licence with restricted times
- 2.7 When considering this application to vary a licence, only the additional elements contained within the application can be considered. The activities already licensed cannot be subject to any restriction or additional conditions.
- 2.8 Members of the Sub-Committee should be advised that the applicant, responsible authorities and other persons making relevant representations may appeal to the Magistrates Court within 21 days of the date on which they were notified of the decision.

3. ISSUES FOR CONSIDERATION

- 3.1 The application to vary a Premises Licence for Goxhill Memorial Hall was received on 6 July 2023.
- 3.2 A summary of the application is attached at Appendix A.
- 3.3 A copy of the Variation application is attached at Appendix B. The supporting documents accompanying the application are attached at Appendix C, and a copy of the proposed new plan is attached at Appendix D.
- 3.4 A copy of the current Premises Licence, which is proposed to be varied, is attached at Appendix E. The current Conditions of Hire are attached at Appendix F and a copy of the current Premises Plan, which is proposed to be varied, is attached as Appendix G.
- 3.5 Humberside Police have stated that they have no objection to this variation. A copy of the representation is attached at Appendix H.
- 3.6 Environmental Protection have stated that they have no comments to make in relation to this variation. A copy of the representation is attached at Appendix I.

- 3.7 Humberside Fire have responded with no objections, stating the application is acceptable. A copy of the representation is attached as Appendix J.
- 3.8 Planning have stated that they have no comments to make in relation to this variation. A copy of the representation is attached at Appendix K.
- 3.9 Trading Standards have stated that they have no issues in relation to this variation. A copy of the representation is attached at Appendix L.
- 3.10 There have been two representations from another people, which have been deemed relevant. These representations are detailed in paragraph 4.3 and are attached to this report as Appendices M and N.
- 3.11 The applicant has been made aware of the representations.

4. OUTCOMES OF CONSULTATION

- 4.1 A copy of an application to grant a Premises Licence must be served on the responsible authorities within 48 hours of the Licensing Authority receiving its copy.
- 4.2 The table below provides details of any representations received from the Responsible Authorities:

Responsible Authority	Detail
Humberside Police	<i>"No objection"</i>
Environmental Protection	<i>"No comments"</i>
Humberside Fire & Rescue Service	<i>"Acceptable"</i>
Planning	<i>"No comments"</i>
Trading Standards	<i>"No issues"</i>
Health & Safety	No response received
Child Protection	No response received
Licensing Authority	No response received
Public Health	No response received

- 4.3 The table below provides details of any representations received from other persons:

Other Persons	Detail
Other Goxhill Parish Council	<i>"No objection"</i>
Other Mr Barrie Clayton	<i>"I strongly object to the said application...The end result if granted this licence would result in noise for the residents living all around this building"</i>

- 4.4 Ward Councillors have been made aware of the application. No response was received.

5. OUTCOMES OF MEDIATION

- 5.1 We have a duty to mediate in accordance with our Policy. The results of the mediation will be reported at the meeting.

6. LICENSING OBJECTIVES & STATUTORY PROVISIONS

6.1 Prevention of Crime & Disorder

6.1.1 The applicant has described the steps they intend to take in order to promote this Objective. These are detailed on page 16 to 18 of their application in Appendix B attached to this report.

6.1.2 Further information regarding this objective can be found in the Licensing Policy, pages 33-42.

6.1.3 No representations have been received raising concerns with regard to this Objective.

6.2 Public Safety

6.2.1 The applicant has described the steps they intend to take in order to promote this Objective. These are detailed on page 18 and 19 of their application in Appendix B attached to this report.

6.2.2 Further information regarding this objective can be found in the Licensing Policy, pages 43-49.

6.2.3 No representations have been received raising concerns with regard to this Objective.

6.3 Prevention of Public Nuisance

6.3.1 The applicant has described the steps they intend to take in order to promote this Objective. These are detailed on page 19 and 20 of their application in Appendix B attached to this report.

6.3.2 Further information regarding this objective can be found in the Licensing Policy, pages 50-55.

6.3.3 One representation has been received raising concerns with regard to this Objective.

6.4 Protection of Children from Harm

6.4.1 The applicant has described the steps they intend to take in order to promote this Objective. These are detailed on page 19 of their application in Appendix B attached to this report.

6.4.2 Further information regarding this objective can be found in the Licensing Policy, pages 56-62.

6.4.3 No representations have been received raising concerns with regard to this Objective.

6.5 Other Licensing Policy Issues/Statutory Provisions

6.5.1 The applicant has proposed several general conditions which cover more than one Licensing Objective. These are detailed at page 16 of the application at Appendix B.

7. FURTHER INFORMATION & CLARIFICATION

7.1 A location plan is attached to the report as Appendix O.

8. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

8.1 Not applicable.

9. RECOMMENDATIONS

9.1 That the Sub-Committee determines the application in accordance the Statutory Guidance issued under s182 of the Licensing Act 2003, Statement of Licensing Policy, the Cumulative Impact Policy and the information contained within this report and having had due regard to the applicant and the responsible authorities making relevant representations.

9.2 That the Sub-Committee provides the reasons for its decision.

DIRECTOR: ECONOMY AND ENVIRONMENT

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Background Papers used in the preparation of this report Nil