

# Statutory Licensing Sub-Committee B

Friday, 28 July 2006

**Present:** Councillor Edward Smith (Chair), Councillors Ralph Snape and John Walker

Also present at the commencement of the meeting: Councillor Thomas Bedford

## 06.SLB.24 DECLARATIONS OF ANY INTERESTS

**RESOLVED** – That the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

## 06.SLB.25 APPLICATION FOR A PREMISES LICENSE IN RESPECT OF THE JUBILEE PLAYING FIELDS, STATION ROAD, ADLINGTON.

The Chief Executive submitted a report requesting the Sub-Committee to determine an application for a premises licence in respect of the Jubilee Playing Fields, Station Road, Adlington.

The report indicated that the requested licensable activities be as follows:

### Regulated Entertainment

- i) Performance of plays – Indoors and Outdoors (a)  
08.00 – 23.00 Monday to Sunday  
Seasonal variations  
Increased frequency during school holidays, festive periods, summer nights and periods of national celebration
- ii) Exhibition of films – Indoors and Outdoors (b)  
08.00 – 23.00 Monday to Sunday  
Seasonal variation  
Increased frequency during school holidays, summer nights and periods of national celebration
- iii) Indoor sporting event (c)  
08.00 – 23.00 Monday to Sunday  
Seasonal variation  
Increased frequency during school holidays, summer nights and periods of national celebration
- iv) Performance of live music – Indoors and Outdoors (e)  
12.00 – 00.00 Monday to Sunday

Seasonal variations

Only during summer months and when ground conditions are appropriate for concerts.

- v) Playing of recorded music – Indoors and Outdoors (f)

08.00 – 00.00 Monday to Sunday

Seasonal variations

Mainly during school holidays or summer months

- vi) Performances of dance – Indoors and Outdoors (g)

08.00 – 23.00 Monday to Sunday

Seasonal variation

More frequent during school holidays and summer months

- vii) Entertainment of a similar description to that falling within e/f/g – Outdoors (h)

12.00 – 22.00 Monday to Friday

10.00 – 22.00 Saturday and Sunday

Seasonal variations

Governed by ground conditions and restricted to summer months and occasional bank holidays. Also to include Adlington Carnival.

Non Standard Timings

Used to be mainly weekends and then from early afternoon only.

- viii) Provision of facilities for making music – Indoors and Outdoors (i)

08.00 - 23.00 Monday to Sunday

Seasonal variations

During summer months, school holidays or as part of get up and go scheme.

- ix) Provision of facilities for dancing – Indoors and Outdoors (j)

08.00 – 23.00 Monday to Sunday

Seasonal variations

Focused on school holidays and summer months

Late Night Refreshment

Late Night Refreshment – Indoors (l)

23.00 – 00.00 Friday to Sunday

Seasonal variations

Summer months and Bank Holiday weekends only.  
Limited to six days per calendar year.

Supply of Alcohol

The sale by retail of alcohol for consumption ON the premises (m)

12.00 – 23.00 Monday to Sunday

Seasonal variations

Only sold as part of organised events ie carnival.  
Concentrated during summer months and on no more than six days in any calendar year

Hours premises are open to public

The opening hours of the premises (o)

00.00 – 23.59 Monday to Sunday

The report also outlined the additional measures that the applicant had indicated could be taken to promote and ensure the achievement of the four relevant objectives.

One of the additional measures required the detailed submission for each event or activity that is proposed to be carried out within the park. These measures will be required to be submitted to the Environmental Health Manager at least three weeks prior to the event.

Initially representations of objections were received from the Lancashire Constabulary but following discussions between themselves and the applicant they were withdrawn as the applicant had agreed all the issues.

Representations were received from ten objectors on the likely effect on the grant of a premises licence relevant to the four licensing objectives.

The Sub-Committee raised a number of pertinent issues with the applicant and the representatives of the interested parties.

The Sub-Committee also considered all the written and verbal evidence in the interests of the provision of the Council's adopted Statement of Licensing Policy and Government Guidelines.

After taking account of the representations and relevant factors, the Sub-Committee arrived at the following unanimous **DECISION**:

The Licensing Sub-Committee have considered carefully the application and the interested parties representation.

We have considered the guidance issued under Section 182 of the Act together with the Council's Statement of Licensing Policy, in particular those paragraphs referred to 8 in the report.

The Committee took account of the interested parties representations on potential disturbance they may suffer. The Committee has noted the written representations made by Environmental Health in being no objection to the application but requesting conditions be attached to the licence. We have also noted that Lancashire Police have withdrawn their representations following discussions with the applicant and that

the representations have all been agreed with the applicant. The Committee therefore notes that the applicant has amended the application following the agreement.

The Committee also took account of the Statement of Licensing Policy indicating that fixed predetermined closing times will be awarded unless necessary to promote the licensing objections.

The Committee accepts the difficulty that Licence holder has in preventing anti-social behaviour by individuals once they are beyond the direct control of the licence holder. However, the Committee are of the view that the licensing objective of preventing public nuisance will not be achieved if customers from the premises regularly conduct themselves in an anti-social manner to the detriment of local residents.

The Committee recognised that the applicant has attempted to minimise the impact of the licensable activities, however, the Committee will take the view that additional measures are required.

The Committee also considered the human rights implications, in particular Article 8 and Article 1 of the First Protocol and the proportionality principle.

In considering all the above factors, the Committee balancing the interests of the interested parties and the applicant resolved to grant the application in the following amended form.

1. That all activities must not start before 10:00 and finish at 18:00 with the exception of the four days when alcohol be permitted, timings as per agreed with the applicant and the Police.
2. Preparation and setting up of events to commence at 08:00.
3. Supply of Alcohol

That the sale of alcohol be concentrated during summer months and be no more than four days in any calendar year.

Chair