

## Licensing Sub Committee

A meeting of Licensing Sub Committee was held on Monday, 2nd August, 2010.

**Present:** Cllr Alan Lewis, Cllr Maurice Perry and Cllr Bill Woodhead.

**Officers:** J Nertney (LD); C Barnes (DNS).

**Also in attendance:** Mr J Maloney (Applicant).

**Apologies:** None.

**L  
22/10**      **Appointment of Chairman**

RESOLVED that Councillor Woodhead be appointed Chairman for this meeting only.

**L  
23/10**      **Declarations of Interest**

There were no interests declared.

**L  
24/10**      **Pentland Primary School, Pentland Avenue, Billingham - Application for Grant of a Premise Licence under the Licensing Act 2003**

The Chair introduced all persons who were present and explained the procedure to be followed during the hearing.

The Licensing Officer presented the report to Members. Consideration was given to the application as outlined in the report by the Licensing Officer. Members noted and gave consideration to the representation that had been received from one person living within the vicinity of the premises. Members also noted the petition. Members noted that there were no representations from any of the responsible authorities/statutory consultees.

As this person was not in attendance at the meeting Members had regard to the representation which could be summarised as follows:-

- Concern that alcohol would be supplied on the premise;
- The late hour for the supply of alcohol;
- Potential for noise and nuisance

Mr Maloney (Applicant) stated that he was involved in organising the Billingham International Folklore Festival (BIFF). During the festival a number of performers stay at Pentland Primary School and the intention was to allow performers and volunteers to socialise on an evening. A licence was required to allow BIFF to supply alcohol to performers and volunteers. The application had been restricted to two weeks when the Festival would be held, namely 4th August 2010 to 15th August 2010 when the festival takes place. The hours requested for the supply of alcohol were 19:30 to 02:00 hours.

In considering their decision members were mindful that they needed evidence on which to base their decision.

It was noted that none of the statutory consultees had objected to this

application.

When considering their decision Members had regard to the Statutory guidance issued under Section 182 of the Licensing Act 2003 and the Councils Licensing Policy.

Members noted that the application was for restricted hours, namely 19:30 to 02:00 hours and would only be used while the Festival was held this year between fourth of August 2010 to the fifteenth of August 2010. It was noted that the applicant could have applied for a premise licence year on year for those hours but the application was for a premises licence for this year only. The application made it clear that the supply of alcohol would be to performers and volunteers of the Festival and it would therefore not be operating as a bar in the normal sense of the word i.e. supplying alcohol to members of the public walking in off the street. Members were given assurances by the applicant that there would be strict controls exercised to ensure that only performers and BIFF volunteers would be on the premises when alcohol was supplied. Members noted the objectors concerns but did not feel these outweighed the merits of the application and that accordingly the licensing objectives would not be undermined if the application was granted.

RESOLVED that the application be granted for a premises licence for a two week period as detailed in the application form and which can be summarised as follows:-

- Supply of alcohol between the following hours

Monday – Sunday 19.30 – 02:00

- The Committee imposed the conditions as detailed below, namely:-

1. Non residents must vacate the premise by 02:20.

As well as the conditions placed on the licence by Committee it was noted that mandatory conditions would also be placed on the Licence as detailed under the Licensing Act 2003. In addition the steps set out in the Applicants operating schedule at Section P of his application will also be converted into conditions to be placed on the licence where it is reasonably practicable for them to be converted into conditions.