

**LICENSING SUB-COMMITTEE
16th December, 2019**

Present:- Councillor Ellis (in the Chair); Councillors Russell and Vjestica.

**6. LICENSING ACT 2003 - LICENCE - LAND OFF GUILTHWAITE
COMMON LANE, UPPER WHISTON**

Consideration was given to an application for the variation of a Premises Licence, under the provisions of the Licensing Act 2003, in respect of the premises identified as Land off Guilthwaite Common Lane, Upper Whiston, Rotherham.

The application sought to vary the premises licence as follows:-

- Amend the times during which licensable activity is permitted.

The licence currently permits the following activities from 1200 hours until 2400 hours Thursday to Sunday:-

Performance of live music (indoors)
Playing of recorded music (indoors)
Performance of dance (indoors)
Entertainment of a similar nature (indoors and outdoors)

In addition, the licence permits the following:

Retail sale of alcohol (for consumption on the premises only)
between 1200 and 2300 Thursday to Sunday
Provision of late night refreshment (indoors and outdoors) 2300 to
0000 hours Thursday to Sunday

The applicant was seeking to vary the licence so that the terminal hour for all of the above licensable activities becomes 0100 on a Friday and Saturday i.e. until 0100 hours the following morning.

Furthermore the applicant was seeking to extend the terminal hour for all activities other than late night refreshment until 0000 hours on a Thursday i.e. until 0000 hours the following morning.

- Amend Condition 8 on the licence – include requirement for Approve Contractor Scheme (ACS) security personnel
- Deletion of Conditions 19, 20, 21,24, 25, 47 and 48 due to them being duplicated in other conditions

- Amend Condition 27 on the licence – include a reference to there being a prohibition on groups larger than 4 people
- Amend Condition 30 on the licence – remove requirement for certain actions prior to first event
- Condition 36 on the licence – remove requirement for waste receptacles to be lidded
- Condition 37 on the licence – additional requirement for lighting to be positioned in such a way so as not to cause a disturbance to local residents
- Condition 56 on the licence – amend condition so that access is allowed with “documentation or authorisation” not just documentation
- Annex 3(a) – remove limit of 500 people at the event and allow capacity to be determined through agreement with responsible authorities
- Annex 3(b) – insert words “on request” with reference to attendance at debrief session following event.
- (detail provided on the application form).

In addition the applicant was proposing to combine Conditions 23 and 26.

Mr. S. Ratcliffe, the Applicant referred to the reasons for the variation and explained the rationale behind each of the proposed amended conditions.

No objections had been received by the statutory consultees as part of the application to vary the licence.

The Licensing Authority (in its role as Responsible Authority) had received a representation from Whiston Parish Council.

The Sub-Committee gave full consideration to this representation which related to the possible noise implications of extending the hours of playing music until 1.00 a.m. on the Friday and Saturday, the high risk of misuse of drugs and alcohol, the risks of access by younger children attending unlawfully and the lack of safeguards to prevent crime and disorder.

The Sub-Committee considered the application for the variation in the Premises Licence and the representations made specifically in the light of the following Licensing objectives (as defined in the 2003 Act):-

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- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

Resolved:- That the application for a variation to the Premises Licence made by Mr. S. Ratcliffe and Mr. J. Tate, under the provisions of the Licensing Act 2003, in respect of land off Guilthwaite Common Lane, Upper Whiston, be approved as submitted subject to the following:-

(1) That the reference to “4 persons” in the proposed additional condition No. 27 be not approved

(2) That condition No. 56 be amended to read “the licence holder shall ensure that no entry to the premises is permitted without the required documentation” be amended to read “including electronic documentation”.

(3) That Annexe 3(a) be amended to read “that the number of persons/visitors at the organised event to be decided in agreement with representatives of the appropriate responsible authorities 3 months before the event taking place”.