

## LICENSING SUB-COMMITTEE

Minutes of the proceedings at a meeting of the Licensing Sub-Committee held in the Assembly Room, Kendal Town Hall, on Tuesday, 31 August 2021, at 1.30 p.m.

Present

Councillors

Doug Rathbone

David Webster

Ian Wharton

Officers

Rachel Ireland

Trainee Solicitor

Emma Priest

Legal, Governance and Democracy Specialist (Solicitor)

Josie Smith

Legal, Governance and Democracy Specialist

Julie Richings

Specialist (Licensing)

### LS/13 ELECTION OF CHAIRMAN

RESOLVED – That Councillor Ian Wharton be elected Chairman for the meeting.

### LS/14 APOLOGIES AND RECONSTITUTION OF MEMBERSHIP

There were no apologies and there were no changes in the membership of the Sub-Committee and, therefore, no reconstitution was necessary.

### LS/15 DECLARATIONS OF INTEREST

RESOLVED – That it be noted that no declarations of interest were raised.

### LS/16 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That it be noted that there are no excluded items on the agenda.

### LS/17 INTRODUCTIONS

The Chairman made introductions and read out the procedure for the meeting.

### LS/18 APPLICATION FOR THE GRANT OF A PREMISES LICENCE

The Licensing Officer presented the report for the application for a grant of a premises licence in respect of Kirkby Lonsdale Football Club, Lunefield Park, Kirkby Lonsdale. The application sought authorisation for the sale of alcohol on the premises from Saturday to Sunday between the hours of 13.00 and 22.00.

The Licensing Officer drew Members' attention to the fact that the application for the grant of a club premises licence was due to be heard by the Sub-Committee on 06 July 2021. However, the application was not accompanied by a Club Certificate and therefore was not a qualifying club in accordance with Section 60 of the Licensing Act 2003 and the application was subsequently withdrawn. The application was then re-submitted to the Licensing Authority under the Licensing Act 2003 for a premises licence.

Five representations were received from interested parties and the representations suggested that the possible effect of granting the licence would undermine all four of the licensing objectives, which were 'Public Safety', 'Prevention of Public nuisance', 'Prevention of Crime and Disorder' and 'Protection of Children from Harm'. A copy of the representations were contained within Appendix 2 of the report.

All of the responsible authorities made no objection to the application. However, the Police had noted within the application there was no Designated Premises Supervisor (DPS) listed on the proposed licence. The Licensing Officer advised Members that no alcohol could be served until a DPS was in place.

The Applicant, Chris Rowsell, made his representation in support of the application. He explained to Members that the purpose of the licence was to enable Members to have a few drinks after a game. Thomas Brown, the Chairman of the Football Club, echoed to Members that this was a traditional custom after a football match.

Members sought clarification from the Applicant around parking and access to the football club. The Applicants explained to the Sub-Committee that attendance at the football is relatively low with little spectators. Music would only ever be played as background music and that all windows and doors would be kept closed to reduce noise levels. The Applicant confirmed that there was no parking available at the football club and public parking available at Devils Bridge is used.

The Applicants' stated they had nothing further to add in relation to their closing statement.

***Note – The Sub-Committee passed a resolution to adjourn the meeting at 1.38.p.m. to exclude the press and public in making its decision and retired from the meeting room in accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) in order to further consider the application.***

***Note – The meeting re-convened at 2.00.p.m.***

RESOLVED – That the application be granted:-

- (1) for the supply of alcohol on the premises on Saturday and Sunday, 13:00 hours to 22:00 hours; and
- (2) subject to the mandatory conditions and to the following conditions:-
  - a) The Premises Licence holder and/or the Designated Premises Supervisor shall actively participate and be a member of a Pub Watch Scheme, where one exists, for the area within which the premises is located.
  - b) Refuse bins will provided in and around the premises, all waste should be removed promptly.
  - c) Staff will ensure that the area around the premises is kept free from litter.
  - d) Music provided at the premises shall be played at such a level so as not to cause a disturbance to the locality.
  - e) During the hours of darkness the outside lighting will be switched on when licensable activities are being provided.
  - f) The dispersal of customers from the premises must be managed in accordance with the following:-

- (i) prominent, clear signage must be displayed at all exits from the premises requesting patrons and staff to respect local residents by keeping noise to a minimum when leaving the premises; and
- (ii) public announcements requesting customers to leave quietly to minimise disturbance to nearby residents;

The Sub-Committee had also had regard to the Council's Statement of Licensing Policy and noted that no representations, notwithstanding the comment from the Police in relation to the lack of named Designated Premises Supervisor, had been received by the responsible authorities.

Having regard to the Licensing Objectives, the reasons for reaching this decision are prevention of crime and disorder and prevention of public nuisance. The Licensing Sub-Committee is satisfied that the conditions imposed will serve to further the licensing objectives contained within the Licensing Act 2003 and the statutory guidance.

The reasons for the decision would be communicated to the applicant and the interested parties in writing following the meeting. The applicant was informed of their right to appeal against the decision to the Magistrates' Court within 21 days of being notified of the decision.

The meeting ended at 2.04 p.m.