

**Statutory Licensing Sub-Committee
9 May 2023**

**Title: Sedgewell Barn – Application for Grant of Premises Licence
Report of the Corporate Director of Environment - Karl Battersby**

1.0 Purpose of Report

1.1 This report asks the Sub-Committee to consider an application for the grant of a new premises licence in respect of Sedgewell Barn, Ainderby Steeple.

Recommendation:

To take any of the following steps as the Sub-Committee considers appropriate for the promotion of the licensing objectives:

- a) to grant the licence as applied for (subject to any conditions consistent with the applicant's operating schedule);
- b) to grant the licence subject to any additional conditions that Members consider appropriate for the promotion of the licensing objectives; or
- c) to reject the whole or part of the application.

2.0 Background

- 2.1 On 15 March 2023, the Council received an application for the grant of a new premises licence for Sedgewell Barn, Ainderby Steeple.
- 2.2 The application seeks to authorise live music, (indoors and outdoors), recorded music (indoors) and the sale of alcohol (for consumption on the premises) from 8.00am until midnight every day of the week. No amplified live music will take place outdoors.
- 2.3 A copy of the application is attached at Appendix 1 and a copy of the proposed premises plan is attached at Appendix 2.
- 2.4 The applicant has also submitted an event management plan and a noise management plan, these are attached at Appendix 3 and Appendix 4.

3.0 Promotion of the Licensing Objectives

- 3.1 The four licensing objectives set out in the Licensing Act 2003 are:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance;
 - the protection of children from harm.
- 3.2 The Sub-Committee must carry out its functions with a view to promoting the licensing objectives.

4.0 Representations

- 4.1 Relevant representations have been made by five local residents and Ainderby Steeple Parish Council. Copies of the representations are attached at Appendix 5 to Appendix 10.
- 4.2 The representations express concerns relating to noise, crime and disorder and traffic.
- 4.3 No representations have been lodged by any responsible authority. However, the applicant has reached an agreement with North Yorkshire Police and the Council's Environmental Health Service in terms of the additional steps that will be taken in order to promote the licensing objectives. Copies of the agreements are attached at Appendix 11 and Appendix 12.

5.0 Consultation

- 5.1 Copies of the application were sent to all statutory responsible authorities in accordance with the provisions of the Licensing Act 2003. Copies of the application were also sent to Ainderby Steeple Parish Council and the relevant District Councillor.
- 5.2 Applicants are required to publish a notice in a local newspaper and to display a brief summary of the application on an A4 size notice in a prominent position immediately on or outside the premises for at least 28 consecutive days. A record of the application was also published on the Council's website and the full application was made available for inspection at the Council offices.

6.0 Policy Considerations

- 6.1 Part 5 of the Council's Licensing Act 2003 Policy relates to premises licences and is attached at Appendix 13.
- 6.2 Chapters 8 and 9 of the Home Office Guidance issued in December 2022 under section 182 of the Licensing Act 2003 are attached at Appendix 14.

7.0 Financial Implications

- 7.1 No financial implications have been identified.

8.0 Legal Implications

- 8.1 As a relevant representation has been received, the Sub-Committee must hold a hearing to determine the application.
- 8.2 The Sub-Committee must have regard to the promotion of the four licensing objectives in exercising its functions under the Act.

8.3 In making its decision, the Sub-Committee must have regard to the applicant's submissions, the relevant representations, the Council's Statement of Licensing Policy and the Guidance issued under section 182 of the Licensing Act 2003.

9.0 Right of Appeal

9.1 In accordance with Schedule 5 to the Licensing Act 2003, the applicant and any person who has made a relevant representation may appeal against the decision of the Sub-Committee.

9.2 Any appeal must be made to the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision.

10.0 Conclusion

10.1 The Sub-Committee is asked to determine the application in accordance with the recommendations above.

Karl Battersby
Corporate Director of Environment
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Northallerton

25 April 2023

Report Author: Anita Huntsman, Licensing Officer

Background Documents: None

Appendices:

Appendix 1 – Application for the grant of a premises licence

Appendix 2 – Proposed premises plans

Appendix 3 – Event management plan

Appendix 4 – Noise management plan

Appendix 5 – Representation

Appendix 6 – Representation

Appendix 7 – Representation

Appendix 8 – Representation

Appendix 9 – Representation

Appendix 10 - Representation

Appendix 11 – Proposed amendment to applicant's operating schedule

Appendix 12 – Proposed amendment to applicant's operating schedule

Appendix 13 – Extracts from Council's Statement of Licensing Policy

Appendix 14 – Extracts from statutory guidance