

**North Yorkshire Council**  
**Statutory Licensing Sub-Committee**

**11 March 2024**

**Application for the Grant of a Premises Licence, Field next to Flemington, Near  
Reeth, DL11 6AW**

**Report of the Corporate Director – Environment**

**1.0 PURPOSE OF REPORT**

1.1 To seek the determination by the Statutory Licensing, Sub-Committee of an application for the grant of a Premise Licence (Licensing Act 2003 'The Act')

**2.0 SUMMARY**

2.1 An application for the grant of a premise licence has been made by Mighty Events Ltd for a premise to be known as Field next to Fremington. The premise is located at Fremington, Reeth. The Application & plan of premises are attached at **Appendix A and B**

2.2 A consultation of the application took place between 22 January 2024 – 20 February 2024.

2.3 The application has been served on the responsible authorities.

- North Yorkshire Police
- North Yorkshire Fire & Rescue Authority
- North Yorkshire Council Environmental Health
- North Yorkshire Council Environmental Health Safety at work
- Yorkshire Dales National Park Authority
- North Yorkshire Council Children & Young Persons
- North Yorkshire Council Trading Standards
- Public Health
- Home Office Immigration

2.4 The applicants have complied with Regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 by displaying a blue notice for 28 consecutive days at the premise and advertised in a local news circular.

2.5 The application is for the following licensable activities.

**Supply of alcohol (ON/OFF)**

Thursday to Saturday 11.00 to 01.30

Sunday 11.00 to 23.00

**Films**

Thursday to Saturday 12.00 to 00.00

Sunday 12.00 to 23.00

### **Live Music**

Thursday to Saturday 11.00 to 00.00

Sunday 11.00 to 23.00

### **Recorded Music**

Thursday to Saturday 11.00 to 00.00

Sunday 11.00 to 23.00

### **Late Night Refreshment**

Thursday to Saturday 23.00 to 01.30

### **Hours premises are open to the public**

Thursday to Saturday 11.00 to 01.30

Sunday 11.00 to 23.00

These activities will be over four days [Thursday, Friday, Saturday, and Sunday] in the first week of July each year.

## **3.0 Promotion of Licensing Objectives**

3.1 Section 4 of 'the Act' places a duty on the Licensing Authority to conduct its functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:

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

3.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are always paramount considerations.

## **4.0 Representations**

4.1 There has been 6 objections from other persons which are attached at **Appendix C to H**. Members should note that some grounds for the representations may not relate to the licensing objectives, but the full representations have been included in the interests of openness and transparency.

4.2 As part of the application, **Appendix A**, the applicants, at section M, have offered up conditions to promote the Licensing Objectives. These conditions along with those agreed with Environmental Health and the Police would become enforceable conditions. Breach of a licence condition can lead to an unlimited fine, six months imprisonment or both for each breach.

4.3 A draft version of how the proposed conditions would be worded if the licence were granted including those agreed with the North Yorkshire Police and Environmental Health can be seen at **Appendix I**. These do not include the mandatory conditions to which all licences must adhere to.

## **5.0 ALTERNATIVE OPTIONS CONSIDERED**

5.1 All of the Sub-Committee's options are outlined under the "Recommendations" at 12.0 of the report. No alternative options are available.

## **6.0 FINANCIAL IMPLICATIONS**

- 6.1 The costs involved in administering the Licensing Act 2003 are set in statutory legislation.
- 6.2 The applicant or interested parties has a right of appeal to the Magistrates' court against any decision made.

## **7.0 LEGAL IMPLICATIONS**

- 7.1 As a relevant representation has been received, the Sub-Committee must hold a hearing to consider the representations and, having regard to the representation, determine the premise licence application.
- 7.2 The Sub-Committee must have regard to the promotion of the four licensing objectives in exercising its functions under the Licensing Act 2003.
- 7.3 The Sub-Committee must also have regard to the statutory guidance under section 182 of the Act and the council's own statement of licensing policy exercising its functions under the Act.
- 7.4 The applicants or interested parties have a right of appeal to the Magistrates' court against any decision made within 21 days of receiving notification of the decision.

## **8.0 CLIMATE CHANGE IMPLICATIONS**

- 8.1 No Climate change implications have been identified.

## **9.0 POLICY IMPLICATIONS**

- 9.1 Richmondshire District Council Statement of Licensing Policy remains in place by operation of the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008. The following sections of that Policy are relevant in considering the licensing objectives in relation to this application.
- Prevention of Crime and Disorder – 4.0, page 16
  - Public Safety - 5.0, page 18
  - Prevention of Public Nuisance – 6.0, page 18
  - Protection of Children from Harm – 7.0, page 19
- 9.2 The following sections of the Guidance issued under section 182 of the Licensing Act 2003 issued by The Secretary of State for Culture, Media and Sport are relevant in considering the licensing objectives in relation to this application:
- Licence conditions – 1.16, page 4
  - Crime and disorder – 2.1, page 6
  - Public safety - 2.8, page 7
  - Public nuisance - 2.21, 10
  - Protection of children from harm - 2.28, page 11
  - Plans - 8.34, page 60
  - Beer gardens or other outdoor spaces – 8.35, page 60
  - Planning – section 8.97, page 70 and 9.41, page 81

## **10.0 EQUALITIES IMPLICATIONS**

10.1 No equalities implications have been identified for this matter.

## **11.0 REASONS FOR RECOMMENDATIONS**

11.1 In accordance with section 18 of the Licensing Act 2003, the licensing authority must hold a hearing to consider the application and any relevant representations.

11.2 The Sub-Committee must, having had regard to the application and any relevant representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

## **12.0 RECOMMENDATION(S)**

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

- Prevention of Crime and Disorder
  - Public Safety
  - Prevention of Public Nuisance
  - Protection of Children from Harm
- i) Grant the licence as applied for with the operating schedule and as modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and any conditions which must under section 19, 20 or 21 (mandatory conditions) be included in the licence.
- ii) To exclude, from the scope of the licence, any of the licensable activities the application relates and/or modify the licensing hours.
- iii) Reject the application.

In making its decision, the Sub-Committee must act with a view to promoting the licensing objectives. The Sub-Committee must also have regard to its Statement of Licensing Policy and the Statutory Guidance issued under Section 182 of the Act.

## **APPENDICES:**

Appendix A - Application for Fremington Field, Reeth  
Appendix B - Event Management Plan – showing premises plan, page 11.  
Appendix C - Mr & Mrs Watson  
Appendix D - Susan Stocks  
Appendix E – Mr & Mrs Maurer  
Appendix F – Mr & Mrs Hosking  
Appendix G – Dr Christopher Whittaker  
Appendix H – Chris Atkin  
Appendix I – Conditions agreed with applicant.

## **BACKGROUND DOCUMENTS:**

Richmondshire District Council statement of licensing policy  
Section 182 Guidance (Home Office), Licensing Act 2003

Karl Battersby  
Corporate Director – Environment  
County Hall  
Northallerton  
27 February 2024

Report Author – Tim Chadwick – Area Manager [Western]  
Presenter of Report – Tim Chadwick – Area Manager [Western]

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.