

North Yorkshire Council

Statutory Licensing Sub-Committee

16 August 2024

Harrogate Town - Application for variation of a Premises Licence

Report of the Corporate Director of Environment

1.0 PURPOSE OF REPORT

1.1 To determine a variation of a premises licence application under the Licensing Act 2003

2.0 BACKGROUND

2.1 An application for the variation of a premises licence has been submitted by Harrogate Town AFC Ltd, The Environment Stadium, Wetherby Road, Harrogate, HG2 7RY. A copy of the application and associated plans are attached at appendix 1.

2.2 The applicant is David Riley, Operations Director of Harrogate Town AFC

2.3 The application can be summarised as follows:

a) The addition of **Late Night Refreshment**

Monday to Sunday 2300hrs until 0030hrs

b) To amend opening hours from:

Monday to Sunday 1000hrs until 2330hrs

To:

Monday to Saturday 1100hrs until 0000hrs

Sunday 1100hrs until 2330hrs

c) To amend the current plans to reference (000)264, to include Bar 4 and rename all bars:

Black Sheep Terrace to Bar 1

Main Stand East to Bar 2

Hospitality Bar to Bar 3

South Stand to Bar 4

d) To amend current condition agreed with North Yorkshire Police from:

3. The Spectator Bar (Northeast Stand) and Black Sheep Terrace Stand will only be open on match days specifically as follows, maximum of 4 hours before the sporting event and a maximum of two hours after the event finishes

To:

3. Bar 1 and Bar 4 will only be open on match days specifically as follows, maximum of 4 hours before the sporting event and a maximum of two hours after the event finishes

- e) To amend the current Annex 2 conditions consistent with the operating schedule and rename bars from Clubhouse and Chairmans Suite to Bar 2 and Bar 3 respectively.
- f) To remove conditions on current premises licence detailed in Appendix 4 and replace with conditions detailed in Appendix 5

A copy of the current premises licence is attached at Appendix 3

3.0 PROMOTION OF LICENSING OBJECTIVES

3.1 Section 4 of the Licensing Act 2003 places a duty on the Licensing Authority to carry out 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 paramount considerations at all times.

4.0 REPRESENTATIONS

4.1 No representations were received from any responsible authorities.

4.2 There have been 6 representations submitted by other persons which are attached at appendix 6 to 6.5

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 Not applicable

6.0 FINANCIAL IMPLICATIONS

6.1 Not applicable

7.0 LEGAL IMPLICATIONS

7.1 The Legal section has been consulted during preparation of this report.

8.0 EQUALITIES IMPLICATIONS

8.1 Not applicable

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 Not applicable

10.0 POLICY CONSIDERATIONS

10.1 The following sections of North Yorkshire Council's Statement of Licensing Policy are relevant in considering the licensing objectives in relation to this application:

- Disturbance and environment - sections 4, 6 and 9
- Crime and disorder - sections 4 and 6
- Public safety - section 4
- Protection of children - sections 4 and 6

11.0 OTHER CONSIDERATIONS

11.1 The following sections of the Guidance issued under section 182 of the Licensing Act 2003 (updated January 2024) issued by The Home Office are relevant in considering the licensing objectives in relation to this application:

- Crime and disorder Section 2.1
- Public safety Section 2.8
- Public nuisance Section 2.21
- Protection of children from harm Section 2.28

11.2 Appendix 2 contains the mandatory conditions which will be applied to all Licenses in addition to any conditions agreed by the Sub-Committee.

12.0 CONCLUSIONS

12.1 An application has been made for a full variation to the current premises licence (as detailed in 2.3 of this report). There is no request for any extended hours to the current licence. No objections have been received by any responsible authorities and all current conditions will remain on the premises licence other than those being amended or removed by way of this application.

12.2 There are six representations from interested parties for the Sub-Committee to consider, attached at Appendix 6 to 6.5

13.0 RECOMMENDATION

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

- To grant the licence
- To grant the licence with conditions
- To reject the application in whole or in part

APPENDICES:

Appendix 1	Application and plan
Appendix 2	Mandatory Conditions imposed under the Licensing Act 2003
Appendix 3	Current premises licence
Appendix 4	Conditions to be removed from the premises licence
Appendix 5	Conditions to be added to the premises licence
Appendix 6	Representation from Sheryl Lawson
Appendix 6.1	Representation from Shelagh Edwards
Appendix 6.2	Representation from Phil and Lydia Maw
Appendix 6.3	Representation from Catherine Kaye
Appendix 6.4	Representation from John Temperley
Appendix 6.5	Representation from Michael Newby
Appendix 7	Response from Harrogate Town AFC
Appendix 8	Applicant response to Shelagh Edward
Appendix 9	Applicant response to Lydia Maw
Appendix 10	Applicant response to Catherine Kaye
Appendix 11	Applicant response to John Temperley
Appendix 12	John Temperley response to applicant

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31 July 2024

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Presenter of Report – Wan Malachi, Senior Licensing Enforcement Officer

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