

LICENSING SUB COMMITTEE

Date of Meeting	Monday 11 th January 10:00 am
Report Subject	Application for a Premises Licence
Report Author	Chief Officer (Planning, Environment and Economy)

EXECUTIVE SUMMARY

For Members to consider and determine an application under the Licensing Act 2003 for a Premises Licence made by Fron Farm Caravan Park Ltd.

RECOMMENDATIONS

1	That Members consider and determine the application for a Premises Licence by Fron Farm Caravan Park Ltd.
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REPORT DETAILS

1.00	EXPLAINING THE APPLICATION
1.01	The premises concerned is the Café/Site Shop and Reception, at Fron Farm Caravan Park, Rhes y Cae Road, Hendre, CH7 5QW. Its location can be seen in Appendix A.
1.02	The applicant is Fron Farm Caravan Park Ltd.
1.03	The application is for a new Premises Licence.
1.04	The applicant has applied for on and off sales of alcohol as well as live and recorded music indoors. Initially the applicant requested live and recorded music to take place both inside and outside but subsequently amended their application so that it would be for 'indoors' only. The application can be seen in Appendix B.

1.05	<p>The hours for on and off sales of alcohol are as follows:</p> <p>Sunday to Thursday 8:00am to 8:00 pm and Friday and Saturday 8:00 am to 10:00 pm</p> <p>The hours for Live and recorded music indoors and outdoors are as follows:</p> <p>Saturday 8:00pm to 11:00pm</p>
1.06	The Live Music Act 2012 would allow for amplified live and recorded music to take place at Fron Farm Caravan Park between the hours of 8am and 11pm to an audience of less than 200, regardless of whether they hold a premises licence, as the premises can also be considered to be a workplace.
1.07	Flintshire County Council Pollution Control section's response to the application can be seen in Appendix C.
1.08	North Wales Police have confirmed in writing that the application has been discussed with Acting Inspector Geraint Richards, the officer responsible for the area, and that they wish to make representations as shown in Appendix D. The applicant has agreed to these conditions.
1.09	Representations were received from Interested Parties and can be seen in Appendix E.
1.10	E-mails supporting the representation made by Mr Ian Betts were also received. These emails have been included as part of the report for completeness, however they do not contain relevant information relating to any of the four Licensing Objectives, and therefore cannot be considered as 'relevant representations'. A summary of these can be seen in Appendix F.
1.11	The steps that the applicant intends to take to promote the four licensing objectives are set out in Appendix G.
1.12	The application was advertised in the correct manner.

2.00	RESOURCE IMPLICATIONS
2.01	None in respect of this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None required.

4.00	RISK MANAGEMENT
4.01	All risks are addressed in the steps taken to promote the four licensing objectives shown in the Operating Schedule.

5.00	APPENDICES
5.01	<p>Appendix A: Location plans</p> <p>Appendix B: Plan showing café/shop</p> <p>Appendix C: Response from Flintshire County Council's Pollution Control Section</p> <p>Appendix D: Representations made by North Wales Police Licensing.</p> <p>Appendix E: Representations made by Interested Parties.</p> <p>Appendix F: Letters supporting Mr Ian Betts' Representation.</p> <p>Appendix G: Steps the applicant will take to support the Licensing Objectives.</p>

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>The Licensing Act 2003 https://www.legislation.gov.uk/ukpga/2003/17/contents</p> <p>The Live Music Act 2012 https://www.legislation.gov.uk/ukpga/2012/2/contents/enacted</p> <p>Section 182 Guidance for Licensing Authorities https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003</p> <p>Flintshire County Council's Statement of Licensing Policy</p> <p>Contact Officer: James Lowe, Licensing Officer Telephone: 01352 703376 E-mail: james.lowe@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Licensing Act 2003 – referred to as the Act.</p> <p>The Live Music Act 2012 – This Act removes the Local Authority Licensing Requirements for amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act.</p> <p>Premises Licence – means a licence granted under the Act, in respect of any premises, which authorises the premises to be used for one or more licensable activities.</p>

Time limited – its duration is limited to a set date(s) and time(s).

Licensable activities – these are the sale by retail of alcohol, the supply of alcohol by or on behalf of a club to, or on the order of, a member of the club, the provision of regulated entertainment, and the provision of late night refreshment.

Regulated entertainment - is defined as a performance of a play, an exhibition of a film, an indoor sporting event, a boxing or wrestling entertainment (both indoors and outdoors), a performance of live music, any playing of recorded music, or a performance of dance.

Late night refreshment – a person provides late night refreshment if at any time between the hours of 11.00pm and 5.00am., he supplies hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises.

Supply of alcohol – means the sale by retail of alcohol, or the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

Licensing Objectives - the Act sets out four licensing objectives. These are the prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm.