

## LICENSING SUB COMMITTEE

<b>Date of Meeting</b>	Wednesday, 20 April 2016
<b>Report Subject</b>	Application for a Premises Licence
<b>Report Author</b>	Chief Officer (Planning and Environment)

### EXECUTIVE SUMMARY

For Members to consider and determine an application under the Licensing Act 2003 for a time limited Premises Licence, in respect of private land at Five Acre, Ffordd Plas Ucha, Nercwys, Flintshire, CH7 4EN.

### RECOMMENDATIONS

1	That Members consider and determine the application for a time limited Premises Licence at Five Acre, Ffordd Plas Ucha, Nercwys, Flintshire, CH7 4EN.
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### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE APPLICATION</b>
1.01	The premises concerned is private land at Five Acre, Ffordd Plas Ucha, Nercwys, Flintshire, CH7 4EN. Its location can be seen in Appendix A.
1.02	The applicant is Nercwys Music Festival, a voluntary organisation to raise funds for charity, whose Organiser is Mr Phil Gerrard.
1.03	The application is for a time limited Premises Licence for the Nercwys Music Festival which is proposed to be held on Saturday, 21 <sup>st</sup> May, 2016.

1.04	The applicant has applied for the following licensable activities: live and recorded music and anything of a similar description, late night refreshment and the supply of alcohol for consumption on the premises.
1.05	The hours applied for are from 17.00 to 00.30 hours.
1.06	Representations have been received from Flintshire County Council's Health & Safety Section, and these can be seen in Appendix B.
1.07	Representations have also been received from Mr & Mrs P Bridges and Mr & Mrs J R Gerrard, who are both neighbours of the land at Five Acre, Nercwys. These can be seen in Appendix C and D respectively.
1.08	North Wales Fire and Rescue Service have confirmed in writing that they will not be making any representations to the Licensing Authority regarding the application.
1.09	North Wales Police have confirmed in writing that the application has been discussed with Inspector Jon Bowcott, the officer responsible for the area, and that they make no representations to this application.
1.10	The steps that the applicant intends to take to promote the four licensing objectives are set out in Appendix E.
1.11	The applicant has confirmed in writing his agreement to the observations made by Health & Safety and wishes these to be added to the conditions of the Premises Licence. This can be seen in Appendix F.
1.12	No other mediation has been possible.
1.13	The application was advertised in the correct manner.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None in respect of this report.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	None required.

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

<b>5.00</b>	<b>APPENDICES</b>
5.01	<p>Appendix A: Location plans.  Appendix B: Health &amp; Safety observations.  Appendix C: Representations from Mr &amp; Mrs P Bridges.  Appendix D: Representations from Mr &amp; Mrs J R Gerrard.  Appendix E: Steps to be taken to promote the licensing objectives.  Appendix F: Correspondence from Mr P Gerrard.</p>

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Licensing Act 2003  Section 182 Guidance for Licensing Authorities  Flintshire County Council's Statement of Licensing Policy</p> <p><b>Contact Officer:</b> Rachael Hughes, Licensing Officer  <b>Telephone:</b> 01352 702328  <b>E-mail:</b> <a href="mailto:Rachael.hughes@flintshire.gov.uk">Rachael.hughes@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Licensing Act 2003</b> – referred to as the Act.</p> <p><b>Premises Licence</b> – 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> <p><b>Time limited</b> – its duration is limited to a set date(s) and time(s).</p> <p><b>Licensable activities</b> – 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.</p> <p><b>Regulated entertainment</b> - 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.</p> <p><b>Late night refreshment</b> – 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.</p> <p><b>Supply of alcohol</b> – 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.</p> <p><b>Licensing Objectives</b> - 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.</p>