

Report of:	Public Protection Manager	Licence Type:	Premises Licence
Report to:	Licensing Committee	Date:	13 th May 2022
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PREMISES DETAILS

Name:	Whitworth Valley Football Club
Address:	Rawstron Street, Whitworth, Rochdale, OL12 8BA
Ward:	Facit and Shawforth
Application:	Application for the grant of a new premises licence

1. REASON FOR REFERRAL

- 1.1 To advise members of an application for the grant of a premises licence under Section 17 of the Licensing Act 2003.

2. RECOMMENDATIONS

- 2.1 It is recommended that members determine the application in accordance with the provisions of the Licensing Act 2003.

3. LICENSING OBJECTIVES

- 3.1 Members are reminded of the Licensing objectives as follows:

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

4. THE APPLICATION

- 4.1 An application for the grant of a premises licence was received from Whitworth Valley Football Club as an unincorporated association on 22nd March 2022. The application is appended at Appendix A.

- 4.2 The application proposes:

Live music (Outdoors), recorded music (Indoors and Outdoors), performances of dance (Outdoors) and anything of a similar description (Outdoors):

Between 1200 hours and 2200 hours Monday to Sunday

The sale by retail of alcohol:

Between 1200 hours and 2130 hours Monday to Sunday

The sale shall be for consumption ON and OFF the premises.

4.3 The applicant has detailed the steps they intend to take to promote the licensing objectives and these steps will be translated into conditions on the licence, if granted.

4.4 These conditions would be:

All persons purchasing alcohol who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:

- A recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)
- Photo driving licence
- Passport
- Citizen card supported by the Home Office

No drink will be sold in either glass bottles or in any other vessel or container made of glass. Any drink will be either served in a bottle, which is not made from glass or alternatively will be decanted into a container or vessel made from non-splintering plastic or paper before being given to the customer.

Signs in font size 18 or larger must displayed conspicuously at all entrance and exit points and must ask customers to respect neighbours and other properties in the vicinity and must also ask customers to not cause noise nuisance.

Prior to each occasion that a public event takes place, a risk assessment will be carried out and an appropriate number of SIA registered door supervisors will be utilised at the premises in accordance with said risk assessment, which will be documented and made available to an authorised officer upon request. The risk assessment shall have regard to the Council's Event Safety Guidance document. For the purposes of this condition, a public event is defined as one which does not constitute a normal match day for the club and incorporates one or more of the following characteristics:

- a) Is a one-time or periodic event, either free or ticketed,
- b) Is a charitable or cause-related event conducted for the purpose of attracting revenue, or donations, or support or awareness of the club's activities,
- c) Is an event provided for entertainment purposes for the general public.

At least 7 working days prior to a public event fitting the description above taking place, the premises licence holder or other nominated person shall notify Lancashire Constabulary and Rossendale Borough Council's Event safety Advisory Group of the event.

4.5 The location plan showing the grounds and the extent of the area to be licensed in appended at **Appendix B** and the plans of the building are appended at **Appendix C**.

5. **BACKGROUND**

5.1 The premises to which this application relates has not previously held any licences which authorise the sale of alcohol or public entertainment.

- 5.2 Situated on the same land is Whitworth Football & Cricket Club (outlined in red on Appendix B) which has no connection to the applicant or premises in this matter.
- 5.3 Whitworth Football & Cricket Club are the holders of a Club Premises Certificate which authorises club licensable activities (indoors only) until 0000 hours Sunday to Thursday and 0100 hours Friday & Saturday.
- 5.4 Members should note that the above premises and licence authorise use of the facilities by club members and bona fide guests only. A club premises certificate does not authorise use of the facilities by the general public.
- 5.5 Some representations make reference to there being other venues in the nearby vicinity which offer activities proposed in this application and therefore, no need for this application. Members are reminded that “need” is a matter for the Planning Authority and for the market (market forces).

6. RESPONSIBLE AUTHORITIES

- 6.1 There has been 1 representation submitted by a responsible authority.
- 6.2 The Environmental Health department have submitted a representation, appended at **Appendix D** which appears to be based on the prevention of public nuisance licensing objective.
- 6.3 The Environmental Health department detail the steps the applicant could take which would alleviate their concerns. Members should be mindful of the unenforceability of conditions which specify a measured dB(A), particularly from an ambiguous spot in the area.
- 6.4 Members may wish to refer to paragraphs 1.16 and 2.15 - 2.21 of the statutory guidance issued under Section 182 of the Act.

7. REPRESENTATIONS

- 7.1 There have been 8 representations from “other persons”. These representations are appended at **Appendix E**.
- 7.2 One representation consists of a letter on the applicant’s letterhead which appears to explain the application submitted to the Licensing Authority. It is not clear which individual has submitted this as a representation nor why.

8. OPTIONS

- 8.1 Members should always consider whether concerns raised can be overcome by the addition of conditions before refusing an application.
- 8.2 Members should consider the application, the representations and all submissions made and must take the steps below (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:
1. To grant the licence subject to:
 - a) the conditions in the operating schedule modified to such extent as the Authority considers appropriate for the promotion of the licensing objectives, and
 - b) any mandatory conditions which must be included in the licence,

2. To exclude from the scope of the licence any of the licensable activities to which the application relates,
3. To refuse to specify a person in the licence as the premises supervisor;
4. To reject the application.

9. POLICIES TO CONSIDER

- 9.1
- Rossendale Borough Council’s Statement of Licensing Policy effective 20th March 2019.
 - Guidance issued under Section 182 of the Licensing Act 2003.

10. CRIME AND DISORDER

- 10.1 Section 17(1) of the Crime and Disorder Act 1998 places a duty on the Local Authority to have due regard to the likely effect of the exercise of these functions on preventing in its area, the following;
- crime and disorder;
 - misuse of drugs alcohol and other substances; and
 - re-offending.

APPENDICES

Appendix A	Application Form
Appendix B	Location Plan
Appendix C	Layout Plan
Appendix D	Environmental Health Representation
Appendix E	“Other” Representations