

Application for the Grant of a Premises Licence – St Peter's Church Institute, Brandon

Report No:	LSC/WS/23/006
Report to and date/s:	Licensing & Regulatory Sub-Committee – 22 November 2023
Cabinet Member:	Councillor Gerald Kelly Portfolio Holder for Governance and Regulatory Tel: 07968 396389 Email: gerald.kelly@westsuffolk.gov.uk
Lead officer:	Gary Moran Licensing Officer Tel: 01284 757120 Email: gary.moran@westsuffolk.gov.uk

Wards impacted: Brandon Central

Recommendation: It is recommended that, in determining the application with a view to promoting the licensing objectives in the overall interests of the local community, Members give appropriate weight to, the steps that are appropriate to promote the licensing objectives; West Suffolk Council's Statement of Licensing Policy; Guidance issued under section 182 of the Licensing Act 2003; the representations attached to this report, and any further relevant information presented to the Sub-Committee on the day of the hearing

The steps may be:

- (a) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Authority considers necessary for the promotion of the licencing objectives; OR
- (b) Exclude from the scope of the licence any of the licensable activities to which the application relates, OR
- (c) Reject the application



1. Background / Context

- 1.1 An application for the Grant of a Premises Licence, made under the Licensing Act 2003, was received, and accepted by the Licensing Authority on 27 September 2023. The application form and associated plan are attached as **Appendix A** and **appendix B** respectively.
- 1.2 The application, made Revd Canon Sharron Coburn, gives the following description of the premises: " This is a church hall with one large hall, small cafe area, Kitchen, storeroom and Toilets. The bar will be situated in the small room which is for the use of St Peter's Church only and not available to be rented out to outside people or organisations. The Hall has a small garden to the rear and seating area with park benches to the front of the building. The hall is part of St Peter's CofE Church which is a registered Charity. The main hall is available for hire and is often hired by local groups and people for family, charity and social functions."

The licensable activities proposed timings as stated within the application are as follows;

Supply of Alcohol (Consumption on the premises only)
Monday - Sunday 10:00 – 23:00

Provision of Films, In/Outdoors
Monday - Sunday 10:00 – 23:00

Live music In/Outdoors
Monday - Sunday 23:00 – 00:00

Recorded music In/Outdoors
Monday - Sunday 23:00 – 00:00

Performance of dance
Monday - Sunday 23:00 – 00:00

- 1.3 The Licensing objectives which must be actively promoted by the applicant/holder of any Premises Licence issued under the Licensing Act 2003 are as follows;
- The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - Protection of Children from Harm
- 1.4 A statutory 28-day consultation period started on and ended on 26 October 2023. This enabled Responsible Authorities and 'Other Persons' to make representations towards the application. 'Other Persons' includes any individual, body or business whether or not they live in the vicinity.
- 1.5 The details of the application were published in the local newspaper, displayed on the exterior of the premises, and advertised on the Council's website during the consultation period, as per the regulations.



- 1.6 There were no representations received from any of the responsible authorities.
- 1.7 A total of five valid representations were received by the Licensing Authority, three from local residents and two from local counsellors within the statutory time frame, The applicant made contact with local counsellors and advised them of the proposed activities. Environmental Health officers-imposed licensing conditions upon the applicant regarding noise and nuisance which have been agreed upon and will form part of the licensing conditions. However, all parties still have concerns regarding noise and public nuisance resulting in the necessitation of this hearing. Copies of the representations are attached as **Appendix C**. (note there are matters within the representations that fall outside the control of any licenced premises and therefore do not form part of this report).

Copy of proposes licence conditions regarding noise/nuisance **Appendix D**.
Examples of licensing conditions that could be imposed upon the licence regarding sale of alcohol are attached as **Appendix E**

2. Proposals

- 2.1 Members should seek to focus the hearing on the steps considered appropriate to promote the particular licence objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.

3. Legal Compliance

- 3.1 The Sub-Committee may take any of the steps set out below, provided they are proportionate and appropriate for the promotion of the licensing objectives:
- (a) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Authority considers necessary for the promotion of the licencing objectives
 - (b) Exclude from the scope of the licence any of the licensable activities to which the application relates, or
 - (c) Reject the application

A condition is modified where it is altered or omitted or any new condition is added.

- 3.2 Each application should be considered on its own merits, having regard to the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.
- 3.3 The decision may be appealed, by the applicant or any other party to the hearing, within 21 days of written notification of the determination made by the Sub-Committee. The Sub-Committee should state in reaching its determination those matters which it considered relevant, those matters which it did not consider as they were irrelevant, and its reasons for the decision.



4. Appendices

- 4.1 Appendix A – Application
- Appendix B – Plan of Premises
- Appendix C – Representations
- Appendix D – proposes licence conditions regarding noise/nuisance.
- Appendix E – proposes licence conditions regarding sale of alcohol.

5. Background documents

- 5.1 Licensing Act 2003 - <http://www.legislation.gov.uk/ukpga/2003/17/contents>

Guidance issued under S.182 of the Licensing Act 2003 –
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

West Suffolk Council Statement of Licensing Policy –
<https://www.westsuffolk.gov.uk/Business/Licensing-and-regulation/Licensing/upload/WSC-Statement-of-Licensing-Policy.pdf>

