



- c) Public safety – we produce a full and comprehensive Event Management Plan, which has detailed sections relating to Fire safety, Emergency Planning, Crowd Management, First Aid, Health and Hygiene, Food safety, Risk Assessments and method statements. Each of these sections are available to view on request by any of the responsible authorities.
- d) The prevention of public nuisance – as a company, we take a great deal of care to ensure no nuisance to the local residents is created. Sound limiters during the party will be used to ensure our disco equipment is set at levels that will not cause nuisance. All residents will be provided with a mobile phone number of a member of the management team to use in the event that noise problems are experienced. Licence holder will carry out pre-event sound checks using appropriate sound pressure equipment to set noise levels so as not to cause a nuisance. No amplified music will be provided to the dodgems or other outdoor attractions. Any portable generators will be of the diesel type and will be fitted with silencers or otherwise acoustically screened. This security company is carefully briefed to ensure that their employees realise they have a responsibility both within our venue and outside our venue as our guests are departing to ensure no crime and disorder occurs.
- e) The protection of children from harm – our themed Christmas parties are strictly over 18s, it is a condition on our previous licence which we will be accepting on the new licence if granted. In addition to this our SIA security team on the front entrance will be fully briefed to ask guests proof of age if they appear under the age of 21; this will need to be a passport, drivers licence or other proof of age such as a Citizencard. All bar staff will also be trained to ask for proof of age whenever they have doubt that the person may be under the age of 21, if there is still doubt they will be trained to politely refuse service and record this in the register of refusal book. All staff trained in the above will be asked to then sign the training form stating that they have been made aware of their legal obligations with regard to selling alcohol to those under the age of 18 and they understand how to deal with the situation if it were to arise.

The measures to promote the licensing objectives are of relevance when considering the representations received.

#### **4 Relevant Representations – Responsible Authorities**

- 4.1 **TVBC Housing and Environmental Health Service** – The Environmental Protection Team has raised an objection which is attached as Annex 2 to the application. Following submission of the initial objection by Stuart Wedgbury, the applicant provided further information to address the concerns raised. However these concerns remain unresolved and the further comments from Mark Lee refer to this. Copies of the additional information provided by the applicant will be given to members of the Sub Committee.
- 4.2 **Hampshire Fire and Rescue Service** – Having examined the application the Fire Service does not wish to make any representation.

- 4.3 **Hampshire Constabulary** – the Police have asked that the conditions set out in Annex 3 be attached to the licence and as the applicant has agreed the Police have no outstanding representation.
- 4.4 **TVBC Planning Service** – the Planning Service have commented that the planning legislation allows temporary use of the land for this purpose for no more than 28 days in total in any calendar year.

## **5 Relevant Representations – Other Persons**

- 5.1 A Sharplin – Mr Sharplin submits a representation as Chairman of the adjacent Banister Park Bowls Club. He raises concerns in relation to the licensing objectives of prevention of crime and disorder, public safety and the prevention of public nuisance. The representation is attached as Annex 4 to this report.
- 5.2 K Burrow – Mr Burrow submits a representation as a Trustee of the Bowls Club. He raises concerns in relation to the licensing objectives of prevention of public nuisance and public safety. Point 3) of his representation is not relevant to the licensing objectives and cannot be considered. The representation is attached as Annex 5 to this report.
- 5.3 J and T Spratling – Mr and Mrs Spratling submit a representation as residents of a flat at the adjacent Bowls Club. They raise concerns in relation to the licensing objective of the prevention of public nuisance. The representation is attached as Annex 6 to this report.
- 5.4 A further representation was received in support of the application but this was received after the end of the 28 day period for submitting representations and thus cannot be considered.

## **6 Policy Considerations**

- 6.1 Whilst the representations raise concerns relating to aspects of three of the four licensing objectives the primary concern is in respect of the objective of prevention of public nuisance. It is therefore considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 (April 2017 edition) are relevant.

2.15-2.21 – Public nuisance

8.38-8.46 – Steps to promote the licensing objectives

9.1, 9.3, 9.31-9.44 – Determining applications

10.1-10.10, 10.13-10.14 – Conditions

A copy of the Secretary of State's Guidance will be provided at the meeting for Members of the Sub Committee. Additional copies can be obtained from the GOV.UK website.

- 6.2 It is considered that the following extracts from the Licensing Authority's own Statement of Licensing Policy are relevant to this application:

Section C Prevention of Public Nuisance

The Statement of Licensing Policy has either previously been provided for Members of the Sub Committee or will be provided at the hearing. Copies can also be obtained from the Licensing Section of the Legal and Democratic Service or downloaded from the Council's website.

**7 Observations**

- 7.1 The Committee is obliged to determine this application with a view to promoting the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In making its decision, the Committee is also obliged to have regard to the national Guidance and the Council's own Statement of Licensing Policy. The Committee must also have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- a) Grant the application as requested
- b) Modify the conditions of the licence, by altering or omitting or adding to them. (The Committee may where appropriate attach different conditions to different parts of the premises concerned and/or to different licensable activities).
- c) Reject the whole or part of the application (for example by allowing only some of the licensable activities or permitting them to take place at times other than those requested).

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote one or more of the four licensing objectives:

- a. Prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

Background Papers (Local Government Act 1972 Section 100D)

Premises Licence application for Trojans, Stoneham Lane, Eastleigh.

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:

6

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Licensing Sub-Committee

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