

**Item 7 Application for a new Premises Licence –
Unit 3, Romsey Industrial Estate, Greatbridge Road,
Romsey SO51 0HR**

1 The application

- 1.1 The application is by Paul Judd on behalf of Frankie's Fun Factory Limited for the premises known as Frankie's Fun Factory at Unit 3, Romsey Industrial Estate, Romsey SO51 0HR. The premises do not currently hold any form of licence under the terms of the Licensing Act 2003.
- 1.2 The applicant wishes to apply for a Premises Licence which would permit the sale by retail of alcohol for consumption on the premises from 1800 to 2245 hours seven days a week and also permit regulated entertainment by way of recorded music and provision of facilities for dancing from 1800 to 2300 hours seven days a week. This application has attracted representations necessitating the application to be determined at a hearing. A copy of the application is attached as Annex 1 to this report.

2 Background

- 2.1 The premises are an industrial unit close to the entrance of Romsey Industrial Estate which contains a family play and party leisure facility with a café/diner area. The surrounding businesses consist of industrial workshops and offices. To the rear of the premises is an Esso service station and a small number of residential properties.

3 Promotion of the Licensing Objectives

- 3.1 The applicant makes the following comments in relation to the steps taken to promote the four licensing objectives:
 - a) General – All staff will be trained as appropriate to business service standards and upon granting of the licence two staff will be further trained in licensing regulations and responsibilities. All staff training will be recorded. All staff will be trained and briefed about any conditions imposed on the licence. A refusal to serve log book will be maintained and updated on site. Whenever the DPS is not on site a nominated responsible person will be suitably trained and experienced to serve and supply alcohol. They will be briefed and understand any conditions imposed upon the licence. There will be no general public admission whilst alcohol is being sold.

- b) The prevention of crime and disorder – All staff will comply with any reasonable instruction given by a Police officer. Although the premises does not have a CCTV system, if so required the applicant will install such a system within twelve months. To take an active role in any local Pubwatch scheme. The DPS will maintain in working order a communication system e.g. telephone to call for emergency support if so required. The DPS will report to the local Police any incident of crime or disorder, as soon as is reasonably practicable.
- c) Public safety – The DPS will ensure that the building is in a fit and proper condition for public access at all times. The DPS will report as soon as possible any incidents which give cause for concern. The DPS will immediately ask anyone causing a nuisance or inconvenience to others to leave the premises immediately. Risk assessments have been carried out and will be reviewed and updated as and when required, with staff training also updated.
- d) The prevention of public nuisance – All guests and visitors into the centre using the licensed facilities will be in attendance at a private function, by ticket only. The public will not be permitted to access this service. Ensure visitors do not cause a nuisance to neighbouring businesses with due consideration to noise, light and litter. Signage will be displayed asking customers to leave the premises in an orderly manner, without causing any disruption to neighbours. Any refuse will be removed and disposed of in the correct and appropriate manner. Any external lighting will be turned off when the premises are closed.
- e) The protection of children from harm – All children under sixteen must be accompanied into the centre or will not be admitted. No form of adult entertainment or irresponsible drink promotions will take place or be permitted at any time. A Challenge 21 scheme will be in place. Only an accredited proof of age scheme will be accepted, such as PASS or alternatively only a photographic driving licence or passport will be accepted as proof of age for ID purposes. The business will operate and actively encourage a family friendly environment.

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

4 Relevant Representations – Responsible Authorities

- 4.1 **Housing and Environmental Health Service** – The Commercial Team have no comments to make in respect of the licensing objective of public safety. The Environmental Protection Team raises no objection but asks that the applicant be mindful that this area is very quiet at night and would recommend that they implement a system of checks to ensure that music noise cannot be heard at any residential properties and also ask their customers to leave the area quietly.

4.2 **Hampshire County Council Safeguarding Unit** – Does not have any conditions or representations for this application.

4.3 **Hampshire Constabulary** – The Police have no objection as the applicant has agreed to the conditions proposed by them which are detailed in Annex 2 attached to this report.

5 Relevant Representations – Other Persons

5.1 C Gardner – Objection to the application on the grounds that the licensing objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 3 to this report.

5.2 M, D and M Thompson – Objection to the application on the grounds that the licensing objective of prevention of public nuisance will not be achieved. See Annex 4 to this report.

5.3 A and J James – Objection to the application on the grounds that the licensing objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 5 to this report.

5.4 E and J Rusher – Objection to the application on the grounds that the licensing objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 6 to this report.

5.5 D and K Massey - Objection to the application on the grounds that the licensing objectives of prevention of crime and disorder, public safety and prevention of public nuisance will not be achieved. See Annex 7 to this report.

5.6 M and A Viney – Objection to the application on the grounds that the licensing objectives of prevention of crime and disorder, public safety and prevention of public nuisance will not be achieved. See Annex 8 to this report.

6 Policy Considerations

6.1 It is considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are relevant.

2.1-2.16 – Crime and disorder

2.33-2.40 – Public nuisance

8.34-8.44 – Steps to promote the licensing objectives

9.1, 9.3, 9.12, 9.27-9.40 – Determining applications

10.1-10.19 – 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 Home Office 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 A: Prevention of Crime and Disorder

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 (in the case of the latter for example by only allowing 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 reference PREM/12/0443 for Unit 3 Romsey Industrial Estate and all associated paperwork.

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:	8		
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