

Application for the Variation of a Premises Licence – Rockhouse, 41 London Street, Andover SP10 2NU

1 The application

- 1.1 The application is by Mr Tony Noakes for the variation of the existing Premises Licence in respect of premises known as the Rockhouse, 41 London Street, Andover SP10 2NU. The application seeks: to amend the last time for entry to the premises to 0230 hours (currently 0100 hours); amend the start time for SIA security staff to 2200 hours (currently 2000 hours); and increase from 12 to 24 times a year the number of occasions upon which recorded music, supply of alcohol and late night refreshment can be provided until 0400 hours rather than the usual 0300 hours. The application has attracted two representations objecting to the application which necessitates it being 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 existing bar and live music venue located at the edge of the immediate Andover town centre. The premises have been licensed since 2014. A copy of the existing licence is attached as Annex 2 to this report.

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. These comments are taken directly as entered in the application:
- a) General – current operations show all objectives are followed and will continue.
 - b) The prevention of crime and disorder – continuation of current policies.
 - c) Public safety – continuation of current.
 - d) The prevention of public nuisance – continuation of current levels.
 - e) The protection of children from harm – no children allowed.

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 3 to this report.
- 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 Hampshire Constabulary Licensing and Alcohol Harm Reduction Team have raised an objection which is attached as Annex 4 to this report.

4.4 **TVBC Planning and Building Service** – comment that there are no conditions restricting hours of use and the applicant would not need to apply for consent to alter their hours of trading.

5 Relevant Representations – Other Persons

5.1 There were no representations received from other persons regarding this application.

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 2018 edition) are relevant.

2.1-2.6 – Crime and disorder

2.7-2.9 – Public safety

2.15-2.21 – Public nuisance

8.41-8.49 – Steps to promote the licensing objectives

8.50, 8.74-8.77 – Variations

9.1, 9.3, 9.11-9.12, 9.31-9.44 – Determining applications

10.1-10.10, 10.13-10.15, 10.61-10.66 – 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 A: Prevention of Crime and Disorder

Section B: Public Safety

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 the Rockhouse, Andover.

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:

4

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Report to:

Licensing Sub-Committee

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