

PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPERATING HOURS FOR AN APPLICATION FOR HEREFORDSHIRE YOUNG FARMERS CLUB DANCE ON SATURDAY 9TH JULY 2004 IN A MARQUEE ON LOWER HOPE FARM, ULLINGSWICK.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

Bromyard

Purpose

1. To determine whether to grant a finishing time later than the current policy of 0100 hours for an occasional public entertainment.

Background

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- (a) Securing the safety of everyone present: this includes fire safety and some health and safety matters
- (b) Securing adequate access to the premises in emergencies
- (c) Ensuring adequate sanitary arrangements in the premises and
- (d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held.

The Authority may:-

- (a) Make the variation specified in the application
- (b) Make such variations as they think fit, including subject to the four categories above. Impose terms, conditions or other restrictions other than those specified or
- (c) Refuse the application

Conditions

3. Amongst the various Conditions and Regulation there are specific ones which related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for Public Entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 0100 (Monday to Saturday)	In respect of premises that <u>do not</u> have the benefit of a liquor licence under the Licensing Act 1964
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The application for deviation from policy

4. Derek Carless and Michael Lewis on behalf of the Young Farmers Club request a variation of the licence condition to extend the opening entertainment hours from 0100 to 0200. The intended venue for this event is in a marquee on the farm at Lower Hope Farm, Ullingswick on 9th July 2004 for 500 people.

Issues

5. The main cause for concern to the Police and ourselves is the potential for disturbance to others. The 0100 hours finishing time is a policy designed to limit the intrusive effects of events and has worked well over the years supported by and with the co-operation of the police.
6. This is a one off event, we have no problem with granting a licence until 0100 hours, whether this event should be allowed to finish later than 0100 is a matter for consideration
7. The Council in the past has dealt with such applications for deviation from policy and to allow many of them to terminate at times later than the 0100 hours but impose special conditions designed to minimise the chances of nuisance occurring. (The special conditions imposed can be found in appendix 1)

8. The Police were consulted and their comments are awaited.
9. The Fire Brigade have been consulted and their comments are awaited.

10. Environmental Health had no objections

Options

- to grant the extended hours
- to grant the extended hours and impose conditions
- to refuse the extended hours
- or come to some other conclusion

Further information on the subject of this report is available from Suzanne Laughland, Acting Licensing Manager
on (01432) 261675