



**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 13 OCTOBER 2008**

APPLICATION FOR PREMISES LICENCE

Applicant: North Ormesby Parochial Church Council **Ref.No.**MBRO/PR0203

Premises: The Trinity Centre, North Ormesby Market Place, North Ormesby, Middlesbrough

Application received: 19 August 2008

Summary of proposed Licensable Activities:

Live/Recorded Music, Dancing, Plays, Films, Indoor Sporting Events,
Provision of facilities for Making Music, Dancing and
anything similar

8.30am – 11.00pm Monday to Saturday

2.00pm – 11.00pm Sunday

Full details of the application and accompanying operating schedule have been reproduced at Appendix 1.

1. Notification to Responsible Authorities:

The following Responsible Authorities have all received notification of the application:

Chief Constable	Planning Manager
Chief Fire Officer	Trading Standards Manager
Area Child Protection Group	Environmental Health Manager (Public Safety and Public Nuisance)

2. Application advertised by the applicant: Herald & Post 28 August 2008.

3. Legislation

The Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the four licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

The Licensing Authority must also have regard to its Licensing Policy and any guidance issued by the Secretary of State.

4. Background

The premises consist of a modern church hall which is attached to the parish church and is used by a large number of community groups. In addition, the centre is used for conference purposes and is occasionally hired out for private parties.

The above activities have been taking place at the premises since the venue opened in December 2003, and prior to that in the previous church hall, however, until recently the Parochial Church Council were unaware of the need for a premises licence to permit these activities.

In July 2008, a complaint was made direct to the centre by a local resident in relation to noise disturbance. Mrs H Black a representative from the Trinity Centre contacted the Council's Environmental Health Noise Team to seek advice/suggestions in reducing noise disturbance and as a result became aware of the need for a premises licence. She immediately contacted the Licensing Section with a view to submitting a premises licence application. In the meantime, Council's Environmental Health (Noise) Team any planned events involving licensable activities have been covered by the use of Temporary Events Notices.

Further information regarding the history of the centre and range of activities currently taking place is detailed in recent correspondence from Mrs H Black (Appendix 2).

5. The Representations

The centre have agreed with the Council's Environmental Health (Noise) Team that the following condition be attached to the licence should the application be successful. As a result of this agreement no representations have been made by the Noise Team.

- All windows and external doors at the premises in the area used for entertainment shall be kept closed at all times when regulated entertainment is being provided except in the event of emergency.

On 15 September 2008 a petition objecting to the licence, which has been signed by 8 residents, was submitted by Councillor E Lancaster, Ward Councillor. The petition suggests that a terminal hour of 9pm would be more appropriate as opposed to the 11pm being sought (Appendix 3).

6. The Licensing Policy

Members are referred to the following relevant sections of the Council's Licensing Policy.

Prevention of nuisance Pages 10 to 15 (in particular paras 38 & 42)
And any other sections of the Policy which Members consider to be relevant.

7. Guidance to the Licensing Act 2003

Members are referred to the following relevant sections of the Guidance.

Prevention of nuisance Starting at para 2.32
Annex D (Pool of Conditions)

And any other sections of the Policy which Members consider to be relevant.

8. Members' Options

Members may consider the following options:

1. Grant the application subject to conditions consistent with the operating schedule and mandatory conditions if applicable.
2. Grant the application subject to the:-
 - addition of new conditions
3. To reject the whole or part of the application.

Members are reminded that any aggrieved party (i.e. Applicant, Responsible Authority, Interested Party) may appeal any decision of the Licensing Committee to the Magistrates Courts.

Contact Officer: Tim Hodgkinson
Principal Licensing Officer
Tel. 728720

Ed Chicken
Head of Community Protection
Date 13 October 2008

For admin use only:

Decision:

Reasons: