

Licensing Sub-Committee

21 January 2022

New Premises Licence Application for Rendezvous External Area, Weymouth

For Decision

Portfolio Holder: Cllr L Miller, Customer and Community Services

Local Councillor(s): Cllr J Orrell

Executive Director: J Sellgren, Executive Director of Place

Report Author: Aileen Powell
Title: Licensing Team Leader
Tel: 01258 484022
Email: aileen.Powell@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

Reason for Recommendation: The Sub-Committee must consider the oral representations and information given at the hearing before reaching a decision.

1. Executive Summary

An application has been made for a new premises licence. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub-Committee must therefore consider the application and representations at a public hearing.

2. Financial Implications

Any decision of the Sub-Committee could lead to an appeal by any of the parties involved that could incur costs.

3. Well-being and Health Implications

None

4. Climate implications

None

5. Other Implications

None

6. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Medium

7. Equalities Impact Assessment

Not Applicable

8. Appendices

Appendix 1 – Application

Appendix 2 – Representations from Responsible Authority

Appendix 3 – Representations from other parties

Appendix 4 – Correspondence

Appendix 5 – Proposed Conditions

9. Background Papers

[Licensing Act](#)

[Section 182 Guidance](#)

[Dorset Council Licensing Policy](#)

10. Details

10.1. Stonegate Pub Company Ltd have applied for a new premises licence for the External Area outside of Rendezvous, 49 St Thomas Street, Weymouth, DT4 8AW.

10.2. This area has been previously included within the premises licence for Rendezvous and been used for celebrations of bank holidays.

10.3. The application was originally to permit the on and off sales of alcohol during the hours of: -

Saturday and Sunday	11:00 to 22:00
New Years Eve	15:00 to 01:00

With the same hours for live and recorded music. Late night refreshment has also been applied for on New Year's Eve between 23:00 and 01:00. The full application and plans for the premises are attached at Appendix 1.

10.4. The application contained proposals for two conditions, one that would allow each event to be scrutinised by the Safety Advisory Group before it takes place, and the other restricting the weekends when the licence would be used. The proposed conditions can be found in box M(a) of the application form.

10.5. The application has been advertised on the premises, in a newspaper and the Council's web site.

10.6. One representation was been received from a Responsible Authority, namely Environmental Protection, requesting some alterations to the proposed conditions. The representation is attached at Appendix 2.

10.7. Seven representations have been received from other people or groups objecting to the application. The representations relate to the anti-social behaviour witnessed at previous events in this area. The representations are included in full at Appendix 3.

10.8. Following receipt of the representations the applicant has responded to the points raised by Environmental Protection and have agreed certain changes to the proposed conditions. The correspondence is attached at Appendix 4, with the proposed revised conditions attached at Appendix 5.

11. Considerations

11.1. Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

“9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.”

12. Recommendation

12.1. The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of:

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm.

12.2. The steps that the Sub-Committee may take are:

- a) to grant the licence subject to such conditions as the Sub-Committee considers appropriate for the promotion of the licensing objectives, and the mandatory conditions
- b) to exclude from the scope of the licence any of the licensable activities to which the application relates
- c) to refuse to specify a person in the licence as the designated premises supervisor
- d) to reject the application.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.