



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Alcohol, Entertainment and Late-Night Refreshment Licensing Committee

10th June 2025
ENV 906

Report of Elizabeth Reeve, Licensing
Officer

Licensing Act 2003: Application for a New Premise Licence – The Riverside, Wharf Road, Stamford, Lincolnshire, PE9 2DU.

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Purpose of Report

Committee to determine an application for a new premises licence.

Recommendations

That the Alcohol, Entertainment and Late-Night Refreshment Committee consider an application for a new premise licence at a premise located at The Riverside, Wharf Road, Stamford, Lincolnshire, PE9 2DU, and the views of the representation made by any person bearing in mind the four licensing objectives:

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

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Healthy and strong communities

Which wards are impacted?

All wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no specific financial implication associated with this report, however, in the event of an applicant, responsible authority or interested person making an appeal against a decision which was then subsequently upheld, the council may incur additional costs.

Legal and Governance

- 1.2 This is an application for a new premises licence under S17 of the Licensing Act 2003. The committee should consider whether the application is likely to impact on the promotion of the licensing objectives. In reaching the decision the Committee should consider, the steps that are appropriate to promote the licensing objectives, the representation (including supporting information) presented by the parties, the guidance issued under S182 of the Licensing Act 2003 and the Councils own statement of licensing policy.

Is an Equality Impact Assessment required? No

Community Safety

- 1.3 Community Safety implications will be considered in accordance with the licensing objectives and the duty to consider in accordance with S17 of the Crime and Disorder Act 1998

2. Background to the Report

- 2.1 On 17th April 2025 an application was processed by the licensing authority for a new premises licence at the above location (**Appendix 1**)
- 2.2 The application is to licence the premises for the following –
- **Live Music Indoors;** Monday to Sunday 10:00 to 00:00
 - **Recorded Music Indoors;** Monday to Sunday 10:00 to 00:00 **and outdoors;** Monday to Sunday 10:00 to 22:00
 - **Provision of Late Night Refreshment Indoors;** Monday to Sunday 23:00 to 23:59
 - **Supply of alcohol on the Premise only;** Monday to Sunday 10:00 to 00:00
 - **Opening hours;** Monday to Sunday 10:00 to 00:30
 - **Extension of hours for activities for New Years Eve into New Years Day**
- 2.3 The Premise has previously been licensed as a nightclub and was subject to a review of the premises licence, instigated by Lincolnshire Police, but this was due to a failed test purchase taking place (the licence holders at that time are unconnected to this application) and not down to noise disturbance.

3. Key Considerations

- 3.1 Each application to be determined on its own merits
- 3.2 During the consultation period the authority received a number of representations or comments from or on behalf of members of the public (**Appendix 2**). The reasons for the representations include concerns regarding:
- Noise disturbance travelling from across the river to the residential houses of nearby residents,
 - Potential use of the balcony area and safety concerns for the sale and consumption of alcohol located by the river.

No representations by any of the responsible authorities were received.

- 3.3 A location plan has been included to aide members, as well as correspondence between the applicant's representative and the residents who made a representation (**Appendix 3**).
- 3.4 One other member of the public made a representation, but this was not accepted as this was past the last date for representations.
- 3.5 Licensing Officers have the delegated authority to decide whether a representation is relevant, vexatious, or frivolous however, Section 9 of the Revised Guidance issued under section 182 of the Licensing Act 2003 states:

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The Subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

- 3.6 It was felt that the representations at Appendix 2 did not fall within the delegated authority.
- 3.7 Where relevant representations are made, the authority must:
- i. Hold a hearing to consider them, unless the authority, the applicant and each person who has made such representation agree that a hearing is unnecessary, and
 - ii. Having regard to the representations, take such steps mentioned below (if any) as it considers necessary for the promotion of the licensing objectives. The steps are:
 - iii. Grant the application subject to conditions that are consistent with the operating schedule modified to the extent that the committee considered appropriate for the promotion of the licensing objectives and any mandatory conditions that must be included under the Licensing Act 2003.
 - iv. Exclude from the scope of the licence a licensable activity to which the application relates.
 - v. Refuse to specify a person in the licence as a Premises Supervisor. (DPS)
 - vi. Reject the whole or part of the application.

4. Reasons for the Recommendations

- 4.1 The licensing authority should give appropriate weight to;
- ❖ The steps that are appropriate to promote the licensing objectives.
 - ❖ The representation (including supporting information) presented by the parties.
 - ❖ The guidance issued under section 182 of the Licensing Act 2003.
 - ❖ South Kesteven District Councils Licensing Policy.
- 4.2 The guidance issued under Section 182 of the Licensing Act 2003 states at 9.37 that;
- “As a matter of practice, Licensing Authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation.
- They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practical time limits.”

5. Consultation

- 5.1 Statutory 28 day consultation has taken place from 17th April 2025 until 16th May 2025. During this time several representations from members of the public were received. One resident representation was received but was out of the consultation time.

6. Background Papers

- 6.1 [Statement of Licensing Policy 1st April 2021](#)
6.2 [Guidance to Applicants](#)
6.3 [Guidance issued under section 182 of the Licensing Act 2003](#)

7. Appendices

- 7.1 Appendix 1 – New Application for a Premises Licence submitted
Appendix 2 – Representations and comments made from members of the public
Appendix 3 – Location plan and correspondence from applications representative