

## REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item

H.

Hearing Date: 21<sup>st</sup> August 2013

Contact Officer: Ruth Boam – 01283 595716

### DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE

|                        |                                  |
|------------------------|----------------------------------|
| <b>Applicants Name</b> | Doves Garages Limited            |
| <b>Premises Name</b>   | Doves Garage                     |
| <b>Address</b>         | High Street, Melbourne, DE73 8GJ |

#### 1. PURPOSE

To determine an application for a premise licence received by this Authority on the 9<sup>th</sup> July 2013 from Doves Garages Limited. (**application attached at Appendix 1**).

#### 2. BACKGROUND

2.1 The applicant is seeking a new premises licence to permit the Sale by Retail of Alcohol. The full details are indicated below in paragraph 3.

#### 3. APPLICATION DETAILS

3.1 The applicant requests the Licensing Authority to permit the following:

| Activity  | Days             | Times                |
|---|------------------|----------------------|
| Sale by Retail of Alcohol for consumption off the premises only | Monday to Sunday | 08:00hrs to 20:00hrs |
| Hours premises to remain open to members of the public          | Monday to Sunday | 08:00hrs to 20:00hrs |

3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at page 12 of the report.

#### 4. CONSULTATION RESPONSES

Derbyshire Constabulary - Representation received during the 28 day consultation period. Full details can be found in **Appendix 2**.

No other representations have been received.

## **5. AGREEMENT BETWEEN PARTIES**

- 5.1 The applicant has agreed to have the conditions requested by Derbyshire Police (**Appendix 3**) added to their licence.
- 5.2 All parties have agreed to dispense with the need to hold a hearing.

## **6. DETERMINATION**

- 6.1 The Licensing Act's scheme of delegation does not permit Officers to determine an application that has received a representation, even when all parties agree to dispense with the need to hold a hearing. The power to grant licences in these circumstances remains with the Licensing and Appeals Sub-Committee.
- 6.2 As all parties have agreed to dispense with a hearing, there is no requirement to hear evidence, and Members are asked to grant the licence subject to such conditions contained in the operating schedule, appendix 3 to this report, and any mandatory conditions required under the Licensing Act 2003.

## **7. RIGHT OF APPEAL**

- 7.1 The applicant or persons making representation have a right of appeal against the decision of the Licensing Authority.

## **APPENDICES**

- 1. Application for a premises licence to be granted under the Licensing Act 2003 – pages 3 to 18.
- 2. Derbyshire Constabulary representation regarding application – pages 19 to 22.
- 3. Agreed conditions to be added to the operating schedule – pages 23 to 24.