

**APPLICATION FOR PREMISES LICENCE AT 'BLENHEIM INN', 56- 58 Main Street,  
Etwall. Derbyshire. DE65 6LP.**

**Report of the Head of Environmental Health**

**1. PURPOSE**

To consider an application for a premises licence under the Licensing Act 2003 at 'Blenheim Inn', 56 – 58 Main Street Etwall. The approximate location of the premises is shown on the plan at **(Appendix 1)**

**2. BACKGROUND**

- 2.1 An application has been received from John Gaunt & Partners Solicitors on behalf of Peter Gordon Simpson of 'Blenheim Inn', 56 – 58 Main Street, Etwall on the 23rd August 2005. Although grandparent rights are not a consideration, DCMS (Department for Culture, Media and Sports) guidelines suggest that the existing licence conditions should be taken into account. The application requests the following;

- 2.2. **Films, Live Music, Recorded Music, Performances of dance, Provision of facilities for making music, Provision of facilities for dancing.**

Mon – Sat 10:00 – 02:00  
Sun 12:00 – 02:00

**Late night refreshment**

Mon –Sun 23:00 – 05:00

**Supply of Alcohol**

Mon – Sat 10:00 – 02:00  
Sun 12:00 – 02:00

**Hours open to the public**

Mon – Sun 00:00 – 24:00

To the extent that part 3 paragraph 4 is not granted or does not permit: to permit sale of alcohol and such regulated entertainment as authorised hereunder until 02:00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve Boxing Day and also to the extent that part 3 paragraph 4 is not granted to open to the same hour on up to 20 occasions per annum at my discretion upon 7 days prior notice to the police (if required by them).

New Years Eve: 10:00 to New Years Day - terminal hour as proposed.

To permit the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours such opening times for this purpose to be confirmed upon 7 days prior notice to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

Residents in the accommodation should be entitled (as existing) to be supplied with alcohol throughout the day or night.

### 3. CONSULTATION RESPONSES

Derbyshire Constabulary -	Representation has been submitted by Derbyshire Constabulary ( <b>Appendix 3</b> )
Derbyshire Fire Service -	No Adverse comments
Derbyshire Social Services -	No Adverse comments
Trading Standards -	No Adverse comments
Environmental Health	No Adverse Comments
Pollution Control -	No Adverse Comments
SDDC Planning Authority -	No Adverse comment
Health & Safety (SDDC)-	No Adverse comments
Interested Parties -	5 local residents have placed written representations Which are attached as <b>Appendix 4.</b>

### 4 COMMENTS

- 4.1 The hearing will proceed in accordance with the Council's Licensing procedure considered by the Licensing and Appeals Committee on the 11<sup>th</sup> July 2005.
- 4.2 Representations made by the residents are on the grounds of :-
- The prevention of public nuisance.
  - Prevention of Crime and Disorder
- 4.3 The Derbyshire Constabulary request that there should be no change to the current permitted licensing hours.
- 4.4 They additionally request that only 12 "discretionary events should be permitted for which the police must be notified in writing not less than 14 days before the event, and the police have absolute veto over any events that are likely to impact on the four licensing objectives.
- 4.5 The Derbyshire Constabulary also request that all licensable activities such as showing national or international broadcasts should be included in with the "discretionary" events
- 4.6 The licensing objectives are matters that should be given paramount importance (guidance issued under section 182 of the Licensing Act 2003 – page 11). The Licensing Sub- Committee need to satisfy themselves that all the specific areas of the representations do fall within the licensing objectives as outlined below.
- 4.7 The licensing objectives are:-
- The prevention of crime and disorder
  - Public Safety
  - The prevention of public nuisance and
  - The protection of children from harm

- 4.8 In relation to the guidance I would refer you to page 85 Public Nuisance paragraph. 7.38 –7.43 and 7.45 of the same document
- 4.9 In regard to area of crime and disorder the authority should look to the police as the main source of advice (see page 81 paragraph 7.21 and 7.23) same guidance.
- 4.10 I would refer you to South Derbyshire District Council Policy Statement Section 13 (Page 11) and Public Nuisance
- 4.11 According to the representations that are made, options open to the Sub-Committee are:-
1. Reject the representation and allow the application to be approved with no additional conditions attached.
  2. Allow the application to be approved subject to conditions that are consistent with the operating schedule submitted, modified to such extent as the authority considers necessary for the promotion of the Licensing Objectives.
  3. To exclude from the scope of the licence any of the licensable activities to which the application relates.
  4. To reject the application..
- 4.12 The applicant has been invited to attend the Sub-Committee hearing, together with their representative, as have the interested parties.

