

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item:

Hearing Date: 29th October 2020

Contact Officer: Faye Norman

HEARING FOR AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

Applicant's Name	Pete Robinson T/A Pete Robinson
Premises Name	Holiday Homes
Address	Lakeside Cottage Colliery Lane Linton Swadlincote Derbyshire DE12 6PB

1. PURPOSE

- 1.1 To determine an application to grant a premises licence received by this Authority on the 9th September 2020 from Pete Robinson T/A Pete Robinson Holiday Homes. The application is attached at (Appendix 1).

2. BACKGROUND

- 2.1 The applicant is seeking to be granted a premises licence for plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance, anything of a similar description to live music, recorded music or performances of dance, late night refreshment and the sale by retail of alcohol for the times stated in paragraph 3.

3. APPLICATION DETAILS

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

Activity	Days	Times
plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance, anything of a similar description to live music, recorded music or performances of dance -Indoors and outdoors -The above are exempt for times stated if less than 500 people are in attendance	Monday - Sunday	11.00hrs – 23.00hrs
Late night refreshment – Indoors and outdoors	Friday & Saturday	23.00hrs – 00.00hrs
Sale by retail of alcohol – On & off the premises	Sunday – Thursday Friday & Saturday	11.00hrs – 23.00hrs 11.00hrs – 00.00hrs

- 3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at section M of the application form.

4. CONSULTATION RESPONSES

4.1 No representations were received from the Responsible Authorities.

4.2 10 representations were received from other persons.

Anonymous	Representation received during the 28 day consultation period. Full details can be found at (Appendix 2).
H M Hollins	Representation received during the 28 day consultation period. Full details can be found at (Appendix 3).
K Thorley	Representation received during the 28 day consultation period. Full details can be found at (Appendix 4).
G Dillon	Representation received during the 28 day consultation period. Full details can be found at (Appendix 5).
J Halley	Representation received during the 28 day consultation period. Full details can be found at (Appendix 6).
S Sturgess	Representation received during the 28 day consultation period. Full details can be found at (Appendix 7).
M & D Lee	Representation received during the 28 day consultation period. Full details can be found at (Appendix 8).
R & J Redfern	Representation received during the 28 day consultation period. Full details can be found at (Appendix 9).
C Higgins	Representation received during the 28 day consultation period. Full details can be found at (Appendix 10).
L Benn	Representation received during the 28 day consultation period. Full details can be found at (Appendix 11).

5. OTHER RELEVANT CONSIDERATIONS

5.1 The Authority should consider its responsibilities under the Crime and Disorder Act 1998, and the Human Rights Act 1998 when considering the fair balance between the interests of the applicant and the rights of local residents.

5.2 Any decision taken by the Sub-Committee must be appropriate and proportionate to the objective being pursued.

- 5.3 Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
- 5.4 When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance to the application of each representation.
- 5.5 In making its decision, Members must also have regard to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy. If Members depart from either, they must specify their reasons for doing so.

6. DETERMINATION

- 6.1 The Sub-Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
1. Grant the licence in accordance with the application.
 2. Modify the conditions of the operating schedule by altering or omitting or adding to them.
 3. Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.
 4. Reject the whole of the application.
- 6.2 The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises.
- 6.3 Members are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must be appropriate to do so in order to promote the licensing objectives and any such step must relate to any outstanding representation made.
- 6.4 If Members grant the application, the details of the operating schedule will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.

7. RIGHT OF APPEAL

- 7.1 Members should note that the applicant or persons making representations have the right of appeal against any decision made by the Sub-Committee.

8. APPENDICES

1. Copy of premises licence application (**Appendix 1**)
2. Copy of representation received – Anonymous (**Appendix 2**)
3. Copy of representation received – H M Hollins (**Appendix 3**)
4. Copy of representation received – K Thorley (**Appendix 4**)
5. Copy of representation received – G Dillon (**Appendix 5**)
6. Copy of representation received – J Halley (**Appendix 6**)
7. Copy of representation received – S Sturgess (**Appendix 7**)
8. Copy of representation received – M & D Lee (**Appendix 8**)
9. Copy of representation received – R & J Redfern (**Appendix 9**)
10. Copy of representation received – C Higgins (**Appendix 10**)
11. Copy of representation received – L Benn (**Appendix 11**)