

## REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item

Hearing Date 21<sup>st</sup> March 2011

### APPLICATION TO VARY A PREMISES LICENCE UNDER THE LICENSING ACT 2003

#### Report of the Head of Housing and Environmental Services

#### 1. PURPOSE

To consider an application to vary an existing premises licence held under the Licensing Act 2003 at Rosliston Village Hall, Main Street, Rosliston, Derbyshire, DE12 6RU (**application attached at Appendix 1**).

The application was received by the Licensing Authority from Brian Matkin on behalf of Rosliston Village Hall on the 11<sup>th</sup> January 2011.

Brian Matkin gave the Licensing Department written consent to consult with the Chairperson of the management committee, Heather Hooper in relation to the application. (**Appendix 2**).

The location of Rosliston Village Hall is shown outlined in yellow on the plan (**Appendix 3**).

#### 2. BACKGROUND

2.1 The original application for a premises licence under the Licensing Act 2003 was received on 22<sup>nd</sup> March 2006 from Mr Peter G Greenwood. The application was granted on the 2<sup>nd</sup> May 2006.

2.2 Details of licensable activities are indicated below.

#### 3. EXISTING LICENCE

3.1 The current premises license (**Appendix 4**):

- The Provision of Regulated Entertainment for: plays, films, indoor sporting events, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music, performances of dance;
- The provision of entertainment facilities for making music and dancing.

The times the licence authorises the carrying out of licensable activities are:

Monday to Saturday	08.00hrs until 23.00hrs
Sunday	09.00hrs until 22.30hrs

The opening hours of the premises are: -

Monday to Saturday	08.00hrs until 23.00hrs
Sunday	09.00hrs until 22.30hrs

#### 4. NEW APPLICATION DETAILS

- 4.1 In the application for variation of the premises licence, it is requested that the hours be extended for all requested licensable activities at 3.1 above on Friday and Saturday until 24.00hrs.
- 4.2 Additionally the application requests that the hours be extended for all requested licensable activities on New Years Eve/ Day to finish at 00:30 hrs
- 4.3 If the application is approved it has been requested that the opening hours for the premises will be open to the public: -

Monday to Thursday	08.00hrs until 23.00hrs
Friday and Saturday	08.00hrs until 24.00hrs
Sunday	09.00hrs until 22.30hrs.

#### 5. CONSULTATION RESPONSES

Derbyshire Constabulary -	No Representation
Derbyshire Fire Service -	No Representation
Derbyshire Social Services -	No Representation
Trading Standards -	No Representation
Environmental Health -	No Representation
SDDC Planning Authority -	No Representation
Health & Safety (SDDC) -	No Representation
Interested Parties -	A written representation has been received from Mr D Manship, a person living in the vicinity of the premises ( <b>Appendix 5</b> ). The location of Mr D Manship's residence is shown outlined in red on the plan ( <b>Appendix 3</b> ).

#### 6. COMMENTS

- 6.1 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.

The Licensing Objectives are matters that should be given paramount importance. Guidance issued under section 182 of the Licensing Act 2003 outlines the licensing objectives (**Appendix 6**).

The Four Licensing Objectives are: -

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

6.2 According to the representation that is made, options open to the Sub-Committee are:

1. 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 reject the application.

The applicant has been invited to attend the Sub-Committee hearing, together with their representative, as has the interested party.

## **APPENDICES**

1. Application to vary a premise licence.
2. Email to consult with Heather Hooper over the application.
3. Plan of premises and surrounding area.
4. Copy of current premise licence for Rosliston Village Hall, Main Street, Rosliston, Derbyshire, DE12 8JW.
5. Representation from Mr D Manship
6. Guidance issued under section 182 of the Licensing Act 2003, version dated October 2010, Part 2 - pages 18 to 27 – The Licensing Objectives

