

## REPORT TO LICENSING & APPEALS SUB-COMMITTEE

**Agenda Item: 3**

**Hearing Date: 6<sup>th</sup> October 2016**

Contact Officer: Mark Lomas – 01283 595890

### **DETERMINATION OF AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003**

<b>Applicant's Name</b>	Vidyut Patel
<b>Premises Name</b>	Kinara Restaurant
<b>Address</b>	2 Castle Way Willington Derbyshire DE65 6BT

#### **1. PURPOSE**

- 1.1 To determine an application for the grant of a premises licence received by the Licensing Authority on the 16<sup>th</sup> August 2016. A copy of the application is attached at **Appendix 1**.

#### **2. BACKGROUND**

- 2.1 The applicant is seeking a new premises licence to permit the sale by retail of alcohol for consumption on the premises, regulated entertainment and late night refreshment.

#### **3. APPLICATION DETAILS**

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

<b>Activity</b>	<b>Days</b>	<b>Times</b>
Sale by retail of alcohol on the premises	Sunday to Thursday Friday and Saturday Christmas Eve & New Year's Eve	17:00 – 23:00 17:00 – 23:30 17:00 – 00:30
Recorded music (indoors)	Sunday to Thursday Friday and Saturday Christmas Eve & New Year's Eve	17:00 – 23:00 17:00 – 23:30 17:00 – 00:30
Late night refreshment (indoors)	Friday and Saturday Christmas Eve & New Year's Eve	23:00 – 23:30 23:00 – 00:30

Opening hours to the public	Sunday to Thursday	17:00 – 23:00
	Friday and Saturday	17:00 – 23:30
	Christmas Eve &	17:00 – 00:30
	New Year's Eve	

- 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

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

#### 5. AGREEMENT BETWEEN PARTIES

- 5.1 The applicant has agreed to have the conditions requested by Derbyshire Constabulary as shown at **Appendix 3** added to their licence.
- 5.2 Derbyshire Constabulary have subsequently withdrawn their representation as shown at **Appendix 4**.
- 5.3 All parties have agreed to dispense with the need to hold a hearing.

#### 6. DETERMINATION

- 6.1 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, together with proposed conditions from Derbyshire Constabulary and any mandatory conditions required under the Licensing Act 2003.

#### 7. RIGHT OF APPEAL

- 7.1 The applicant or persons making representations 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
2. Representation from Derbyshire Constabulary
3. Agreed conditions to be added to the Operating Schedule
4. Withdrawal of representations from Derbyshire Constabulary