

Date 19th July 2006

**APPLICATION FOR PREMISES LICENCE AT THE WILLIAM ALLITT SCHOOL
Sunnyside, Newhall, Swadlincote, Derbyshire, DE11 OTL**

Report of the Head of Environmental Health

1. PURPOSE

To consider an application for a premises licence under the Licensing Act 2003, at the William Allitt School, Newhall. The approximate location of the premises is shown on the plan at **(Appendix 1)**

2. BACKGROUND

2.1 An application has been received from Mr Roy Dolan on behalf of William Allitt School on the 24th May 2006 requesting a premises licence **(Appendix 2)**.

2.2 The application is requesting the following, plays, films, live music, recorded music, performance of dance, provision for making music, dancing and entertainment of a similar description.

2.3 The hours proposed are as follows:-

Plays – 0900 – 2200 Monday to Friday

1100 – 2200 Saturday and Sunday

On the vast majority of occasions plays will be indoors. The Dance Studio will not be used on a Sunday

Any outdoor performance would only take place during the daytime of The daytime of the summer months between the hours of 11.00-18.00

Performances are not regularly timetabled on each day, but the standard days and timings given will cover every eventuality. They would not ever have public audiences outside these times.

Films – 0900 – 2200 Monday to Friday

1000 – 2200 Saturday and Sunday

Only ever as part of a drama, dance or musical performance put together by students or visiting artists.

The Dance Studio will not be used on a Sunday

Outdoor performances will be the same for plays

Live Music – 0900 – 2200 Monday to Friday

1000 – 2300 Saturday

1000 – 2200 Sunday

The vast majority of occasions performances will be indoors

The Dance Studio will not be used on a Sunday

Any outdoor performance would only take place during the daytime

Of the summer months between the hours of 1100 – 1800

Outdoor performances will be same for plays

Recorded Music – 0900 – 2200 Monday to Friday

1000 – 2200 Saturday and Sunday

The vast majority of occasions performances will be indoors

The Dance Studio will not be used on a Sunday

Any outdoor performance would only take place during the daytime

Of the summer months between the hours of 1100 – 1800

Outdoor performances will be same for plays

Performance of dance – 0900 – 2200 Monday to Friday

1000 – 2200 Saturday and Sunday

The vast majority of occasions performances will be indoors

The Dance Studio will not be used on a Sunday

Any outdoor performance would only take place during the daytime

Of the summer months between the hours of 1100 – 1800

Outdoor performances will be same for plays

Anything of a similar description – 1200 – 1400

Times indicated are to cover all eventualities and to allow for variations in programming. Actual procession time expected to be no longer than 20 minutes.

Provisions of facilities for making music – 0900 – 2200 Monday to Friday

- 1000 – 2200 Saturday and Sunday

Any outdoor performance would only take place during the

daytime of the summer months between the hours of 1100 –

1800 outdoor performances will be same for plays.

Provisions of facilities for dancing – 0900 – 2200 Monday to Thursday

- 0900 – 2300 Saturday

- 1000 – 2200 Sunday

The vast majority of occasions performances will be indoors

The Dance Studio will not be used on a Sunday

Any outdoor performance would only take place during the daytime

Of the summer months between the hours of 1100 – 1800

Outdoor performances will be same for plays

Provisions of facilities for entertainment of a

Similar description - 0900 – 2200 Monday to Friday

- 1000 – 2200 Saturday and Sunday

The vast majority of occasions performances will be indoors

The Dance Studio will not be used on a Sunday

Any outdoor performance would only take place during the daytime

Of the summer months between the hours of 1100 – 1800

Outdoor performances will be same for plays

3. In carrying out their functions, licensing authorities will need to consider whether an activity constitutes the provision of regulated entertainment. For example, the following activities do not amount to regulated entertainment under the regime:

Education – teaching students to perform music or to dance;

The rehearsal of a play or rehearsal of a performance of music to which the public are not permitted.

4. CONSULTATION RESPONSES

Derbyshire Constabulary - No adverse comments

Derbyshire Fire Service - No adverse comments

Derbyshire Social Services - No adverse comments

Trading Standards - No adverse comments

Environmental Health No Adverse Comment

Pollution Control - No Adverse Comment

SDDC Planning Authority -	No Adverse Comment
Health & Safety (SDDC)-	No adverse comments
Interested Parties -	Written representations have been received by 23 local households (Appendix 3)

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 11th July 2005.
- 4.2 The relevant factors in this particular case relate to concerns over the prevention of public nuisance.
- 4.3 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 objectives are:-

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance and
- The protection of children from harm

- 4.4 According to the representations that are made, options open to the Sub-Committee are:-
1. Reject the representations and allow the application to be approved with no additional conditions.
 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.
- 4.5 The applicant has been invited to attend the Sub-Committee hearing, together with the interested parties.

