

Report To:	LICENSING COMMITTEE	Date:	TUESDAY 6 DECEMBER 2016
Heading:	HEARING FOR VARIATION OF PREMISES LICENCE, EGO AT OLD ASHFIELDS, SUTTON ROAD, KIRKBY-IN-ASHFIELD, NOTTINGHAMSHIRE NG17 8HX		
Portfolio Holder:	ENVIRONMENT		
Ward/s:	LEAMINGTON		
Key Decision:	NO		
Subject To Call-In:	NO		

Purpose Of Report

Members to consider evidence produced at a public hearing for variation of a premise licence application for Ego at Old Ashfields, Sutton Road, Kirkby-In-Ashfield, Nottinghamshire NG17 8HX and determine the application by taking such of the steps set out below as it considers necessary for the promotion of the licensing objectives.

Recommendation(s)

Members to consider and make an informed decision to grant or refuse the variation of a premise licence on evidence heard at the hearing. Members may wish to attach conditions to any licence granted that are appropriate to support the Licensing Objectives.

Reasons For Recommendation(s)

Members must consider all evidence offered at the Hearing and make a unbiased decision on the evidence offered, the Home office guidance and the Councils Statement of Licensing Policy.

Alternative Options Considered (With Reasons Why Not Adopted)

None

Detailed Information

The Licensing Act 2003 came in to force in September 2005.

It passed the powers to the Local Authority to licence premises for any of the following licensable activities :-

- A) The sale by retail of alcohol
- B) The supply of alcohol by or on behalf of a club or to the order of a member of the club
- C) The provision of regulated entertainment
- D) The provision of late night refreshment

The licensing objectives are:

The prevention of crime and disorder;
Public safety;
The prevention of public nuisance; and
The protection of children from harm.

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work.

Section 18 of the 2003 Act, allows interested persons, and responsible authorities, to make representations in favour or against the grant or variation of a premises licence.

Should valid representations be received a public hearing must be held within 20 working days following the end of the representation period.

On the 17 October 2016, an application was received for a variation to the Premises Licence for Ego at Old Ashfields, Sutton Road, Kirkby-In-Ashfield, Nottinghamshire NG17 8HX. The application is attached within the hearing file, at Appendix A.

During the 28 day representation period the Licensing Team received nine valid representations against the application for variation of the premise licence from residents of Kirkby-In- Ashfield, and Sutton-In-Ashfield contained in the file attached.

Representations have been received from nine Interested Persons. No other representations, were received from other Responsible Authorities.

The current Premise Licence (number PR/05129v19) is attached at appendix B.

Implications

Corporate Plan:

Licensing Act 2003 is a statutory duty of the Council.

Ensuring that Premises and Clubs operate with the correct Licence, having regard to the Council's Statement of Licensing Policy on alcohol licensing, will contribute towards the reduction of crime and disorder within the district and to improve community safety and environmental quality.

Legal:

Legal advice will be given at the hearing

Finance:

Information Only

No financial implications for the Council.

This report is effective from 6/12/2016 and has the following financial implications:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Human Resources / Equality and Diversity:

Information Only

There are no direct HR implications contained within this report

Information Only

Statutory requirement of the Licensing Act 2003, there no diversity or equality implications

Other Implications:

None

Reason(s) for Urgency (if applicable):

Not applicable

Background Papers

None

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