

APPLICATION FOR A PREMISES LICENCE – THE BUNGALOW, CODNOR  
DENBY LANE, DENBY VILLAGE, RIPLEY, DERBYSHIRE

**1. Introduction**

1.1 The Council received this application on 15 June 2007. In accordance with the Licensing Act 2003, the Applicant has consulted all of the responsible authorities: -

- Chief Officer of Police for the area which the premises are situated;
- the Fire Officer in the same area;
- the enforcing authority for the Health and Safety at Work Act 1974;
- the local planning authority;
- the local authority whose statutory functions are exercisable in relation to minimising the risk of pollution to the environment or of harm to human health;
- a body representing those who are responsible for or interested in the protection of children from harm
- local weights and measures authority

A copy of the application is attached as Appendix A to the report.

1.2 The applicant has also advertised the application in the Ripley & Heanor News on 21 June 2007 and also displayed a copy of the advertisement on the outside and surrounding area of the premises.

1.3 As a result of this consultation process representations have been received in relation to the application for the grant of a premises licence. The Council are satisfied that these objections are not vexatious or frivolous and therefore the application has to be determined by the Council's Licensing Panel.

**2 The proposal**

2.1 This application is for the **grant** of a premises licence in accordance with Section 17 to the Licensing Act 2003.

This application is to:

- seek permission to provide live music
- seek permission to provide recorded music
- seek permission to provide anything of a similar description to live music, recorded music or performance of dance
- seek permission to provide the supply of alcohol

The applicant has requested the licence to take effect for a limited period of time, from Friday 3 August 2007 to Monday 6 August 2007 with licensable activities taking place on the Friday and Saturday only.

## **Representations**

The deadline for receiving representations in respect of this application is 13 July 2007. At the time this report was compiled and printed no representations had been received from Derbyshire Constabulary, Derbyshire Fire and Rescue Service, Derbyshire Area Child Protection Committee, Trading Standards Service, Health and Safety Executive and Amber Valley Borough Council's Pollution and Development Departments.

Thirty letters of representation have been received from interested parties on the following grounds: -

- Crime and disorder
- Public safety
- Public nuisance

The representations received are attached as Appendix B to the report. In accordance with the Guidance issued under section 182 of the Licensing Act 2003 paragraph 9.18, the Licensing Authority is withholding the personal details of the interested parties. Any further representations received within the consultation deadline will be circulated prior to the meeting.

## **Licensing Considerations**

Section 4 of the Licensing Act 2003 provides that when carrying out its licensing functions the Panel must do so with a view to promoting the licensing objectives.

The licensing objectives are: -

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

Section 7 of the Licensing Act 2003 provides that all the licensing functions in relation to the Licensing Act 2003 are to be carried out by the Council's Licensing Panel.

The Panel must also have regard to: -

- The Council's licensing statement
- The Guidance issued under Section 182 of the Licensing Act 2003
- Any relevant representations including supporting information made by relevant authorities and interested parties.

## **Hours**

The standard hours that are relevant to this application are attached as Appendix C to the report. Any non-standard hours being requested are included in Appendix A.

## **Licensing statement**

The policy statements which are relevant to this application are attached as Appendix D to the report.

## **Guidance issued under Section 182 of the Licensing Act 2003**

The Guidance issued under Section 182 of the Licensing Act 2003 relevant to this application is attached as Appendix E to the report.

The Licensing Panel may: -

- Approve the application and issue a premises licence on the terms requested (subject only to mandatory conditions and the conditions set out in the operating schedule)
- Approve the application and issue a premises licence (subject to any mandatory conditions) but augmenting, changing or deleting conditions in the operating schedule and/or rejecting a proposed licensing activity
- Refuse the application

The Licensing Panel must determine the application and notify the applicant of its decision within 5 days of the hearing. It must give reasons for every decision it makes.

## **Recommendation**

That the application be determined in accordance with the procedure attached as Appendix F to the report.

## **Background Papers**

Licensing Act 2003

The Licensing Act 2003 – Regulations 2005

The Guidance issued under Section 182 of the Licensing Act 2003

The Council's Licensing Statement under the Licensing Act 2003