

**Application to/for:** Premise Licence Application for Whitmore Hall Estate

**Submitted by:** Wish Promotions Limited

**Portfolio:** Safer Communities

**Ward(s) affected:** Loggerheads and Whitmore

**Purpose of the Report**

An application for a new premise licence has been received for Whitmore Hall Estate. Representations have been received from Environmental Health on the basis that to grant the application would undermine the licensing objective relating to public nuisance. However following negotiations with the applicant and Staffordshire Police a set of conditions (Appendix A) have been agreed that would alleviate the concerns put forward by Environmental Health. A representation has also been received from an interested party which is attached at appendix B.

**Recommendations**

The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- (a) To grant the application as requested.
- (b) To reject or amend the application.

**1. Details of Application**

**Applicants:** Wish Promotions Ltd

**Premises:** Whitmore Hall Estate

**Application for:** New premise licence.

**Details of Requested Application**

<b>(A) PLAYS (on and off the premises) – Current</b>	<b>PLAYS (on and off the premises) Requested:</b>
NONE	Friday to Sunday: 11.00 to 23.00
<b>(B) FILMS (Indoors)</b>	<b>FILMS (Indoors) Requested:</b>
NONE	Thursday : 20.00 to 23.00 Friday to Sunday: 11.00 to 23.00
<b>(E) LIVE MUSIC (Indoors and outdoors) – Current</b>	<b>LIVE MUSIC (Indoors and outdoors) – Requested:</b>
NONE	Thursday: 19.00 to 23.00 Friday to Sunday: 11.00 to 23.00
<b>(F) RECORDED MUSIC (Indoors and outdoors) – Current</b>	<b>RECORDED MUSIC (Indoors and outdoors) – Requested:</b>
NONE	Thursday: 19.00 to 23.00 Friday to Sunday: 11.00 to 23.00
<b>(G) Performance of Dance – (Indoors and outdoors)</b>	<b>Performance of Dance – (indoors and outdoors) Requested:</b>
NONE	Friday to Sunday: 11.00 to 23.00

<b>(H) Similar to E, F or G (Indoors and Outdoors) - Current</b>	<b>(H) Similar to E, F or G (Indoors and outdoors) Requested:</b>
NONE	Friday to Sunday: 11.00 to 23.00
<b>(L) Late Night Refreshment – (Indoors and outdoors) - Current</b>	<b>(L) Late Night Refreshment – (Indoors and outdoors) Requested:</b>
NONE	Thursday: 19.00 to 00.00 Friday to Sunday: 00.00 to 23.59
<b>SUPPLY OF ALCOHOL (on the premises) – Current</b>	<b>SUPPLY OF ALCOHOL (on the premises) – Requested:</b>
NONE	Thursday: 19.00 to 23.00 Friday to Sunday: 11.00 to 00.00
<b>OPENING HOURS OF THE PREMISE – Current</b>	<b>OPENING HOURS OF THE PREMISE – Requested:</b>
NONE	Monday: 00.00 to 14.00 Thursday: 18.00 to 23.59 Friday: 0.00 to 23.59 Saturday: 0.00 to 23.59 Sunday: 0.00 to 23.59

## 2. Consultation

Representations have been received from a resident in the vicinity of the premises and Environmental Health. Copies of the representations can be found at Appendix A and the conditions agreed between the applicant and Environmental Health and Staffordshire Police are attached at Appendix B.

This premises license will be valid from 21 July – 24 July 2016 and on the third weekend in July in subsequent years.

## 3. Policy Considerations

### Licensing Objectives

The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- i. the prevention of crime and disorder
- ii. public safety
- iii. the prevention of public nuisance
- iv. the protection of children from harm

### Policy Statement

#### The Licensing Act 2003

The Licensing Act 2003 require the Council to publish a “Statement of Licensing Policy” that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

The Council made a number of policy decisions in its Statement of Licensing Policy. The following policy decisions are relevant to the application:

- i. the prevention of crime and disorder – (paragraph 2.12 and 4.4)
- ii. public safety - (paragraph 2.15 and 4.1)

- iii. the prevention of public nuisance – (paragraph 4.2)
- iv. the protection of children from harm – (paragraph 2.10 and 4.3)

Statutory Guidance relating to the Licensing Objectives relevant to the application:

- (i) Crime and disorder - (paragraphs 2.1 to 2.7)
- (ii) Public safety - (paragraphs 2.8 to 2.17).
- (iii) Public nuisance - (paragraphs 2.18 to 2.24).
- (iv) Protection of children from harm – (paragraphs 2.25 to 2.35).

Copies of the Council's Statement of Licensing Policy and the Government's Statutory Guidance will be available at the Sub-Committee meeting.

#### **4. Comments.**

In making their decision on the application, the Sub-Committee are also obliged to have regard to Statutory Guidance and the Council's own statement of Licensing Policy. The Sub-Committee must also have regard to all the representations made and the evidence they hear. However, the Sub-Committee must disregard any objections that do not relate to the promotion of any of the four licensing objectives.

The Sub-Committee must take such of the following steps as they consider appropriate for the promotion of the licensing objectives as set out in the paragraph above:

- i. grant the application as requested.
- ii. to reject or amend the application.

The Sub-Committee are asked to note that they may not reject the application merely because they consider it desirable to do so. It must actually be appropriate in order to promote the licensing objectives

Date of hearing: 25<sup>th</sup> August 2015