

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

**Submitted by:** Colourville 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 Staffordshire Police and other parties on the basis that to grant the application would undermine the licensing objective relating to public nuisance, crime and disorder and public safety.

**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:** Colourville Limited

**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 22.30
<b>(B) FILMS (Indoors)</b>	<b>FILMS (Indoors) Requested:</b>
NONE	Thursday : 20.00 to 22.30 Friday to Sunday: 11.00 to 22.30
<b>(E) LIVE MUSIC (Indoors and outdoors) – Current</b>	<b>LIVE MUSIC (Indoors and outdoors) – Requested:</b>
NONE	Thursday: 19.00 to 22.30 Friday to Sunday: 11.00 to 22.30
<b>(F) RECORDED MUSIC (Indoors and outdoors) – Current</b>	<b>RECORDED MUSIC (Indoors and outdoors) – Requested:</b>
NONE	Thursday: 19.00 to 22.30 Friday to Sunday: 11.00 to 22.30
<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 22.30

<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 22.30
<b>I) Music Making Facilities</b>	<b>I) Music Making Facilities</b>
NONE	Thursday: 19.00 to 22.30 Friday to Sunday: 11.00 to 22.30
<b>J) Dance Facilities</b>	<b>J) Dance Facilities</b>
NONE	Friday to Sunday: 11.00 to 22.30
<b>K) Similar Entertainment to I or J</b>	<b>K) Similar Entertainment to I or J</b>
NONE	Friday to Sunday: 11.00 to 22.30
<b>(L) Late Night Refreshment – (Indoors and outdoors) - Current</b>	<b>(L) Late Night Refreshment – (Indoors and outdoors) Requested:</b>
NONE	Thursday: 16.00 to 23.30 Friday to Sunday: 23.00 to 23.30
<b>SUPPLY OF ALCOHOL (on the premises) – Current</b>	<b>SUPPLY OF ALCOHOL (on the premises) – Requested:</b>
NONE	Thursday: 16.00 to 23.00 Friday to Sunday: 11.00 to 23.30
<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 residents in the vicinity of the premises, Maer and Aston Parish Council and Chapel and Hill Chorlton Parish Council. Copies of the representations can be found at **Appendix A**. Representations have also been received from Staffordshire Police which are attached at **Appendix B**.

The Applicant has proposed a set of conditions consistent with the operating schedule which are also attached at **Appendix C**.

## 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 Governments 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: **Wednesday 16<sup>th</sup> December 2015**