
Meeting: Licensing Sub - Committee
Date: 28 October 2011
Subject: Application for Variation of a Premises Licence under The Licensing Act 2003 at The United Services Club, The Anchorage, 160 High Street South, Dunstable, Beds
Report of: Director of Sustainable Communities
Summary: The report proposes that the Licensing Sub Committee determine whether or not a variation to the premises licence should be granted.

Contact Officer: Pat Davies, Licensing Co-Ordinator
Public/Exempt: Public
Wards Affected: Watling Ward
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

Creating Safer Communities – Decision must promote the licensing objectives in order to fulfil regulatory and legislative requirements

Financial:

N/A

Legal:

Under the Licensing Act 2003 it is a statutory duty that Licensing Authorities decide applications where representations have been received.

Risk Management:

N/A

Staffing (including Trades Unions):

N/A

Equalities/Human Rights:

Every application under the Licensing Act 2003 must be decided on its own merits.

Community Safety:

Any decision must promote the four licensing objectives:

The Prevention of Crime and Disorder
Public Safety
The Prevention of Public Nuisance
The Protection of Children from Harm

Sustainability:

N/A

RECOMMENDATION(S):

1. **That Members determine the application in accordance with the Statutory Guidance issued under s182 of the Licensing Act 2003, our Licensing Policy, and the information contained within this report.**
2. **That, having regard to the application and relevant representations, members take such of the steps mentioned below as it considers necessary for the promotion of the licensing objectives.**

Options available:

To grant the application

To refuse the application

To grant the application with conditions

3. **That Members provide the reasons for their decision**

Application

1. This is an application by Poppleston Allen on behalf of Mr Albert Bagshaw at The United Services Club, for variation of a premises licence (Appendix A) to cover the following:
 - To vary the hours for licensable activities Sunday to Thursday 09.00hrs to 00.00hrs and Fridays and Saturdays 09.00hrs to 01.00hrs.

To which 15 interested parties have made representations.

2. Details of the proposed variation with regard to hours are shown below

Activity	Current provision	The application
Liquor sales	Mon to Sun 11.00hrs to 00.00hrs Non standard timings – St Georges Day until 01.00hrs, Christmas Eve until 02.00hrs.	Sun to Thur 09.00hrs to 00.00hrs Fri & Sat 09.00hrs to 01.00hrs Non standard timings – as existing plus an additional hour on the day when British Summertime commences.
Plays, indoor sporting events, live music, recorded music, dancing, facilities for making music & dancing	Mon to Sun 11.00hrs to 00.00hrs. Non standard timings – St Georges Day until 01.00hrs, Christmas Eve until 02.00hrs.	Sun to Thur 09.00hrs to 00.00hrs Fri & Sat 09.00hrs to 01.00hrs Non standard timings – as existing plus an additional hour on the day when British Summertime commences.
Hours of opening	Not stated	Not stated

3. The applicant has stated in the operating schedule that no further steps will be necessary to promote the licensing objectives and the existing measures will continue. See Appendix B.

Relevant history

3. The premises is a private members and guests Working Men's Club, with 3 bars: a lounge, sports bar and main hall with dance floor and stage. There is a car park to the rear, and there are residential properties in the vicinity. A location map is attached at Appendix C.
3. The premises licence was granted on 24 August 2005.
4. There have been no recorded noise complaints against the premises since the licence was granted. Since the representations were made, 1 noise complaint has been received, which is being investigated by an Environmental Health Officer.

Licensing Objectives

6. In accordance with the provisions of the Licensing Act 2003 and the Councils scheme of delegation, all applications for variation of a licence where a relevant representation has been made must be determined by a sub-committee.

7. When determining the application, Members should only consider issues, which relate to the relevant licensing objective, which in this case is:
 - The Prevention of Public Nuisance
8. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 (Annex G refers to the relevant objective) and the Council's Statement of Licensing Policy (Section 7.3 refers to the relevant licensing objective).
9. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts.

Representations

10. Relevant representations have been received from 15 interested parties living in the vicinity of the premises; these are focused around noise issues and are attached at Appendix D. (Please note that 12 separate individually signed copies of the letter at Appendix D 1 were received)
11. Responsible authorities have made no representations concerning the application.

Responsible authority	Comment
Police	None
Fire	None
Environmental Health	No representations
Health and Safety	None
Planning	None
Child Protection	None
Trading Standards	None

Appendices:

- Appendix A – Variation application
- Appendix B – Operating schedule
- Appendix C – Location map
- Appendix D - Representations

Location of papers: Watling House, High Street North, Dunstable