

LICENSING SUB-COMMITTEE18TH December 2012

SUBJECT	LICENSING ACT 2003 – A hearing called to determine an application for two Temporary Event Notices at The Top Bell, 10 Market Square, Leighton Buzzard, LU7 1EY
REPORT OF	
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1. The Application

1.1 Two applications have been submitted by Ashley Ryder for Temporary Event Notices. Copies of the applications are attached as Appendix 'A' of this report.

1.2	Requested Activity	The Application	Current Provision
	Sales of Alcohol	Dates - 19-25/12/2012 & 27/12/2012 – 02/01/2013 Times - 0400hrs – 0900hrs * Mondays 0200hrs – 0900hrs	N/A
	Late Night Refreshment	As above	N/A
	Regulated Entertainment	As above	N/A
	Current Activity	Normal Hours of Opening	
	Sales of Alcohol	Monday to Saturday 09.00 hrs to 04.00 hrs Sunday 09.00 hrs to 02.00 hrs	
	Late Night Refreshment	Monday to Saturday 23.00 hrs to 04.30 hrs	
	Regulated Entertainment	Monday to Thursday 18.00 hrs to 00.00 hrs Friday to Sunday 18.00 hrs to 01.00 hrs	Live Music
	Regulated Entertainment	Monday to Saturday 09.00 hrs to 04.30 hrs, Sunday 09.00 hrs to 02.30 hrs	Recorded Music

1.3 Police and Public Protection reports are attached as Appendix 'B'

1.4 Location

The premise is situated at the top of Market Square in Leighton Buzzard which is a part of the busy central shopping hub. A number of other Licensed Premises are situated nearby. There are a large number of other retail outlets in the vicinity. There is some private residential accommodation to the rear of the premises. A copy of the location map is attached as Appendix 'C'.

2. Relevant History

2.1 The premise has been a licensed premise for many years and previously held a Justices Licence under the Licensing Act 1964. A valid application for conversion and variation of an existing licence under the Licensing Act 2003 was received on 21st July 2005. The present premises licence holder has held an authorisation for the premises since being granted a transfer of licence on 9th August 2010. The TEN's application user is also the Designated Premises Supervisor at the premises

A copy of the relevant part of the Premises Licence is attached as Appendix 'D'

3. Promotion of Licensing Objectives

3.1 The Licensing Act 2003 places a responsibility on the user of a Temporary Event Notice to ensure the promotion of the four licensing objectives.

These are;

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public nuisance

The Protection of Children from harm

4. Representations from responsible Authorities

4.1 Public Protection, Environmental Health – Please see appendix B
Police Licensing Officer – Please see appendix B

5. Licensing Policy

5.1 Members' attention is drawn to the Section 182 of the Licensing Act 2003, in particular section 2.0. The relevant licensing objective '**Crime and Disorder**' and at 2.18 '**Public Nuisance**'

6. Secretary of State's Guidance

- 6.1 The sub committee must have regard to the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003, in particular Section 7 Temporary Event Notices (TEN), and paragraphs 7.31 to 7.39.

7. Observation and General Guidance

- 7.1 The Sub-Committee must consider the application and any submissions made in writing, and determine the application.

The options available are:

- Accept the applications
- Accept the applications (to include extending the conditions on the premises licence and to apply these to the Temporary Event Notices)
- To refuse the applications

- 7.2 The Sub-Committee determination must be based upon:-

- The merits of the applications and the representations (including supporting information) presented by all the parties.
- The steps that are necessary for promotion of the four Licensing objectives.
- The Policy of the Licensing Authority.
- The Guidance issued by the Secretary of State for the Home Office under s182 of the Licensing Act 2003

- 7.3 The Sub-Committee must provide clear and relevant reasons for their decision

Background Papers: Licensing Act 2003, Home Office Guidance s182, Central Bedfordshire Council Licensing Policy

Location of Papers: Licensing Team, Dunstable

File Reference: TEN – The Top Bell, Leighton Buzzard