

LICENSING SUB-COMMITTEE

22 Jan 2013

SUBJECT	LICENSING ACT 2003 – A hearing called to determine an application for a review of a premises licence for The White Hart, 125 Dunstable Street, Ampthill, MK45 2NG
REPORT OF	Head Of Service Public Protection
<i>Contact Officers; dave.mcbain@centralbedfordshire.gov.uk</i>	

1. The Application

- 1.1 An application has been submitted by Public Protection as a Responsible Authority. A Copy of the application is attached as Appendix 'A' of this report.

1.2

Activity	Current Provision	The Application
Indoor sporting events, Live & Recorded Music, Late night refreshment. Facilities for making music & dancing. Supply of alcohol (on and off the premises)	Mon – Thurs 10:00hrs to 00:00hrs Fri – 10:00hrs to 02:00hrs Sat – 10:00hrs to 01:00hrs Sun – 11:00hrs to 23:30hrs Non Standard - A further additional hour every Christmas Eve & Boxing Day. To reflect New Years Eve/Day hours.	To review the existing authorisation with regard to the Prevention of Public nuisance
Hours of opening	Mon – Thurs 10:00hrs to 00:30hrs Fri – 10:00hrs to 02:30hrs Sat – 10:00hrs to 01:30hrs Sun – 11:00hrs to 00:00hrs Non Standard – As above	

A copy of the existing Premises Licence is attached as Appendix 'B'

1.3 Location

The premise is situated on the main through route and close to a mini roundabout complex in the Town centre. Other retail properties are situated around this area. There is some residential property within the nearby surroundings. A small public space, with a local monument, is situated nearby. There is a large supermarket with 'off' licence authorisation situated just over 100 metres away to the North of the premises. An additional 'off' licensed premise is situated within 100 metres of the premises to the North East The nearest 'on' licensed premises are in excess of 100 metres from the premise and to the North and the South.

A copy of the location map is attached as Appendix 'C'.

1.4 Relevant History

The premise is an Ancient Coaching Inn and has been situated in the centre of Ampthill for many years. It previously held a Justices Licence under the Licensing Act 1964. The Justices licence under that Act was held by the present Designated Premises Supervisor. A valid application for a conversion and variation of a premises licence for the property, under the Licensing Act 2003, was received by Mid Bedfordshire Council on 25th July 2005. Following representations from Bedfordshire Police and local residents a hearing to determine the application was called and held on 26th September 2005. The licence was granted with additional conditions being attached by the Licensing Sub-Committee. These can be viewed in the Premises Licence at **Annex 3 – “Conditions attached after a hearing by the licensing authority”**. Further additional conditions to support the licensing objective of ‘**The protection of children from harm**’ have recently been added to the premises licence by way of a minor variation application. These can be viewed at **Annex 2 – “Conditions consistent with the Operating Schedule”**.

2. Representations from the responsible Authorities

Police – Report attached as Appendix ‘D’
Children’s Services – No comments
Other – No reply

3. Interested Parties

10x representations in support of the application, from interested parties, have been received. These can be viewed as Appendix ‘E’.

4. Licensing Policy

Members’ attention is drawn to the Council’s Licensing Policy, in particular section 7.0. Licensing Functions. The relevant licensing objective ‘**The Prevention of Public nuisance**’ can be viewed at section 7.3.

5. Secretary of State’s Guidance

The sub committee must have regard to the Secretary of State’s Guidance issued under Section 182 of the Licensing Act 2003 as amended in October 2012. In particular Sections 2.18 to 2.24 on pages 14 & 15 relating to ‘**The Prevention of Public nuisance**’ objective.

6. Observation and General Guidance

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

The options available are:

- Take no action (this may include an informal warning)
- To modify the licence to include conditions that it considers are necessary for the promotion of the Licensing objectives – this includes altering or omitting any existing condition (including a

reduction of hours) within the operating schedule and/or adding any new conditions

- To exclude a licensable activity from the scope of the licence
- To remove the Designated Premises Supervisor from the licence
- To suspend the licence for a period not exceeding three months
- To revoke the licence

The Sub-Committee determination must be based upon:-

- The merits of the review application 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

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: 2000318