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**Meeting:** Licensing Sub-Committee  
**Date:** 14 March 2018  
**Subject:** Application for Review of a Premises Licence under The Licensing Act 2003 at The Rufus Centre, Steppingley Road, Flitwick, Bedford, MK45 1AH  
**Report of:** Head of Public Protection  
**Summary:** The report provides information so that the Licensing Sub Committee can determine what action to take with regard to the review application.

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**Advising Officer:** Marcel Coiffait, Director of Community Services  
**Contact Officer:** Nicola O'Donnell, Licensing Compliance Officer  
**Function of:** Licensing Committee of a licensing authority  
**Public/Exempt:** Public  
**Wards Affected:** Flitwick  
**Ward Councillors** Cllr Fiona Chapman MBE, Cllr Charles C Gomm, Cllr Andrew M Turner

**Location** Rufus Centre, Steppingley Road, Flitwick, Bedford, MK45 1AH  
**Applicants** [REDACTED] – Local Resident, [REDACTED] – Local resident  
**Applicant's agent** N/A

**Reason for consideration by Sub-Committee** The current premises licence permits live and recorded music to be played until 00.00 hrs Sunday to Thursday and until 01:00 hrs on Fridays and Saturdays. There are also some non standard timings which allow live and recorded music to be played until 01.00 hrs. Please see Appendix A for details. The applicant requests the hours for Live and Recorded music on the premises licence should end by 23.00 hrs on both weekdays and weekends

**Recommended decisions:** **The sub-committee determines 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.**

**That, having regard to the application and relevant representations, the sub-committee takes such of the steps mentioned below as it considers necessary for the promotion of the licensing objectives.**

**That the sub-committee provides the reasons for its decision**

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

- Promote health and wellbeing and protecting the vulnerable.
- Enhancing Central Bedfordshire
- Creating Stronger Communities

### **Financial:**

1. There are no direct financial implications for the Council.

### **Legal:**

2. Licensing applications are considered pursuant to specific legislation, explained within the report.
3. Any decision made by the Sub-Committee could be the subject of an appeal to the Magistrates Court by the license applicant or by an objector to the application.

### **Risk Management:**

4. All Council members are aware that any licensing matter decision which is unreasonable or unlawful could be open to challenge and could result in reputational damage and potential financial penalty.
5. The report details the options available to the Sub-Committee in determining the application/s and recommends a decision/s which could be reached. Any decision taken by the Sub-Committee could be the subject of an appeal to the Magistrates Court.

### **Staffing (including Trades Unions):**

6. Not Applicable.

### **Equalities/Human Rights:**

7. To ensure that any decision does not unfairly discriminate, public authorities must be rigorous in reporting to Members the outcome of an equality impact assessment and the legal duties.
8. Public Authorities must ensure that decisions are made in a way which minimises unfairness and without a disproportionately negative effect on people from different ethnic groups, disabled people, women and men. It is important that Councillors are aware of this duty before they take a decision.

### **Public Health**

9. All licensing applications are sent to Health as a Responsible Authority they have the opportunity to make representations in relation to the four licensing objectives.

### **Community Safety**

10. The Sub-Committee is required under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and is reminded of the Council's responsibility to co-operate in the reduction of crime and disorder in Central Bedfordshire.

### **Sustainability:**

11. Not applicable.

### **Procurement:**

12. Not applicable.

### **Location of the Premises**

13. Situated on the outskirts of the town centre next door to the Leisure Centre and residential premises in the near vicinity.

### **The Current Licence**

14. The premises licence was first granted on 5 August 2005. (See Appendix A for details of the current licence)
15. The licence is held by Flitwick Town Council. The Designated Premises Supervisor is Carol Carter

### **Details of the present application**

16. This is an application for review of the premises licence by [REDACTED] and [REDACTED] [REDACTED] - See Appendices B1 and B2, and supporting evidence at Appendices B3 to B6.

### **Representations**

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18. Other Responsible authorities have made 1 representation concerning the application

<b>Responsible authority</b>	<b>Comment</b>
Police	No representations
Fire	No representations
Environmental Health	See Appendices C1 to C3
Health and Safety	None
Planning	None
Child Protection	No representations
Public Health	None
Trading Standards	No representations

### **Application Guidance**

19. In accordance with the provisions of the Licensing Act 2003 and the Councils scheme of delegation, all applications for review of a licence must be determined by a sub-committee.
20. When determining the application, Members should only consider issues, which relate to the relevant licensing objectives, which in this case are:  
  
The Prevention of Public Nuisance
21. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 (Sections 2.15-2.21 refer to the relevant objective) and the Council's Statement of Licensing Policy (Sections 7.3 refer to the relevant licensing objective).
22. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the review and shall only determine the application having had an opportunity to consider all relevant facts.

### **Options**

23. **To modify the conditions of the premises licence**
24. **To exclude a licensable activity from the scope of the licence**
25. **To remove the DPS**
26. **To suspend the licence for a period not exceeding three months**
27. **To revoke the licence**
28. **To make no changes to the premises licence**
29. **To modify the hours of the licensable activities**

### **Appendices:**

- Appendix A – Premises Licence for The Rufus Centre, Steppingley Road, Flitwick
- Appendix B1 - Review Application No.1
- Appendix B2 – Review Application No. 2
- Appendix B3 – Information in Support of Review
- Appendix B4 – Supplementary Information Regarding Review Application
- Appendix B5 – Complaint re Environmental Noise Assessment
- Appendix B6 – Environmental Noise Assessment
- Appendix C1 – Comments from Pollution Team
- Appendix C2 – Community Services Response to Review Applicant No.2
- Appendix C3 – Community Services Response to Review Applicant No. 1

### **Background Papers:** (open to public inspection)

- The Licensing Act 2003
- Central Bedfordshire Council Licensing Policy  
(on website)