



DERBY CITY COUNCIL

LICENSING SUB COMMITTEE B 20 OCTOBER 2004

Report of the Director of Corporate Services

APPLICATION FOR A NEW PUBLIC ENTERTAINMENT LICENCE: BLUE BOY HOTEL, WILTSHIRE ROAD, CHADDESSEN, DERBY.

RECOMMENDATION

- 1.1 To consider the application and objections to it.
- 1.2 To decide whether to grant or refuse the application or.
- 1.3 To impose a time period for the works to be carried out.

SUPPORTING INFORMATION

Matters for Consideration

- 2.1 A new application was received 25 September 2003 from Mr M Newton in respect of Blue Boy Hotel, Wiltshire Road, Chaddesden, Derby. A copy of the application is attached at **Appendix 2**.
- 2.2 The application was heard at the Licensing Sub Committee B hearing on 8 September 2004. The Sub Committee resolved to defer the application to the next Committee meeting to enable the Licensee to address the Sub Committee in person with regards to outstanding works required to fully comply with the licensing conditions.
- 2.3 Environmental Health and Trading Standards objected to the granting of a Public Entertainment Licence as works were required to ensure that the licence conditions were met. In particular:
 - Works outlined in a letter sent on 31 October 2003. A copy of the letter is attached at **Appendix 3**.
- 2.4 The application has been displayed on the premises as required. A copy of this notice is attached at **Appendix 4**.
- 2.5 A notice was placed in the Derby Evening Telegraph as required. A copy of the notice is attached at **Appendix 5**.
- 2.6 A copy of a letter received from the owners detailing a timetable for works to be completed is attached at **Appendix 6**.
- 2.7 A location map is attached at **Appendix 7**.
- 2.8 There were no objections from Derbyshire Fire and Rescue Service, Police Authority, Development & Cultural Services or members of the public.

Premises History

3. The premises have not previously held a Public Entertainment Licence.

For more information contact: Mr Michael Kay 01332 716340 E-mail michael.kay@derby.gov.uk

Background papers: None

List of appendices:

Appendix 1 – Implications

Appendix 2 – Application form

Appendix 3 – Letter of outstanding works

Appendix 4 – Copy of notice

Appendix 5 – Copy of Derby Evening Telegraph Advert

Appendix 6 – Letter detailing timetable for works

Appendix 7 – Location map

IMPLICATIONS

Financial

1. If the application is refused, the applicant will forfeit their original fee. Should the owners wish to re apply for a Public Entertainment Licence at a later date a fresh fee will have to be paid and will not be able to have public entertainment events in the meantime.

Legal

- 2.1 Public entertainment is required to be licensed under the provisions of the Local Government (Miscellaneous Provisions) Act 1982.
- 2.2 In considering an application for a new Public Entertainment Licence, The Council is required to consult the Police Authority, Derbyshire Fire and Rescue Service, Environmental Health and Trading Standards, Development and Cultural Services. In considering an application the Council must have regard to any observations by these authorities. It has also become accepted that the Council can consider objections from other people.
- 2.3 The applicant must be informed of objections and given the opportunity to comment on them.
- 2.4 The Council does have the power to refuse the application.
- 2.5 A right of appeal to the Magistrates' Court exists for any applicant who is aggrieved by the refusal of an application.

Personnel

3. None directly arising from this report.

Environmental

4. To be taken into account by the Committee before determining the application.

Equalities Impact

5. None directly arising from this report.