



DERBY CITY COUNCIL

LICENSING SUB COMMITTEE B 20 OCTOBER 2004

Report of the Director of Corporate Services

APPLICATION TO RENEW THE PUBLIC ENTERTAINMENT LICENCE – EDEN, 6 SADLER GATE, 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 renewal application was received 5 April 2004 from Mr Adam Swain in respect of Eden, 6 Sadler Gate, Derby. A copy of the application is attached at **Appendix 2**.
- 2.2 The application was heard at the last Licensing Sub Committee B hearing on 8 September 2004. The Sub Committee resolved to give the applicant 14 days to complete works to the CCTV system to the satisfaction of the Crime Reduction Officer. The Sub Committee asked the Crime Reduction Officer to report to the Chief Environmental Health Officer on completion of the works. To date we have not received confirmation from the Crime Reduction Officer.
- 2.3 There were no objections from Environmental Health and Trading Standards, Derbyshire Fire and Rescue Service, Development & Cultural Services or Members of the Public.
- 2.4 An objection had been received from the Police Authority. A copy of this letter is attached at **Appendix 3**.
- 2.5 A location map is attached at **Appendix 4**.
- 2.6 Since receiving the renewal application on 5 April 2004, a transfer application has been received on 20 April 2004 in the name of Wayne Truman.

Premises History

3. The premises have held a public entertainment licence for over 2 years.

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 – Police Objection
Appendix 4 – Location Map

Appendix 1

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 to renew a 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.