

# ITEM 6



DERBY CITY COUNCIL

## LICENSING SUB COMMITTEE B 8 DECEMBER 2004

Report of the Director of Corporate Services

### APPLICATION TO RENEW THE PUBLIC ENTERTAINMENT LICENCE – FRIARY, FRIAR 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 31 March 2004 from Mr Mark Boulter in respect of Friary, Friar Gate, Derby. A copy of the application is attached at **Appendix 2**.
- 2.2 This application has been deferred, by the Sub Committee at the last three meetings, to enable discussions to take place between the applicant and the Crime Reduction Officer regarding the CCTV system.
- 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**.

##### Premises History

3. The premises have held a public entertainment licence for over 7 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

<b>IMPLICATIONS</b>
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### **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.