

TO: REGULATORY COMMITTEE – 21 MARCH 2005

SUBJECT: RENEWAL OF LICENCES

FROM: MEMBERS' SERVICES

1. PURPOSE OF REPORT

- 1.1 To consider the renewal of public entertainment licences and late night refreshment house licences which expire on the 4 April 2005 and the 31 March 2005 respectively.

2 BACKGROUND

- 2.1 Authority is delegated to the Officers to grant or renew licences where no objections have been received, following an agreed consultation procedure. Where objections are received applications are referred to the Committee for a decision.
- 2.2 The consultation procedure for the renewal of licences involves the Police, the Fire Officer and the Head of Environmental Health. For new licences Ward Councillors and Town/Parish Councils are also consulted.
- 2.3 The Committee has delegated authority to hear and determine applications in cases where objections are received.
- 2.4 The second appointed date under the Licensing Act 2003 has not yet been declared by the Government but it is expected to be 6 November 2005. Premises with public entertainment licences or late night refreshment house licences will need to renew the licences so that the premises are covered until the second appointed day.
- 2.5 Between now and the 6 August 2005 holders of existing licenses can apply to the Council for a licence under the 2003 Act which will take effect on the second appointed day.

3. PUBLIC ENTERTAINMENT LICENSES

- 3.1 Public entertainment licences are required for premises which provide public music or dancing. Under the Liquor Licensing Act 1964, a public entertainment licence is not required for premises with a liquor licence when only recorded music or up to two live performers are involved. Public music in the open air on private land also requires a public entertainment licence but is not subject to this exemption. Public entertainment licences are also required for indoor sporting events where the public are invited as spectators.
- 3.2 There are over 100 premises with public entertainment licences in the district, ranging from village halls to night clubs. All licences expire on the 4 April 2005 and applications are now being received for the renewal of the licences.
- 3.3 The Police, the Fire Officer and the Divisional Environmental Health Officer have been consulted on the renewal of the licences and they do not wish to object to any particular application.

3.4 However, objections have been received to the renewal of the following applications:-

- (1) The Willoughby, August Place, Leamington Spa. Copy of letter from Doctor Cave and email from Mrs Cave attached together with a letter from the applicant, Mr Liddington. Richard Hall, Divisional Environmental Health Officer will report on this application and objections at the meeting.
- (2) Breeze Bar/Club Mirage, Spencer Street, Leamington Spa. Copy of e-mail from Doctor Cave attached. No further incidents of leafleting involving Breeze Bar/Club Mirage has been notified to Waste Management since the email from Dr Cave was received.
- (3) Kellys, 7 Court Street, Leamington Spa. Copy of letter Mr P Cutts, Community Safety Manager, Warwick District Council and an email from Chief Inspector Jackson attached.

4. LATE NIGHT REFRESHMENT HOUSE LICENSES

- 4.1 Premises without a liquor licence which serve food for consumption on the premises between the hours of 10.00 pm and 5.00 am are required to be licensed by the Council. A licence is also required in respect of premises which do have a liquor licence but stay open later than 30 minutes after the time allowed by the Justices for the sale of liquor.
- 4.2 There are four premises which have late night refreshment house licences and they all expire on the 31 March 2005. Applications have been invited for their renewal. The Police, the Fire Officer and the Divisional Environmental Health Officer have been consulted on the renewal of these licences and they do not wish to object to any particular application.

5. PRESENTATION BY THE POLICE

- 5.1 In previous years, the Police have been invited to attend this meeting of the Committee and give information and statistics on the level of relevant crime in the district during the past 12 months. The Police will be represented at the meeting this year to make a presentation.

6. DECISION REQUIRED

- 6.1 Members are asked to consider the above, including the presentation by the Police and the letters and e-mails attached and decide whether the public entertainments licences and late night refreshment house licences can be renewed by the Officers, under delegated powers, or whether there should be a hearing in respect of any particular applications.

Colin Tubbs
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BACKGROUND PAPERS
NIL

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