

	<b>Licensing Panel 13<sup>th</sup> October 2011</b>	<b>Agenda Item No.</b>
<b>Title</b>	Application for a premises licence under the Licensing Act 2003 for Lower ground Floor, LA Fitness, Welton Road, Warwick	
<b>For further information about this report please contact</b>	David Davies, Licensing Services Manager, Community Protection. Tel: 01926 456113. <a href="mailto:david.davies@warwickdc.gov.uk">david.davies@warwickdc.gov.uk</a>	
<b>Service Area</b>	Community Protection	
<b>Wards of the District directly affected</b>	None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No

<b>Officer/Councillor Approval</b>		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Relevant Director	26/09/2011	Roger Jewsbury
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance		
Portfolio Holder(s)	26/09/2011	Councillor Coker
<b>Consultation Undertaken</b>		
N/A		
<b>Final Decision?</b>	Yes	

## **1. SUMMARY**

- 1.1 Under the provisions of the Licensing Act 2003 a premises that wishes to sell alcohol and provide regulated entertainment and late night refreshment must hold a premises licence.

## **2. RECOMMENDATION**

- 2.1 Members are asked to consider the information contained in this report, and decide whether the application for a premises licence should be approved, and, if so, whether it should be subject to any conditions.

## **3. REASONS FOR THE RECOMMENDATION**

- 3.1 Leah Keyworth has applied for a premises licence the lower ground floor beneath LA Fitness Centre, Welton Road, Warwick to permit the following:

- *The sale of alcohol (on the premises)*

11:00 to 04:00 Monday to Saturday  
12:00 (midday) to 04:00 Sunday

- *Live music (indoors only)*

19:00 to 04:00 seven days a week

- *Recorded music (indoors only)*

19:30 to 04:00 seven days a week

- *Late night refreshment (indoors only)*

23:00 to 04:00 seven days a week

- *The opening hours are shown as:*

07:00 to 04:00 seven days a week

(The application states that the early opening is to permit breakfast service)

- 3.2 An operating schedule, which would explain any steps to be taken by the applicant to promote the four licensing objectives, and will form part of any premises licence granted has been submitted as follows:

### *The Prevention of Crime and Disorder*

Cameras will be installed in all bar areas and a local security firm will be monitoring the doors and locality on the evenings when live music is playing

### *Public Safety*

Advice and recommendations from all public safety sectors will be adhered to

## *The Protection of Children from Harm*

No children allowed.

- 3.3 Representations against the application have been received from Warwickshire Police which are shown as Appendix 1 and Warwick District Council, Environmental Health which are shown as Appendix 2.
- 3.4 A plan of the area is shown as Appendix 3
- 3.5 When considering the application the panel must give appropriate weight to:-
- a) The representations received.
  - b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
  - c) The Council's Licensing Policy Statement (Appendix 4).
  - d) The Licensing Objectives, which are:-
    - i) The Prevention of Crime and Disorder.
    - ii) Public Safety.
    - iii) The Prevention of Public Nuisance.
    - iv) The Protection of Children from Harm.

However, it should only consider those licensing objectives which have been referred to in the representations received.

- 3.7 The Council's Licensing Policy Statement provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure compliance with the four licensing objectives shown earlier. Each application will be judged on its own individual merits.
- 3.8 Details of the procedure adopted by the Licensing Committee for Panel Hearings has been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.

## 4. **ALTERNATIVE OPTION CONSIDERED**

- 4.1 No alternatives may be considered.

## 5. **BUDGETARY FRAMEWORK**

- 5.1 This report has no budgetary considerations for the Council.

## 6. **POLICY FRAMEWORK**

- 6.1 None

## 7. **BACKGROUND**

- 7.1 None.