

For publication

Application for a Variation of a Premises Licence by Christopher Ian Sinclair, in respect of Spireite, 388 Sheffield Road, Chesterfield, S41 8LF (LC180)

Meeting: Licensing Committee

Date: 1st March 2017

Cabinet portfolio: Health and Wellbeing

Report by: Emma Marriott, Licensing Officer

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1.0 Purpose of report

- 1.1 For Members to determine an application made by Christopher Ian Sinclair for a variation of a premises licence in respect of

Spireite,
388 Sheffield Road,
Chesterfield,
Derbyshire,
S41 8LF.

- 1.2 Relevant representations have been made in respect of the application and not withdrawn. Consequently the application cannot be granted or refused under officer delegated authority.

2.0 Recommendation

- 2.1 The Licensing Committee may grant the application as requested, grant it with conditions or refuse the application.

3.0 Background

- 3.1 The current Premises Licence (attached at Appendix 1), authorises the following licensable activities:-

Exhibition of a film, Indoor sporting event, Performance of live music, Playing of recorded music, Performance of dance, Entertainment facilities for making music, Entertainment facilities for dancing (Monday to Sunday 8:00 am – 1:30am)

Provision of late night refreshment (Monday to Sunday 11:00pm – 1:30am)

Sale by retail of alcohol (Monday to Sunday 10.00am - 1:00am)

Opening hours of the premises (Monday to Sunday 8:00 am – 1.30 am).

- 3.2 The variation application received on 19 January 2017 to vary the Premises Licence is to:-

1. Extend the internal bar area.
2. Use of outbuilding as outside bar; for use only on Chesterfield Football Club home match days and occasional beer festivals/special events.
3. Non load bearing wall has been removed.

- 3.3 A copy of the application form and plan is attached at Appendix 2.

- 3.4 Applications for a variation of a Premises Licence are required to be advertised by way of site notice displayed at the premises, an advert in the local press, and copies of the application are also submitted to all Responsible Authorities. Responsible Authorities and Interested Parties (persons/bodies representative of businesses or residents in the vicinity of the premises) are entitled to make representations to the Licensing Authority provided they are relevant representations.

- 3.5 A copy of the appropriate local press advert taken from the Derbyshire Times on 2 February 2017 is attached at Appendix 3.

- 3.6 The statutory deadline for objections was 16 February 2017.

- 3.7 No representations have been received from the Responsible Authorities.
- 3.8 One objection has been received from an interested party in relation to one or more of the licensing objectives which are:-
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - protection of children from harm
- 3.9 A copy of the letter of representation is attached at Appendix 4.

4.0 **Recommendation**

- 4.1 That the Licensing Committee determine whether the application for a Variation of a Premises Licence be granted, granted with conditions, or refused.
- 4.2 Where either the applicant or a person who made relevant representations is aggrieved by the decision of the Licensing Authority, appeal is to the Magistrates' Court.

Emma Marriott
LICENSING OFFICER

For more information on this report please contact the author,
Emma Marriott on 01246 345740, email
emma.marriott@chesterfield.gov.uk