

## **For publication**

### **Application for a Variation of a Premises Licence by Blackcat Bars Ltd, in respect of The Association, 14 Corporation Street, Chesterfield, S41 7TP (LC180)**

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Meeting:	Licensing Committee
Date:	12 December 2018
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 for a variation of the premises licence in respect of The Association, Corporation Street, Chesterfield.
- 1.2 As relevant representations have been made in respect of the application and not withdrawn the application cannot be granted or refused under officer delegated authority.

### **2.0 Report Details**

- 2.1 The premises are currently licensed for;  
Performance of live music, Playing of recorded music,  
Performance of dance and provision of facilities for dancing  
and making music (all activities are indoors) Monday to Sunday  
between 10.00am and 3.30am. Late night refreshment

(Indoors) Monday to Sunday between 11.00pm and 3.30am.  
Sale by retail of alcohol for consumption on or off the premises  
Monday to Sunday between 10.00am and 3.00am. The opening  
hours of the premises are Monday to Sunday 10.00am to  
3.30am.

- 2.2 The variation is to allow licensable activities until 4am and to close the premises at 4.30am Thursday to Saturday.
- 2.3 A copy of the application form and plan are attached at Appendix 1. The current Premises Licence is attached at Appendix 2.
- 2.4 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 submitted to all responsible authorities.
- 2.5 The application was submitted electronically through the gov.uk website on 26 October 2018. Consistent with current guidance, Chesterfield Borough Council Licensing Authority circulated a copy of the application to the Responsible Authorities within the appropriate time limits.
- 2.6 A copy of the appropriate local press advert taken from the Derbyshire Times on Thursday 8<sup>th</sup> November 2018 is attached at Appendix 3.
- 2.7 The site notices displayed on the premises, advertising the application were viewed by licensing enforcement staff on 27<sup>th</sup> October 2018 and found to be displayed correctly and completed appropriately.
- 2.8 The statutory deadline for representations in respect of the application was midnight on Friday 23<sup>rd</sup> November 2018.

2.9 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.

2.10 Three representations from local residents have been received and accepted 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

2.11 A copy of the representations are attached at Appendix 4.

2.12 The representatives are concerned with issues relating to two of the licensing objectives;

- the prevention of public nuisance
- the prevention of crime and disorder

### 3.0 **Representations**

3.1 Any representations received must be relevant to the likely effect of the proposed variation on the promotion of at least one of the 4 licensing objections. Representations which are not relevant must be rejected.

3.2 As part of the application process the applicant is required to describe in the operating schedule the additional steps that are intended to be taken in order to promote the licensing objectives for the variation of the licence that has been requested. No additional steps were volunteered by the applicant.

#### 4.0 **Options**

- 4.1 When carrying out its licensing functions, the Licensing Authority must do so with a view to promoting the 4 licensing objectives and also with regard to its Statement of Licensing Policy and the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 4.2 The Licensing Committee may grant the application as requested, grant it subject to conditions or refuse the application.
- 4.3 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.

#### 5.0 **Recommendation**

- 5.1 The Licensing Committee determine whether the application for a variation of a Premises Licence at The Association be granted, granted with conditions or refused.

Emma Marriott  
LICENSING OFFICER

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