

## LICENSING AND APPEALS COMMITTEE

7<sup>th</sup> October 2020

Report of Director of Regulatory Services

## LICENSING ACT 2003 AND GAMBLING ACT 2005 ANNUAL PROGRESS REPORT

### 1 STATISTICAL INFORMATION

#### 1.1 Applications Processed under the Licensing Act 2003

Application Type	Number of Applications Processed		
	2017/2018	2018/2019	2019/2020
New Premises Licences/Club Premises Certificates (CPCs)	17	16	12
Transfers of Premises Licences/Club Premises Certificates	27	22	24
Variations (full)	3	7	10
Minor Variations	3	6	9
Variation of (DPS)	74	74	89
Removal of DPS Condition	0	1 + 1 withdrawn	0
New Personal Licences	53	42	61
Temporary Event Notices (TENs)	409	454	467
LATE Temporary Event Notices	129	125	173
Surrendered Premises Licences	8	9	14

**NB:** As a result of the Coronavirus Pandemic restrictions, only 27 Temporary Event Notices and 18 LATE Temporary Event Notices have been given to the Council between 1<sup>st</sup> April 2020 and 30<sup>th</sup> September 2020, to allow the occasional sale of alcohol and/or provision of regulated entertainment.

#### 1.2 Applications for Minor Variations

Some Members of the Committee may recall that in October 2009, the Minor Variations application process was introduced. This allowed proprietors/operators to make small changes to their premises licences, as long as the proposed changes would not undermine the licensing objectives specified in “the Act”.

Examples of permitted changes under this process include:

- Minor changes to the structure or layout of premises;
- Small adjustments to licensing hours;
- Conditions: removal of out-of-date, irrelevant or unenforceable conditions; or the volunteering of additional/revised conditions;
- Licensable activities: adding certain licensable activities.

- 1.3 When this procedure was introduced, the Government recommended that the decision making for Minor Variation applications should be delegated to officer level. There is also no provision for hearings to be held to determine these applications. If relevant objections are received the applications are refused.
- 1.4 The Director of Regulatory Services and the Licensing Manager are both delegated to determine applications for Minor Variations.
- 1.5 The Minor Variation applications determined by Officers under delegated powers between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020 were:

Premises	Variation
Marks and Spencer, 4 Bakewell Road, Matlock	To amend the refresher training requirement for staff from 6 monthly to 12 monthly. <b>Granted.</b>
H Boutique Hotel, Water Street, Bakewell	Amend licensing plan, remove conditions 3/4/10, amend condition 15 and insert additional condition to permit drinks from the bar to be taken to rooms within the Hotel. <b>Granted.</b>
The Joiner's Arms,	To update the premises plan to include an outside seating area. <b>Refused.</b>
Bank House Bar and Restaurant, Main Road, Hathersage	To update the premises plans, which form part of the premises licence, to include the outside seating area for non-licensable activities i.e. consumption of alcohol. <b>Granted.</b>
The Moon Inn, High Street, Stoney Middleton	To update the plan of the premises to reflect the building extension for dining and toilet facilities. <b>Granted.</b>
Because I Like It, Diamond Court, Water Street, Bakewell	To remove licence condition volunteered for additional personal licence holders. <b>Granted.</b> Premises Licence surrendered when business closed February 2020.
Khula Indian Restaurant, 258 Dale Road, Matlock Bath (formerly County and Station public house)	To update the plan of premises, the name of the business and premises licence holder details. <b>Granted.</b>
Maynard Arms, Main Road, Grindleford	To update the plan of the premises following alterations to the internal layout. <b>Granted.</b>
Square and Compass, Main Road, Darley Bridge, Darley Dale	To update the plan of the premises following internal refurbishment, with added seating. <b>Granted.</b>

## 1.6 Licensing and Appeals Sub-Committee Hearings

During 2019-2020, applications were received for 12 new premises licences and 10 major variations to existing premises licences.

Only two of these applications attracted representations (relevant objections), that could not be resolved by the Licensing Manager, and had to be referred to a meeting of the Licensing and Appeals Sub-Committee, to be determined.

One new premises licence was granted, but with additional restrictions, to balance the needs of the business and those of the local residents. The other application was a variation to an existing premises licence and the application was refused by the Committee.

## **2 CONTACT INFORMATION**

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## **3 BACKGROUND PAPERS**

3.1 Licensing Software M3/ASSURE records. RS/LN/ET/LA2003&GA2005/2005 onwards