

REPORT ON A PROPOSAL TO CHANGE PUBLIC ENTERTAINMENT LICENCE OPENING HOURS CONDITIONS/REGULATIONS FOR CHRISTMAS EVE 2003. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Report By: Head of Environmental Health And Trading Standards

Wards Affected:

County-wide

Purpose

1. To consider authorising the Head of Environmental Health and Trading Standards to vary the hours of Public Entertainment Licences closing times for Christmas Eve Wednesday 24th December 2003.

Background

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- a) Securing the safety of everyone present.
- b) Securing adequate access to the premises in emergencies
- c) Ensuring adequate sanitary arrangements in the premises and
- d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held. The Authority may:-

- a) Make the variations specified in the application
- b) Make such variations as they think fit, subject to the four categories above
- c) Impose terms, conditions or restrictions other than those specified or
- e) Refuse the application

Conditions

3. Amongst the various Conditions and Regulations there are specific ones which related to finishing times for events.

Condition 4.2 of the Standard Conditions for Licensing of Premises for Public Entertainment.

- 4.2 Premises licences for Public Entertainment shall not be opened and used, for any of the said purposes, from midnight on Christmas Eve to midnight on Christmas Day.

Issues

4. The police have been consulted and state.

In previous years the Magistrates have granted extensions and they have not caused any problems. All the pubs are open until 23:45 and those clubs that open are only open until 23:59. This does not give any dispersal between the clubs and pubs. From the police point of view we want and require this dispersal time between the clubs and pubs. No other applications apart from Time have been received, any others submitted will be looked at individually.

5. The Fire Brigade have been consulted and state.

They have no objections to extending the licensing hours beyond midnight if they met with fire safety standards but would assess each application on its merits.

6. The Environmental Health have been consulted and state

there were no recorded complaints about disturbance to neighbours from the 01:00 extension of Public Entertainment hours on Christmas Eve 2002. I would have to consider individually any variation applications to extend Christmas Eve 2003 opening Hours, however I would suggest that the hours are restricted to those allowed in previous years.

Options

7. It is for the Regulatory Committee to decide
 - a) Whether to authorise the Head of Environmental Health and Trading Standards to permit premises to remain open for the purpose of Public Entertainment up to 01:00 after receiving recommendations from the Police, Fire Brigade and Environmental Health.
 - b) Whether to authorise the Head of Environmental Health and Trading Standards to permit premises to remain open for the purposes of Public Entertainment for no set time other than that recommended by the Police, Fire Brigade and Environmental Health.
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- c) To authorise the Head of Environmental Health and Trading Standards to permit premises to remain open for the purposes of Public Entertainment until the time stated by the Regulatory Committee.
- d) Refuse to allow licence conditions to be varied.
- e) Or reach some other conclusion

Further information on the subject of this report is available from Suzanne Laughland, Principal Trading Standards Officer on (01432) 261675