

**PUBLIC ENTERTAINMENT LICENSING APPLICATION TO VARY OPENING HOURS BEYOND THE HOURS SET BY COUNCIL STANDARD CONDITIONS FOR THE GRANDSTAND, GRANDSTAND ROAD, HEREFORD.**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Report By: Head Of Environmental Health And Trading Standards

**Wards Affected:**

Three Elms

**Purpose**

1. To consider an application to vary opening hours for an Annual Public Entertainment Licence that requires a finishing time later than the current standard conditions of 23:30

**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 Regulation there are specific ones that related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for public entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 2330 (Monday to Saturday)	In respect of premises that have the benefit of a liquor licence under the Licensing Act 1964
1100 until 2230 (Sundays)	For MUSICAL entertainment only in respect of all types of premises

## The application for deviation from policy

4. Susan Price and Clive Warren request a variation of the licence conditions to extend the Annual Licensing opening entertainment hours for The Grandstand, Grandstand Road, Hereford from 23:30pm to Midnight on Friday's and Saturday's.

## Issues

5. The police have been consulted and made the following comments:

I have no objection to the application to extend the Public Entertainment Licence for this premise until 23:59 on Friday and Saturday nights. They have not made or indicated that they intend to make an application for a section 77 which is a late night liquor licence (a Night Club Licence).

If they do I would object to it at the Magistrates Court because the premises are not structurally adapted and bona fida used for the provision of entertainment and food to which to which the provision of alcohol was ancillary.

6. The Fire brigade have been consulted and have no objections.
7. Environmental Health have been consulted and made the following comments:

I have no objection to this proposal to extend the terminal hour on Fridays and Saturdays by half an hour up to 12 midnight. Although there are residential properties within 40 meters of the public house this service has no record of any complaints as regards disturbance caused to neighbours.

Should in future it be proposed to extend the hours further or should concerns be expressed by residents I may wish to review my comments.

8. Public notices were printed in the Hereford Times and Hereford Journal, no objections were received

### **Special conditions**

9. Herefordshire Council Environmental Health and Trading Standards Licensing section add special conditions to the standard conditions for night-clubs and like premises, see Appendix 1.

These conditions are based on recommendations from the Police, Fire Brigade and Environmental Health.

### **Options**

10. It is for the Regulatory Committee to decide

- To grant the extended hours
- To grant the extended hours and impose conditions
- To refuse the extended hours
- To come to some other conclusion