This is an application for a new premises licence

1. **Current Licence Status**

1.1 The premises are currently not licensed.

1.2 The application for a new premises licence was sent to all the Responsible Authorities. There were no representations from any responsible authorities but representations were received from 2 residents within relative close proximity to the premises.

1.3 The representations received from interested parties, have been examined by officers and are considered not to be vexatious or frivolous. The representations were received within the specified time.

1.4 The application for the new premises licence has been advertised in accordance with regulation 39, displayed prominently a notice at the premises, and at the Council’s main offices for a period of 28 consecutive days. The last date for receiving representations was the 20th September 2017.

2. **Outline of objections received**

The residents are objecting to the new application due to perceived noise and associated anti-social behaviour. The previous venue at this address had its licence revoked last year for issues relating to crime & disorder. The objection has been sought on the grounds of prevention crime & disorder and public nuisance.
3. **Legal & Human Rights Implications**

3.1 The Licensing authority is a public authority under the Human Rights Act 1998. Therefore the licensing authority is required to act compatibly with the convention rights in the exercise of their functions. Article 6 (1) of the Convention provides that everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial hearing established by law.

3.2 A Premises Licence is a possession for the purpose of the Human Rights Act 1998. The right to hold a licence is a qualified rather than an absolute right. Therefore the right to hold a licence may be interfered with if it affects the interests of local residents or others. Such interference may be justified if it is necessary and proportionate to promote the licensing objectives.

4. **Application for the New Premises Licence**

After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. The licensing committee may:

1.) Grant the new premises licence, or
2.) Refuse the new premises licence

An appeal may be made against the decision to the Magistrates Court within 21 days.

**Background Papers**

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<td>Application</td>
<td>23/08/17</td>
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<td>Evidence / documents</td>
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Should you require any further information on this report please contact Lisa Spall at Licensing Services on 020 8314 8390.