

## BOROUGH OF KETTERING

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<b>Report Originator</b>	Russ Howell	<i>Fwd Plan Ref No:</i> N/A	
<b>Wards Affected</b>	All	12 <sup>th</sup> September 2016	
<b>Title</b>	<b>Kettering Town Centre Licensing Hours</b>		

### 1. PURPOSE OF REPORT

To provide Kettering Town Forum members with information on current licensing hours for premises in Kettering Town Centre.

### 2. INFORMATION

2.1 At its meeting on 25<sup>th</sup> July 2016 members of Kettering Town forum asked that an item be put on the agenda regarding "Terminal time for licensed establishments in the town centre".

2.2 The Licensing Act 2003 came into effect in 2005 and introduced a new licensing regime covering a number of licensable activities. The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of regulated entertainment; and
- the provision of late night refreshment between 23.00 and 05.00.

2.3 Descriptions of entertainment to be regulated by the 2003 Act are:

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment (indoor and outdoor)
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance but only where the entertainment takes place in the presence of an audience and is provided for the purpose (or for purposes which include the purpose) of entertaining that audience.

2.4 These activities are authorised by a premises licence, club premises certificate or temporary event notice.

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- 2.5 Premises licences and club premises certificates have no expiry date unless a limitation on the licensable period has been placed on the authorisation by the applicant.
- 2.6 Temporary Event Notices are notices which apply for a limited period for a limited number of persons and only a limited number can be used in any 12 month period. Any person or business can submit a temporary event notice including businesses which already holds a premises licence or club premises certificate.
- 2.7 All authorisations are subject to some form of consultation and representation process. Representations against premises licence and club premises certificate applications can be made by a range of authorities and any other individual or business or any body representing individuals or businesses.
- 2.8 Temporary event notices are only subject to consultation with the Police and Environmental Health.
- 2.9 Representations can only be made where it is considered that the application fails to promote the licensing objectives detailed in the Act:
- the prevention of crime and disorder;
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 2.10 Similarly an existing premises licence or club premises certificate can be reviewed by anyone subject to the review application meeting the same tests as detailed above.
- 2.11 Conditions including restrictions on trading hours can only be implemented where the committee process has been triggered by the actions detailed above and the committee considers that there are grounds for such action.
- 2.12 As described in the general principles section of the Section 182 Licensing Act 2003 guidance, "If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from responsible authorities or other persons, the licensing authority must grant the application, subject only to conditions that are consistent with the operating schedule and relevant mandatory conditions." The operating schedule is part of the application process where the applicant describes the steps they will take to meet the licensing objectives.
- 2.13 For the purposes of this information, Kettering Town Centre is defined as the area shown on the enclosed map at **Appendix A**.
- 2.14 At **Appendix B** is the list of premises within that area which currently have a premises licence or club premises certificate for any licensable activity. The list shows the venue details, the activities licensed and the days and hours when

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the licence may have effect. It must be noted that the hours on the licence may not always be the actual operating hours of the business. Not all businesses operate to the hours available to them.

2.15 As discussed above, these hours may be extended by the use of Temporary Event Notices.

### 3. CONSULTATION AND CUSTOMER IMPACT

3.1 None

### 4. POLICY IMPLICATIONS

4.1 None at this stage.

### 5. USE OF RESOURCES

5.1 None at this stage.

### 6. RECOMMENDATION

For information only.