



REPORT OF:	HEAD OF COMMUNITY SERVICES
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TO:	LICENSING SUB COMMITTEE
DATE:	TUESDAY 30 JULY 2013

AGENDA ITEM NO:	5	WARD(S) AFFECTED:	HORLEY CENTRAL
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REPORT on an application to vary premise licence to specify individual as premise supervisor in respect of:

FLIRT NIGHTCLUB, CONSORT WAY, HORLEY

APPLICATION DETAILS:

The application is before the Sub-Committee because an objection has been received from Surrey Police, acting as a responsible authority.

OPTIONS

The Sub-Committee has the following options:

1. To grant the application.
2. To reject the application if it considers it necessary for the promotion of the crime prevention objective.

The Sub Committee has authority to determine either of the above options.

Background

1. Flirt Nightclub is an entertainment venue in Horley Town Centre. A location plan is attached at Annex 1.
2. Flirt Nightclub is licensed for the provision of regulated entertainment and the supply of alcohol. A copy of the current premises licence is attached at Annex 2.
3. On 20 May 2013, the licensing sub committee determined to remove Mr Gray Coe as the designated premise supervisor.
4. On 20 June 2013 an application was received for variation of the Premises Licence of Flirt Nightclub, Victoria House, Consort Way, Horley, Surrey RH6

7AF to designate Mrs Caroline Coe as the premises supervisor. A copy of the application is attached at Annex 3.

5. On 20 June 2013 Surrey Police provided a notice that they were satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective. A copy of the police notice including their reasons is attached at Annex 4.
6. On 4 July 2013 Surrey Police provided two additional statements to support their objection, and copies of these statements are attached at Annex 5.

Promotion of Licensing Objectives

7. The objection from the police to this application relates to the Licensing Objective "the prevention of crime and disorder".

Policy and Legal Considerations

8. Relevant to this application is paragraph 6 of the Councils' Statement of Licensing Policy - 'The Licensing Objectives - the prevention of crime and disorder'.
9. Relevant to this application are paragraphs 4.18 to 4.29 of the amended guidance issued under section 182 of the Licensing Act 2003 ('specification of a new designated premises supervisor' and 'police objections to new designated premises supervisors'). Equality Act 2010 Public Sector Equality Duty (section 149). Licensing Act 2003, Part 2 Licensing Authorities (s4-6), Part 3 Premise Licences (s11 - 15, s37 - 39 and section 54), section 182 (Guidance), s183 (Hearings), Human Rights Act 1998 and other matters considered relevant on the facts.
10. The application to vary the licence to designate Mrs Caroline Coe as the premises supervisor has effect until a Licensing Sub Committee has determined the application.

Appeals Procedure

The applicant may appeal against any decision to refuse the application, and the chief officer of police may appeal against the decision to grant the application. Appeals may be made to the Magistrates Court within 21 days beginning with the day on which the appellant was notified of the decision to be appealed against.

Background Papers: None

Annex 1	Location plan.
Annex 2	Premise licence.
Annex 3	Application to vary premises licence to specify individual as premises supervisor for Flirt Nightclub.
Annex 4	Police objection notice.
Annex 5	Police Statement of PC Stevens and Ross Davison