



Walsall Council

Item No.

LICENSING AND SAFETY COMMITTEE
9th February 2007

REPORT OF HEAD OF PUBLIC PROTECTION

Application to vary a premises licence under the Licensing Act 2003

**Frying Pan
Bilston Street
Darlaston
WS10 8EY**

1.0 THE APPLICATION

- 1.1 Peter Kenneth Herbert has made application, under the Licensing Act, 2003 to vary the premises licence in respect of the above premise. A copy of the application with plan of premises is attached as Appendix 1.
- 1.2 A copy of the licence to be varied is attached as Appendix 2.
- 1.3 A summary of the application is as follows:
- To carry out alterations to the premises as shown in the plan submitted with the application.
 - There is no application to vary the existing hours or licensed activities.

2.0 Background

- 2.1 The proposed alterations are to prepare the premises for the anticipated "No Smoking" legislation.

3.0 Promotion of Licensing Objectives

- 3.1 The applicant proposes no additional steps in order to promote the four licensing objectives.

4.0 Relevant representations

- 4.1 Relevant representations may only be made by a “responsible authority” or by or on behalf of an “interested party” defined as a person living or having a business in the vicinity of the premises to which the application relates.
- 4.2 There has been one relevant representation from a “responsible authority”, West Midland Fire Service. A copy is attached as Appendix 3.
- 4.3 No individual representations have been received.
- 4.4 A street map of the locality is attached as Appendix 4.

5.0 Policy considerations

- 5.1 Walsall council has stated that ‘at all times the licensing authority will try to strike a fair balance between the benefits to the community of a licensed venue and the risk of disturbance to local residents’.
- 5.2 In considering each application on its own merits, the licensing authority will consider whether or not the proposed licensing hours in the operating schedule will have an adverse effect on the licensing objectives promoted by the authority.
- 5.3 The Licensing Officer has not been able to mediate in this case.

6.0 Associated papers

- 6.1 Appendix 1 – the application with premises plan
Appendix 2 – copy of licence to be varied
Appendix 3 – representation from West Midlands Fire Service.
Appendix 4 – street map of the locality