Legislation and Policy Considerations

1. The following provisions of the Act apply to this application: S4 general duties of licensing authorities; s29 application for a provisional statement; s30 advertisement of application for provisional statement, s17(5) advertising and notification of application; and ss19, 20 and 21 mandatory conditions.

2. The following provisions of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 apply to this application: Regulation 42, Part 2 (Premises licences) relating to provisional statements and Part 4 (General) relating to applications, notices and representations and advertisement of applications

3. The following provisions of the Secretary of State's guidance apply to this application: Paragraphs 3.13 to 3.21 relating to cumulative impact of a concentration of licensed premises; 3.22 to 3.27 concerning the limitations on special policies relating to cumulative impact; and 5.83 to 5.91 relating to provisional statements.

4. The following paragraphs of the licensing authority's statement of licensing policy apply to this application: 3.1 Planning (Development Control), 3.2 Crime and Disorder, 4.1 Consultation on New Premises Applications, Club Premises Certificates, Variations and Provisional Statements, 4.2 General Principles for Determination of Applications, 5.0 Guidelines for Applicants, 6.0 Saturation and Cumulative Impact, 7.0 Licensing Hours and Appendix D Pool Conditions.

5. The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.

6. The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.