

**REPORT OF THE CORPORATE DIRECTOR OF CITY DEVELOPMENT**

**APPLICATION FOR A LATE NIGHT REFRESHMENT HOUSE LICENCE  
3 BENTINCK ROAD, RADFORD, NOTTINGHAM**

**1.0 SUMMARY**

1.1 This application is for a new Late Night Refreshment House Licence.

**2.0 RECOMMENDATIONS**

**2.1 IT IS RECOMMENDED THAT the Committee determine the application having regard to the objections of the Pollution Control Officer and Ward Councillor Stephenson.**

**3.0 BACKGROUND**

3.1 Mr. Hasan Cicek has applied to hold a late night refreshment house licence at **3, Bentinck Road, Radford, Nottingham.**

3.2 The Act makes no provision for a local authority to refuse a licence, but in order to prevent unreasonable disturbance to residents of the neighbourhood, the Council may impose a condition prohibiting the opening or keeping open of such premises between the hours of 11 pm and 5 am.

3.3 Mr Cicek has been made aware of the views of consultees and has been asked whether he would wish to amend the terminal hour to 1 am. Mr Cicek has indicated that he does not agree with the proposal.

**4.0 PROPOSALS**

4.1 Mr. Cicek has submitted an application for a licence in accordance with the Late Night Refreshments Houses Act 1969 to remain open to 5 am.

4.2 The Police and Planning Applications & Advice Officer have been consulted and have no objection.

4.3 Ward Councillors have been consulted and Councillor Stephenson has objected. A copy of his letter is attached as Appendix 1.

4.4 The Pollution Control Officer has been consulted and has objected on the grounds outlined in the attached memorandum at Appendix 2.

4.5 The location of the premises is shown on the attached map and the applicant and objectors have been invited to attend.

**5.0 LEGAL IMPLICATIONS**

These will be reported at the meeting.

## **6.0 EQUAL OPPORTUNITIES IMPLICATIONS**

None.

## **7.0 List of background papers other than published works or those disclosing confidential or exempt information**

- Application dated 24 September 2003
- Letter from Mr Cicek dated 6 October 2003
- Letter from the Police dated 16 October 2003

## **8.0 Copyright Acknowledgement**

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***Barry Horne***  
**Corporate Director**  
**City Development**

Lawrence House, Talbot Street, Nottingham NG1 5NT

Contact Officer: Janet Swain  
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30 October 2003



3 BENTINCK ROAD



**Arboretum and Hyson Green Liberal Democrat Focus Team**  
**Councillor Tom Stephenson**  
**44 Hazelwood Road, Hyson Green, Nottingham, NG7 5LB**  
**Tel: 9155609**

09/10/2003

Tim Coulson  
Service Manager Food and Licensing  
Development and Environmental Services  
Lawrence House  
Talbot Street  
Nottingham  
NG1 5NT

Dear Sir,

Re: 3 Bentinck Road, Radford, Nottingham

I wish to object to the granting of a license to the above premises under the Late Night Refreshment Houses Act 1969.

The grounds for my objection relate to the proposed opening times. The application asks for a license to be granted that will allow the premises to remain open till 5am. The premises are located in the middle of a residential area and the premises in question are part of a line of shops all with flats above. I feel that in order to avoid unreasonable noise and disturbance to nearby residents the opening hours allowed by the license should be significantly limited. I would have no objection to the application if the open hours were restricted so that the premises could only remain open until midnight.

Yours sincerely,

Tom Stephenson,  
Councillor for Arboretum Ward



# Memo

Development and Environmental Services

Date: 2 October 2003

<b>To:</b> Janet Swain – Licensing Section		<b>Your Ref:</b>
<b>From:</b> Julia Ramsey – Pollution Control	<b>Ext:</b> 56424	<b>My Ref:</b> 126171/3BentinckRoad

**Re: Application for a Late Night Refreshment House Licence**

**3 Bentinck Road, Radford, Nottingham**

The premises are situated on a main with residential accommodation to the first floor level above these and neighbouring premises. Therefore, there is a high potential for noise nuisance and disturbance to nearby residents.

The neighbouring premises at no.1 (takeaway) and no. 5-7 (restaurant) have latest opening times of 1am and 12am respectively. Bearing this in mind, I therefore recommend that the proposed opening hours remain consistent with these premises in the near vicinity and do not open later than 1am.

**Julia Ramsey**

**Environmental Health Officer (Pollution Control)**