

AGENDA



For a meeting of the
ALCOHOL, ENTERTAINMENT & LATE NIGHT REFRESHMENT LICENSING COMMITTEE
to be held on
FRIDAY, 2 AUGUST 2013
at
10.00 AM
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST PETER'S HILL, GRANTHAM NG31 6PZ
Beverly Agass, Chief Executive

Committee Members:	Councillor Mark Ashberry, Councillor Pam Bosworth (Chairman), Councillor Robert Broughton, Councillor George Chivers, Councillor Breda Griffin, Councillor Reginald Howard, Councillor Graddon Rowlands, Councillor Bob Russell (Vice-Chairman), Councillor Susan Sandall, Councillor Mrs Jean Taylor and Councillor Frank Turner
Committee Support Officer:	Lucy Bonshor 01476 40 61 20

Members of the Committee are invited to attend the above meeting to consider the items of business listed below.

- 1. LICENSING ACT 2003: REVIEW OF PREMISES LICENCE FOR WILLIAM CECIL HOTEL, 36-38 HIGH STREET, ST MARTINS, STAMFORD**

Report CSL033 by the Community Safety and Licensing Service Manager.

(Enclosure)

APPENDIX 1

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Mr Peter Rogers

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description William Cecil Hotel 36-38 High Street St Martins Stamford Lincolnshire PE9 2LJ	
Post town Stamford	Post code (if known) PE9 2LJ

Name of premises licence holder or club holding club premises certificate (if known) Hillbrooke Hotels (Burghley) Ltd
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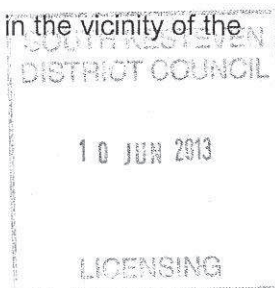
Number of premises licence or club premises certificate (if known) 4860

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises



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- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Environmental Health Services South Kesteven District Council St Peters Hill Grantham NG31 6PZ
Telephone number (if any) 01476 406300
E-mail address (optional) ehs@southkesteven.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)
please see attached, "Grounds for Review" report.

Please provide as much information as possible to support the application
(please read guidance note 2)

APPENDIX 1

APPENDIX 1

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

APPENDIX 1

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Peter Rowles

Date

10 JUNE 2013

Capacity Environmental Protection Team Leader

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Licence Act 2003

William Cecil Hotel, 36-38 High Street, St Martins, Stamford, Lincolnshire

PE9 2LJ

Licence Review: Grounds for Review Report

The William Cecil has a marquee in the grounds of their premises which is used for formal events such as weddings and birthday/Christmas/New year celebrations. The Marquee does not have planning permission and noise abatement notices have been served following complaints of loud music and the noise from guests enjoying the occasions. The marquee is situated within 20m of Stamford Endowed school boarding accommodation.



Since August 2011 Environmental health services, have received 15 complaints of loud music and the noise from the guests at functions within the marquee. The complaints are mainly in the Spring/Summer months. The main complainants are the students of the adjacent boarding school which has affected their school work (see attached testimony from pupils). Local residents have also complained as well as the student house mistress who lives in the accommodation full time with her family.

Following investigations, the noise from the marquee was identified as loud and intrusive and a noise abatement notice was served on the 11/10/2011.

The marquee did not have planning permission and a retrospective planning application was requested by SKDC Planning department

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In response to noise complaints the William Cecil installed a directional sound system in the marquee on the 3/1/2012. This direct speaker system directed sound onto the dance floor. The system was inspected by Environmental Health services and sound tests proved that the music played through this system would not breach the abatement notice following an agreed noise limit that was set.

Six months later, further noise complaints about the noise from the marquee were received on the 9/6/12, 23/6/12, 30/6/12, 18/8/12 and 22/9/12.

Environmental Health services conducted monitoring on the 6/10/12, 24/11/12, 22/12/12, 4/1/13 and 25/5/13.

The results of these monitoring events identified that the music and guests attending events in the marquee were both loud and intrusive. A meeting was held with the William Cecil management and planning officers and Environmental Health officers of SKDC on the 5/11/12. This meeting was to discuss the outstanding planning permission and discuss the noise nuisance identified from recent monitoring. A recording of an event held on the 6/10/12 was played at the meeting, (this event can be played for committee).

A further noise abatement notice was served on the William Cecil 9/11/12 because of the delay since the last notice was more than 12 months. Environmental Health Services recommended that the marquee should not be granted planning permission for events incorporating music and late night entertainment.

Further on site monitoring on the 24/11/12 and a joint monitoring exercise with the William Cecil noise consultant on the 4/1/13 identified that music from the marquee was acceptable but the noise from the guests was loud and intrusive.

Planning permission was finally refused but an appeal was lodged on the 1/5/2013. Since the refusal, noise complaints were received on the 9/3/13, 6/4/13, 20/4/13 and 12/5/13, 25/5/13 and 1/6/2013.

I enclose a testimony from pupils who were affected by the event held on the 12/5/13.

On the 25 May 2013 I witnessed a loud wedding party in the marquee. The music and the guests were loud and intrusive and I would not be able to sleep because of the noise. The house mistress was forced to put her children to sleep in dormer bedrooms at the opposite end of the accommodation block away from the marquee, so that they could sleep. This is totally unacceptable.

In summary, William Cecil continues to use the marquee for formal events which has been refused planning permission. These events create noise nuisance which is having a detrimental effect on local residents and specifically students studying for exams. The management have not resolved these issues, even after extensive dialogue and communication between SKDC, the hotel continues to operate the marquee.

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Comments from some of the boarders who were affected by the party in the William Cecil marquee on Sunday 12th May.

The night on 12th May 2013 was absolutely a nightmare. On the day, around 7.00pm, people started their party in the hotel. As my windows in my room are just about 10meters away from their marquee, I could hear clearly their music and the people yelling and screaming which were so loud and noisy. I got three A Level exams on the next day and I could not concentrate on my study! I did try to close all of my windows in my room, but it didn't help much that I could still hear their disturbing party songs! Around 10.00pm, I tried to sleep as I knew I needed a fresh and clear mind for my exam, but actually, I couldn't sleep at all. People were getting hyper as well as their DJ! Around 11.45am, the music finally stopped but I could still hear those drunk men yelling. I am really disappointed with this issues and I hope this problem can be sorted as soon as possible.
Thanks.

Full boarder from Park House

██████████ Y12

On Sunday night I had gone to bed at 9:40, as I had an A-level maths exam the next day, I'd spent all day in the library revising for it and was going to bed early so I wouldn't be tired for the exam. At 9:40, with my window closed the music seemed to get louder, the bass was really loud, I could hear the DJ clearly and the guests singing along to the songs. At 10:40 after an hour of trying to sleep I went to check with my roommate who was still wide awake because of the music and we went down to Mrs Vie to ask about it. After that we went back to our rooms and were kept up till 12:30. Having to get up with only 6 and a half hours sleep and do an exam was exhausting.

██████████ Y13

The noise from the marquee has been an on-going issue throughout the year and it is absolutely ridiculous that I could literally hear the words of the songs the hotel was playing until just before 12am on Monday morning. Not only was the music incredibly loud, but there was also shouting and cheering. At a time when exams are so near it is just incredibly selfish that even after we rang up and asked them to quiet down as it is a school night, they not only ignored our pleas, but the noise in fact got louder. If the hotel had listened to us earlier when we first brought up the noise issue, they wouldn't have 23 angry, stressed, sleep-deprived teenage girls to answer to now. We in Park House would like the opportunity to do as well as we possibly can in our exams, something that is not possible when we are kept awake until 1 am the night before an exam.

██████████ Y13

On Sunday the 12th of May, the night before a long week of external exams beginning, the latest time I would have gone to bed would be half past nine. But as I was revising around 8 o'clock the unforgettable bass-line from the William Cecil Hotel started again. The gradual rise in noise from the music (I could clearly hear all the songs, Uptown girl, dirty dancing - time of my life, walking on sunshine etc!) and the drunken shouts were beginning to become overpowering. The blatant disregard for surrounding neighbours is apparent from the monstrous noise pollution. I am appalled by deafening drunken shouts only metres away, and to be frank the noise felt as if I were at the party itself. I am extremely disappointed and feel that we as a Boarding House, have been let down by our 'neighbours'.

██████████ Y13

APPENDIX 1

In order to control the use of the marquee and the outside area of the William Cecil I recommend the following variation to the premises licence:

For outside use that requires music:

1. limit the number of events to be no more than 12 a year.
2. Number of people in the garden area to be no more than 100.
3. Events to cease no later than 9pm.

Peter Rogers
Environmental Protection Team Leader



South Kesteven District Council
Council Offices
St Peters Hill
Grantham
Lincolnshire
NG31 6PZ

Premises licence number 4860

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

The William Cecil Hotel
High Street

Post town	St. Martins Stamford, Lincolnshire	Post code	PE9 2LJ
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Telephone number	01780 481184
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Where the licence is time limited the dates

Licensable activities authorised by the licence

- (e) Live music
- (f) Recorded music
- (g) Performances of dance
- (h) Anything of a similar description to that falling within (e), (f), (g)
- (i) Making music
- (j) Dancing
- Late night refreshment
- Sale by retail of alcohol

Adult entertainment is not authorised by this licence

The times the licence authorise the carrying out of licensable activities

Live music (indoors/outdoors)

11.00 - 24.00 Sunday to Wednesday
11.00 - 01.00 Thursday to Saturday
11.00 - 24.00 Sunday to Saturday

The upper times represent the times requested for the Cecil, Greco, Warrior and Exeter areas, whilst the lower times represent the times requested for the marquee

1

Seasonal Variations

An ending time of 0100 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Non standard timings

Recorded music (indoors/outdoors)

11.00 - 24.00 Sunday to Wednesday

11.00 - 01.00 Thursday to Saturday

11.00 - 24.00 Sunday to Saturday

The upper times represent the times requested for the Cecil, Greco, Warrior, Main bar, small sitting room and Exeter areas, whilst the lower times represent the times requested for the marquee and patio

Seasonal Variations

An ending time of 0100 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Performances of dance (indoors/outdoors)

11.00 - 23.00 Monday to Sunday

Anything of a similar description to that falling within (e),(f) or (g) (indoors/outdoors)

17.00 - 24.00 Sunday to Wednesday

17.00 - 01.00 Thursday to Saturday

17.00 - 24.00 Sunday to Saturday

The upper times represent the times requested for the Cecil, Greco, Warrior and Exeter areas, whilst the lower times represent the times requested for the marquee

Seasonal Variations

An ending time of 0100 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Making music (indoors/outdoors)

17.00 - 24.00 Sunday to Wednesday

17.00 - 01.00 Thursday to Saturday

17.00 - 24.00 Sunday to Saturday

The upper times represent the times requested for the Cecil, Greco, Warrior and Exeter areas, whilst the lower times represent the times requested for the marquee

Seasonal Variations

An ending time of 0100 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Dancing (indoors/outdoors)

17.00 - 24.00 Sunday to Wednesday

17.00 - 01.00 Thursday to Saturday

17.00 - 24.00 Sunday to Saturday

The upper times represent the times requested for the Cecil, Greco,

APPENDIX 3

Warrior and Exeter areas, whilst the lower times represent the times requested for the marquee

Seasonal Variations

An ending time of 0100 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Late night refreshment (indoors/outdoors)

23.00 - 00.30 Sunday to Wednesday

23.00 - 01.30 Thursday to Saturday

23.00 - 24.00 Sunday to Saturday

The upper times represent the times requested for the Cecil, Greco, Warrior and Exeter areas, whilst the lower times represent the times requested for the marquee

Seasonal Variations

An ending time of 0130 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Sale by retail of alcohol

11.00 - 24.00 Sunday to Wednesday

11.00 - 01.00 Thursday to Saturday

11.00 - 01.00 Sunday to Saturday

The upper times represent the times requested for the Cecil, Greco, Warrior, Main bar, small sitting room and Exeter areas, whilst the lower times represent the times requested for the marquee

Seasonal Variations

An ending time of 0100 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Non standard timings

Until 0200 for hotel residents and their guests

In addition, for New Years Eve, Licensee can remain open from the end of permitted hours until the start of permitted hours on the following day.

The opening hours of the premises

07.00 - 00.45 Sunday to Wednesday

07.00 - 01.45 Thursday to Saturday

10.00 - 00.45 Sunday to Wednesday

10.00 - 00.45 Thursday to Saturday

The upper times represent the times requested for the Cecil, Greco, Warrior, Main bar, small sitting room and Exeter areas, whilst the lower times represent the times requested for the marquee

Seasonal Variations

An ending time of 0145 for the whole month of December and for the period 1st to 15th January

No additional time for the marquee

Where the licence authorise supplies of alcohol whether these are on and/or off supplies

On and Off supplies

APPENDIX 3

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Hillbrooke Hotels (Burghley) Ltd
16 St Peter's Square
London
W6 9AJ

Registered number of holder, for example company number, charity number (where applicable)

5536647

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

H09/0001 – North Norfolk DC

Annex 1 – Mandatory conditions

The William Cecil Hotel
 High Street
 St. Martins
 Stamford, Lincolnshire
 PE9 2LJ

Supply of alcohol

1. No supply of alcohol shall be made under this Premises Licence at a time:
 - a) When there is no designated supervisor in respect of the Premises Licence
 - b) When the designated premises supervisor does not hold a personal licence or his or her personal licence is suspended.
2. Every supply of alcohol under the Premises Licence shall be made or authorised by a person who holds a personal licence.

SCHEDULE Mandatory Licensing Conditions

1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

The William Cecil Hotel
High Street
St. Martins
Stamford, Lincolnshire
PE9 2LJ

Steps Taken To Promote the Licensing Objectives

a) General - all four licensing objectives (b,c,d,e)

1 This Premises Licence is issued as a conversion of the following existing licence:

a) A Public Entertainment Licence issued under the Local Government (Miscellaneous Provisions) Act 1982 to Gavin Hastings on 25th April 2005 by South Kesteven District Council.

2 All restrictions and rights attaching to the existing licence at the date of conversion (including standard conditions and expressed conditions subject to which the existing licence was issued and limitations on the use of the premises for the existing licensable activities under the existing licence.

In these conditions:

“existing licence” means the licence referred to in condition 1(a) above

“existing licensable activities” under an existing licence means:

the licensable activities authorised by the existing licence

any other licensable activities which may be carried on at the premises in respect of which the existing licence has effect (at the date of conversion), by virtue of the existence of the licence.

“the date of conversion” of an existing licence means the date on which this Premises Licence was issued

Public Entertainment Licence Conditions

STANDARD CONDITION NO.7 – MAXIMUM OCCUPANCY FIGURE – The fire officer has prescribed the following maximum occupancy figure: First Floor- 240 persons- Cecil Room only.

LICENCE RESTRICTION- This licence covers only parts of the premise for which an occupancy figure has been specified. Parts of the premises for which an occupancy figure has not been specified may not be used for public entertainments.

ADDITIONAL FIRE SAFETY REQUIREMENTS – The licence is issued subject to the requirements of the fire officer in his letter dated 19/6/00.

STANDARD CONDITION NUMBER 58 & 59- PREVENTION OF OF NOISE NUISANCE-

The licence is issued subject to compliance with the recommendations in the acoustic report provided by Acoustic Associates dated December 1999.

All windows to the premises shall be kept locked at all times that entertainments are held

- c) Public safety
- d) The prevention of public nuisance
- e) The protection of children from harm

The William Cecil Hotel
High Street
St. Martins
Stamford, Lincolnshire
PE9 2LJ

Conditions attached after a hearing by the licensing authority

- 1) The noise level for the marquee whilst being used for public entertainments purposes shall not exceed 85 decibels or at a level specified in writing by the Head of Environmental Health and Licensing, measured at any point.
- 2) The licence holder or his representative shall conduct regular assessments of the noise coming from the marquee on every occasion the marquee is used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.

Note to applicant - that regular dialogue and consultation with neighbours to the Lady Anne's Hotel should occur.

Annex 4 – Plans

**The William Cecil Hotel
High Street
St. Martins
Stamford, Lincolnshire
PE9 2LJ**

Attached