



AGENDA

For a meeting of the
ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE
to be held on
FRIDAY, 9 SEPTEMBER 2005
at
9.30 AM
in the
COMMITTEE ROOM 1, COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM
Duncan Kerr, Chief Executive

Panel Members:	Councillor Pam Bosworth, Councillor Mrs Joyce Gaffigan, Councillor Reginald Howard, Councillor Stephen O'Hare, Councillor Alan Parkin, Councillor Mrs Angeline Percival, Councillor Mrs Margery Radley, Councillor Frank Turner (Vice-Chairman), Councillor Graham Wheat, Councillor Mrs Mary Wheat (Chairman) and Councillor Mike Williams
Committee Support Officer:	Malcolm Hall 01476 406118 m.hall@southkesteven.gov.uk

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

1. **APOLOGIES.**
2. **DECLARATIONS OF INTEREST.**
Members are asked to declare an interest in matters for consideration at the meeting.
3. **MINUTES OF MEETING HELD ON 2ND SEPTEMBER 2005**
(Enclosure)
4. **LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE:-**
 - a) **BULL HOTEL, 19 MARKET PLACE, MARKET DEEPING**
Report ENV266 from the Head of Environmental Health and Licensing (Encl)
(Agreement hearing not necessary)
 - b) **THE HURDLER, 93 NEW CROSS ROAD, STAMFORD**
Report ENV267 from the Head of Environmental Health and Licensing (Encl)
(Agreement hearing not necessary)

- c) **SMITHS', 25 NORTH STREET, BOURNE**
Report ENV268 from the Head of Environmental Health and Licensing (Encl
(Adjournment requested)
- d) **MODEL FISH BAR AND RESTAURANT, 52 BROAD STREET, STAMFORD**
Report ENV269 from the Head of Environmental Health and Licensing (Encl
(Adjournment requested)
- e) **THE TOWN HOUSE, 39 BROAD STREET, STAMFORD**
Report ENV270 from the Head of Environmental Health and Licensing (Encl
(Adjournment requested)
- f) **THE ROYAL OAK, NORTH STREET, BOURNE**
Report ENV271 from the Head of Environmental Health and Licensing (Encl
(Agreed hearing not necessary)
- g) **BURGHLEY ARMS HOTEL, 6 NORTH STREET, BOURNE**
Report ENV273 from the Head of Environmental Health and Licensing (Encl
- h) **CENTRAL NIGHT CLUB, 9 SILVER LANE, STAMFORD**
Report ENV274 from the Head of Environmental Health and Licensing (Encl
(Adjournment requested)
- i) **THE BASKERVILLES, MAIN STREET, BASTON**
Report ENV275 from the Head of Environmental Health and Licensing (Encl
(To be deferred ref display of notice)

(THE APPENDICES TO REPORTS AT AGENDA ITEMS 4 (a), (b), (c), (d), (e), (f), AND (i) ARE ATTACHED FOR COMMITTEE MEMBERS ONLY. IF ANY MEMBERS WISH TO SEE THE SUPPORTING INFORMATION ON EACH APPLIC PLEASE CONTACT THE HEAD OF ENVIRONMENTAL HEALTH AND LICENSING)

- 5. Any other business which the Chairman, by reason of special circumstances, decides is urgent.



MINUTES

ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE

FRIDAY 2ND SEPTEMBER 2005

9.30 a.m.

COMMITTEE MEMBERS PRESENT

Councillor Mrs Bosworth
Councillor Mrs Gaffigan
Councillor Howard
Councillor Mrs Percival
Councillor Mrs M Radley

Councillor Turner
Councillor H G Wheat
Councillor Mrs M E Wheat (in the Chair)
Councillor M G Williams

OFFICERS

Corporate Manager – Democratic and Legal Services
Committee Support Officer
Head of Environmental Health and Licensing
Environmental Health Manager (Environment)
PC Stanley – Lincolnshire Police (agenda items 4e and g only)

33. APOLOGIES

An apology for absence was received from Councillor Parkin.

34. DECLARATIONS OF INTEREST

There were none declared.

35. MINUTES

The minutes of the meeting held on 26th August 2005 were confirmed as a correct record of decisions taken.

36. LICENSING ACT 2003 – APPLICATIONS FOR CONVERSION AND VARIATION TO A LICENCE – THE GOOSE AT THE BANK, HIGH STREET, GRANTHAM; TESCO STORES LTD, NORTH STREET, BOURNE AND GREAT PONTON VILLAGE CENTRE, ARCHER’S WAY, GREAT PONTON

Decision: -

1. *That hearings into the application for transfer and variation to licences in respect of The Goose at the Bank, High Street, Grantham; Tesco Stores Limited, North Street, Bourne and Great Ponton Village Centre, Archer’s Way, Great Ponton are unnecessary;*

and

2. *That the Head of Environmental Health and Licensing be authorised to take the appropriate action in respect of the licence, in accordance with the schedule of licensing objectives submitted with the respective application.*

The Head of Environmental Health and Licensing informed the committee that the police objections for The Goose at the Bank, High Street, Grantham and Great Ponton Village Centre, Archer’s Way, Great Ponton had been withdrawn following consultation, and objections from local residents in respect of the application by Tesco Stores Limited, North Street, Bourne had also been withdrawn following consultation. As such he requested that the committee agree that a hearing would be unnecessary and that he be permitted to take appropriate action in respect of the licences. It was proposed and seconded that hearings are unnecessary with regard to the three applications mentioned. On being put to the vote the proposition was carried.

37. LICENSING ACT 2003 – APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE BULL AND SWAN, 24A HIGH STREET, ST. MARTIN’S, STAMFORD

Decision: -

That the application for conversion and variation to a licence in respect of The Bull and Swan, 24a High Street, St. Martin’s, Stamford be agreed as submitted for the following hours for the sale of alcohol:-

*11.00hrs to 00.00hrs – Monday to Saturday
12.00hrs to 22.30hrs – Sunday*

and subject to thirty minutes drinking up time.

The committee had before them the Head of Environmental Health and Licensing’s report ENV259 in relation to an application for conversion and variation to a licence for The Bull and Swan, 24a High Street, St. Martin’s, Stamford. A full copy of the application was attached as appendix one, including a map showing the premises, and a letter from local residents objecting to the application was attached at appendix two.

The Corporate Manager, in introducing the application, clarified the speakers and confirmed that there were no representatives from the police or interested parties present.

Present at the meeting were representatives of the applicants and the Chairman outlined the procedure to be followed. The applicants confirmed that they had received a copy of the procedure to be followed in considering the application, and that this was understood.

The Head of Environmental Health and Licensing then presented his report and outlined the hours of operation proposed.

The applicants presented their case, pointing out that the variation requested was minimal, compared to the existing hours. Specifically, no extra proposals were made in respect of music, only as existing. On this basis there was little likelihood of the attraction of additional customers causing a problem. It was stressed that there had been no complaints with regard to the premises from Environmental Health and Licensing and no representations had been received from the police. One complaint in the recent past (two years ago) had been dealt with and there had been nothing received since. It was pointed out that whatever noise and disturbance existed was likely to be from patrons of premises in the town centre who used High Street, St. Martin's as a route home.

In summing up his report, the Head of Environmental Health and Licensing recommended that the committee consider the application.

The applicants summed up and, in asking the committee to approve their application, pointed out specifically the lack of complaints in relation to activities at the premises.

The applicants and officers then left the room. The committee then considered the application and it was proposed and seconded that the application be agreed as applied for. On being put to the vote this was agreed.

The applicants and officers then returned to the meeting and were advised of the decision, as noted above.

38. LICENSING ACT 2003 – APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE FOX AND HOUNDS, GRANTHAM ROAD, OLD SOMERBY

Decision:-

That the application for conversion and variation to a licence in respect of the Fox and Hounds, Grantham Road, Old Somerby be agreed for the following hours for the sale of alcohol and activities requested:-

*05.00hrs to 00.00hrs – Monday to Thursday
05.00 hrs to 01.00hrs – Friday and Saturday
05.00hrs to 00.00hrs – Sunday*

and subject to thirty minutes drinking up time, and subject also to the following conditions:-

- 1. All external doors and windows shall be kept closed when regulated entertainment is being provided, except in the case of emergency or for access/egress.*
- 2. No external alcohol sales shall take place after 11.00pm on any day.*
- 3. No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises;*

and that the applicant be requested to position suitable signs asking customers to have due consideration to local residents when leaving the premises.

The committee had before them the Head of Environmental Health and Licensing's report ENV260 in relation to an application for conversion and variation to a licence for The Fox and Hounds, Grantham Road, Old Somerby. A full copy of the application was attached at appendix one together with a map of the premises. Attached at appendix two were objections from local residents and a further objection was circulated to members present at the meeting.

The Corporate Manager introduced the application and clarified who would be speaking for the applicants. It was noted that there was no representative from the police present and there were two local residents who had previously objected to the application in writing.

Present at the meeting were representatives of the applicants, and the Chairman, in introducing the application, sought and received confirmation from the applicants that they had received and understood the procedure to be followed.

In introducing his report, the Head of Environmental Health and Licensing drew the attention of members to the proposed hours of operation and other variations from the existing situation. He reminded the committee that there had been objections from local residents, one of which had been circulated to the meeting, but that there were no objections from the police.

The applicants then presented their case, stressing that they were not proposing to operate on a twenty-four hour basis. They had only owned the premises since November 2004 and were aware of the need to fit in with the local community. The proposed alterations to the licensed area were outlined and it was stressed that food was a significant part of the operation of the premises. The hours for the sale of alcohol and the carrying on of entertainment were explained and it was stressed that authority was only sought for basically what existed at present. There was no intention to significantly vary the method of operation of the premises.

The Head of Environmental Health and Licensing queried the operation of temporary event notices in relation to proposed activity at the premises and

the applicant clarified this situation. Members then asked a variety of questions in relation to complaints, the use of the property for wedding receptions and the existence of a beer garden.

The committee then heard representations from:-

Mr and Mrs D Philips – The Holt, Grantham Road
Mrs F M Chapman-King – Tanglewood, Grantham Road

in relation to their objection to the application.

During the ensuing discussion, and questions to the objectors, the applicants confirmed that they would be prepared to position suitable notices asking customers to be considerate towards local residents when leaving the premises and the car park.

The Head of Environmental Health and Licensing summed up his report, following which the applicants summed up their case stating that the allegations of fighting and noise near the premises could not necessarily be attributed to the operation of The Fox and Hounds; that they would take action in relation to alleged excessive illumination, and that they were aware that should there be complaints attributable to the premises that a review of the licence was possible.

The Corporate Manager sought clarification on the terms of the application, and it was confirmed that the application was as applied for in terms of hours and type and variety of entertainment to be provided.

The applicants, officers and objectors then left the room. During the ensuing general discussion on the application, members expressed views in relation to appropriate conditions which could be imposed to mitigate the effect of the activity at the premises for the benefit of local residents and the Corporate Manager read out suggested conditions which would be appropriate in the circumstances. It was then proposed and seconded that the application be approved as applied for subject to the conditions mentioned, subject also to a note regarding consideration to local residents when leaving the premises and with an explanation that the licence was reviewable in the light of any problems. On being put to the vote the proposition was agreed.

The applicants, officers and objectors then returned to the meeting and were advised of the decision, as noted above. The Corporate Manager also advised the applicant that the decision could be reviewed at any time by any interested party.

(The meeting adjourned from 11.05am to 11.25am)

39. FUTURE MEETINGS

For the information of members the Head of Environmental Health and Licensing circulated an updated schedule of meetings together with a draft list of applications proposed to be considered at each meeting.

40. LICENSING ACT 2003 – APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE BEEHIVE INN, 10/11 CASTLEGATE, GRANTHAM

Decision:-

That the application in respect of The Beehive Inn, 10/11 Castlegate, Grantham, as submitted, be agreed subject to varied hours for the sale of alcohol as follows:-

09.00hrs to 01.00hrs – Monday to Sunday

and subject to thirty minutes drinking up time, and subject also to the following conditions:-

- 1. There shall be no admission or re-admission to the premises after midnight on any day.*
- 2. There shall be no extra hours permitted for Bank Holidays except for New Year's Eve.*

The committee had before them the Head of Environmental Health and Licensing's report ENV263 in relation to an application for conversion and variation to a licence for The Beehive Inn, 10/11 Castlegate, Grantham. A full copy of the application was attached at appendix one together with a plan showing the location of the premises. Comments from Lincolnshire Police were attached at appendix two.

The Corporate Manager, in introducing the application, asked for confirmation that an agreement had been reached between the police and the applicants.

The police representative confirmed that discussions had taken place with the applicants in relation to the hours of operation, and the specific points of difference had been agreed. The hours were now 9.00am to 1.00am the following day on every day; that there would be no entry or re-entry after 12 midnight and that there would be no extra hours applications on Bank Holidays except for New Year's Eve. It was also noted that there was no entertainment aspect now included within the licence application.

The applicants confirmed agreement to the police requirements.

The Head of Environmental Health and Licensing asked for confirmation that the special events on up to thirty extra days per annum had now been removed from the application, and this was confirmed by the applicant.

The applicants, police representative and officers then left the meeting.

The committee then discussed the application and it was proposed and seconded that the application be agreed as varied. On being put to the vote the proposal was agreed.

The applicants, police representative and officers then returned to the meeting and were advised of the decision, as noted above. The Corporate Manager

again pointed out that should there be problems the licence was reviewable and the applicants should bear this in mind in operating the premises.

41. LICENSING ACT 2003 – APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE AVENUE HOTEL, 32-34 AVENUE ROAD, GRANTHAM

Decision:-

That the application in respect of The Avenue Hotel, 32-34 Avenue Road, Grantham, as submitted, be agreed subject to varied hours for the sale of alcohol as follows:-

*11.00hrs to 00.00hrs – Sunday to Wednesday
11.00hrs to 01.00hrs – Thursday to Saturday*

and subject to thirty minutes drinking up time.

The committee had before them the Head of Environmental Health and Licensing's report ENV264 in relation to an application for conversion and variation to a licence for The Avenue Hotel, 32-34 Avenue Road, Grantham. A full copy of the application was attached at appendix one together with a plan showing the location of the premises. Comments from Lincolnshire Police were attached at appendix two.

Present at the meeting were representatives of the applicants and the police, and the Corporate Manager, after clarifying the speakers present at the meeting asked for confirmation that the application had been agreed as varied following discussions with the police.

The applicant's representative confirmed that this was in fact the case and that the close of licensing hours on Thursday to Saturday had been reduced from 02.00 to 01.00. The police representative confirmed that now this revision had been agreed there was no continuing police objection.

The applicants, police representative and officers then left the meeting.

The committee then considered the application and, noting that the police were not now objecting, it was proposed and seconded that the application be agreed subject to the varied hours. On being put to the vote this proposition was agreed.

The applicants, police representative and officers then returned to the meeting and were advised of the decision, as noted above. The Corporate Manager asked the applicants to note that the licence was reviewable by interested parties at any time.

42. CLOSE OF MEETING

The meeting closed at 11.47am.

<h2 style="margin: 0;">REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE</h2>

REPORT OF: HEAD OF ENVIRONMENTAL HEALTH & LICENCING

REPORT NO. ENV266

DATE: 9 SEPTEMBER 2005

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE –BULL HOTEL, 19 MARKET PLACE MARKET PLACE, MARKET DEEPING
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence at a public house and to vary (extend) the opening hours and operating hours and to include new activities.

The application is attached at Appendix 1, together with a map of the premises.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

The Bull Hotel currently holds a Justice's Licence for the retail sale of alcohol on and off the premises. Drinking up time is currently 20 minutes. They have applied for a variation in opening hours and operating hours, an additional 10 minutes drinking up time and to continue with occasional live music. There were representations from the Police as responsible authority. They object to the proposed extension to the hours unless the premises have a SIA registered door staff and an approved CCTV system installed. The letter of representations is attached as Appendix 2.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of Existing Justices' Licence under Transitional Arrangements

The public house currently holds a Justices' Licence for the sale of alcohol for consumption, either on or off the premises between the hours of:

On sales

11:00 to 23:00	Weekdays
12:00 to 22:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve
12:00 to 22:30	New Year's Eve (when on Sunday)

In addition, for New Year's Eve – Licensee can remain open from the end of permitted hours until the start of permitted hours on the following Day.

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

Application for Variation requiring Committee Determination

The applicant has applied for a variation in their hours and activities as follows:

Live music

12:00 to 23:00	Monday to Sunday
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Recorded music

11:00 to 00:00	Monday to Thursday
11:00 to 01:00	Friday & Saturday
11:00 to 00:00	Sunday
11:00 to 01:00	Christmas Eve
11:00 to 03:00	New Year's Eve

Provision of facilities for making music

11:00 to 23:00	Monday to Sunday
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Supply of alcohol

11:00 to 00:00	Monday to Thursday
11:00 to 01:00	Friday & Saturday
11:00 to 00:00	Sunday
11:00 to 01:00	Christmas Eve
11:00 to 03:00	New Year's Eve

In order to accommodate the above variations, the premises opening times will be:

11:00 to 00:30	Monday to Thursday
11:00 to 01:30	Friday & Saturday

11:00 to 00:30	Sunday
11:00 to 01:30	Christmas Eve
11:00 to 03:30	New Year's Eve

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Council received a letter of representations from the Police. They object to the proposed extension of hours unless the applicants have door staff and installed an approved CCTV system. They argue that as a town centre pub the premises attracts a travelling clientele and by the nature of this may change the customer base.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period the existing licence must be converted to a new premises licence subject to all the current conditions and restrictions and any embedded conditions

In this application the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, members are required to determine the application regarding the variations requested and either grant the application with or without additional conditions or to refuse the variation as it considers necessary for the promotion of the licensing objectives

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

8. CONCLUSION

The application is for the conversion of an existing Justices' Licence at a Market Deeping public house and to extend the operating and activity hours and also to include new activities. The police have raised objections to the extension of hours, and proposed conditions to be attached to the varied licence.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 Email: peter.harrison@southkesteven.gov.uk



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South Kesteven District Council LA079421 2000

BULL HOTEL
19 MARKET PLACE
MARKET DEEPING

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV274**

DATE: **9 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE –CENTRAL NIGHT CLUB, 9 SILVER LANE STAMFORD
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence, Special Hours Certificate and Public Entertainment Licence, at a nightclub and to extend the operating and activity hours. The application is attached at Appendix 1, together with a map of the premises.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

The Central Night Club currently holds a Justice's Licence for the retail sale of alcohol, on and off the premises. A Special Hours Certificate for the provision of music and dancing and substantial refreshment, to which the sale of intoxicating liquor is ancillary and a Public Entertainment Licence is also held for the provision of public dancing or music or any other public entertainment of a like kind. Drinking up time is currently 30 minutes. They have applied for a variation in operating and activity hours.

The Council received representations from 43 (some of which were made jointly) local residents' addresses as interested parties. The representations are attached as Appendix 2.

In summary the interested parties are objecting to an extension of the hours, arguing that the variation will promote public nuisance, crime and disorder and harm to children.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of existing Justices' Licence under Transitional Arrangements

The nightclub currently holds a Justices' Licence for the sale of alcohol for consumption, either on or off the premises between the hours of:

On sales

11:00 to 23:00	Weekdays
12:00 to 22:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve
12:00 to 22:30	New Year's Eve (when on Sunday)

In addition, for New Year's Eve – Licensee can remain open from the end of permitted hours until the start of permitted hours on the following Day.

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

Further, there is a Special Hours Certificate that extends these hours to 12 midnight on Sundays, 12.30 am on Easter Sunday and 2.00 am on Bank Holiday Sundays. The Public Entertainment Licence is issued, subject to the Standard terms and conditions and the following additional conditions:

Standard Condition No 5 (Permitted Hours): The premises shall not be kept or used for public music or dancing or other public entertainment of a like kind, except between the hours of 8.00 pm and 2.00 am the following morning Monday – Thursday 8.00 pm and 2.30 am the following morning Friday and Saturday and noon and 12.30 am the following morning Sundays.

Standard Condition No 5 (Events held on Sundays – Bank Holidays): Where the following Monday is a Bank Holiday, the times of entertainment on the Sunday are extended until 2.00 am the following morning, except Easter Monday.

Standard Condition No 7 (Maximum Occupancy Figure): The fire officer has prescribed the following maximum occupancy figures: First Floor – 600 persons, Ground Floor – 200 persons.

Additional Safety Requirements: A CCTV system shall be installed and operated within the premises and to footpaths and car parks outside the premises within 50 metres of the entrance/exits to the satisfaction of the Police.

Standard Condition No 52 (Special Effects Equipment): Permission is granted for the use of a smoke machine in accordance with manufacturers instructions and any additional requirements from the fire officer.

Additional Condition to Prevent Noise Nuisance: All doors to the ground floor bar area shall be closed at 11.30 pm except for use in the event of an emergency.

Standard Condition No 36: An additional steward shall be employed to steward the stairway between the ground floor and first floor areas, and shall monitor occupancy in accordance with the written system of operation to prevent overcrowding.

Standard Condition Numbers 58 & 59 (Measures to reduce noise levels when people leave): Between the hours of 2.00 – 2.30 am the volume and tempo of music shall be reduced to achieve a ‘winding down’ towards the end of the session as favoured by the Portman Group report entitled “Keeping the Peace” published in 1998.

Application for Variation requiring Committee Determination

The applicant has applied for a variation to extend the hours and permit regulated entertainment (films, live music, provision of facilities for making music, provision of facilities for dancing) and supply of alcohol every day from 11:00 to 03:00.

Further, the applicant has applied for the following non – standard timings:

New Year’s Eve: from the start of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.

An additional hour to the standard and non – standard times when British Summertime commences.

In order to accommodate the above variations, the premises opening times will be 11:00 to 03:30 every day, with the following non standard timings:

New Year’s Eve: from the start of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.

An additional hour to the standard and non – standard times when British Summertime commences.

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Council received letters of representations from interested parties as follows:

Occupant	1 St Peter's Vale, Stamford
PM Stean	1 Barn Hill Mews, Stamford
Jean Orpin	1 St Peter' Street Stamford
Paul Eastwood	2 Rutland Terrace
Jane Eastwood	2 Rutland Terrace
Olivia Daffodn	2 Rock Terrace
Carol Meads & John Hopson	2 St Peter's Hill
Christopher O Sims	2 All Saints Mews Stamford
Keith & Ann Ellis	2 Barn Hill Mews, Stamford
Occupant	3 Rutland Terrace, Stamford
Dr David Langridge	3 Exeter Court, Stamford
Margaret ? ? ?	3 All Saints' Place Stamford
L Gwinnel	4 St Peter's Court ,Stamford
Miles & Mary Napier	5 Rutland Terrace, Stamford
Fiona Wheatley	6 St Peter's Hill, Stamford
Dr Graham Wheatley	6 St Peter's Hill, Stamford
Gwen Thompson	6 Rutland Terrace, Stamford
Graham Thompson	6 Rutland Terrace, Stamford
Allan & Marilyn Buckley	8 Rock Terrace, Stamford
Ian Robertson	9A St Peter's Street,Stamford
Peter & Julia Walker	9 Barn Hill, Stamford
Richard & Jenny Barry	10 Barn Hill, Stamford
Dr MHI Wright	10 Rutland Terrace,Stamford
James Parsons	11 St Peter's Hill, Stamford
James Davies	12 St Peter's Street Stamford
Deanna Davies	12 St Peter's Street,Stamford
Mr & Mrs Hopkinson &	12 Barn Hill Stamford
Mrs Evans Golden	15 Barn Hill, Stamford
Mrs Glenda Parsley	16 Barn Hill, Stamford
Shirley & Ken McKay	16 All Saints Street,Stamford
Philip & Jane Hainey	16 Bath Row Stamford
Dr Graddon Rowlands	35 St Peters Street Stamford
BP Thornley	35 Torkington Gardens,Stamford
Marie ?? ??	44 Torkington gardens, Stamford
John Pini	38 St Peters' Street, Stamford
J Cornwell	70 Scotgate ,Stamford
John 7 Janice Kellas- Kelly	Austin Street, Stamford
Nicky Lambert	Austin Street Stamford
TE Story	Barn Hill, Stamford
Rosalind & Charles Hussey	Stamford
David Lankester	Stamford
Mrs Christine Caldecott	Stamford
Pam Sharp	Stamford
Philipa Barney	Stamford
Anonymous	Stamford

In summary the interested parties are objecting to an extension of the hours, arguing that the variation will promote public nuisance, crime and disorder and harm to children.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period the existing licence must be converted to a new premises licence subject to all the current conditions and restrictions and any embedded conditions

In this application the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, members are required to determine the application regarding the variations requested and either grant the application with or without additional conditions or to refuse the variation as it considers necessary for the promotion of the licensing objectives.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

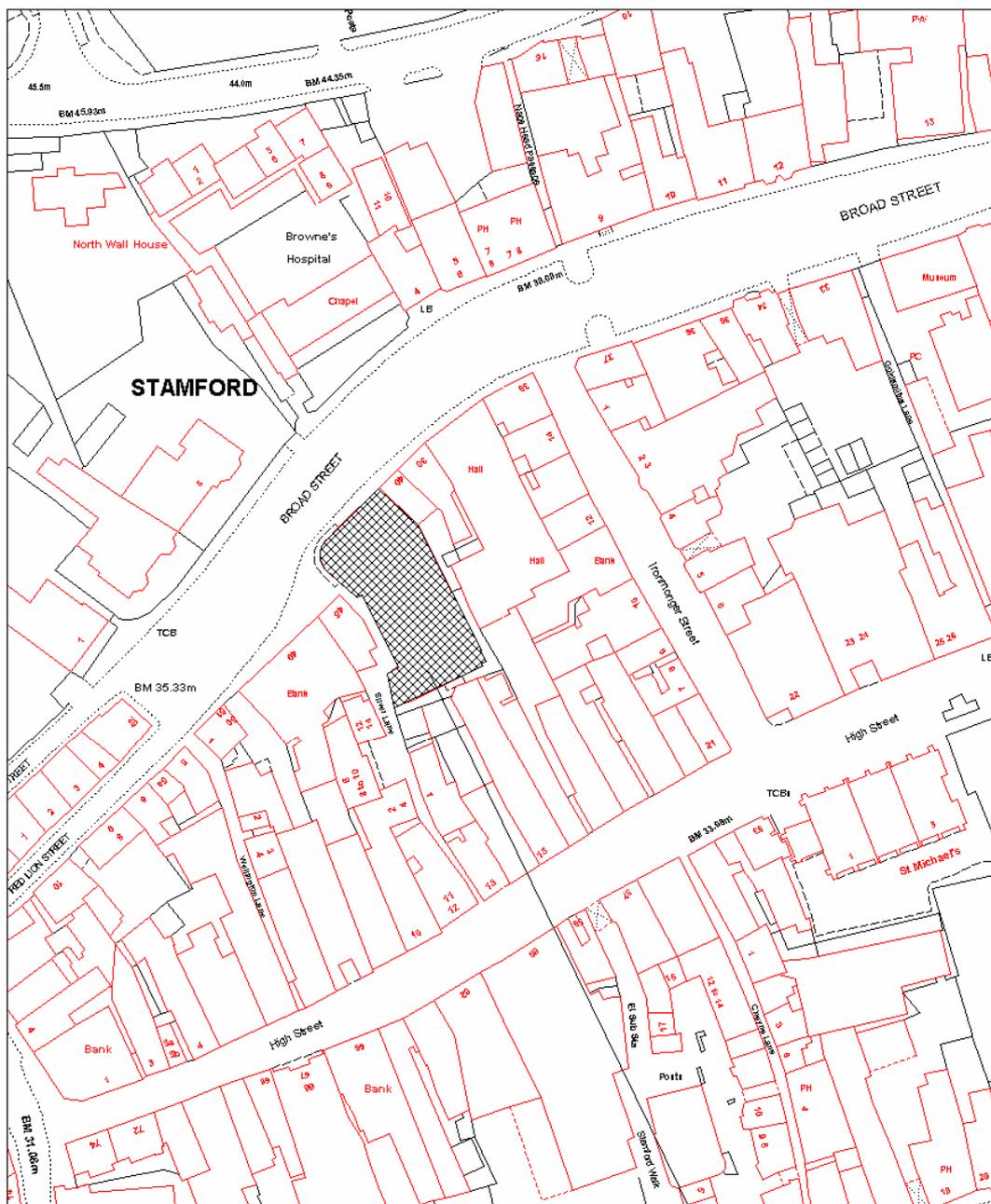
8. CONCLUSION

The application is for the variation of licence conditions to the operating and activity hours of a Stamford nightclub, close to a residential area. There are representations from interested parties. They argue that extending the hours for the applicant will have a negative impact on some of the licensing objectives.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 e-mail: peter.harrison@southkesteven.gov.uk

APPENDIX 1



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South Kesteven District Council LA079421 2000

CENTRAL NIGHTCLUB, 9 SILVER LANE,
STAMFORD

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV273**

DATE: **9 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – BURGHLEY ARMS HOTEL, 6 NORTH STREET, BOURNE
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence at a public house and to vary the permitted hours, drinking up time and licensable activities. The application and map are attached at Appendix 1.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

The Burghley Arms public house currently holds a Justice's Licence for retail sale of alcohol on and off the premises. Drinking up time is currently 20 minutes. They have applied for a variation in operating hours and licensable activities. The Police have submitted a letter of representations. The letter was received within the 28 day limit and the representations are relevant. The letter is attached as Appendix 2.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of Existing Justices' Licence under Transitional Arrangement

The public house currently holds a Justices' Licence for the sale of alcohol for consumption either on or off the premises between the following hours:

On sales

11:00 to 23:00	Weekdays
12:00 to 22:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve

12:00 to 22:30 New Year's Eve (when on Sunday)

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

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

Application for Variation Requiring Committee Determination

The applicant has applied for a variation as follows:

Indoor sporting events

10:00 to 03:00	Monday to Sunday
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Live Music

18:00 to 03:00	Monday to Friday
12:00 to 03:00	Saturday & Sunday
12:00 to 03:00	Bank Holiday Mondays

Recorded music

10:00 to 03:00	Monday to Sunday
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Performances of dance

18:00 to 03:00	Monday to Friday
12:00 to 03:00	Saturday & Sunday

Entertainment similar to live music, recorded music or performances of dance

18:00 to 03:00	Monday to Friday
12:00 to 03:00	Saturday & Sunday

Provision of facilities for making music

18:00 to 03:00	Sunday to Friday
12:00 to 03:00	Saturday

Provision of facilities for dancing

10:00 to 03:00	Monday to Sunday
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Provision of facilities for entertainment similar to facilities for making music or for dancing

18:00 to 03:00	Monday to Friday
12:00 to 03:00	Saturday & Sunday

Late night refreshment

23:00 to 03:00 Monday to Sunday

Supply of alcohol

10:00 to 02:00 Monday to Sunday

Drinking up time: an additional 40 minutes to allow 60 minutes drinking up time, after the last permitted sale of alcohol.

In order to accommodate the above extension of operating hours, and increase in drinking time, the premises opening time will be:

10:00 to 03:00 Monday to Sunday

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Council received one letter of representations from the Police. They object to the extension of hours beyond midnight, arguing that it will impact negatively on all four licensing objectives. They propose that the applicant may extend the hours only if they provided for door staff, occupancy control and installed a CCTV system. The Police would also like the applicant to join the local Pubwatch initiative.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period, the existing licence must be converted to a new premises licence subject to all the current conditions and restrictions and any embedded conditions

In this application the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, members are required to determine the application regarding the variations requested and either grant the application with or without additional

conditions or to refuse the variation as it considers necessary for the promotion of the licensing objectives

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

8. CONCLUSION

The application is for a variation of a licence to the activities and operating and activity hours of a Bourne town centre public house. The Police made representations based on all the four licensing objectives.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 e-mail: p.harrison@southkesteven.gov.uk

APPENDIX 1



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 South Kesteven District Council LA079421 2000

BURGHLEY ARMS,
 6 NORTH STREET, BOURNE.

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV271**

DATE: **9 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE ROYAL OAK, NORTH STREET BOURNE
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence at a public house and to vary the permitted hours, drinking up time and to include new licensable activities.

The application is attached at Appendix 1, together with a map of the premises.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

The Royal Oak public house currently holds a Justice's Licence for retail sale of alcohol on and off the premises. Drinking up time is currently 20 minutes. They have applied for a variation in operating hours, an additional 10 minutes drinking up time and additional licensable activities. In addition the applicant wishes to remove all embedded restrictions inherent in the Licensing Act 1964 and the Cinematograph (Safety) Regulations 1955.

There were representations from the Police. They object to the applicant's proposal to extend their hours on Bank Holiday Mondays. They record in their letter that they have agreed with the applicants to amend their alcohol hours and to the doors being closed at midnight on Friday and Saturday to allow no entry or re-entry. Mrs Cunnington, one of the applicants, confirmed on the phone the applicant's agreement to the amendments. Consequently, all the objections raised by the Police are no longer relevant. The letter from Police is attached as Appendix 2.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of Existing Justices' Licence under Transitional Arrangement

The public house currently holds a Justices' Licence for the sale of alcohol for consumption, either on or off the premises between the hours of:

On sales

11:00 to 23:00	Weekdays
12:00 to 22:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve
12:00 to 22:30	New Year's Eve (when on Sunday)

In addition, for New Year's Eve – Licensee can remain open from the end of permitted hours until the start of permitted hours on the following Day.

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

Application for Variation Requiring Committee Determination

The applicant has applied for a variation in their hours and activities as follows:

Films

10:00 to 00:00	Sunday to Wednesday
10:00 to 02:00	Thursday to Saturday
10:00 New Year's Eve to 00:00 New Year's Day	
10:00 to 02:00 on Bank Holiday weekends, Christmas Eve and Boxing Day	

Indoor sporting events

10:00 to 00:00	Sunday to Wednesday
10:00 to 02:00	Thursday to Saturday
10:00 New Year's Eve to 00:00 New Year's Day	
10:00 to 02:00 on Bank Holiday weekends, Christmas Eve and Boxing Day	

Live music

10:00 to 00:00	Monday to Sunday
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Recorded music

10:00 to 00:00	Sunday to Wednesday
10:00 to 02:00	Thursday to Saturday

10:00 New Year's Eve to 00:00 New Year's Day
10:00 to 02:00 on Bank Holiday weekends, Christmas Eve and Boxing Day

Entertainment of a like kind

10:00 to 00:00 Sunday to Wednesday
10:00 to 02:00 Thursday to Saturday
10:00 New Year's Eve to 00:00 New Year's Day
10:00 to 02:00 on Bank Holiday weekends, Christmas Eve and Boxing Day

Provision of facilities for making music

10:00 to 00:00 Sunday to Wednesday
10:00 to 02:00 Thursday to Saturday
10:00 New Year's Eve to 00:00 New Year's Day
10:00 to 02:00 on Bank Holiday weekends, Christmas Eve and Boxing Day

Supply of alcohol

10:00 to 00:00 Sunday to Wednesday
10:00 to 02:00 Thursday to Saturday
10:00 New Year's Eve to 00:00 New Year's Day
10:00 to 02:00 on Bank Holiday weekends, Christmas Eve and Boxing Day

In order to accommodate the above variations, the premises opening times will be:

10:00 to 00:30 Sunday to Wednesday
10:00 to 02:30 Thursday to Saturday
10:00 New Year's Eve to 00:30 New Year's Day
10:00 to 02:30 on Bank Holiday weekends, Christmas Eve and Boxing Day

In addition the applicant wishes to remove all embedded restrictions inherent in the Licensing Act 1964 and the Cinematograph (Safety) Regulations 1955.

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Police originally objected to the applicants' proposal to extend to 2.00 am for the supply of alcohol on Thursdays, Fridays and Saturdays their hours on Bank Holiday Mondays. They record in their letter that they have agreed with the applicants to amend their alcohol hours as follows:

Sunday to Thursday 10:00 to 00:00 and Friday and Saturday 10:00 to 01:00. The doors will be closed at midnight on Friday and Saturday to allow no entry. The above times will be extended by an hour on Thursday before Good Friday and on the Sunday prior to a Bank Holiday Monday and if Christmas Day or Boxing Day does not fall on Friday or Saturday, the time to be extended by a further hour.

The Police do not agree to the hour extension of Bank Holiday Mondays. Mrs Cunnington has verbally confirmed the applicants' agreement to the amendments.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period the existing licence must be converted to a new premises licence subject to all the current conditions and restrictions and any embedded conditions

In this application the applicant also wishes to simultaneously vary the licence.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

8. CONCLUSION

The application is for the conversion of an existing Justices' Licence at a Bourne public house and to extend the operating and activity hours and also to include new activities. The Police raised objections to the extension of hours which were later withdrawn following negotiations with the applicant to amend the hours.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 Email: peter.harrison@southkesteven.gov.uk

APPENDIX 1



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ROYAL OAK,
NORTH STREET, BOURNE.

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV270**

DATE: **9 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE TOWN HOUSE, 39 BROAD STREET, STAMFORD
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence at a public house and to vary the permitted hours and licensable activities. The application and map are attached at Appendix 1.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

The Town House public house currently holds a Justice's Licence for retail sale of alcohol on and off the premises and a Supper Hour Certificate. Drinking up time is currently 20 minutes. They have applied for a variation in operating hours, an additional 10 minutes drinking up time and licensable activities. An interested party has submitted representations. (Attached as Appendix 2)

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of Existing Justices' Licence under Transitional Arrangement

The public house currently holds a Justices' Licence for the sale of alcohol for consumption, either on or off the premises between the following hours:

On sales

11:00 to 23:00	Weekdays
12:00 to 22:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve

12:00 to 22:30 New Year's Eve (when on Sunday)

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

Further, there is a Supper Hours Certificate which extends the hours of normal permitted hours by one hour, and between 15:00 and 19:00 on Christmas Day, where alcoholic drinks are served with a table meal, subject to the following conditions:

1. Intoxicating liquor shall be sold and supplied in the room described on the plan approved by the Justices as the "Private Dining Room" only to those persons attending a meeting or a function in that room which has been booked in advance.
2. Close circuit television surveillance shall be provided:
 - (a) in the licensed area on the lower ground floor
 - (b) in the Private Dining Room

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

Application for Variation Requiring Committee Determination

The applicant has applied for a variation as follows:

Live Music

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

Recorded music

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

Performances of dance

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

Entertainment similar to live music, recorded music or performance of dance

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

Provision of facilities for making music

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

Provision of facilities for dancing

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

Provision of facilities similar to facilities for making music or for dancing

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

Supply of alcohol

10:00 to 23:00	Monday & Tuesday
10:00 to 00:00	Wednesday & Thursday
10:00 to 01:00	Friday & Saturday
12:00 to 22:30	Sunday

Provision of this licensable activity to extend to 00:00 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

In order to accommodate the above extension of operating hours, and increase in drinking time, the premises opening time will be:

10:00 to 23:30	Monday & Tuesday
10:00 to 00:30	Wednesday & Thursday
10:00 to 01:30	Friday & Saturday
12:00 to 23:00	Sunday

Provision of this licensable activity to extend to 00:30 on Bank Holiday Sunday, Monday, all Public Holidays and Christmas Eve.

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Council received one letter of representations from an interested party Mr A J Springett, a local resident of North Street. He is of the view that the variation will only help to promote noise especially from the music and sounds coming from the premises. He draws attention to the remedial works required at other town centre public houses, to reduce the level of noise emanating from the premises, and suggest similar types of works should be required. The letter of representation is attached at Appendix 2.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period, the existing licence must be converted to a new premises licence, subject to all the current conditions and restrictions and any embedded conditions

In this application the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, Members are required to determine the application regarding the

variations requested and either grant the application with or without additional conditions or to refuse the variation as it considers necessary for the promotion of the licensing objectives.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

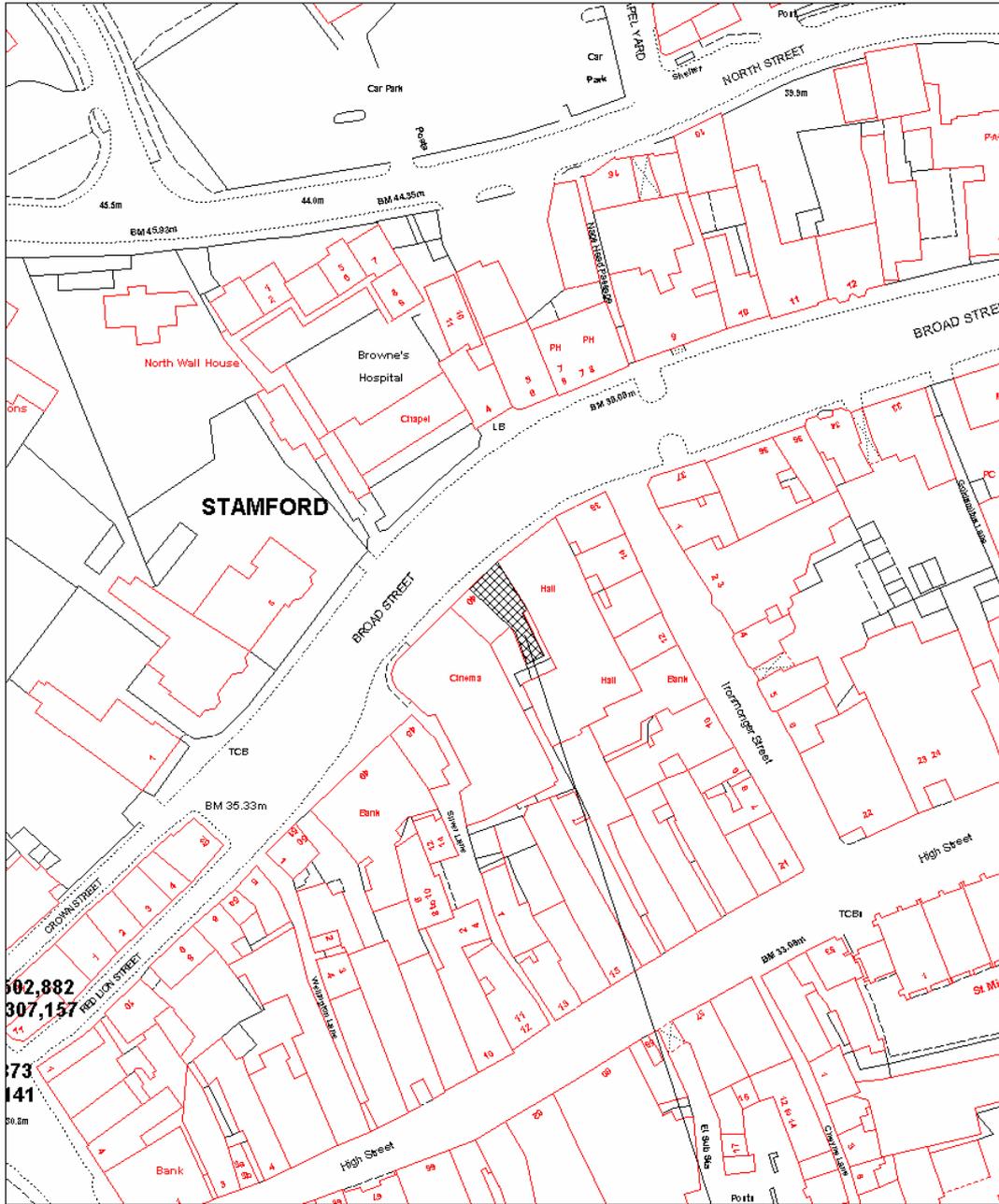
8. CONCLUSION

The application is for a variation of a licence to the activities and operating and activity hours of a Stamford public house. An interested party made a representation based on the prevention of public nuisance.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 Email: peter.harrison@southkesteven.gov.uk

APPENDIX 1



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THE TOWN HOUSE
 39 BROAD STREET, STAMFORD

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV269**

DATE: **9 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – MODEL FISH BAR & RESTAURANT, 52 BROAD STREET, STAMFORD
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence and a Late Night Refreshment Licence at a hot food premises and to vary the permitted hours. The application and map are attached at Appendix 1.

The Licensing Act 2003 transfers responsibility for the licensing of alcohol sales from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

Model Fish Bar & Restaurant currently holds a Justice's Licence for retail sale of alcohol with table meals on the premises and a Late Night Refreshment House Licence for the provision of public refreshment, resort and entertainment. They have applied for a variation in the operating hours in relation to late night refreshment. Thirty-eight interested parties have submitted representations in respect of the proposed variations. These are attached as Appendix 2.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of Existing Licences under Transitional Arrangement

The premises currently holds a Justices' Licence permitting the sale of alcohol with table meals for consumption on the premises between the following hours:

10:00 to 00:00	Weekdays
12:00 to 23:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day

11:00 to 23:00 New Year's Eve
12:00 to 22:30 New Year's Eve (when on Sunday)

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

The Justices' Restaurant Licence is subject to the following conditions:

- Intoxicating liquor shall not be sold on the premises otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to his meal. Suitable beverages other than intoxicating liquor, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served on the premises.

The Premises also hold a Late Night Refreshment House Licence for provision of public refreshment, resort and entertainment within the meaning of Section 1 of the Late Night Refreshment Houses Act 1969, and shall not be open between the following times:

Monday to Friday any time except between 01:00 to 05:00
Saturday & Sunday any time except between 02:00 to 05:00

The Licence is subject to a further condition that a tariff of charges shall be kept displayed so that it can conveniently be read by persons frequenting the premises before entering.

Application for Variation Requiring Committee Determination

The applicant has applied for a variation as follows:

Late night refreshment from the take away area

On sales of hot food and hot drinks

23:00 to 01:00 Sunday to Thursday
23:00 to 02:00 Friday & Saturday

Off sales of hot food and hot drinks

23:00 to 04:00 Sunday to Monday

The premises will be open to the public everyday from 08:00 to 04:00.

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

Thirty-eight representations (Appendix 2) from interested parties have been received within 28 days from the date the application was made to the council.

The representations were received from:

Mrs M Sims	3 All Saints' Place
J& J Kellas – Kelly	Austin Street, Stamford
Mrs C Firkin	1A Barn Hill, Stamford
Mrs TM Story	8A Barn Hill, Stamford
Mr & Mrs P Walker	9 Barn Hill, Stamford
Mr & Mrs R Barry	10 Barn Hill, Stamford
Giles Hopkinson	12 Barn Hill, Stamford
Mrs E Gardner	15 Barn Hill, Stamford
Mrs Glenda Parsley	16 Barn Hill, Stamford
Mr & Mrs K Ellis	2 Barn Hill Mews, Stamford
Mrs R Veitch	Mission House, Broad Street, Stamford
Mr & Mrs Sharp	1 Castle Dyke, Stamford
Dr D Langridge	3 Exeter Court, Stamford
Mrs E E Thomas	North Street, Stamford
Beth & Peter Southgate	1 Rock Terrace, Stamford
O Daffurn	2 Rock Terrace, Stamford
M C Anerdleck	5 Rock Terrace, Stamford
Mr & Mrs Buckley	8 Rock Terrace, Stamford
J Eastwood	2 Rutland Terrace, Stamford
P Eastwood	2 Rutland Terrace, Stamford
G Thompson	6 Rutland Terrace, Stamford
J Orpin	1 St Peter's Street, Stamford
C Meads & J Hopson	2 St Peter's Hill, Stamford
L Gwinne	4 St Peter's Court, Stamford
F Wheatley	6 St Peter's Hill, Stamford
Dr G Wheatley	6 St Peter's Hill, Stamford
I Robertson,	9A St Peter's Street, Stamford
J Parsons	11 St Peter's Hill, Stamford
J Davies	12 St Peter's Street, Stamford
D Davies	12 St Peter's Street, Stamford
M Ward	1 St Peter's Vale Stamford
P B Thornley	35 Torkington Gardens, Stamford
M Mc Coll	44 Torkington Gardens, Stamford
J Blezard	45 Torkington Gardens, Stamford
Mr & Mrs Fox	47 Torkington Gardens, Stamford
Mr & Mrs C Hussey	e-mail
D Lankester	e-mail
Mrs C Caldecott	e-mail

The representations relate to the noise and nuisance allegedly caused by patrons coming from the premises. The local residents who made the representations consider that the proposed extended hours would have a negative effect on crime, disorder, public safety and public nuisance.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period the existing licence must be converted to a new premises licence subject to all the current conditions and restrictions and any embedded conditions.

In this application the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, members are required to determine the application regarding the variations requested and either grant the application with or without additional conditions or to refuse the variation as it considers necessary for the promotion of the licensing objectives.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

8. CONCLUSION

The application is for a variation of a licence to the activities and operating and activity hours of a Stamford fish bar and restaurant. Thirty-eight interested parties made representations based on the prevention of public nuisance, crime and disorder and public safety.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 Email: peter.harrison@southkesteven.gov.uk

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV268**

DATE: **9 SEPTEMBER 2005**

TITLE:	LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – SMITHS', 25 NORTH STREET, BOURNE
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence at a public house and to vary the premises licence by adding a new activity and extending the operating hours. The application is attached at Appendix 1, together with a location map.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

Smiths' public house currently holds a Justice's Licence for the retail sale of alcohol on and off the premises. Drinking up time is currently 20 minutes. They have applied for a variation in the hours to supply alcohol, an additional 10 minutes drinking up time and also to include live music as one of the activities.

The Council has received a representation from The Environment team, as a responsible authority and local residents as an interested party. The letters of representations are attached as Appendix 2.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of Existing Justices' Licence under Transitional Arrangements

The public house currently holds a Justices' Licence for the sale of alcohol for consumption, either on or off the premises between the hours of:

On sales

11:00 to 23:00

Weekdays

12:00 to 22:30

Sundays

12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve
12:00 to 22:30	New Year's Eve (when on Sunday)

In addition, for New Year's Eve – Licensee can remain open from the end of permitted hours until the start of permitted hours on the following Day

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

In addition, the Justices' licence is enclosed with the condition/undertaking that:

- Any doormen who are employed to supervise the premises shall be members of the South Kesteven Doorwatch Scheme.
- An internal CCTV system be provided to the satisfaction of the Police

Application for Variation requiring Committee Determination

The applicant has applied for a variation in their permitted hours for their activities as follows:

Supply of alcohol

10:00 to 23:00	Monday to Thursday
10:00 to 00:00	Friday & Saturday
11:00 to 23:00	Sunday
11:00 to 00:00	Sundays before Easter Monday, Early May Bank Holiday and Late Summer Bank Holiday
10:00 to 01:00	Christmas Eve
12:00 to 14:00	Christmas Day
11:00 to 01:00	Boxing Day
10:00 to 01:00	New Year's Eve

Live Music

20:00 to 23:00	Monday to Sunday
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In order to accommodate the above extension of operating hours, and additional activity, the premises opening times will be:

10:00 to 23:30	Monday to Thursday
10:00 to 00:30	Friday & Saturday
11:00 to 23:30	Sunday

11:00 to 00:30	Sundays before Easter Monday, Early May Bank Holiday and Late Summer Bank Holiday
10:00 to 01:30	Christmas Eve
12:00 to 14:00	Christmas Day
11:00 to 01:30	Boxing Day
10:00 to 01:30	New Year's Eve

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Council has received a representation from the Environment team in their capacity as a responsible authority. It appears they object to both the conversion of the existing Justices' Licence and the variation of the resultant Premises Licence. It must be pointed out at the outset that in terms of the relevant provisions of the Licensing Act 2003 (see Schedule 8 paragraphs 1 to 5) only the police can object to the conversion of an existing Justices' Licence. However, any responsible authority (and this includes the Environmental Health Services Department) is perfectly entitled to raise objections to the variation of the ensuing Premises Licence (see Sections 34 & 35).

The objection raised is in effect that there is an ongoing complaint about noise, which has not been resolved. This is touching on public nuisance and is a relevant representation requiring determination.

The Council also received a letter of representations from an interested party, the following local residents:

Mrs Agnes S Jacob of 31 North Street, Grantham.

She objects to the proposed variation, arguing that it will encourage public nuisance, and crime and disorder.

This view is supported by an email representation from Mrs Jacobs' husband. These representations are attached as Appendix 2.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period the existing licence must be converted to a new Premises Licence subject to all the current conditions and restrictions and any 'embedded conditions'.

In this application, the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, members are required to hold a hearing to determine the application, unless both the applicant and the responsible authority in question agree that such a hearing can be dispensed with.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

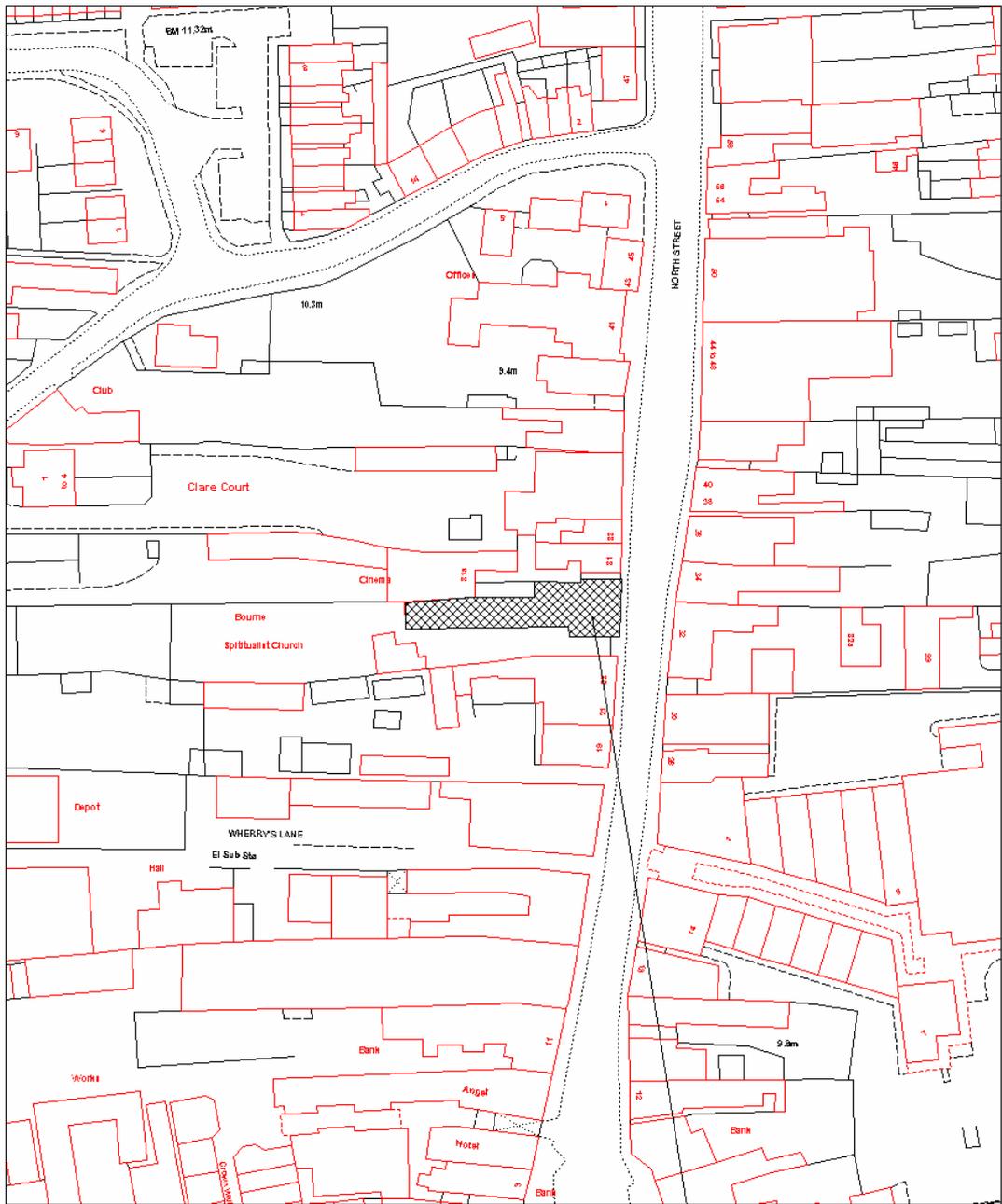
8. CONCLUSION

The application is for a variation of a licence to the activities and operating and activity hours of a Bourne public house. There has been a letter of representation from one responsible authority and an interested party. They object to the variation on the ground of public nuisance and crime and disorder.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 Email: peter.harrison@southkesteven.gov.uk

APPENDIX 1



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SMITHS
25 NORTH STREET, BOURNE

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV267**

DATE: **9 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE HURDLER, 93 NEW CROSS ROAD, STAMFORD
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence at a public house and to extend the activity hours and operating hours and to add new licensable activities.

The application is attached at Appendix 1, together with a map of the premises.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

The Hurdler public house currently holds a Justice's Licence for the sale of alcohol both on and off the premises. Drinking up time is currently 20 minutes. They have applied for a variation in opening hours and operating hours, an additional 10 minutes drinking up time and to continue with occasional live music and introduce other licensable activities. There were representations the Police as a responsible authority.

The Police object to the extension of hours as applied for by the applicant. They state that while they have no problem with the applicants extending their hours on Christmas Eve and New Year's Eve they object to an extension over all other bank holidays because this is likely to cause public nuisance and crime and disorder. The letter is attached as Appendix 2.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of existing Justices' Licence under Transitional Arrangements

The public house currently holds a Justices' Licence for the sale of alcohol for consumption, either on or off the premises between the hours of:

On sales

11:00 to 23:00	Weekdays
12:00 to 22:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve
12:00 to 22:30	New Year's Eve (when on Sunday)

In addition, for New Year's Eve – Licensee can remain open from the end of permitted hours until the start of permitted hours on the following Day.

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

Application for Variation requiring Committee Determination

The applicant has applied for a variation in their permitted hours and activities as follows:

Live music

19:30 to 00:00	Friday to Sunday
19:30 to 02:00	Bank Holidays

An additional 2 hours for both Christmas Eve and New Year's Eve

Recorded music

19:30 to 00:00	Friday to Sunday
19:30 to 02:00	Bank Holidays

An additional 2 hours for both Christmas Eve and New Year's Eve

Provision of facilities for making music

19:30 to 00:00	Friday to Sunday
19:30 to 02:00	Bank Holidays

An additional 2 hours for both Christmas Eve and New Year's Eve

Supply of alcohol

10:00 to 00:00	Friday to Sunday
10:00 to 02:00	Bank Holidays

An additional 2 hours for both Christmas Eve and New Year's Eve

In order to accommodate the above variations, the premises opening times will be:

10:00 to 00:30	Friday to Sunday
10:00 to 02:30	Bank Holidays

An additional 2 hours for both Christmas Eve and New Year's

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Council received a letter of representation from the Police. They state that while they have no problem with the applicants extending their hours on Christmas Eve and New Year's Eve they object to an extension over all other bank holidays because this is likely to cause public nuisance and crime and disorder.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period the existing licence must be converted to a new premises licence subject to all the current conditions and restrictions and any embedded conditions.

In this application the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, members are required to determine the application regarding the variations requested and either grant the application with or without additional conditions or to refuse the variation as it considers necessary for the promotion of the licensing objectives.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

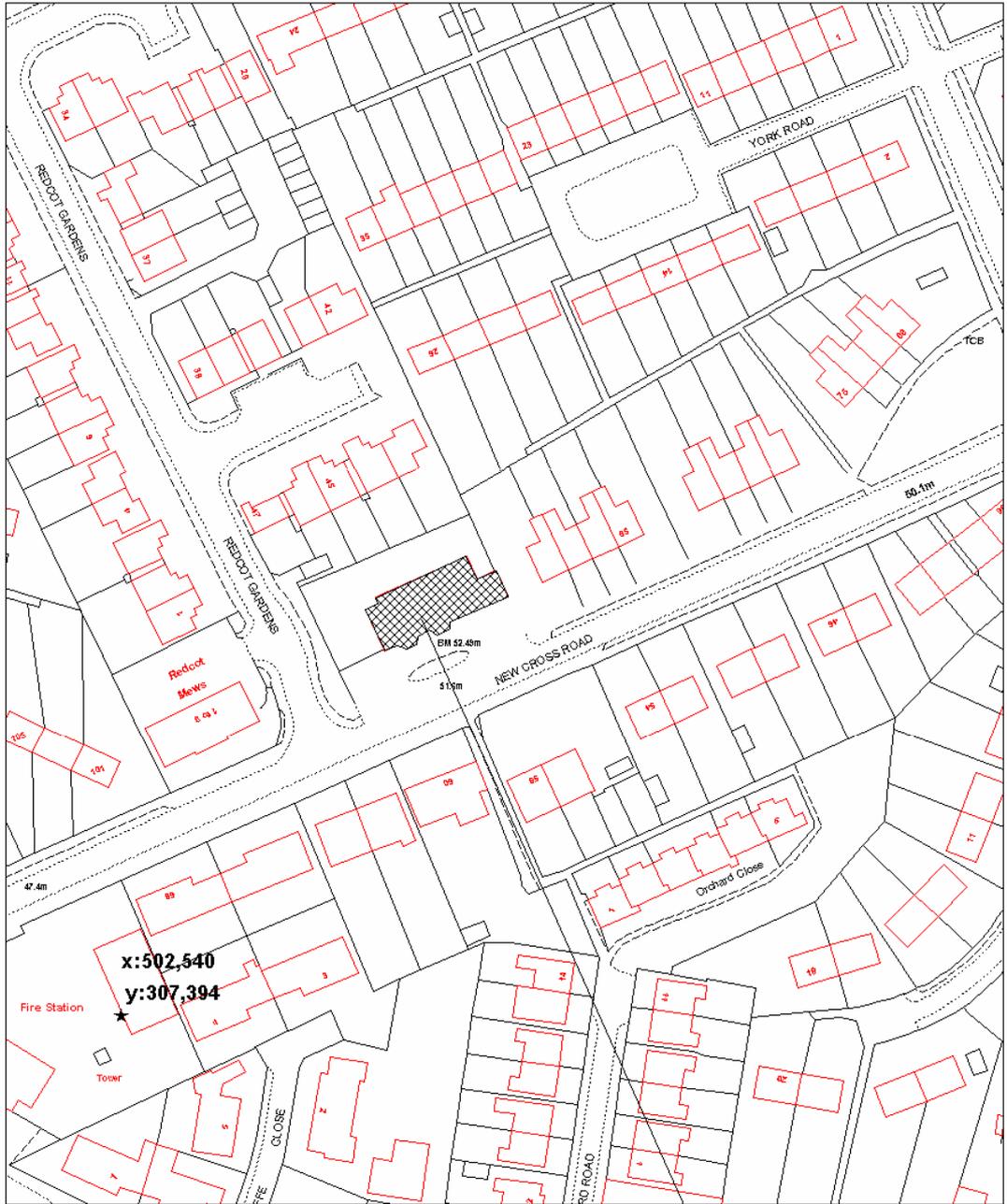
8. CONCLUSION

The application is for the conversion of an existing Justices' Licence at a Stamford residential area public house and to extend the operating and activity hours and also to include new activities. The Police have raised objections to the extension of hours over Bank Holidays.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 Email: peter.harrison@southkesteven.gov.uk

APPENDIX 1



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THE HURDLER
93 NEW CROSS ROAD, STAMFORD

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV275**

DATE: **9 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE BASKERVILLES, MAIN STREET, BASTON,
FORWARD PLAN ITEM:	NOT APPLICABLE
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	NOT APPLICABLE
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	NOT APPLICABLE

COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
CORPORATE PRIORITY:	LICENCING CATEGORY 'Y'
CRIME AND DISORDER IMPLICATIONS:	SEE REPORT DETAILS
FREEDOM OF INFORMATION ACT IMPLICATIONS:	NOT APPLICABLE
BACKGROUND PAPERS:	STATEMENT OF LICENCING POLICY

1. INTRODUCTION

The application is for the conversion of an existing Justices' Licence at a public house/hotel and to vary the permitted hours, drinking up time and licensable activities. The application and map are attached at Appendix 1.

The Licensing Act 2003 transfers responsibility for the licensing of public houses from the Magistrates Courts to the local authority.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their existing Justices' Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their Justices Licence, the applicant needs to follow a set procedure which includes consultation with interested parties, who are able to address the variations that have been applied for. If an interested party makes a representation objecting to a variation to the licence, the matter will be determined by the Alcohol and Entertainment Licensing Committee.

The Premises Licence, once granted, lies dormant until the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.

The Baskervilles public house currently holds a Justice's Licence for retail sale of alcohol on and off the premises and a Public Entertainment Licence for the provision of public dancing or music or any other entertainment of a like kind. Drinking up time is currently 20 minutes. They have applied for a variation in operating hours, an additional 10 minutes drinking up time and additional licensable activities. In addition the applicant wishes to remove all embedded restrictions inherent in the Licensing Act 1964 and the Cinematograph (Safety) Regulations 1955, and some of the conditions on the Public Entertainment Licence.

There was one letter of representations from an interested party and another from the Police, as a responsible authority. The representations from the interested party relate to the advert itself, the lack of notice displayed on the premises, together with the potential nuisance arising from noise from the premises and patrons leaving. The representations from Police relate to the premises' occupancy figure and the potential risk of overcrowding in the premises. These are attached as Appendix 2.

2. RECOMMENDATIONS

That the Committee determines, with regard to the licensing objectives, the application concerning the variations that have been requested.

3. DETAILS OF REPORT

Conversion of Existing Justices' Licence under Transitional Arrangement

The public house currently holds a Justices' Licence for the sale of alcohol for consumption, either on or off the premises 24 hours a day for residents and their guests and between the following hours for non residents:

On sales

11:00 to 23:00	Weekdays
12:00 to 22:30	Sundays
12:00 to 22:30	Good Friday
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
11:00 to 23:00	New Year's Eve
12:00 to 22:30	New Year's Eve (when on Sunday)

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

Off sales

08:00 to 23:00	Weekdays
10:00 to 22:30	Sundays
12:00 to 15:00	Christmas Day
19:00 to 22:30	Christmas Day
08:00 to 22:30	Good Friday

The applicant holds a Public Entertainment Licence for public dancing or music or any public entertainment of a like kind. In addition to the standard conditions, the PEL requires that all doors and windows are to be kept closed and locked at all times whilst entertainment/music is on. Additional conditions of the current licence are:

Standard Condition No.5 (Permitted hours) - The premises shall not be kept or used for public music or dancing or other public entertainment of a like kind except between the hours of 7.00 pm and midnight Friday and Saturday only.

Standard Condition No.7 (Maximum Occupancy Figure) - The fire officer has prescribed the following occupancy figure: 200 persons- whole premises.

Application for Variation Requiring Committee Determination

The applicant has applied for a variation as follows:

Films

10:00 to 00:00	Sunday to Thursday
10:00 to 01:00	Friday & Saturday

10:00 New Year's Eve to 24:00 New Year's Day
10:00 to 01:00 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.

Indoor sporting events

10:00 to 00:00 Sunday to Thursday
10:00 to 01:00 Friday & Saturday
10:00 New Year's Eve to 24:00 New Year's Day
10:00 to 01:00 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.

Live Music

10:00 to 00:00 Monday to Sunday

Recorded music

10:00 to 00:00 Sunday to Thursday
10:00 to 01:00 Friday & Saturday
10:00 New Year's Eve to 24:00 New Year's Day
10:00 to 01:00 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.

Entertainment similar to live music, recorded music or performance of dance

10:00 to 00:00 Sunday to Thursday
10:00 to 01:00 Friday & Saturday
10:00 New Year's Eve to 24:00 New Year's Day
10:00 to 01:00 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.

Provision of facilities for making music

10:00 to 00:00 Sunday to Thursday
10:00 to 01:00 Friday & Saturday
10:00 New Year's Eve to 24:00 New Year's Day
10:00 to 01:00 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.

Provision of facilities for dancing

10:00 to 00:00 Sunday to Thursday
10:00 to 01:00 Friday & Saturday
10:00 New Year's Eve to 24:00 New Year's Day
10:00 to 01:00 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.

Supply of alcohol

10:00 to 00:00 Sunday to Thursday
10:00 to 01:00 Friday & Saturday
10:00 New Year's Eve to 24:00 New Year's Day
10:00 to 01:00 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.
Outside drinking will end at 23:00 hours.

Drinking up time: an additional 10 minutes, to allow 30 minutes drinking up time, after the last permitted sale of alcohol.

Further, the applicant proposes to increase the maximum occupancy figure of the premises from 200 to 300. See section Q (c) Public Safety of Licensing objectives.

The applicant wishes to remove all embedded restrictions inherent in the Licensing Act 1964 and the Cinematograph (Safety) Regulations 1955, and the conditions on the Public Entertainment Licence relating to permitted hours and the requirement to keep windows and doors closed whilst entertainment / music is on.

In order to accommodate the above extension of operating hours, and increase in drinking time, the premises opening time will be:

10:00 to 00:30 Monday to Thursday
10:00 to 01:30 Friday & Saturday
10:00 to 00:30 Sunday
10:00 New Year's Eve to 00:30 2 January
10:00 to 01:30 the following morning on bank holiday weekends, Christmas Eve and Boxing Day.

The four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm, have been addressed in the application.

The application has been advertised and the statutory consultees consulted.

The Council received one letter of representations from an interested party Mr M L Trotman, a local resident of 1 Hadrian Drive and another from the Police. The interested party states that the application is irregular because:

- (a) the applicant has failed to indicate in their notice that they shall sell alcohol until 01:00 on Fridays and Saturdays when such is in fact their intention
- (b) as at 01/08/05, the applicant had not displayed at the premises a notice of their proposed variations

Further, he states that the proposed variations will only promote public nuisance and crime and disorder. The letter is attached as Appendix 2.

The Police are of the view that increasing the maximum occupancy figure may result in an increase in crime and disorder, risk to public safety and public nuisance. The letters are attached as Appendix 2.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

None

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Not applicable

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

As the application has been properly made during the transition period the existing licence must be converted to a new premises licence subject to all the current conditions and restrictions and any embedded conditions.

In this application the applicant also wishes to simultaneously vary the licence. As relevant representations have been received concerning the variations, members are required to determine the application regarding the variations requested and either grant the application with or without additional conditions or to refuse the variation as it considers necessary for the promotion of the licensing objectives.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Not applicable

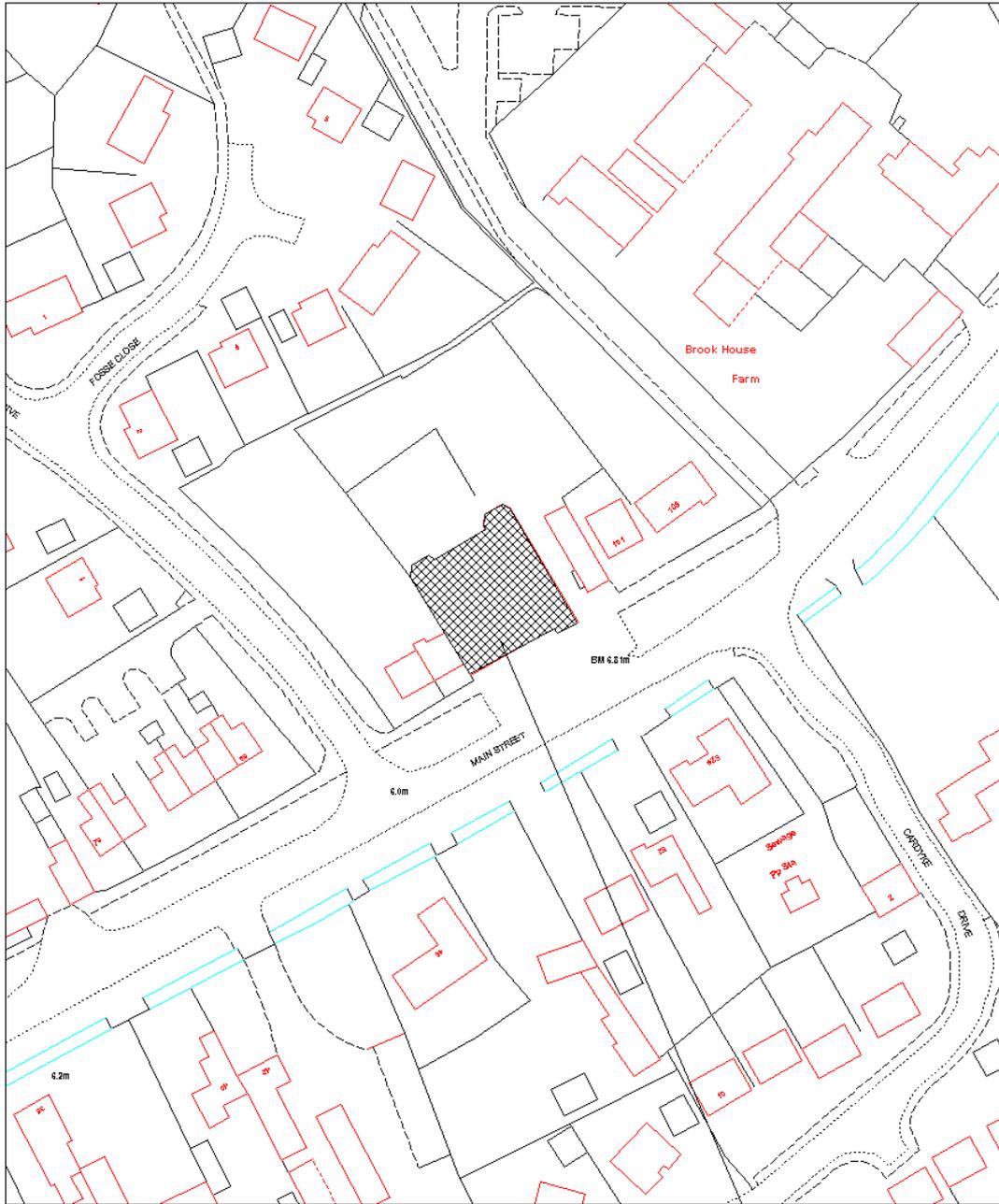
8. CONCLUSION

The application is for a variation of a licence to the activities and operating and activity hours of a Baston Village Centre public house. An interested party made a representation based on the validity of the application and the prevention of public nuisance and crime and disorder.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 e-mail: p.Harrison@southkesteven.gov.uk

APPENDIX 1



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THE BASKERVILLES,
MAIN STREET, BASTON.