



# AGENDA

For a meeting of the
<b>ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE</b>
to be held on
<b>FRIDAY, 2 SEPTEMBER 2005</b>
at
<b>9.30 AM</b>
<b>PLEASE NOTE EARLIER START TIME</b>
in the
<b>COMMITTEE ROOM NO. 1, COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM</b>
<b>Duncan Kerr, Chief Executive</b>

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 the Meeting held on 26th August 2005.**  
**(To follow)**
- 4. Licensing Act 2003: Application for Conversion and Variation to a Licence:**
  - (a) The Bull and Swan, 24A High Street, St. Martin's, Stamford**  
Report ENV259 from the Head of Environmental Health & Licensing.  
**(Enclosure)**
  - (b) The Goose at the Bank, High Street, Grantham**

Report ENV259 from the Head of Environmental Health & Licensing.  
**(Enclosure)**

**(c) The Fox and Hounds, Grantham Road, Old Somerby**

Report ENV260 from the Head of Environmental Health & Licensing.  
**(Enclosure)**

**(d) Tesco Stores Ltd., North Street, Bourne**

Report ENV261 from the Head of Environmental Health & Licensing.  
**(Enclosure)**

**(e) The Beehive Inn, 10/11 Castlegate, Grantham**

Report ENV263 from the Head of Environmental Health & Licensing.  
**(Enclosure)**

**(f) Great Ponton Village Centre, Archer's Way, Great Ponton**

Report ENV262 from the Head of Environmental Health & Licensing.  
**(Enclosure)**

**(g) The Avenue Hotel, 32-34 Avenue Road, Grantham**

Report ENV264 from the Head of Environmental Health & Licensing.  
**(Enclosure)**

**(THE APPENDICES TO REPORTS AT AGENDA ITEMS 4(a) TO 4 (g) ARE ATTACHED FOR COMMITTEE MEMBERS ONLY. IF ANY OTHER MEMBERS WISH TO SEE THE SUPPORTING INFORMATION ON EACH APPLICATION, PLEASE CONTACT THE HEAD OF ENVIRONMENTAL HEALTH & LICENSING.)**

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

## REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

**REPORT NO. ENV259**

**DATE: 2 SEPTEMBER 2005**

<b>TITLE:</b>	LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE BULL & SWAN, 24A HIGH STREET ST MARTINS, STAMFORD
<b>FORWARD PLAN ITEM:</b>	NOT APPLICABLE
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	NOT APPLICABLE
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	NOT APPLICABLE

<b>COUNCIL AIMS/ PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	COUNCILLOR P MARTIN-MAYHEW (COMMUNITY SAFETY)
<b>CORPORATE PRIORITY:</b>	LICENCING CATEGORY 'Y'
<b>CRIME AND DISORDER IMPLICATIONS:</b>	SEE REPORT DETAILS
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	NOT APPLICABLE
<b>BACKGROUND PAPERS:</b>	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 operating hours and to include a new activity. 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 & Swan 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 operating hours, an additional 10 minutes drinking up time and also to include music as a licensable activity.

There has been a joint letter of representations from local residents at a common address who are interested parties. They object to an extension in the pub's operating hours, arguing that this will cause noise pollution. These have been 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 & Saturdays
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 for their current licensable activities (supply of alcohol) and the provision of regulated entertainment (live & recorded music) as follows:

11:00 to 00:00	Monday to Saturday
12:00 to 22:30	Sunday

A further additional hour into the morning following every Friday, Saturday, Sunday, and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday, and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.  
A further additional hour every Boxing Day

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

11:00 to 00:30	Monday to Saturday
12:00 to 23:00	Sunday

A further additional hour into the morning following every Friday, Saturday, Sunday, and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday, and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day

For New Years Eve and New Year the hours to reflect existing New Years' Eve/Day hours.

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 Mr & Mrs Crawford of 54 High Street, St Martins, as interested parties. This is attached as Appendix 2.

They object to the proposed variation to extend the hours .They argue that it would have the consequence of extending noise and disturbance to residents. In essence their objection hinges upon 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

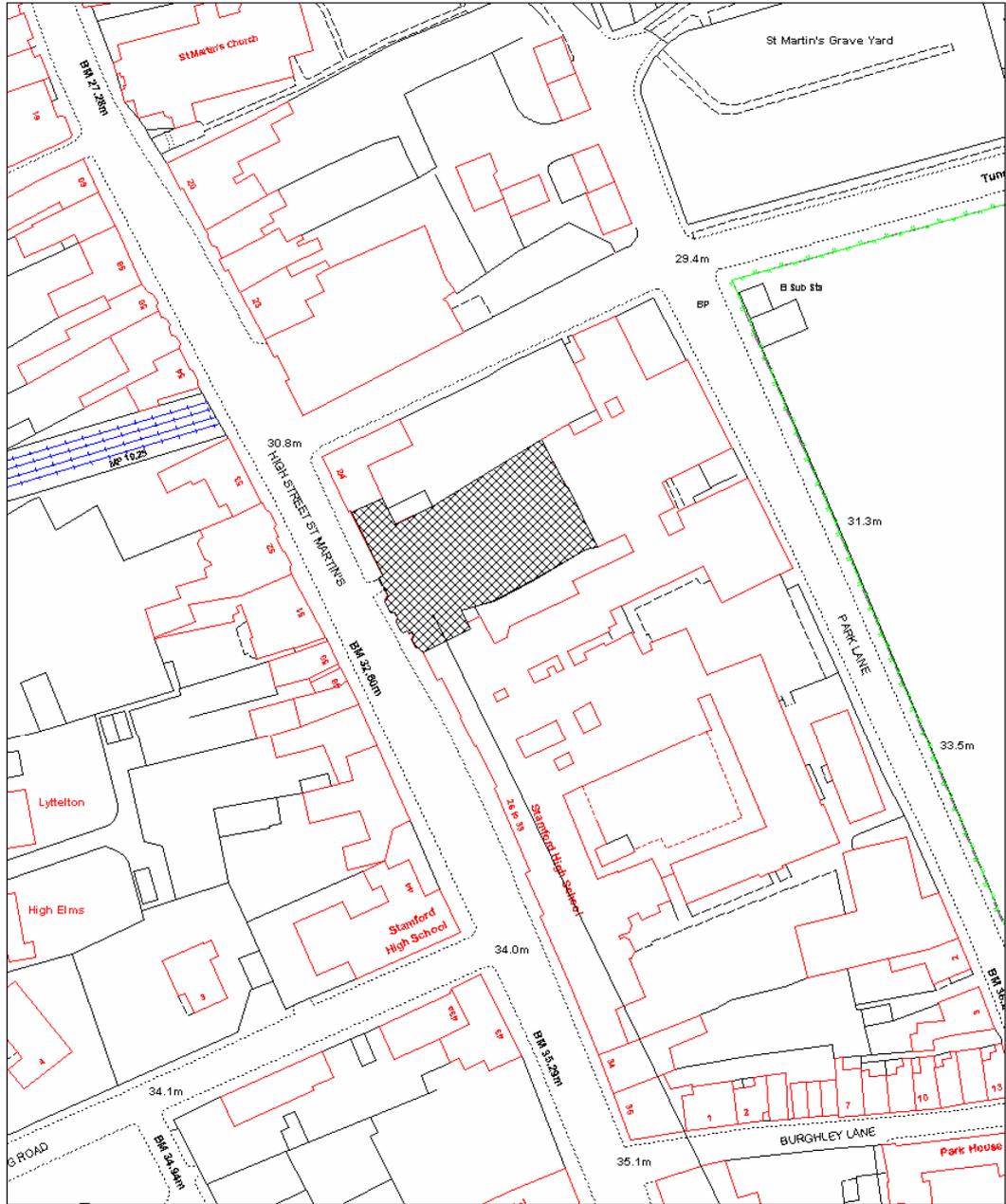
**8. CONCLUSION**

The application is for the variation of licence conditions to the operating and activity hours of a Stamford public house. There is a joint representation from an address of interested parties. They object to extending the activity hours arguing that it 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

BULL AND SWAN, STAMFORD

# REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO.         **ENV259**

DATE:               **2 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE GOOSE AT THE BANK, HIGH STREET, GRANTHAM
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 generally and during special events and also 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 Goose At The Bank 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 opening hours and during the transmission of any recognised international sporting events, an additional 10 minutes drinking up time, and to include new licensable activities. The Police, as statutory consultees, have submitted a letter of representations objecting to the extension of hours as applied for by the applicant. 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 & Saturdays
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:

#### Films

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

Further, the applicant proposes the following non standard timings for this activity:

In the event of the transmission of any recognised international sporting event which falls outside the current permitted hours on the premises licence to permit licensable activities commencing one hour before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 10 days beforehand, with the police giving their prior written consent in each case.

Further, on the days\dates listed below the following additional hours are proposed:

1<sup>st</sup> January – 1 hour; 1<sup>st</sup> March (St Davids) – 1 hour; 17<sup>th</sup> March (St Patrick's) – 2 hours; Easter Monday – 1 hour; May Bank Holiday (1<sup>st</sup>) Sunday prior – 2 hours; May Bank Holiday (1<sup>st</sup>) Bank Holiday Monday- 1 hour; May Bank Holiday (2<sup>nd</sup>) Sunday prior- 2 hours; May Bank Holiday (2<sup>nd</sup>) Bank Holiday Monday- 1 hour; August Bank Holiday Sunday prior – 2 hours; August Bank Holiday Monday- 1 hour; Halloween – 2 hours; Christmas Eve – 2 hours; Boxing Day – 2 hours; 27<sup>th</sup> December – 2 hours; 28<sup>th</sup> December – 2 hours; 30<sup>th</sup> December – 2 hours.

### Indoor Sporting Events

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

Further, the applicant proposes the following non-standard timings for this activity:

In the event of the transmission of any recognised international sporting event which falls outside the current permitted hours on the premises licence to permit licensable activities commencing one hour before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 10 days beforehand, with the police giving their prior written consent in each case.

Further, on the days\dates listed below the following additional hours are proposed:

1<sup>st</sup> January – 1 hour; 1<sup>st</sup> March (St Davids) – 1 hour; 17<sup>th</sup> March (St Patrick's) – 2 hours; Easter Monday – 1 hour; May Bank Holiday (1<sup>st</sup>) Sunday prior – 2 hours; May Bank Holiday (1<sup>st</sup>) Bank Holiday Monday- 1 hour; May Bank Holiday (2<sup>nd</sup>) Sunday prior- 2 hours; May Bank Holiday (2<sup>nd</sup>) Bank Holiday Monday- 1 hour; August Bank Holiday Sunday prior – 2 hours; August Bank Holiday Monday- 1 hour; Halloween – 2 hours; Christmas Eve – 2 hours; Boxing Day – 2 hours; 27<sup>th</sup> December – 2 hours; 28<sup>th</sup> December – 2 hours; 30<sup>th</sup> December – 2 hours.

### Late Night Refreshment

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

Further, the applicant proposes the following non-standard timings for this activity:

In the event of the transmission of any recognised international sporting event which falls outside the current permitted hours on the premises licence to permit

licensable activities commencing one hour before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 10 days beforehand, with the police giving their prior written consent in each case.

Further, on the days\dates listed below the following additional hours are proposed:

1<sup>st</sup> January – 1 hour; 1<sup>st</sup> March (St Davids) – 1 hour; 17<sup>th</sup> March (St Patrick's) – 2 hours; Easter Monday – 1 hour; May Bank Holiday (1<sup>st</sup>) Sunday prior – 2 hours; May Bank Holiday (1<sup>st</sup>) Bank Holiday Monday- 1 hour; May Bank Holiday (2<sup>nd</sup>) Sunday prior- 2 hours; May Bank Holiday (2<sup>nd</sup>) Bank Holiday Monday- 1 hour; August Bank Holiday Sunday prior – 2 hours; August Bank Holiday Monday- 1 hour; Halloween – 2 hours; Christmas Eve – 2 hours; Boxing Day – 2 hours; 27<sup>th</sup> December – 2 hours; 28<sup>th</sup> December – 2 hours; 30<sup>th</sup> December – 2 hours.

### Supply of Alcohol

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

Further, the applicant proposes the following non-standard timings for this activity:

In the event of the transmission of any recognised international sporting event which falls outside the current permitted hours on the premises licence to permit licensable activities commencing one hour before the start of the event and ending one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 10 days beforehand, with the police giving their prior written consent in each case.

Further, on the days\dates listed below the following additional hours are proposed:

1<sup>st</sup> January – 1 hour; 1<sup>st</sup> March (St Davids) – 1 hour; 17<sup>th</sup> March (St Patrick's) – 2 hours; Easter Monday – 1 hour; May Bank Holiday (1<sup>st</sup>) Sunday prior – 2 hours; May Bank Holiday (1<sup>st</sup>) Bank Holiday Monday- 1 hour; May Bank Holiday (2<sup>nd</sup>) Sunday prior- 2 hours; May Bank Holiday (2<sup>nd</sup>) Bank Holiday Monday- 1 hour; August Bank Holiday Sunday prior – 2 hours; August Bank Holiday Monday- 1 hour; Halloween – 2 hours; Christmas Eve – 2 hours; Boxing Day – 2 hours; 27<sup>th</sup> December – 2 hours; 28<sup>th</sup> December – 2 hours; 30<sup>th</sup> December – 2 hours.

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

10:00 to 00:30	Monday to Thursday
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10:00 to 01:30            Friday & Saturday  
10:00 to 00:30            Sunday

Further, the applicant proposes the following non-standard timings:

In the event of the transmission of any recognised international sporting event which falls outside the current permitted hours on the premises licence to permit licensable activities commencing one hour after the end of the event, the details of the event to be notified to the licensing authority and the police 10 days beforehand, with the police giving their prior written consent.

Further, on the days/dates listed below, the following additional hours are proposed:

1 January – 1 hour., 1 March (St David's Day) 17<sup>th</sup> March (St Patrick's) – 2 hours; Easter Monday – 1 hour; May Bank Holiday (1<sup>st</sup>) Sunday prior – 2 hours; May Bank Holiday (1<sup>st</sup>) Bank Holiday Monday- 1 hour; May Bank Holiday (2<sup>nd</sup>) Sunday prior- 2 hours; May Bank Holiday (2<sup>nd</sup>) Bank Holiday Monday- 1 hour; August Bank Holiday Sunday prior – 2 hours; August Bank Holiday Monday- 1hour; Halloween – 2 hours; Christmas Eve – 2 hours; Boxing Day – 2 hours; 27<sup>th</sup> December – 2 hours; 28<sup>th</sup> December – 2 hours; 30<sup>th</sup> December – 2 hours.

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, as responsible authority. They object to the proposed extension of hours generally and for particular events arguing that the proposal to vary the hours for particular events is unlawful. They further argue that extending the permitted hours on Friday and Saturday will in any case 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

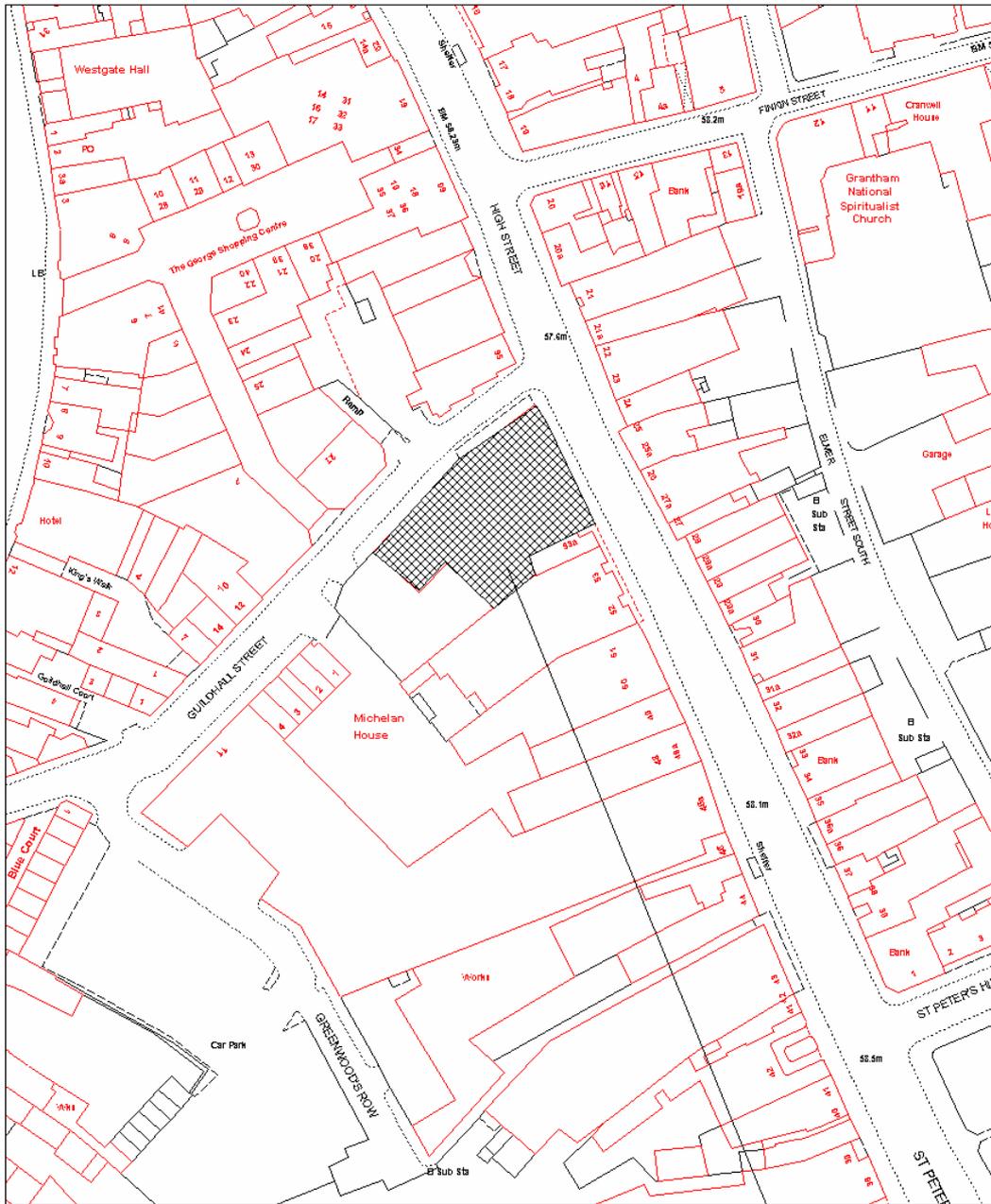
**8. CONCLUSION**

The application is for the conversion of an existing Justices' Licence at a public house and to vary (extend) the opening hours generally and during special events and also to include new activities. The police have raised objections to the extension of hours as having a negative effect on crime, disorder, public safety and public nuisance.

**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

**THE GOOSE AT THE BANK  
 55 HIGH STREET, GRANTHAM**

# REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO.         **ENV260**

DATE:                 **2 SEPTEMBER 2005**

TITLE:	LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – FOX & HOUNDS, GRANTHAM ROAD OLD SOMERBY, GRANTHAM.
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 removing all conditions restricting the use of the premises that might have carried over from the existing Justices' Licence, including limited entertainment and late night refreshment and generally extending the opening hours and operating 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 Fox & Hounds public house currently holds a Justice's Licence for the retail sale of alcohol on and off the premises and Supper Hours Certificate for the provision of substantial refreshment to which the sale and supply of intoxicating liquor is ancillary. Drinking up time is currently 20 minutes. They have applied for a variation in operating hours and licensable activities.

The Council received three letters of representation from residents who are interested parties. They object to a variation of the premises licence) contending that the variation will encourage public nuisance in the form of noise pollution and also crime and disorder. 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 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 & Saturday
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 may remain open from the end of permitted hours until the start of permitted hours on the following Day.

Further, there is a Supper Hour 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.

### 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 for their activities as follows:

#### Live Music, Recorded music, Performances of dance & Provision of facilities for dancing.

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

#### Late night refreshment

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

#### Supply of alcohol

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

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

#### Live Music & Recorded Music

Maundy Thursday & Good Friday	10:00 to 01:30
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Fridays, Saturdays & Sundays preceding a Bank Holiday Monday –	10:00 to 01:30
Bank Holiday Mondays	10:00 to 00:30
December 26 <sup>th</sup>	09:00 to 00:30
December 31 <sup>st</sup>	10:00 to January 1 <sup>st</sup> normal terminal hour
December 24 <sup>th</sup>	10:00 to 01:30
December 27 <sup>th</sup> - 30 <sup>th</sup> inclusive	10:00 to 00:30

On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

#### Performance of Dance and Provision of facilities for Dance

Maundy Thursday & Good Friday	10:00 to 01:30
Fridays, Saturdays & Sundays preceding a Bank Holiday Monday –	10:00 to 01:30
Bank Holiday Mondays	10:00 to 00:30
December 26 <sup>th</sup>	09:00 to 00:30
December 31 <sup>st</sup>	10:00 to 00:30 January 2nd
December 24 <sup>th</sup>	10:00 to 01:30
December 27 <sup>th</sup> - 30 <sup>th</sup> inclusive	10:00 to 00:30

On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

#### Late Night Refreshment

Maundy Thursday & Good Friday	23:00 to 01:00
Fridays, Saturdays & Sundays preceding a Bank Holiday Monday –	23:00 to 02:00
Bank Holiday Mondays	23:00 to 01:00
December 26 <sup>th</sup>	23:00 to 01:00
December 31 <sup>st</sup>	23:00 to 05:00
January 1 <sup>st</sup>	23:00 to 01:00
December 24 <sup>th</sup>	23:00 to 02:00
December 27 <sup>th</sup> - 30 <sup>th</sup> inclusive	23:00 to 01:00

When events from the Football World Cup, Rugby World Cup or Olympics are televised live, from one hour before the start of the televised event until standard opening time.

On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

#### Supply of Alcohol

Maundy Thursday & Good Friday	10:00 to 02:00
Fridays, Saturdays & Sundays preceding a Bank Holiday Monday –	10:00 to 02:00
Bank Holiday Mondays	10:00 to 01:00
December 26 <sup>th</sup>	09:00 to 01:00
December 31 <sup>st</sup>	23:00 to 05:00
January 1 <sup>st</sup>	terminal hour to 01:00

December 24 <sup>th</sup>	10:00 to 02:00
December 25 <sup>th</sup>	09:00 to normal terminal hour
December 27 <sup>th</sup> - 30 <sup>th</sup> inclusive	10:00 to 01:00

When events from the Football World Cup, Rugby World Cup or Olympics are televised live, from one hour before the start of the televised event until standard opening time.

On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

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

05:00 to 00:30	Monday to Thursday
05:00 to 01:30	Friday & Saturday
05:00 to 00:00	Sunday

Additionally the following non – standard timings will apply:

Maunday Thursday & Good Friday	05:00 to 02:30
Fridays, Saturdays & Sundays preceding a Bank Holiday Monday	05:00 to 02:30
Bank Holiday Mondays	05:00 to 01:30
December 26 <sup>th</sup>	05:00 to 01:30
December 31 <sup>st</sup>	05:00 to January 2 <sup>nd</sup> 01:30
December 27 <sup>th</sup> - 30 <sup>th</sup> inclusive	05:00 to 01:30

When events from the Football World Cup, Rugby World Cup or Olympics are televised live, from one hour before the start of the televised event until standard opening time.

On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.

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 letters of representations (attached as Appendix 2) from the following three local residents, all interested parties:

Mr D Phillips	The Holt Grantham Road
Bill King	Tanglewood Grantham Road
FM Chapman – King	Tanglewood, Grantham Road

In summary, they object to an extension of the hours and the inclusion of live music, recorded and dance as licensable activities arguing that varying the premises licence in the manner applied for will result in crime disorder and noise pollution.

**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 an Old Somerby public house. There have been letters of representation from three interested parties from two residential properties. They object to the variation on the ground of public nuisance and crime and disorder.

**9. CONTACT OFFICER**

P Harrision, 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

FOX AND HOUNDS  
GRANTHAM OLD ROAD  
OLD SOMERBY  
GRANTHAM

# REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO.         **ENV261**

DATE:                 **2 SEPTEMBER 2005**

TITLE:	LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – TESCO STORES LTD, 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 supermarket 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.

Tesco Stores Ltd, Bourne currently holds a Justice's Licence for the retail sale of alcohol for consumption off the premises. They have applied for a variation in operating hours and to include provision of late night refreshment as an activity. The Council received a representation from an interested party, a local resident, who objects to the activity hours.

The Council has received three letters of representations from local residents, interested parties. They object to the variation of the premises licence on the basis that the proposed variation will promote public nuisance and crime and disorder. The letters 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 premises currently hold a Justices' Licence for the sale of alcohol for consumption off the premises between the hours of:

08:00 to 23:00	Weekdays & Saturday
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 applicants have applied for a variation in their permitted hours for the supply of alcohol as follows:

06:00 to 00:00	Monday to Sunday
----------------	------------------

Originally, the applicants wished to provide late night refreshment as follows:

23:00 to 05:00	Monday to Sunday
----------------	------------------

This was subsequently amended by the applicant to provide late night refreshment as follows:

23:00 to 00:00	Monday to Sunday
----------------	------------------

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

06:00 to 00:00	Monday to Saturday
06:00 to 23:59	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 has received letters of representation from the following local residents, interested parties:

Mrs Helen Hill	13 North Road, Bourne
P Mitchell & P Hayward	90 North Street, Bourne

The objections relate to the extension of hours. Initially, the applicants had intended to provide late night refreshment until 05:00. However, this was subsequently changed to until 00:00 and an amended form was submitted. The applicants indicate that they have accordingly amended the statutory notices at the shop to reflect this change. The interested parties object to the applicants operating until 05:00. They argue that the variation will promote 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 applicants also wish 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 Supermarket. There have been letters of representation from three interested parties. 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 E-mail: peter.harrison@southkesteven.gov.uk

APPENDIX 1



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TESCO STORES,  
NORT STREET, BOURNE.

# REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO.         **ENV263**

DATE:                 **2 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – BEEHIVE INN, 10/11 CASTLEGATE, GRANTHAM
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 extending the opening hours generally and during special events and also 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 Beehive 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 opening hours generally, during Bank Holidays and on some special occasions and to include new licensable activities. The Police, as a responsible authority, have submitted a letter of representation objecting to the extension of hours as applied for by the applicant. The letter of representation 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 & Saturdays
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

07:00 to 01:30 Monday to Sunday  
 07:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
 07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
 07:00 to 02:30 on up to 30 other events days per annum

Indoor sporting events

07:00 to 01:30 Monday to Sunday  
 07:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
 07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
 07:00 to 02:30 on up to 30 other events days per annum

Live music

07:00 to 01:30 Monday to Sunday  
 07:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
 07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
 07:00 to 02:30 on up to 30 other events days per annum

Recorded music

7:00 to 01:30 Monday to Sunday  
 07:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
 07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
 07:00 to 02:30 on up to 30 other events days per annum

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

07:00 to 01:30 Monday to Sunday  
 07:00 New Year's Eve to 02:30 2<sup>nd</sup> January

07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
07:00 to 02:30 on up to 30 other events days per annum

Provision of facilities for making music

07:00 to 01:30 Monday to Sunday  
07:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
07:00 to 02:30 on up to 30 other events days per annum

Provision of facilities for dancing

07:00 to 01:30 Monday to Sunday  
07:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
07:00 to 02:30 on up to 30 other events days per annum

Late night refreshment

23:00 to 01:30 Monday to Sunday  
23:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
23:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
23:00 to 02:30 on up to 30 other events days per annum

Supply of alcohol

07:00 to 01:00 Monday to Sunday  
07:00 New Year's Eve to 02:00 2<sup>nd</sup> January  
07:00 to 02:00 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
07:00 to 02:00 on up to 30 other events days per annum

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

07:00 to 01:30 Monday to Sunday  
07:00 New Year's Eve to 02:30 2<sup>nd</sup> January  
07:00 to 02:30 on Friday, Saturday, Sunday and Monday on Bank holiday weekends, Christmas Eve and on Boxing Day  
07:00 to 02:30 on up to 30 other events days per annum

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 as a responsible authority. They object to the proposed extension of hours generally and for particular events arguing that the proposal to vary the hours for particular events is unlawful and any need for extending the hours by the applicant can always be taken care of by applying for a Temporary Event Notice. They state that extending the permitted hours in the manner proposed by the applicant will not give the police time to plan for them.

The Police further object to the applicant trading beyond 00:00 unless they have door supervisors. They also require the applicant to install an approved CCTV system and to show how they will ensure that maximum occupancy figures are not exceeded. The police would also like the applicant to outline all further steps they will take to protect children from harm. These objections relate to the licensing objectives and are thus relevant and require determination.

**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 for a Grantham public house and to vary (extend) the opening hours generally and during special events and also to include new activities. The Police have submitted a letter of representations objecting to the extension of hours as applied for by the applicant.

## **9. CONTACT OFFICER**

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

APPENDIX 1



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 South Kesteven District Council LA079421 2000

THE BEEHIVE,  
 10-11 CASTLEGATE, GRANTHAM.

# REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO.         **ENV262**

DATE:                 **2 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – GREAT PONTON VILLAGE CENTRE, ARCHERS WAY GREAT PONTON
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 Annual Community Premises Entertainment Licence (ACPEL) at a village hall and to vary the ensuing premises licence by including a new activity. The application is attached at Appendix 1, together with a map of the premises.

The Licensing Act 2003 transfers responsibility for the licensing of alcohol 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 ACPEL into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their ACPEL, 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 ACPEL is no longer valid.

The Great Ponton Village Centre currently holds an ACPEL for public dancing or music, or any other public entertainment of a like kind, the public performance of plays and indoor sports events to which the public are invited as spectators. They have applied for a variation to include the supply of alcohol as a licensable activity. There was a letter of representation from the police objecting to the hours proposed by the applicant without including 'wind down time'. They however record in the same letter that the applicant has agreed to add a further 30 minutes every day for this purpose. The applicant has confirmed this in writing, thereby amending their application. This is attached as Appendix 2.

Therefore, in line with Section 18(6) (b) and Section 18(7) (b), this representation is no longer a relevant representation.

## **2. RECOMMENDATIONS**

The applicant confirms that agreement with the Police has been reached. The Committee may wish to agree that a hearing is not necessary.

## **3. DETAILS OF REPORT**

Conversion of existing Annual Community Premises Licence under Transitional Arrangements

The village centre currently holds an ACPEL for public dancing etc between the hours of:

12:00 to 00:00	Sunday to Thursday
12:00 to 01:00	Friday to Saturday

The ACPEL is issued subject to the standard terms and conditions, together with 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 except between the hours of noon and midnight, Sunday – Thursday and noon and 1.00 am the following morning on Fridays and Saturdays.

*Standard Condition No 7 (Maximum Occupancy Figure)* –The Fire Officer has prescribed the following maximum occupancy figures: 200 persons – whole premises.

*Standard Condition Nos 58 & 59 (Prevention of Noise Nuisance)* – It is emphasised that the use of these premises for public entertainments must not cause nuisance to nearby residential properties.

*Licensing Act 1964 Section 199 (Sale of Alcohol)*- The sale of intoxicating liquor shall not take place unless a licence has been obtained from the Licensing Justices.

#### Application for Variation requiring Committee Determination

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

##### Supply of alcohol

12:00 to 00:00	Monday to Thursday
12:00 to 01:00	Friday & Saturday
12:00 to 00:00	Sunday

The application indicates that the premises opening times will be:

08:00 to 00:00	Monday to Thursday
08:00 to 01:00	Friday & Saturday
08:00 to 00:00	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.

There was a letter from the Police (attached as Appendix 2) objecting to the hours proposed by the applicant without including 'wind down time'. They however record in the same letter that the applicant has agreed to add a further 30 minutes every day for this purpose. The applicant has confirmed this in writing (attached as Appendix 2), thereby amending their application. The representation is consequently withdrawn.

The amended hours when the premises will be open to the public are agreed as being:

08:00 to 00:30	Monday to Thursday
08:00 to 01:30	Friday & Saturday
08:00 to 00:30	Sunday

**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)**

Where a hearing may be unnecessary

Where all parties, who are required to do so for these purposes, have returned a notice which states that they consider a hearing to be unnecessary, the Panel shall convene a meeting, which shall not require notice to be given to the parties.

If the Panel agrees that a hearing is unnecessary, then

- (a) The Panel may then proceed to determine the matter on the basis of the relevant representation received, then or at another date; and
- (b) Notice shall be given forthwith to the parties that the hearing has been dispensed with.

**7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER**

Not applicable

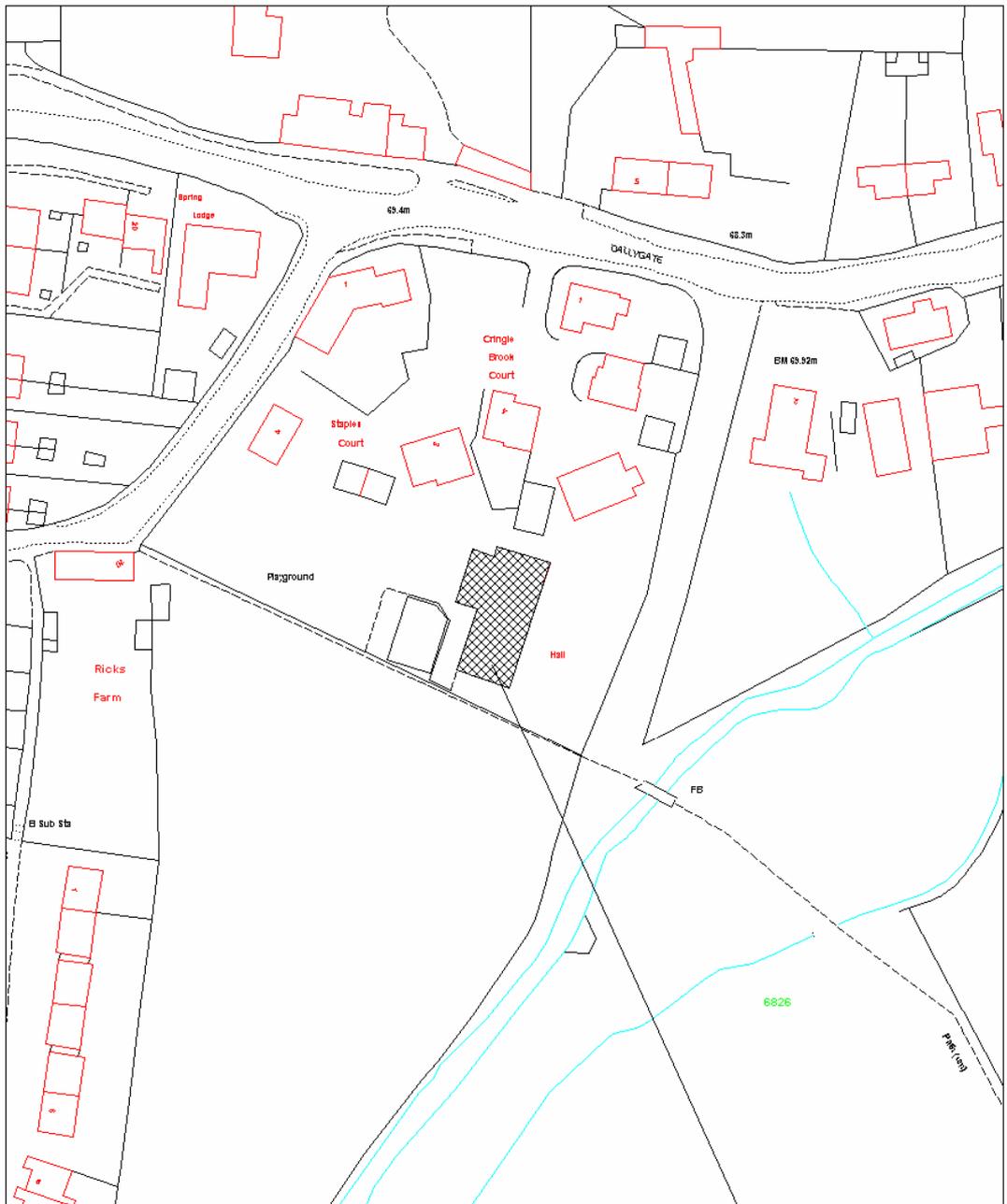
## **8. CONCLUSION**

The application is for the conversion of an existing ACPEL at Great Ponton Village Centre and to vary the ensuing premises licence by including a new activity. The police objected to the hours proposed by the applicant without including 'wind down time'. They however record in the same letter that the applicant has agreed to add a further 30 minutes every day for this purpose. The applicant has amended their application accordingly.

## **9. CONTACT OFFICER**

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

APPENDIX 1



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GREAT PONTON VILLAGE CENTRE,  
ARCHERS WAY.

# REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO.         **ENV264**

DATE:                 **2 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE AVENUE HOTEL, 32-34 AVENUE ROAD, GRANTHAM.
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 an hotel and to vary (extend) the opening hours and operating 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 Avenue Hotel 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 to extend the hours for the sale of alcohol, the provision of regulated entertainment and the removal of all conditions embedded by the Justices Licence and the Licensing Act 1964. The Police submitted a letter of representation. This 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

In part A3 of the application, the applicant claims a condition for the sale and consumption of alcohol 24 hours a day for residents and their guests. This is not supported by an existing residents licence accompanying the application.

Application for Variation Requiring Committee Determination

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

Live Music

11:00 to 00:00            Sunday to Wednesday  
11:00 to 02:00            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day.

Recorded Music

11:00 to 00:00            Sunday to Wednesday  
11:00 to 02:00            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day.

Performances of Dance

11:00 to 00:00            Sunday to Wednesday  
11:00 to 02:00            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day.

Provision of Facilities for Making Music

11:00 to 00:00            Sunday to Wednesday  
11:00 to 02:00            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day.

#### Provision of Facilities for Dancing

11:00 to 00:00            Sunday to Wednesday  
11:00 to 02:00            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day.

#### Late Night Refreshment

11:00 to 00:00            Sunday to Wednesday  
11:00 to 02:00            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day.

#### Supply of Alcohol

11:00 to 00:00            Sunday to Wednesday  
11:00 to 02:00            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day.

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

In order to accommodate the above extension of operating hours and licensable activities, the premises opening time will be:

11:00 to 00:30            Sunday to Wednesday  
11:00 to 02:30            Thursday to Saturday

Christmas Eve until 03.00 the next day. New Years Eve until 04.00 the next day. Good Friday until 02.00 the next day. The applicant has not applied for drinking up time on the non standard days in the application.

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 Lincolnshire Police have submitted a letter of representation

The representation relates to crime and disorder, public safety, noise and nuisance arising from the premises. They object to any extension to the hours beyond 00:00 unless the applicant installs an approved CCTV System and employs SIA registered door staff. They would also require the applicant to make provision for occupancy control.

**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

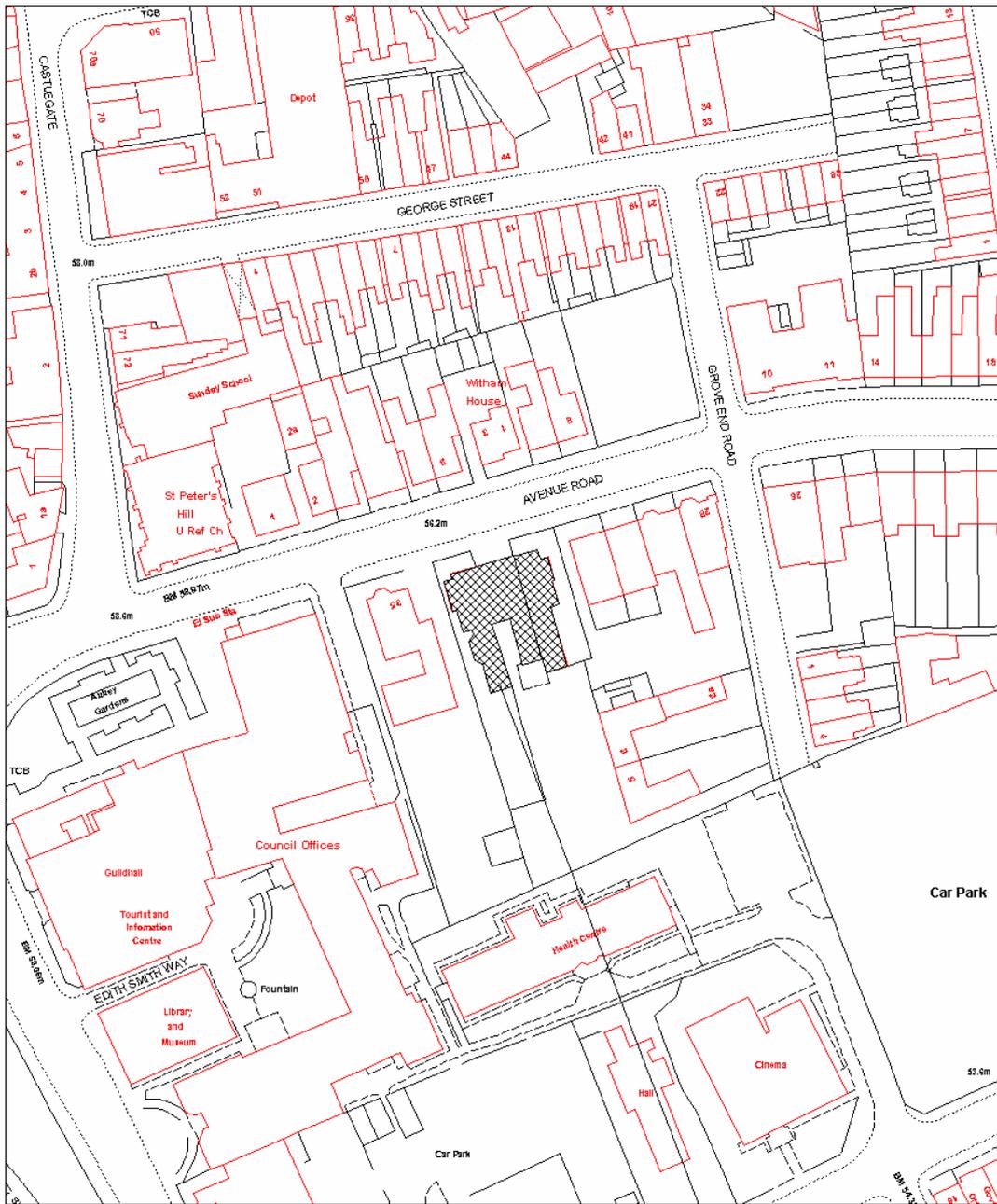
**8. CONCLUSION**

The application is for a variation of a licence to the activities and operating and activity hours of a Grantham town centre hotel. The Lincolnshire Police have submitted a letter of representation relating to public nuisance, public safety crime and disorder.

**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

THE AVENUE HOTEL,  
 32 AVENUE ROAD, GRANTHAM.