



MINUTES

ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE

FRIDAY, 23 SEPTEMBER 2005

9.30 a.m.

COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth
Councillor Mrs Joyce Gaffigan
Councillor Alan Parkin
Councillor Mrs Angeline Percival

Councillor Mrs Margery Radley
Councillor Graham Wheat
Councillor Mrs Mary Wheat (Chairman)

OFFICERS

Corporate Manager – Democratic and Legal Services
Committee Support Officer
Environmental Health Manager (Environment)
Environmental Health Practitioner

80. APOLOGIES

Apologies for absence were received from Councillors Howard, Turner and M G Williams.

81. DECLARATIONS OF INTEREST

There were none declared.

82. MINUTES

The minutes of the meetings held on Friday 16th and Monday 19th September 2005 were confirmed as a correct record of decisions taken.

83. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE NORTHFIELDS, DRIFT ROAD, STAMFORD

Decision: -

1. *That a hearing into the application for transfer and variation to a licence in respect of the Northfields, Drift Road, Stamford is 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 application, as now varied.

The Environmental Health Manager informed the committee that agreement had been reached between the police and the applicants in respect of this application. The applicant had confirmed that accompanied children would be allowed in the beer garden up to 22.30hrs and accompanied children would be allowed in the family room up to 21.00hrs. 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 application. It was proposed and seconded accordingly, and on being put to the vote the proposition was carried.

84. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE MASON'S ARMS, 15 SOUTH STREET, BOURNE

Decision:-

- 1. That a hearing into the application for transfer and variation to a licence in respect of The Mason's Arms, 15 South Street, Bourne is 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 application, as now varied.*

The Environmental Health Manager informed the committee that agreement had been reached between the police and applicants in respect of this application, particularly with regard to the timings of hours for the sale of alcohol and, on Fridays and Saturdays, doors being closed at midnight with no entry or re-entry after this time. 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 application. It was proposed and seconded accordingly and on being put to the vote the proposition was carried.

85. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO LICENCES - THE RED LION PUBLIC HOUSE, 14 SOUTH STREET BOURNE; THE SHIRLEY CROFT HOTEL, HARROWBY ROAD, GRANTHAM AND THE STAGGER INN, LONDON ROAD, GRANTHAM

Decision:-

That hearings into the applications for transfer and variation to licences in respect of The Red Lion Public House, 14 South Street, Bourne; The Shirley Croft Hotel, Harrowby Road, Grantham and The Stagger Inn, London Road, Grantham be adjourned.

The Environmental Health Manager informed the committee that a request had been received that the above three applications be adjourned as in each case the applicant was out of the country.

86. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE CAPER, 36 NORTH STREET, BOURNE

Decision:-

That the application for conversion and variation to a licence in respect of The Caper, 36 North Street, Bourne be agreed as varied for the following hours for the sale of alcohol:-

10.00hrs to 00.00hrs – Monday to Sunday

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

- 1. All music to cease at the close of alcohol sales;*
- 2. When regulated entertainment is provided after 10.30pm, all external doors and windows shall be kept closed, except in the case of an emergency.*

The committee had before them the Head of Environmental Health and Licensing's report ENV297 in relation to an application for conversion and variation to a licence for The Caper, 36 North Street, Bourne. A full copy of the application was attached at appendix 1, including a map showing the premises, and representations from the police and an interested party were attached at appendix two.

PC Stanley (Lincolnshire Police) attended the meeting and confirmed that an agreement had been reached to vary the opening hours for the sale of alcohol at the premises from 10.00hrs to 00.00hrs on every day and subject to thirty minutes drinking up time. The other items in relation to registered door staff and installation of an approved CCTV system, as mentioned in the police representations, were withdrawn. In response to a question from a member, the Environmental Health Manager confirmed that no agreement had been reached with the local resident who had sent in written representations.

A general discussion ensued, particularly in relation to the playing of music at the premises and the opening of doors, both of which matters had been raised by the objector. PC Stanley confirmed that the hours for the playing of music were amended to be in line with those for the sale of alcohol. The Environmental Health Manager said that monitoring had recently been carried out on a Friday in the area from 9.30pm to 10.50pm and that no noise was recorded emanating from the premises. In response to a question, the Environmental Health Manager said that the premises would not be monitored on a routine basis, only if there were complaints.

The officers and police representative then left the meeting.

During the ensuing general discussion, members expressed views particularly in relation to the playing of music at the premises and on methods to reduce the noise nuisance. The committee considered the application and it was proposed and seconded that the application be agreed with the hours as varied and subject to conditions requiring that all music cease at the close of alcohol sales and that when regulated entertainment is provided all doors and windows are closed after 10.30pm, unless in the case of an emergency. On being put to the vote this was agreed.

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

87. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE KING'S HEAD, MAIDEN LANE, STAMFORD

Decision:-

That the application for conversion and variation to a licence in respect of The King's Head, Maiden Lane, Stamford be agreed for the following hours for the sale of alcohol and activities requested:-

11.00hrs to 00.00hrs – Monday to Saturday

12.00hrs to 22.30hrs – Sunday

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

- 1. There shall be no admission or readmission to the premises after 11pm;*
- 2. That no live music shall be played outside the premises.*

The committee had before them the Head of Environmental Health and Licensing's report ENV298 in relation to an application for conversion and variation to a licence for the King's Head, Maiden Lane, Stamford. A full copy of the application was attached as appendix one, including a map showing the location of the premises, and representations from local residents were attached at appendix two.

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

Present at the meeting was a representative of the applicants and two local residents representing local interested parties. The Chairman, in introducing the application, sought and received confirmation from the applicant that he had received and understood the procedure to be followed.

In introducing the report, the Environmental Health Manager outlined the

application and referred to the objections which had been received.

The applicant then presented his case, confirming that the application was for the conversion and variation to the existing licence and was not an application for a public entertainment licence, only to retain the current conditions. He confirmed agreement with the representatives of the objectors that there would be no admission or readmission to the premises after 11pm and that no live music would be played outside the premises at any time.

Mr P E Stevens, speaking for the objectors, confirmed that discussions had taken place with the applicant's representative. It was believed, wrongly, that a public entertainment licence was being applied for, but now that this had been clarified agreement had been reached on the hours of operation and subject to the undertaking and conditions given.

The Environmental Health Manager summed up his report, asking the committee to consider the application on the basis of the variations agreed. The applicant indicated that he had nothing to add to his earlier comments.

The officers, applicant's representative and objectors then left the room.

During the ensuing general discussion, it was proposed, seconded and agreed that the application be approved as now varied and subject to the conditions mentioned. On being put to the vote the proposition was agreed.

The officers, applicant's representative and objectors then returned to the meeting and were advised of the decision, as noted above.

(The meeting adjourned from 10.17am to 10.37am)

88. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE TOWNGATE INN, 3 TOWNGATE EAST, MARKET DEEPING

Decision:-

That the application for conversion and variation to a licence in respect of The Towngate Inn, 3 Towngate East, Market Deeping be granted as varied, for the following hours for the sale of alcohol:-

10.00hrs to 00.00hrs – Sunday to Thursday

10.00hrs to 01.00hrs – Fridays and Saturdays

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

- 1. The first floor function room is licensed to 02.00hrs Thursday, Friday and Saturday, and if this is not a private event then SIA registered staff to be employed as at present;*

2. *Drinks served to residents remain as existing, i.e. 24 hours a day;*
3. *That on Saints days, Burns Night, Christmas Eve and Boxing Day, if not falling on a Friday and Saturday as currently licensed, an extension agreed to 01.00hrs, and also Sundays preceding a Bank Holiday Monday;*
4. *That the images recorded by the CCTV system shall be retained for a period of not less than twenty-eight days.*

The committee had before them report ENV299 from the Head of Environmental Health and Licensing in relation to an application for conversion and variation to a licence for The Towngate Inn, 3 Towngate East, Market Deeping. A full copy of the application was attached as appendix one, including a map showing the premises, together with representations from the police and interested parties at appendix two.

The Corporate Manager introduced the application and clarified who would be speaking for the applicants. It was noted that there was a representative from the police present but that no local residents attended the meeting.

The applicant was present at the meeting, accompanied by Counsel, and the Chairman sought and received confirmation that they had received and understood the procedure to be followed.

The Environmental Health Manager introduced the report and drew attention to the representations from the police and interested parties. Circulated to those present at the meeting was a copy of e-mail indicating agreement to the matters requested by the police.

The applicant's representative referred briefly to the current hours of operation of the various aspects of the licence, as stated clearly in the police letter, and pointed out that the local objections had been made prior to the recent agreement circulated at the meeting. He said that the application to vary did not substantially alter the current hours of operation. There had been no public disorder identified recently at the premises and CCTV was installed and operational. The majority of nights the premises closed at 11pm, and now that eighteenth and twenty-first birthday parties were not booked the clientele was different. He pointed out that the premises were a hotel and that this was the reason for the twenty-four hour opening for residents. He concluded by saying that it was unfair to suggest that the activities at this pub were the root of all problems in the area, and asked that the application be approved as varied.

Inspector Rose, on behalf of Lincolnshire Police, said that the hours had been amended, as circulated, in consultation with the management of the premises. He said that there had been eleven incidents over a twelve-month period but since the current manager had taken over in April there had been only one case of public disorder. He was in agreement with the application as varied.

The committee asked questions of Inspector Rose in relation to live music and

the hours of operation. Inspector Rose confirmed that there had been no problems reported in relation to the playing of music and, with regard to the hours, the applicant confirmed the current hours of operation, particularly with regard to the hotel side of the premises.

The Environmental Health Manager summed up the report, pointing out the agreed amendment and asked that members consider determining the application as now varied.

The applicant's representative summed up and pointed out that the current landlord was a responsible and experienced individual and that there had been no incidents reported at the premises. He reminded the committee that CCTV was installed and operational and that notices requesting customers to be considerate to local residents were already installed at exits.

The Corporate Manager asked for clarification that the e-mail circulated set out the agreed position with regard to the application. The applicant confirmed that this was the case. The officers, applicants and police representative then left the room.

During the ensuing general discussion it was proposed and seconded that the application be agreed as varied, subject to an extra condition that the CCTV tapes be retained for a period of twenty-eight days.

The officers, applicants and police representative 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.

89. CLOSE OF MEETING

The meeting closed at 11.02am.