



# MINUTES

## ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE

FRIDAY, 30 SEPTEMBER 2005  
9.30AM

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### COMMITTEE MEMBERS PRESENT

Councillor Mrs Bosworth  
Councillor Howard  
Councillor Parkin  
Councillor Mrs Percival  
Councillor Mrs Radley

Councillor Turner (Vice-Chairman)  
Councillor H G Wheat  
Councillor Mrs Wheat (Chairman)  
Councillor M Williams

### OFFICERS

Head of Environmental Health and Licensing  
Environmental Health Practitioner  
Committee Support Officer  
Scrutiny Support Officer

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### 110. APOLOGIES

An apology for absence had been received from Councillor Mrs Gaffigan.

### 111. DECLARATIONS OF INTEREST.

There were none declared.

### 112. MINUTES OF MEETINGS HELD ON 23RD AND 26TH SEPTEMBER 2005

The minutes of the meetings held on 23<sup>rd</sup> and 26<sup>th</sup> September 2005 were confirmed as a correct record of the decisions taken.

### 113. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE MARQUIS OF GRANBY, 27 ABBEY ROAD, BOURNE; STRIKERS BAR, TRENT ROAD, GRANTHAM; THE HORSESHOE, PETERBOROUGH ROAD, THURLBY; TODDS, 13 MARKET PLACE, MARKET DEEPING

*Decision:-*

1. That hearings into the application for transfer and variation to licences in respect of The Marquis of Granby, 27 Abbey Road, Bourne; Strikers Bar, Trent

*Road, Grantham; The Horseshoe, Peterborough Road, Thurlby; and Toods, 13 Market Place, Market Deeping 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 agreements had been reached between the applicants and Lincolnshire Police concerning the objections from the police for each of these applications. 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 were unnecessary with regard to the four applications mentioned. On being put to the vote the proposition was carried.

**114. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE MAMBO BAR, 99A WESTGATE, GRANTHAM**

*Decision:-*

*That the hearing into the application for transfer and variation to a licence in respect of The Mambo Bar, 99a Westgate, Grantham, be deferred pending clarification of the licensing position.*

The committee had before them the Head of Environmental Health and Licensing's report ENV319 in relation to an application for conversion and variation to a licence for The Mambo Bar, 99a Westgate, Grantham. A full copy of the application was attached as appendix one, including a map showing the premises. Comments from Lincolnshire Police were attached as appendix two.

The Committee Support Officer, in introducing the application, clarified the speakers present: the applicant's representative, the applicant's father and a police representative.

The Head of Environmental Health and Licensing presented his report and informed the committee that the applicant's present licensing provision relating to sale of alcohol hours was not clear. Grandfather rights of the conversion of the current licence would depend on this provision.

The representatives of the applicant acknowledged the uncertainty of the current licensing position. The applicant had been sure that a licence for the sale of alcohol until 02.00hrs had been granted but there was currently no evidence for this. The representatives indicated that they would support any adjournment to seek clarification of the position.

The police representative indicated that there would be no objection to the sale

of alcohol until 02.00hrs., were this to be granted, but he confirmed that hours beyond this would increase the risk of Crime and Disorder, Public Nuisance and risk to Public Safety.

In summing up his report, The Head of Environmental Health and Licensing suggested that the committee may wish to adjourn the hearing until the situation concerning the current Justice's licence was confirmed or delegate authority to himself to determine the application pending confirmation of the licensing position.

The applicant's representatives, the police representative and the officers then left the room. The committee then considered the suggestions of adjournment or delegation. It was proposed and seconded that given the ambiguous nature of the application, the hearing be deferred and considered again by the committee when the licensing position had been clarified. On being put to the vote, this was agreed.

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

**115. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - CLUB IT, WESTGATE HALL, GRANTHAM**

*Decision:-*

*(1) That the application for conversion and variation to a licence in respect of Club IT, Westgate Hall, Grantham be agreed as submitted for the following hours for the sale of alcohol:-*

*21.00hrs – 03.00hrs – Monday to Sunday*

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

- 1. CCTV be operated during opening hours and any recordings from the system to be made available immediately to the Police after a reasonable request and be retained for no less than twenty-eight days.*
- 2. Door staff to remain present until the close of the premises when open after midnight and that the number of door staff accord with South Kesteven District Council public entertainment licensing conditions.*

*(2) That the request to remove the requirement for new members not to be admitted to the club for at least 48 hours be not allowed.*

The committee had before them the Head of Environmental Health and Licensing's report ENV325 in relation to an application for conversion and variation to a licence for Club IT, Westgate Hall, Grantham. A full copy of the

application was attached at appendix one together with a map showing the premises. Comments from Lincolnshire Police were attached at appendix two. A copy of the applicant's Public Entertainment Licence was circulated at the meeting.

The applicant and his representative were present at the meeting as well as the police representative, all of whom were introduced.

In introducing his report, the Head of Environmental Health and Licensing drew to members' attention the proposed hours of operation and other variations from the existing licence. The applicant had also requested removal of a requirement concerning membership. Representations from the police had been received.

The applicant's representative presented the case on behalf of the applicant. The applicant had requested that the requirement for new members not to be admitted to the club for at least 48 hours be removed. The representative stated that this requirement was not necessary for these premises as a club because admission was charged. He also stated that a restriction on operating hours would be in conflict with the essence of the Licensing Act 2003, as staggered opening hours would ease pressures on local police, who had also been given increased powers. Upon questioning from the committee, the applicant's representative confirmed the willingness to agree to the request from the police concerning CCTV.

The police representative then confirmed the representations contained within the police's letter. In addition to this, it was requested that door staff remain until closing time if open after midnight, in numbers according to the Council's existing conditions. He reaffirmed the objection to later opening hours, on the basis of crime and disorder and he detailed incidents on the premises reported within the past 10 months. In response to an earlier comment from the applicant's representative, he commented that although police had been given increased powers, they had not received increased resources. He also commented that staggered closing hours were not likely to resolve any crime and disorder issues, merely delay their occurrence until a later time when police resources were lessened thereby conflicting with the licensing objectives. He drew from a statement from the Department of Culture, Media and Sports stating that where an application would undermine these objectives, public interest should prevail. He stated that the police would not object to opening hours up to 03.00hrs.

The applicant's representatives discussed these issues with the police representative. It was stated that the police had been working with the applicant to reduce crime and disorder and that incidents to which the police referred had occurred during the applicant's operation of the premises. The police were not aware of any incidents at the premises concerning underage consumption of alcohol. Upon questioning from the committee, the police representative stipulated that membership of the club provided a deterrent to admission of casual drinkers.

The Head of Environmental Health and Licensing summed up his report. The applicant's representative, in summing up his case, acknowledged the point of the police representative concerning members' admission but insisted that admission charge was a sufficient deterrent to casual drinkers. He stated that the intention of Parliament would be thwarted if insufficient police resources was the only reason to disapprove the application.

The applicant, his representative, the police representative and the officers then left the room. The committee considered the application. It was proposed and seconded that in light of the very serious crime and disorder issues, hours for the sale of alcohol be limited to 03.00hrs, the request for additional drinking up time be granted, that conditions be imposed relating to CCTV and door staff and that the request to remove the requirement concerning membership be not allowed given the benefits of reducing admission to casual drinkers. On being put to the vote, this was agreed.

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

*(The meeting adjourned from 10.50a.m. to 11.18a.m.)*

**116. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE ROYAL OAK, MAIN STREET, LONG BENNINGTON**

*Decision:-*

*That the application for conversion and variation to a licence in respect of The Royal Oak, Main Street, Long Bennington be agreed as applied for subject to the removal of non-standard timings from the application.*

The committee had before them the Head of Environmental Health and Licensing's report ENV320 in relation to an application for conversion and variation to a licence for The Royal Oak, Main Street, Long Bennington. A full copy of the application was attached at appendix one, including a map showing the premises and a letter from Lincolnshire Police at appendix two. Two representatives of the police were present at the meeting. The applicant did not attend.

The Head of Environmental Health and Licensing presented his report indicating the additional activities, variation of hours for special occasions and additional drinking up time requested. Hours for the sale of alcohol were not varied.

One of the police representatives confirmed the objections to the request for non-standard timings as this was a clear attempt to circumnavigate the requirement for Temporary Event Notices.

In summing up his report, the Head of Environmental Health and Licensing

indicated his agreement with the police representative concerning non-standard timings.

The police representatives and officers left the room. The committee considered the application and it was proposed and seconded that the application be agreed as submitted without the non-standard timings. On being put to the vote, this was agreed.

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

**117. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - THE DANISH INVADER, EMPINGHAM ROAD, STAMFORD**

*Decision:-*

*That the application for conversion and variation to a licence in respect of The Danish Invader, Empingham Road, Stamford be agreed as submitted 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 condition:*

- 1. That any use of the function room beyond 00.00hrs should be covered by a Temporary Event Notice*

The committee had before them the Head of Environmental Health and Licensing's report ENV321 in relation to an application for conversion and variation to a licence for The Danish Invader, Empingham Road, Stamford. A full copy of the application was attached at appendix one, including a map showing the premises. A letter from Lincolnshire Police indicating an agreement reached with the applicant to limit hours of sale of alcohol to 00.00hrs and a request that the function room, if used for a private party, be licensed to 01.00hrs on Friday and Saturday with three weeks' notice to be given to the police, was attached at appendix two. A police representative was present at the meeting. The applicant did not attend.

The Head of Environmental Health and Licensing presented his report highlighting the requests in the application. One representation had been received from Lincolnshire Police, as noted above. The agreement with the applicant as indicated in the police's letter had only been confirmed verbally by the applicant with the officer. Upon questioning by the committee, the officer confirmed that there had been no problems concerning noise at these premises under the present Licensee.

The police representative confirmed the comments as contained in the police's letter. Upon questioning by the committee, the representative stated that there

was no requirement for CCTV if hours of alcohol sale were licensed until 00.00hrs.

In summing up his report, the Head of Environmental Health and Licensing suggested that to allow an extension to operation hours for the function room was not appropriate as it circumnavigated the requirement for a Temporary Event Notice.

The police representative and officers then left the room. The committee considered the application and it was proposed and seconded that the application be approved for the hours agreed between the police and applicant and that additional use of the function room be covered by the Temporary Event Notice. This was carried on being put to the vote.

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

**118. LICENSING ACT 2003 - APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE - GRANTHAM MARRIOT HOTEL, SWINGBRIDGE ROAD, GRANTHAM**

*Decision:-*

*That the application for conversion and variation to a licence in respect of the Grantham Marriot Hotel, Swingbridge Road, Grantham be agreed as applied for subject to the removal of non-standard timings from the application.*

The committee had before them the Head of Environmental Health and Licensing's report ENV324 in relation to an application for conversion and variation to a licence for the Grantham Marriot Hotel, Swingbridge Road, Grantham. A full copy of the application was attached at appendix one, including a map showing the premises and comments from Lincolnshire Police concerning the request for variation of hours for fifteen occasions per annum was attached at appendix two. The police representative was present at the meeting. The applicant did not attend.

The Head of Environmental Health and Licensing presented his report and clarified the additional activities, additional drinking up time, removal of conditions and variation for fifteen occasions per annum requested in the application. Upon questioning by the committee, the officer confirmed that although complaints had been received in the past concerning noise from these premises, there had been no complaints recently and no representations concerning noise.

The police representative confirmed the objection of Lincolnshire Police to the request for variation to hours on fifteen occasions per annum, stating that this circumvented the requirement for Temporary Event Notices.

In summing up, the Head of Environmental Health and Licensing clarified that there were no objections to the hours of operation.

The police representative and officers then left the room. The committee considered the application and it was proposed and seconded that the application be granted subject to the removal of non-standard timings.

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

**119. CLOSE OF MEETING**

The meeting closed at 11.40a.m.