

MINUTES

ALCOHOL AND ENTERTAINMENT
LICENSING COMMITTEE
FRIDAY, 7 JANUARY 2011



COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth (Chairman)
Councillor Christine Brough
Councillor Mike Exton
Councillor Reginald Howard
Councillor Mrs Margery Radley

Councillor Bob Russell
Councillor Frank Turner (Vice-Chairman)
Councillor Graham Wheat
Councillor Mike Williams

OFFICERS

Community Safety & Licensing Service Manager (Mark Jones)
Licensing Officer (Richard Etherton)
Assistant Solicitor (Paul Rushworth)
Clerk to the Committee (Malcolm Hall)
Democratic Officer (Lucy Bonshor)

16. APOLOGIES

An apology for absence was received from Councillor Chivers.

17. DECLARATIONS OF INTEREST

None declared.

18. MINUTES OF MEETINGS HELD ON 3RD & 14TH DECEMBER 2010

Agreed as a correct record of the decisions taken.

19. LICENSING ACT 2003:APPLICATION FOR A LATE NIGHT REFRESHMENT PREMISES LICENCE FOR UK1 PIZZA AND KEBABS, 9 ABBEY ROAD, BOURNE

Decision

That the application for a Late Night Refreshment Premise Licence in respect of UK1 Pizza and Kebabs, 9 Abbey Road, Bourne is granted as applied for subject to the addition of the following condition:

A satisfactory CCTV system is installed and continues to operate on the premises during all operating hours. The CCTV system should record good quality images to the satisfaction of Lincolnshire Police. The images should be kept for a period of 28 days and that somebody should be in the premises during all operating hours who is capable of using the system.

The Chairman welcomed everyone to the Committee and the Clerk to the Committee introduced those present.

The Committee had before them report ENV513 for an application for a Late Night Refreshment premise licence under the Licensing Act 2003. The premises opening hours as per the application were:

Monday to Thursday 16.00hrs to 23.00hrs
Friday and Saturday 16.00hrs to 02.30hrs
Sunday 16.00hrs to 23.00hrs

Opening hours for Late Night refreshment

Monday to Thursday 2300hrs to 0000hrs (Midnight)
Friday & Saturday 23.00hrs to 02.30hrs
Sunday 23.00hrs to 0000hrs (Midnight) All Bank Holidays/Boxing day.

The Licensing Officer informed the Committee that the Police had registered an objection under the prevention of crime and disorder and public safety and had asked the licensing authority to consider adding a condition to the licence for the installation of CCTV. The applicant had indicated his willingness to have a condition attached and had already installed a CCTV system. The Licensing Officer informed the Committee that there had been incidents of public disorder at similar premises within the vicinity and the Government's expectation was that police advised the installation and monitoring of devices such as CCTV to help tighten up problems.

The applicant, Mr Ghasemi was invited to ask any questions of the Licensing Officer but he declined.

The Clerk to the Committee asked Mr Ghasemi to confirm his agreement with the addition of a CCTV condition which he did.

Members of the Committee then questioned the applicant about his opening hours to which he replied.

A short discussion then followed about the CCTV system installed with the police expressing concern about its capability to comply with the police conditions put forward. The solicitor to the Committee was concerned that the police were asking the Committee to include a condition relating to CCTV

when the Police knew that the applicant's CCTV system was not suitable to comply with the same condition. The Licensing Officer informed the Committee that the applicant did not have to have CCTV installed it was not part of having a premise license, but the police had asked for the condition to be attached to the licence. Further discussion took place about the CCTV condition and the police requirements and its use.

The Licensing Officer then gave his closing statement and reminded Members to have regard to the four licensing objectives.

(10.25am – the applicant, Licensing Officer and Police left the meeting)

Before Members discussed the application the Assistant Solicitor reminded Members that it was for them to decide after having regard to the police representation whether or not a condition was put on the license concerning CCTV. One Member expressed his concern about the number of these premises already in Bourne especially within a short distance and the solicitor advised the member about the relevance of the same concern relating to the current application.

Members discussed whether to add the condition about CCTV and the advice given by the Assistant Solicitor. Members felt that a CCTV condition was required and agreed unanimously to approve the license as submitted with the addition of the following condition, that a satisfactory CCTV system was installed and continued to operate on the premises during all operating hours. The CCTV system should record good quality images to the satisfaction of Lincolnshire Police. The images should be kept for a period of 28 days and that somebody should be in the premises during all operating hours who is capable of using the system.

(10.35am – the applicant, Licensing Officer and Police returned to the meeting)

The Assistant Solicitor advised the applicants that the license had been granted as applied for with the addition of the CCTV condition and that there was a right of appeal to the Magistrates court within 21 days of the date of the written notification.

20. CLOSE OF MEETING

The meeting closed at 10.45am.