

REPORT TO ALCOHOL, ENTERTAINMENT AND LATE NIGHT REFRESHMENT COMMITTEE

REPORT OF: Community Safety and Licensing Manager

REPORT NO: CSL 011

DATE: 18th May 2012

TITLE:	Application for the grant of a Premises Licence, Bourne Public House, Junction of South Road and Raymond Mays Way, Bourne	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter Engagement and Corporate Services Portfolio holder	
CONTACT OFFICER:	Peter Harrison, Licensing Officer - peter.harrison@southkesteven.gov.uk 01476 406300	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	N/A	N/A
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Statement of Licensing Policy 6 January 2011	

1. RECOMMENDATIONS

1.1 It is recommended that the Alcohol, Entertainment, Licensing Committee ("the Committee") consider this application (Appendix 1) for a premises licence for a premises known as Bourne Public House and having regard to the representations of the parties take such steps as it considers necessary for the promotion of the licensing objectives:.

a.) Grant the licence subject to conditions that are consistent with the operating schedule modified to the extent that the Committee considered necessary for the promotion of the licensing objectives and any mandatory conditions that must be included under the Licening Act 2003 ("the Act").

- b.) exclude from the scope of the licence a licensable activity to which the application relates
- c.) refuse to specify a person in the licence as premises supervisor;
- d) reject the application

2. PURPOSE OF THE REPORT/DECISION REQUIRED

- 2.1 The purpose of this report is to provide the committee with information to enable it to consider this application for a premises licence issued under Section 17 of the Licensing Act 2003
- 2.2 The decision required is to establish whether any action is required to promote the four licensing objectives set out in section 1.1 of this report.
- 2.3 If it is felt appropriate to take action, the options listed in section 1.3 are open to the committee.

3 DETAILS OF REPORT

- 3.1 An application has been received on behalf of Marston's PLC for a Premises Licence for premises that will be known as Bourne Public House, the premises have not yet been built.

The application is for

Films - 10.30 to 23.00 - Seven days a week
Indoor sporting events - Seven days a week
Live music - Seven days a week
Recorded music - Seven days a week
Performance of dance - Seven days a week
Making music - Seven days a week
Dancing - Seven days a week
Supply of alcohol - Seven days a week
Late night refreshment - 23.00 to 23.30

- 3.2 The applicant has requested to permit all activities until midnight on Sunday and Monday on bank holiday weekends, Christmas Eve, Boxing Day, New Years Day, and All Saints Day and New Years Eve 10.00am to 01.00 on the 2nd of January.
- 3.3 The application is also to serve alcohol to residents and their bona fide guests, I asked for clarification on this point because there is no indication that there is residential accommodation.
- 3.4 The solicitors say that because of the way the tills are configured if the licensee wants to have a drink when the premises are closed he is recorded as being a guest.

- 3.5 Marston's applied for a premises licence for this building several years ago which was granted.
- 3.6 They have now applied for another licence because the building is to be built on a different plot of land that is a little way from where it was originally to be built.
- 3.7 There has been one objection from the Environmental Protection team, appendix 2, at South Kesteven District Council who would like a condition added that says "Doors and windows are to be kept shut at all times live and recorded music are being played except for access and egress"
- 3.8 The applicant is happy for this condition to be added, appendix 3

4. OTHER OPTIONS CONSIDERED

N/A

5. RESOURCE IMPLICATIONS

N/A

6. RISK AND MITIGATION

N/A

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

N/A

8. CRIME AND DISORDER IMPLICATIONS

Crime and disorder implications will be considered in accordance with the licensing objective and the duty to consider in accordance with s.17 of the Crime and Disorder Act 1998

9. COMMENTS OF FINANCIAL SERVICES

There are no specific financial implications associated with this report however in the event of an applicant making an appeal against a decision which was then subsequently upheld, the Council may incur additional legal costs

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

This is an application for a new premises licence under S17 of the Licensing Act 2003. The committee should consider whether the application is likely to impact on the promotion of the licensing objectives which are set out at paragraph 1.1 above. In reaching the decision the committee should consider any steps that are appropriate to promote the licensing objectives, the representations (including supporting information) presented by all parties, the guidance issued under S182 of the Licensing Act 2003 and the Council's own Licensing Policy. The applicant in this matter appears to have agreed an additional condition that has satisfied environmental protection. There are no other objections

11. COMMENTS OF OTHER RELEVANT SERVICES

N/A

12. APPENDICES:

- 1) Application
- 2) Representation from Environmental Protection
- 3) Agreement from applicant to condition