

# 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the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.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.