

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

REPORT OF: **HEAD OF ENVIRONMENTAL HEALTH & LICENCING**

REPORT NO. **ENV 305**

DATE: **26 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE GEORGE & DRAGON, 1 VICTORIA STREET , BILLINGBOROUGH
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 activity hours and operating hours, extend drinking up time by 10 minutes and to include new licensable 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the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.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 George & Dragon 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 activity and operating hours and an additional 10 minutes drinking up time and additional licensable activities.

The Council received 3 letters of representations from interested parties. They were submitted within the 28 day time limit and are 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 Arrangement

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
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 as follows:

Indoor sporting events

19:00 to 23:00	Monday to Thursday
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Live Music

11:00 to 00:00	Monday to Thursday
11:00 to 00:30	Friday
11:00 to 01:00	Saturday
12:00 to 22:30	Sunday

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour for Christmas Eve.

A further additional hour every Boxing Day

To reflect existing New Year's Eve /Day hours

To continue to have two musicians amplified or unamplified in a bar as currently permitted to match the sale of alcohol hours.

Recorded music

11:00 to 00:00	Monday to Thursday
11:00 to 00:30	Friday
11:00 to 01:00	Saturday
12:00 to 22:30	Sunday

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour for Christmas Eve.

A further additional hour every Boxing Day

To reflect existing New Year's Eve /Day hours

Provision of facilities for dancing

11:00 to 00:00	Monday to Thursday
11:00 to 00:30	Friday
11:00 to 01:00	Saturday
12:00 to 22:30	Sunday

Provision of facilities for entertainment similar to facilities for making music or for dancing

11:00 to 00:00	Monday to Thursday
11:00 to 00:30	Friday
11:00 to 01:00	Saturday
12:00 to 22:30	Sunday

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour for Christmas Eve.

A further additional hour every Boxing Day

To reflect existing New Year's Eve /Day hours

Supply of alcohol

11:00 to 00:00	Monday to Thursday
11:00 to 00:30	Friday
11:00 to 01:00	Saturday
12:00 to 22:30	Sunday

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 at a Billingborough public house and to vary the activity hours and operating hours, extend drinking up time by 10 minutes and to include new licensable activities. There are representations from interested parties based on some of the licensable activities.

9. CONTACT OFFICER

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