

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO. **ENV 307**

DATE: **26 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – ZORBA 4 , 40 BROAD STREET, STAMFORD
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 a Premises Licence at a Takeaway to provide late night refreshment. The application is attached at Appendix 1, together with a map of the premises.

For a six month period from 7 February 2005, currently licensed business premises are able to convert their Late Night Café Licences into a premises licence. However, if the business wishes to vary any of the existing terms and conditions of their 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the second appointed day, 24 November 2005, at which time the licence becomes operative and the Night Café Licence is no longer valid.

Zorba 4 is a Takeaway situated in the centre of Stamford. They have applied for a Premises Licence to enable them provide late night refreshment. There are letters of representations from the police and 44 letters of representations from interested parties. The letters which 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

3. DETAILS OF REPORT

The premises intend to provide late night refreshment as follows:

23:00 to 01:00 Sunday to Tuesday
23:00 to 03:30 Wednesday to Saturday

The times the premises will be open to the public will be:

16:00 to 01:00 Sunday to Tuesday
16:00 to 03:30 Wednesday to Saturday

Please note: late night refreshment provision is only a licensable activity between the hours of 23:00 to 05:00.

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 representations from the police and 44 representations from the following local residents:

N Jamari	Flat 13a Abbey Street, Stamford
S Mazari	Flat 13a Abbey Street, Stamford
Sannie Mnglini	15 Abbey Street, Stamford
Katlego Motsaanaka	15 Abbey Street, Stamford
Charmaine Matalpeng	15 Abbey Street, Stamford
Robert & Clare Humm	1 All Saints' Place, Stamford
Margaret Sims	3 All Saints' Place, Stamford
A & V Cumber	17 All Saints Street, Stamford
Mr & Mrs Kellas-Kelly	Austin Street, Stamford
D Johnson	10 Austin Street, Stamford
Mr & Mrs GE Szymborski	2 Barn Hill, Stamford
WP Forster	4 Barn Hill, Stamford
MSR Lewis	5 Barn Hill, Stamford
Mrs G Parsley	16 Barn Hill, Stamford
Stamford Civic Society	48 Exeter Gardens, Stamford
Ms R Hussey	Melancholy Walk, Stamford
AJ Sringer	North Street, Stamford
R & J Roddan	4 Petergate Stamford
B & P Southgate	1 Rock Terrace, Stamford
J Eastwood	2 Rutland Terrace, Stamford
P Eastwood	2 Rutland Terrace, Stamford
Mrs M Moody	3 Rutland Terrace, Stamford
Dr MHI Wright	10 Rutland Terrace, Stamford
B & C Beardsall	26 Scotgate, Stamford
J Perrin	67 Scotgate, Stamford
J Cornwell	70 Scotgate, Stamford
Mr & Mrs Johnson	6 St Peter's Court, Stamford
C Meads & J Hopson	2 St Peter's Hill, Stamford
G Parsons	11 St Peter's Hill, Stamford
Ms M Cook	2 St Peter's Street, Stamford
Ms S Eyton-Jones	7 St Peter's Street, Stamford
Mrs S Bingham??	30 St Peter's Street Stamford
D Rees	33 St Peter's Street, Stamford
TEJ Goddard	34 St Peter's Street, Stamford
M Mc Coll	Stamford
WJ Hemmings & Partners,	Stamford
Mrs C Caldecott	Stamford
Mrs R Veitch	Stamford
BP Thornley	Stamford

(on behalf of Tokington Gardens residents)

Mrs SM Webster
J Blezard

42 Torrington Gardens, Stamford
45 Torkington Gardens, Stamford

The interested parties consider that the extended hours proposed by the applicant would have a negative effect on crime, disorder and public nuisance.

The police object to the closing times proposed, arguing the night time economy in the area currently close at 02:00 and there will be an increase in public disorder if more people are on the streets at a later hour. They report of previous incidents at the premises since they opened last year.

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 a Premises Licence at a Stamford town centre Takeaway to provide late night refreshment. The Council received representations from 33 interested parties.

9. CONTACT OFFICER

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