

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO. **ENV 312**

DATE: **26 SEPTEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – LONDON INN, 4 ST. JOHNS 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 the conversion of an existing Justices' Licence at the London Inn public house and to vary the activity and operating hours, drinking up time and licensable activities. The application and map are attached at Appendix 1.

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the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.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 London Inn public house currently holds a Justice's Licence for 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, an additional 10 minutes drinking up time and additional licensable activities.

Forty two Interested parties have submitted representations in respect of the proposed variations.

Letter of representation are attached as Appendix 2.

The police made representations in respect of additional conditions be attached to the licence to prevent crime and disorder. The applicant has confirmed their agreement in writing. See Appendix 3.

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.

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:

Live Music

11:00 to 01:00	Sunday to Thursday
11:00 to 02:00	Friday & Saturday

Sundays preceding a Bank Holiday, Christmas Eve, Boxing Day, New Year's Eve, St. Valentines Day, St. Georges Day, St. Patrick's Day, all until 02:00.

Recorded Music

11:00 to 01:00	Sunday to Thursday
11:00 to 02:00	Friday & Saturday

Sundays preceding a Bank Holiday, Christmas Eve, Boxing Day, New Year's Eve, St. Valentines Day, St. Georges Day, St. Patrick's Day, all until 02:00.

Anything of a similar Description to that falling Within above.

11:00 to 01:00 Sunday to Thursday
11:00 to 02:00 Friday & Saturday

Sundays preceding a Bank Holiday, Christmas Eve, Boxing Day, New Year's Eve, St. Valentines Day, St. Georges Day, St. Patrick's Day, all until 02:00.

Provision of facilities for making music

11:00 to 01:00 Sunday to Thursday
11:00 to 02:00 Friday & Saturday

Sundays preceding a Bank Holiday, Christmas Eve, Boxing Day, New Year's Eve, St. Valentines Day, St. Georges Day, St. Patrick's Day, all until 02:00.

Provision of facilities for dancing

11:00 to 01:00 Sunday to Thursday
11:00 to 02:00 Friday & Saturday

Sundays preceding a Bank Holiday, Christmas Eve, Boxing Day, New Year's Eve, St. Valentines Day, St. Georges Day, St. Patrick's Day, all until 02:00.

Supply of Alcohol

11:00 to 01:00 Sunday to Thursday
11:00 to 02:00 Friday & Saturday

Sundays preceding a Bank Holiday, Christmas Eve, Boxing Day, New Year's Eve, St. Valentines Day, St. Georges Day, St. Patrick's Day, all until 02:00.

Drinking up time: an additional 10 minutes, to allow 30 minutes drinking up time, after the last permitted sale of alcohol.

In order to accommodate the above extension of operating hours, and increase in drinking time, the premises opening time will be:

11:00 to 01:30 Sunday to Thursday
11:00 to 02:30 Friday & Saturday

Sundays preceding a Bank Holiday, Christmas Eve, Boxing Day, New Year's Eve, St. Valentines Day, St. Georges Day, St. Patrick's Day, all until 02:00.

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.

Representations have been received from the police and forty two representations from interested parties:

Robert & Clare Humm	1 All Saints Place, Stamford
Scons	3 All Saints Place, Stamford
Lewis Clayton	12 All Saints Street, Stamford
Sylvia Clayton	12 All Saints Street, Stamford
A &V Cumber	17 All Saints Street, Stamford
Alan Lyne	18 All Saint Street, Stamford
John & Janice Kellas -Kelly	The New House, Austin Street, Stamford
D Rudd Jones	Corner Cottage, Austin Street, Stamford
D Johnson	10 Austin Street, Stamford
Mr & Mrs G.E Szyborski	2 Barn Hill, Stamford
W P Forster	4 Barn Hill, Stamford
Richard & Jenny Barry	10 Barn Hill, Stamford
Mrs Glenda Parsley	16 Barn Hill, Stamford
Keith Ellis & Ann Ellis	2 Barn Hill Mews, Stamford
Mrs R Veitch	Broad Street, Stamford
Rosalind M. Hussey	Freeman's Cottages, Melancholy Walk
Ronald & Joan Roddan	4 Petergate, Stamford
Beth & Peter Southgate	1 Rock Terrace, Stamford
Jane Eastwood	2 Rutland Terrace. Stamford
Paul Eastwood	2 Rutland Terrace. Stamford
Mrs M Moody	3 Rutland Terrace, Stamford
Gwen Thompson	6 Rutland Terrace, Stamford
Graham Thompson	6 Rutland Terrace, Stamford
MHI Wright	10 Rutland Terrace, Stamford
Brian & Catherine Beardsall	26 Scotgate. Stamford
Mr J Perrin	67 Scotgate, Stamford
Mr & Mrs Johnson	6 St. Peters Court, Stamford
Carol Meads	2 St Peters Hill, Stamford
Gayle Parsons	11 St. Peters Hill, Stamford
Mary Gon	2 St. Peters Street, Stamford
Sally Eyton Jones	7 St. Peters Street, Stamford
Mrs Suzan Bingham	30 St. Peters Street, Stamford
Mrs Dily Ree	33 St. Peters Street, Stamford
TEJ Goddard	34 St. Peter's Street, Stamford
Graddon Rowlands	35 St Peter's Street, Stamford
Mrs M Pring	Stoneycroft, 22 Tinwell Road, Stamford
BP Thornley Bem	35 Torkington Gardens, Stamford
Mrs. S.M. Webster	42 Torkington Gardens, Stamford
John Blezard	45 Torkington Gardens, Stamford
Mrs. O.K. Marlow	46 Torkington Gardens, Stamford
Mrs Christine Caldecott	Christine.caldecott@virgin.net
Marie McGill	Local Resident (No address given)

The representations relate to the noise and nuisance arising from the premises, from the current licensable activities. The local residents who made the representations consider that the proposed extended hours would have a negative effect on crime, disorder, public safety and public nuisance.

The applicants have agreed to the amendments requested by the police in relation to the provision of door staff for late night trading. They have agreed to amend their application.

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 variation of a licence to the activities and operating and activity hours of a London Inn public house. 42 interested parties have submitted representations in respect of the proposed variations based on prevention of public nuisance and crime and disorder. The police and the applicant have agreed additional requirements relating to the provision of door staff after 23:00.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
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