

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO. **ENV329**

DATE: **4 NOVEMBER 2005**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR CONVERSION AND VARIATION TO A LICENCE – THE GOLDEN FLEECE, SHEEP MARKET 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 a public house and to vary the activity and operating hours, and licensable activities. The application and map are attached at Appendix 1.

The Licensing Act 2003 transfers responsibility for the licensing of the supply and sale of alcohol 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the second appointed day, 24 November 2005, at which time the licence becomes operative and the Justices' Licence is no longer valid.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 Golden Fleece currently holds a Justice's Licence for retail sale of alcohol on and off the premises and a Public Entertainment Licence. Drinking up time is currently 20 minutes. They have applied for a variation in the activity and operating hours additional licensable activities.

An interested party has submitted a representation. The letter was submitted within the 28 day time limit and 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 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

The applicant holds a Public Entertainment Licence for public dancing or music or any public entertainment of a like kind. The PEL is issued subject to the standard terms conditions and restrictions contained in regulations made by the authority. Additional conditions of the current licence are:

Standard Condition No.5 (Permitted hours) - The premises shall not be kept or used for public music or dancing or other public entertainment of a like kind except between the hours of noon and midnight, Monday to Saturday.

Standard Condition No.5 (Events held on Sundays) - The premises shall not be kept or used for public music or dancing or other public entertainment of a like kind except between the hours of noon and 10:30 pm.

Standard Condition No.7 (Maximum Occupancy Figure) - The fire officer has prescribed the following occupancy figure: 120 persons- whole premises.

Application for Variation Requiring Committee Determination

The applicant has applied for a variation in their activities as follows:

Live Music

11:00 to 01:00 Monday to Sunday
 Christmas Eve 02:30 and New Years Eve 02:30

Recorded Music

11:00 to 01:00 Monday to Sunday
 Christmas Eve 02:30 and New Years Eve 02:30

Provision of facilities for making music

11:00 to 01:00 Monday to Sunday
 Christmas Eve 02:30 and New Years Eve 02:30

Provision of facilities for dancing

11:00 to 01:00 Monday to Sunday
Christmas Eve 02:30 and New Years Eve 02:30

Supply of alcohol

11:00 to 01:00 Monday to Sunday
Christmas Eve 03:00 and New Years Eve 03:00

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

11:00 to 01:30 Monday to Sunday
Christmas Eve 03:30 and New Years Eve 03:30

If the application is granted, the applicant has requested that the current restrictions imposed by the Public Entertainment Licence are removed, and the licensable activity hours for regulated entertainment and provision of entertainment facilities are as stated above.

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 one letter of representations from an interested party.

They argue that the application for extended hours and licensable activities should be rejected, primarily due to noise pollution, and associated disturbances with clientele drinking outside the front of the premises. They also report long standing history of noise complaints associated with the current landlord of the premises.

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

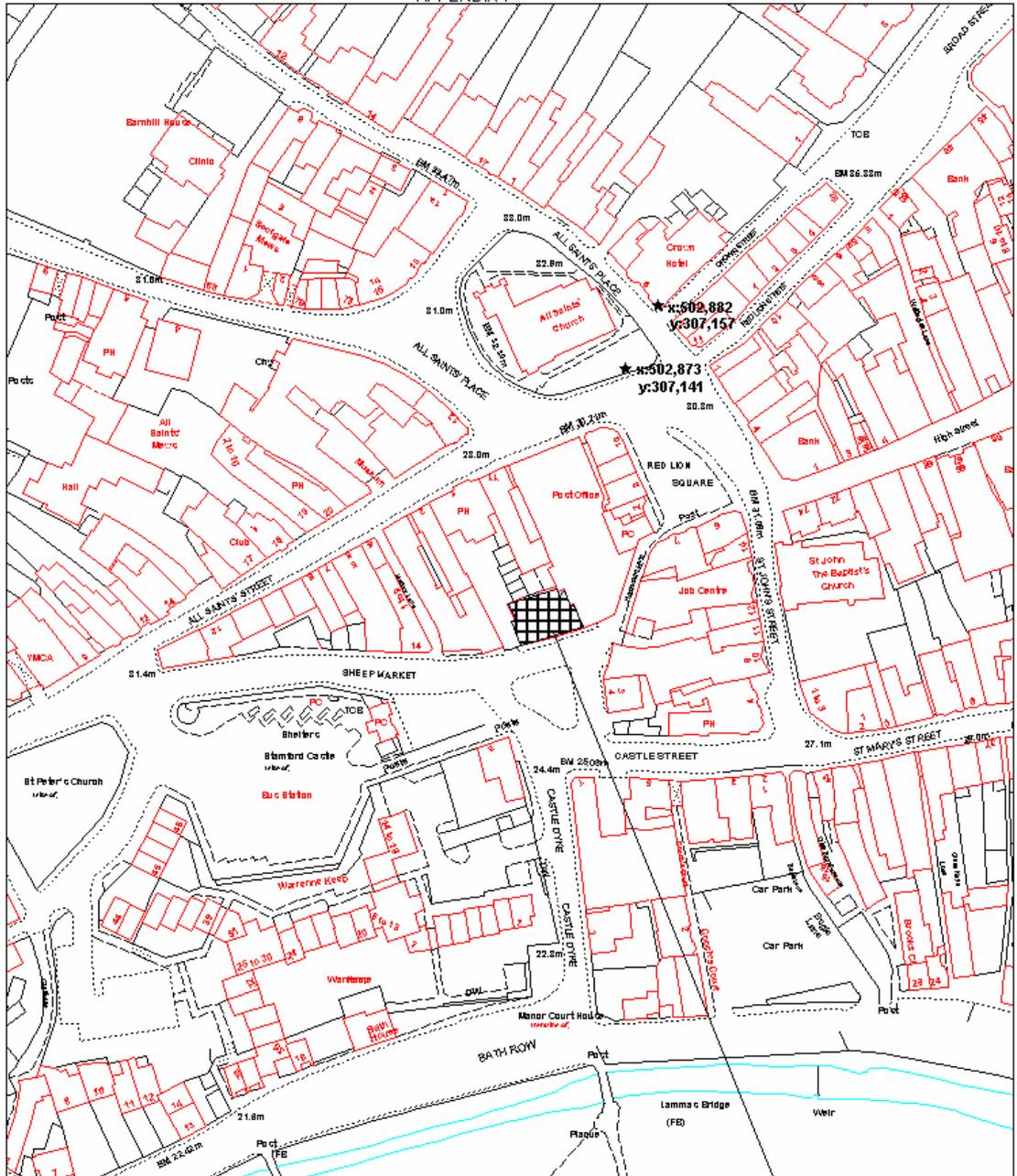
8. CONCLUSION

The application is for the conversion of an existing Justices' Licence at a Stamford public house and to vary the activity and operating hours, drinking up time and licensable activities. An interested party submitted a letter of representation.

9. CONTACT OFFICER

P Harrison, Environmental Health Practitioner (Licensing)
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APPENDIX 1



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THE GOLDEN FLEECE
18 SHEEPMARKET
STAMFORD