

REPORT TO ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE

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

REPORT NO. **ENV 342**

DATE: **20 JANUARY 2006**

TITLE:	THE LICENSING ACT 2003 APPLICATION FOR VARIATION TO A PREMISES LICENCE – BLUE BULL 64 WESTGATE 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 L. NEAL(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 variation of an existing Premises Licence at a public house by extending the opening and operating hours and to include new activities. The application is attached at Appendix 1, together with a map of the premises.

The Licensing Act 2003 allows holders of a Premise Licence to apply for variations to existing activities and to apply to vary additional activities as are described in this application.

The applicant in this case is currently licensed for the sale of alcohol by retail. In order to vary any of the existing terms and conditions of their Premise 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 Alcohol and Entertainment Licensing Committee will determine the matter.

The Blue Bull currently holds a Premise Licence, under the transitional provisions, for the retail sale of alcohol on and off the premises. Drinking up time is currently 20 minutes. The applicants have applied for a variation in opening hours and operating hours. Removal of ten minutes embedded restriction to allow 30 minutes extension to permitted hours as a "wind-down". To allow the showing of television, video and films, provision of facilities for making music including live and recorded music (this includes by voice). The provision of dance the performance of dance or anything of a similar description. These events are all held indoors.

The applicant undertakes to provide a restriction to the use of Amusement with Prizes Machines to persons under 18, and also seeks to remove all the embedded restrictions under the Licensing Act 1964 and the Cinematograph (Safety) Regulations 1955.

The only representation that has been received is from the Police as responsible authority. They object to the proposed extension to the hours unless the premises have SIA registered door staff and an approved CCTV system installed. The letter of representation is attached as Appendix 2.

(The Police letter makes reference to occupancy figures. This has been discussed with the licensing section and the issue is resolved.)

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

The Existing Premise Licence

The public house currently holds a Premise 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.

In each case the premise is subject to 20 Minutes drinking up time as an embedded restriction.

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

10.00 to 00.00	Monday to Thursday & Sunday
10.00 to 01.00	Friday & Saturday

Live music

19:00 to 23:00	Monday to Thursday & Sunday
19:00 to 00.00	Friday & Saturday

Recorded music

19:00 to 23:00	Monday to Thursday & Sunday
19:00 to 00:00	Friday & Saturday

Performance of dance

19.00 to 23.00	Monday to Thursday & Sunday
19.00 to 00.00	Friday & Sunday

Provision of facilities for dancing

19.00 to 23.00 Monday to Thursday & Sunday
19.00 to 00.00 Friday & Saturday

Anything of a similar description to live music, recorded music& performance of dance

19.00 to 23.00 Monday to Friday & Sunday
19.00 to 00.00 Saturday

Provision of facilities for making music

19:00 to 23:00 Monday to Thursday & Sunday
19.00 to 00.00 Friday & Saturday

Supply of alcohol Both On and Off the premises

10:00 to 00:00 Monday to Thursday & Sunday
10:00 to 01:00 Friday & Saturday

Non standard timings to allow an extra hour after the finish times shown on the following days: New Years Eve Day, Valentine Day, Thursday before Good Friday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, Sunday and Monday of all Bank Holiday weekends.

Saint Patrick's Day, Saint George's Day, Saint David's Day, Saint Andrew's Day and the 23rd - 30th.December (inclusive).

In order to accommodate the above variations, the premises opening times will be:

10:00 to 00:30 Monday to Thursday & Sunday
10:00 to 01:30 Friday & Saturday

And to allow 30 minutes after the sale of alcohol times for non-standard days listed above.

The application applies to the restrictions set out in the Licensing Act 2003 in respect of the use of Amusement with Prizes Machines for use by adults only.

The applicant seeks to remove all embedded restrictions inherent in the Licensing Act 1964 and the Cinematograph (Safety) regulations 1955.

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. They object to the proposed extension of hours, unless the applicants have door staff and installed an approved CCTV system, if sales go beyond midnight. They argue

that as a town centre pub, with several late night outlets nearby, the change in the use and operation of the premises would attract a wider clientele.

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

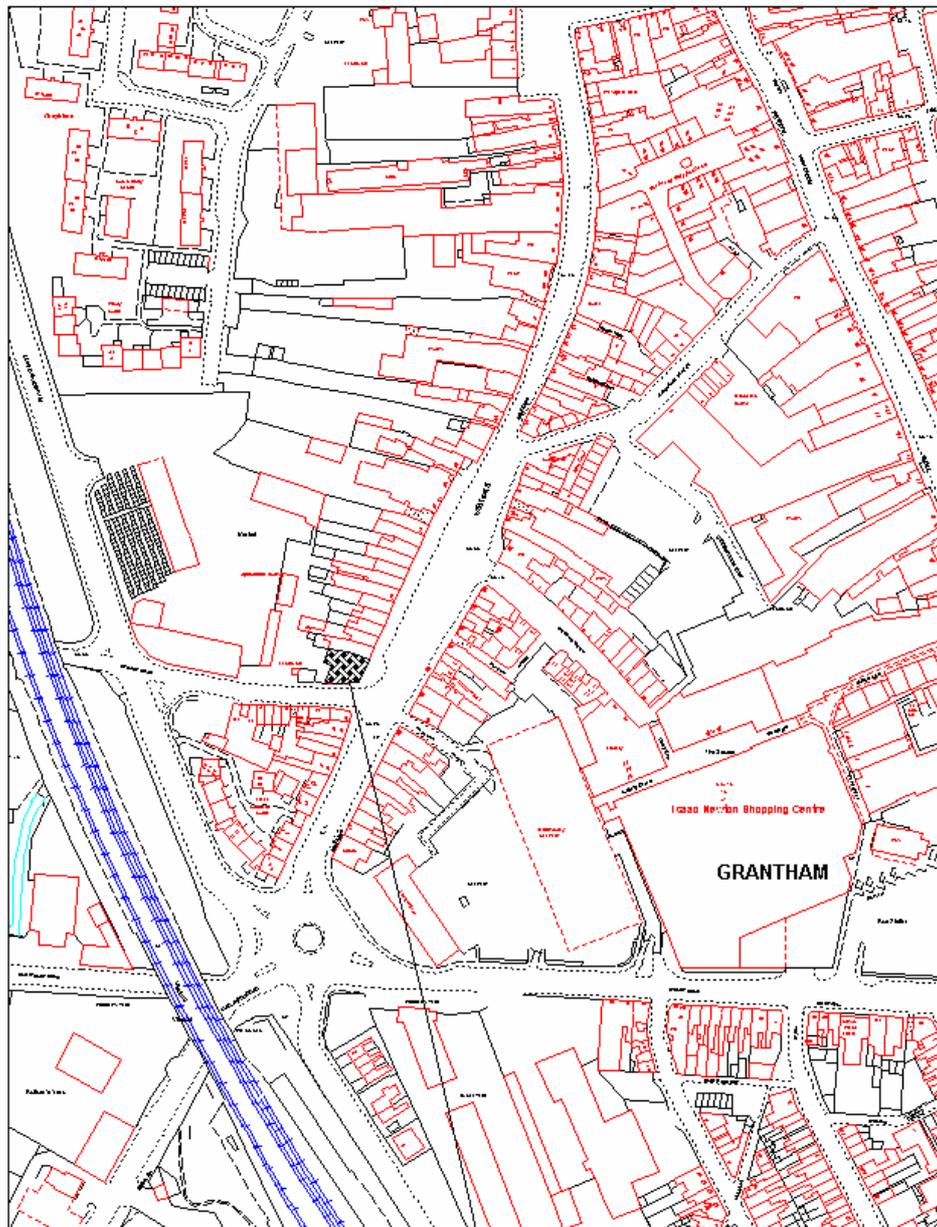
8. CONCLUSION

The application is for the variation of an existing Premise Licence at a Grantham public house and to extend the operating and activity hours and also to include new activities. The Police have raised objections to the extension of hours, and proposed conditions to be attached to the varied licence.

9. CONTACT OFFICER

M. Start, Environmental Health Practitioner (Licensing)
Tel: 01476 406311 Email: m.start@southkesteven.gov.uk

APPENDIX 1



THE BLUE BULL, WESTGATE, GRANTHAM

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