

# MINUTES

ALCOHOL AND ENTERTAINMENT  
LICENSING COMMITTEE  
TUESDAY, 24 MAY 2011



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## COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth  
Councillor George Chivers

Councillor Bob Russell (Vice-Chairman)  
Councillor Frank Turner

## OFFICERS

Licensing Officer (Peter Harrison, Pam Robinson, Richard Etherton)  
Solicitor (Paul Rushworth)  
Democratic Officer (Lucy Bonshor)

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### 41. APOLOGIES

Apologies for absence were received from Councillors' Broughton and Howard.

### 42. DECLARATIONS OF INTEREST

None declared.

### 43. MINUTES OF THE MEETINGS HELD ON 14TH APRIL AND 4TH MAY 2011

The minutes of the meetings held on 14th April and 4th May 2011 were agreed as a correct record of the decisions taken.

## EXCLUSION OF THE PUBLIC

In accordance with Section 100A(4) of the Local Government Act 1972, it was resolved that the public be excluded because of the likelihood in view of the nature of business to be transacted that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

**44. LICENSING ACT 2003: REVIEW OF A PREMISES LICENCE - THE NEW INN FOLKINGHAM**

**Decision**

***That Mr Nicholas Brown be removed as the Designated Premises Supervisor for the New Inn at Folkingham.***

The Solicitor to the Committee introduced those present and clarified who was to speak on behalf of Lincolnshire Police: Mr Richardson, the Force Solicitor, Sergeant Watt from Lincolnshire Police's Licensing Team and PC Ward. Sarah LeFevre attended the meeting and spoke on behalf of Scottish & Newcastle Pub Company (Management Limited) owners of the premises. Also in attendance was Nigel Smoult and Nicholas Brown the current Designated Premises Supervisor for the New Inn.

The Licensing Officer presented report ENV520 which related to a review of the premises license for the New Inn and clarified that Lincolnshire Police had asked for the review following various complaints received regarding noise nuisance and public disorder and a late night enforcement visit that they had undertaken on 5th February 2011. A committee date had been set for 14th April but in the public interest this was adjourned until today. There had been 39 letters from interested parties; one had been rejected as the person did not live within the vicinity and one was from a responsible authority. On 1st April the owners of the premises Scottish and Newcastle Pub Company took over the premises licence. The Police had requested the withdrawal of the Designated Licence Supervisor and the premises licence.

Mr Richardson then presented the application for review on behalf of Lincolnshire Police. He explained that following the transfer of the premises Licence to Scottish and Newcastle the focus of the police was the removal of the Designated Premises Supervisor. He then listed incidents where complaints had been received by both the police and the local authority regarding public nuisance and noise nuisance going back to March 2010. Warning letters had been issued and this had culminated in an enforcement visit carried out by Sergeant Watts and other officers on 5th February 2011 when the premises was still open and serving past licensed hours. The attitude of the Designated Premises Supervisor (DPS) had been argumentative and belligerent and a public conduct offense was being pursued under Section 113 of the Licensing Act.

Ms Le Fevre on behalf of the Scottish and Newcastle Pub Company then presented the respondents case. She said that the Company took the situation extremely seriously and had applied for the transfer of the premises licence so that they could secure direct responsibility for the premises. Furthermore Scottish and Newcastle were terminating the Lease agreement with Mr Brown and were due to take possession of the premises from the 3rd June. She said that it was plain that the relationship between Mr Brown and his neighbours had

deteriorated but there was considerable support for the premises to remain in the village which was evidenced in the positive comments made by some of the residents. Prior to Mr Brown being the DPS the premises had a history of being well run. She hoped that through the actions of Scottish & Newcastle the concerns of the police had been addressed. She then outlined the future plans for the premises with Mr Nigel Smoult being their preferred operator and currently Clare Bergin was running the premises.

The Licensing Officer asked for confirmation that Mr Brown was leaving the premises a week on Friday and this was confirmed by Mr Brown.

A Member asked for clarification about the current premises licensee. Ms Le Fevre replied that Ms Bergin was running the business on a personal licence and had been involved with the premises for the last 10 years.

*(10.30am)*

The interested parties were then invited into the meeting and the Committee advised that a spokesman had been appointed. Before the spokesman, Mr Millar presented their case; the Committee Solicitor advised the residents about what happened whilst they were outside the room save for any personal information which had been discussed. Mr Millar thanked the Committee Solicitor for the information and the opportunity to put their case. Mr Millar's focus was on the first licence issued, the conditions imposed on it, the problems currently being experienced with the present licensee, not understanding the wording of the licence and misunderstandings that had followed which had caused disturbance to the local residents.

The Licensing Officer then summarised the request for review and explained the options that were available to the Committee. The Committee's decision should be appropriate and proportionate having regard to the evidence that they had received.

Ms Le Fevre reiterated that Mr Brown was to be removed as the DPS and would no longer be on the premises.

*(10.40am All parties including the Licensing Officer left the meeting)*

Members discussed the evidence they had heard and the actions that were available to them. Based on the submissions by Lincolnshire Police and the current actions of the premises license holders it was proposed and seconded that Mr Brown be removed as the designated premises supervisor. It was proposed, seconded and unanimously agreed.

*(10.45am All parties returned to the meeting)*

The Solicitor to the Committee then read the decision out:

The Committee had considered all the representations of all the parties and considered that there was overwhelming evidence from Lincolnshire Police relating to the undermining of the licensing objective of crime and disorder. The committee noted that most of that evidence is associated with the Designated Premises Supervisor, Mr Nicholas Brown and the Committee has decided to remove Mr Brown as the Designated Premises Supervisor for the New Inn at Folkingham.

The Solicitor advised those present that the decision was appealable to the Magistrates Court within 21 days of written notification of the decision.

**45. LICENSING ACT 2003: REVIEW OF A PREMISES LICENCE - BARCODE, 90 WESTGATE, GRANTHAM, LINCOLNSHIRE, NG31 6LE**

**Decision**

***That the conditions for the premises licence for Barcode, 90 Westgate, Grantham be modified as follows:***

**CCTV**

***The Licence holder shall provide sufficient CCTV coverage of the premises' licensed area to meet the current requirements of the Licensing Authority in consultation with Lincolnshire Police. The system must function correctly during all the hours when the premises are open for the sale and supply of alcohol. Faults will be recorded immediately they are detected and rectified as soon as reasonably practicable. Checks on the operation of the system must be made on a daily basis and recorded in a signed log book. The system shall:-***

- ***Be operated by trained staff.***
- ***Ensure coverage of all entrances and exits to the licensed premises.***
- ***Ensure coverage of such other areas as may be reasonably required by the Licensing Authority and Lincolnshire police.***
- ***Provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained for a period of 28 days and shall be supplied to the Licensing Authority or Police Officers on request.***

**POLYCARBONATE GLASSES**

***Polycarbonate glasses (shot, half pint and pint) must be used at all times except for that which is served in bottles.***

**CHALLENGE 21**

***A 'Challenge 21' Proof of Age scheme be operated. Anyone attempting to enter or remain on the premises who appears under the age of 21 years***

***will be asked for proof of age. Acceptable forms of identification will be a PASS –accredited proof of age card, photo driving license or passport. Failure to produce satisfactory proof of age will result in a refused sale.***

***Clear, prominent and unobstructed signage informing customers of the Proof of Age scheme is operation and the age restrictions on products, will be clearly displayed at:***

***All entry points to the premises***

***Adjacent to the products, where displayed and***

***All points of sale.***

***All point of sale staff shall undergo training in the above policy with a record kept of the date of training, signed by the member of staff and the trainer.***

***Each entry shall be retained for a period of 12 months from date of completion.***

***This record shall be made available for inspection by Lincolnshire Police Officers or other parties acting on their behalf.***

### **INCIDENT BOOK**

***An incident book must be kept on the premises by the Designated Premises Supervisor recording every incident of crime and disorder involving the premises, staff, customers or door supervisors.***

***The incident book shall contain the following details:***

- ***Time, date and location of incident***
- ***Nature of the incident***
- ***The license holder will use his/her best endeavours to record the names, addresses and contact details of persons involved.***
- ***Result of the incident.***
- ***Action taken to prevent further such incidents.***
- ***Each entry signed by the DPS or other responsible person employed at the premises and so authorised by the DPS***

***The incident book shall be made available to the Police upon request.***

***Each entry shall be retained for a period of 24 months from date of completion.***

The Solicitor to the Committee introduced those present and clarified who was to speak on behalf of Lincolnshire Police; Mr Richardson, the Force Solicitor Sergeant Watt and PC Ward from Lincolnshire Police's Licensing Team. David Lucas from Fraser Brown Solicitors attended the meeting and spoke on behalf of the License holder Admiral Taverns (58) Ltd, Mark Lonsdale and Wayne

Billyeald were also present from Admiral Taverns (58) Ltd.

The Licensing Officer presented report ENV523 in which Lincolnshire Police had asked for a review of the premise license as they considered that the following licensing objectives were being undermined:

- Prevention of crime and disorder
- Public safety
- Protection of children from harm

They also considered that the wordings of the conditions were not worded in such a way that made them enforceable. A condition stating no children allowed on the premises had been breached and the police had evidence to support this. The police had suggested five conditions which they thought were necessary and proportionate to safeguard and promote the licensing objectives.

Mr Richardson then presented the police's application for the review. Mr Richardson referred to the four main areas where the police wished to tighten up the conditions. They concerned CCTV usage within the premises, the use of polycarbonate glassware, the age of children on the premises and the completion of an incident book. He then gave the Committee background information and evidence to support the police's request, listing incidents that had happened at the premises over a period of time including one incident that was currently on going. He also referred to a perceived breakdown in communication between the current license holder and the police which had added to the review being requested.

A question was then asked by the Licensing Officer with reference to the Challenge 25 scheme and why if this was a county wide initiative that had not been mentioned during the consultation period when the District Council's own scheme had recently been adopted with Challenge 21. Mr Richardson replied that due to the incidents that had occurred the police had requested a Challenge 25 scheme at these premises.

Mr Lucas asked questions about how many prosecutions and fixed penalty notices had been served to persons under 18 years of age at the premises and how many failed test purchases had been made. Mr Richardson replied none. In regard to prosecutions with regard to false Id's Mr Richardson replied that this was not known.

Mr Lucas then presented Admiral Taverns (58) Ltd response to the proposed conditions. He didn't dispute that the CCTV at the premises was not perfect and in principle he agreed with a condition about CCTV but it was the extent of the content of that condition. He briefly gave a background history to the CCTV currently in place on the premises and although letters had been sent between the police and the owners of the premises about concerns at the premises no mention had been made of the CCTV. It wasn't until February this year that

the issue had been raised and Admiral Taverns had installed a new system in February. He expressed concern about the proposed condition of a Challenge 25 scheme and the restriction of under 18's at the premises, they would be happy that nothing higher than a Challenge 21 scheme be imposed. With regard to polycarbonate glassware and in order to address the police concerns, shot, half pint and pint polycarbonate glassware were already used in the premises, however having to decant bottles to polycarbonate glassware would have an adverse effect on customers. Finally in principle they had no issue about having an incident book but again it was the detail and extent of the proposed condition. Mr Ward the tenant of the premises together with other interested parties then briefly highlighted issues and measures that had been put in place to try and address the police concerns.

Mr Richardson then clarified various points that had been made.

The Solicitor thanked those present for their lengthy submissions and asked the parties if they could narrow down the issues and clarify the extent of their agreement to assist the Committee in making its decision. It was agreed that four of the licence conditions should be modified. The extent of disagreement was about technical wording of the same. The solicitor read out some proposed conditions and noted the extent of agreement and disagreement which ultimately the Committee would decide. The following condition relating to CCTV was suggested:

*“The License Holder should provide sufficient CCTV coverage of the premises to meet the current requirements of the Licensing Authority in consultation with Lincolnshire Police. The system must function correctly during all the hours when the premises are open for the sale and supply of alcohol. Faults will be recorded immediately they are detected and rectified as soon as reasonably practicable. Checks on the operation of the system must be made on a daily basis and recorded in a signed log book. The system should be operated by trained staff, it shall ensure coverage of all the entrances and exits to the licensed premises, it shall ensure coverage of such other areas as maybe reasonably required by the Licensing Authority and Lincolnshire Police, it should provide continuous recording facilities for each camera to a good standard of clarity. Such recordings should be retained for a period of 28 days and should be supplied to the Licensing Authority or a Police Officer on request.”*

Mr Lucas asked for clarity on part of the condition to which the Solicitor responded. Mr Richardson raised a concern about the wording especially the word “reasonable”. The solicitor reminded the parties that the Committee would decide the extent and wording of any conditions that they decided to modify but found it helpful that the parties agreed to a degree, agree.

The Licensing Officer then summarised the request for review and explained

the options that were available to the Committee. He stressed that the Committee should adhere to the guidance issued under Section 182 of the Licensing Act and the Council's own statement of Licensing Policy when considering if the application merits evidence that the licensing objectives are being undermined or not. Any decision taken by the Committee should be reasonable and proportionate and must be necessary for the promotion of the licensing objectives. The decision of the committee should be no more than a proportionate response to the concerns raised by the police.

Both Mr Richardson and Mr Lucas then gave a closing statement.

*(12.50pm All parties including the Licensing Officer left the meeting)*

Members then discussed the evidence they had heard and the actions that were available to them. Based on the comments made by both parties suggested modifications to the conditions were made by the Solicitor to the Committee. Following which it was proposed, seconded and agreed to modify the conditions as suggested by the Solicitor. The Committee were mindful of the Council's statement of licensing policy which cited "challenge 21" as a proportionate response to underage concerns and were concerned about the affect a condition extending to decanting bottled drinks into polycarbonate glasses could have on the respondents business.

*(1.05pm All parties including the Licensing Officer returned to the meeting)*

The Solicitor to the Committee then informed those present of the decision of the Committee based on the representations made by those parties present at the meeting and having regard to the under mining of the licensing objectives of crime and disorder. The Committee had decided to modify the conditions of the licences to the extent as follows;

### CCTV

The Licence holder shall provide sufficient CCTV coverage of the premises' licensed area to meet the current requirements of the Licensing Authority in consultation with Lincolnshire Police. The system must function correctly during all the hours when the premises are open for the sale and supply of alcohol. Faults will be recorded immediately they are detected and rectified as soon as reasonably practicable. Checks on the operation of the system must be made on a daily basis and recorded in a signed log book. The system shall:-

- Be operated by trained staff.
- Ensure coverage of all entrances and exits to the licensed premises.
- Ensure coverage of such other areas as may be reasonably required by the Licensing Authority and Lincolnshire police.
- Provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained for a period of 28 days and shall be supplied to the Licensing Authority or Police Officers on

request.

### POLYCARBONATE GLASSES

Polycarbonate glasses (shot, half pint and pint) must be used at all times except for that which is served in bottles.

### CHALLENGE 21

A 'Challenge 21' Proof of Age scheme be operated. Anyone attempting to enter or remain on the premises who appears under the age of 21 years will be asked for proof of age. Acceptable forms of identification will be a PASS – accredited proof of age card, photo driving license or passport. Failure to produce satisfactory proof of age will result in a refused sale.

Clear, prominent and unobstructed signage informing customers of the Proof of Age scheme is operation and the age restrictions on products, will be clearly displayed at:

All entry points to the premises

Adjacent to the products, where displayed and

All points of sale.

All point of sale staff shall undergo training in the above policy with a record kept of the date of training, signed by the member of staff and the trainer.

Each entry shall be retained for a period of 12 months from date of completion.

This record shall be made available for inspection by Lincolnshire Police Officers or other parties acting on their behalf.

### INCIDENT BOOK

An incident book must be kept on the premises by the Designated Premises Supervisor recording every incident of crime and disorder involving the premises, staff, customers or door supervisors.

The incident book shall contain the following details:

- Time, date and location of incident
- Nature of the incident
- The license holder will use his/her best endeavours to record the names, addresses and contact details of persons involved.
- Result of the incident.
- Action taken to prevent further such incidents.
- Each entry signed by the DPS or other responsible person employed at the premises and so authorised by the DPS

The incident book shall be made available to the Police upon request.

Each entry shall be retained for a period of 24 months from date of completion.

The Solicitor reminded those present that the decision could be appealed to the Magistrates Court within 21 days of the written notification of the decision.

**46. LICENSING ACT 2003: APPLICATION FOR A PREMISES LICENCE - DOWSBY VILLAGE HALL**

The Vice-Chairman, Councillor Russell was voted into the Chair for the remainder of the meeting as Councillor Bosworth retired from the rest of the meeting.

**Decision**

***That an application for a premise licence at Dowsby Village Hall be refused.***

The Solicitor to the Committee introduced those present and clarified who was to speak on behalf of the application, Miss Belinda Smith Secretary to Dowsby Village Hall Committee and the potential Designated Premises Supervisor Alan Towning, former Chairman of the Eagles Motorcycle club would speak on behalf of the applicants. Mr Peter Jackson would represent a group of resident objectors.

The Licensing Officer introduced report ENV525 which was an application for a premises licence at Dowsby Village Hall. The license was to allow the following activities:

Activity	Times	Days
Plays	18.00 – 23.00	Every Day
Films	18.00 – 23.00	Every Day
Indoor sporting events	10.00 – 23.00	Every Day
Live Music	12.00 – 23.00	Every Day
Recorded Music	12.00 – 23.00 12.00 – 01.00	Sunday to Thursday Friday & Saturday
Provision of facilities for dancing	10.00 – 22.00	Every Day
Provision of facilities for making music	10.00 – 21.00	Every Day
Late Night Refreshment	23.00 – 01.00	Fridays and Saturdays
Supply of Alcohol	10.00 – 23.00 10.00 – 24.00	Sunday to Thursday Friday and Saturday
Opening Hours	09.00 – 24.00	Sunday to Thursday

	09.00 – 01.00	Friday and Saturday
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The application was for these activities to take place indoors with the exception of plays, live music and late night refreshment which they request to be held inside and outside the premises.

There had been 11 objections from interested parties and one from a responsible authority. The Licensing Officer informed the committee that the interested parties had alleged that there were already problems with a bikers club booking the hall up to 3 times a week. They said that this had resulted in increased noise in the early hours of the morning, vomit and broken glass in the grounds of the hall and the children’s playground. Increased traffic parking problems and unacceptable language within earshot of children. The responsible authority have indicated that because the hall is close to residential properties they have concerns regarding the provision of live music outdoors until 11pm and that this may lead to public nuisance. The Licensing Officer referred to Environmental Protection Team Leader who had made the statement. She could not attend the meeting but had made a statement and he read out the following:

Given the proximity of the hall to local residents I do not consider that it is appropriate that there be a provision of live music outdoors from 12 mid-day to 11pm seven days a week as this is likely to create a public nuisance. The applicant states that live music is only likely to be for summer fetes and that at other times it is likely to be indoors usually on Fridays and Saturdays. Taking this into consideration the hall has the option of submitting a Temporary Event Notice for such occasional outdoor events. In view of this I would suggest that should the licence be granted that live music be restricted to indoors only and that windows and doors are kept closed during performances.

No questions were asked at this stage in the proceedings.

The applicant, Miss Smith then presented her application. In presenting her case Miss Smith indicated that misunderstandings had taken place and the concerns that had been raised could have been dealt with had a public meeting been held. The application had been submitted to try and promote the village hall on a commercial basis and the application had been based on Rippingale’s premise licence. The hall had a large capacity over 100 and it was a viable venue to hire out. The hours asked for were to cover all eventualities including serving alcohol up to 11pm at night. Miss Smith then gave some background history to the application including grants that had been made to the village hall for alterations including a replacement roof.

The problem that the village seemed to have was with the Eagles Motorcycle Club who regularly used the village hall and made regular payments each week. The village hall committee saw this as a good opportunity to apply for a premises licence in order to promote the hall more widely given the income stream being received. The club had made a huge contribution to the village

hall including painting through, laying carpet tiles and fitting out the kitchen and had put on Halloween and fireworks which the village was invited to. They had installed a bar which was removable and installed low lighting. She referred to the AGM that had been held the previous night and at which two of the objectors had withdrawn their objections and one was now on the village hall committee. The club had transformed the village hall and the village hall committee wished to build on this. She then briefly detailed the lack of bookings for the hall and how a premise licence would hopefully help address this. She then addressed the concerns that had been raised with regard to noise, traffic, vomit, broken glass and the bad language. She indicated that notices were to be displayed asking people to modify their language and to leave the premises quietly. She introduced Mr Towning who had been involved with the motorcycle club for 10 and half years he was the ex chairman of the club and the potential DPS. Mr Towning then gave a brief background of the work that the motorcycle club did and how they had invested within the village. Miss Smith then circulated a copy of the licence agreement which the village hall had with the motorcycle group in which there was a clause about unacceptable behavior. Also that three months notice had to be given from either side if they agreement was to be broken. She introduced Mr Towning who had been involved with the motorcycle club for 10 and half years he was the ex chairman of the club and the potential DPS.

The Licensing Officer then asked for clarification about the objections that had been “withdrawn”. He confirmed that as the licensing authority had not received confirmation from the objectors that their objections were withdrawn and therefore they still stood. He also clarified about conditions being attached to the license such as having four events outside per year unfortunately this would be virtually impossible to enforce and was why the use of Temporary Events Notices would be a better option. He clarified Mr Towning’s position with the hall also.

Questions were then put to Mr Towning by Mr Jackson about his current position with the Eagles Motorcycle club and his reasons for leaving to which Mr Towning replied. Mr Jackson also asked about previous bases for the club and why the motorcycle club had moved on.

Mr Jackson then spoke on behalf of the objectors. He recognised that the hall had been used infrequently but that in the last 12 months it had principally been used by the motorcycle club. He said that the village hall committee had let the hall be fitted out like a bikers club and he circulated photographs which indicated that the hall was used by the club on a permanent basis. He referred to the bar and chilled cabinets that had been installed together with fixtures that had been permanently attached to the walls. Equipment that had been within the hall had been taken out and stored in an outside building and the hall looked like a bikers social club. The biker’s equipment was not taken home at night and any ideas to promote the village hall would be thwarted by the bikers equipment left in the hall. Mr Jackson then spoke about the high noise levels from the premises which were very disruptive to those residents living nearby

including revving of engines. He felt that there was a lack of respect by the people for the area that was used and that Mr Towning as the possible DPS would not have the control over the members of the motorcycle club. He referred to incidents when he and another gentleman had found glass both on the playground situated to the rear of the hall and within the grounds of the hall. He then spoke about the traffic hazards caused by parking on both sides of the road. Mr Jackson suggested that, people often congregated outside of the premises admiring each other's bikes, and bikes going up and down the road late at night were very noisy. Mr Jackson then spoke about instances of bad language by the bikers which had been heard by children playing in adjacent gardens. Following a recent event the parish council had asked for a meeting with the village hall committee to discuss concerns that the village had but even though the chairman of the village hall had promised a meeting no meeting had been forthcoming. It was felt that the village hall committee could not control the users of the village hall as they could not control the bikers. Mr Jackson felt there were health and safety issues with the vomit and broken glass, and disturbance of people affecting both their mental and physical health by the loud noise and activities of the people using the hall.

Questions and comments were then made by the applicant to Mr Jackson. Mr Jackson reiterated what he had said indicating that a lot of the fixtures such as the chiller cabinets remained within the hall and these were stocked with alcohol and soft drinks and the freezers in the hall were well stocked with pies and burgers which gave the impression of permanent rather than a temporary occupancy.

The Licensing Officer then questioned Miss Smith about the content of the photographs specifically whether alcohol was being sold as they had no license to sell alcohol. Miss Smith indicated that the alcohol was part of the motorcycle clubs membership and was for the bikers only. The till shown was for the food only. Mr Jackson commented that there was also a price list for alcohol but he did not have the photographs with him. Mr Towning suggested that the Eagles had not charged for alcohol since the previous November and the Licensing Officer asked why the club had been charging for alcohol without a valid licence.

Further discussion took place between Miss Smith and Mr Jackson about the contents of the hall and its use by the motorcycle club.

The Licensing Officer then gave his closing statement. The Committee must consider the application for a premise license for Dowsby Village Hall having regard to the representations of the parties take such steps as it considers necessary for the promotion of the licensing objectives. The Licensing Officer then listed the options available to the Committee.

The applicant, Miss Smith then gave her closing statement stating that the premise license was necessary to raise money and keep the village hall viable. The sale of alcohol and music events were a necessity in order to help make a

profit and guarantee the halls future.

*(2.45pm All parties including the Licensing Officer left the meeting)*

The Committee considered the representations made by the parties and discussed the application with regard to the potential affect on the licensing objectives. It was felt that the licensing objectives for crime and disorder, public nuisance and the protection of children from harm were being undermined and therefore it was proposed and seconded to refuse a premise license for Dowsby village hall.

*(2.55pm All parties including the Licensing Officer returned to the meeting)*

The Solicitor to the Committee read out the decision:

The Committee had considered all the representations from all the parties. The Committee considered that the evidence from the interested parties had been overwhelming in support of the proposition that the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm were being undermined because the application seemed solely to benefit the Eagles Motorcycle club and there had been no evidence of any wider community benefit. The Committee was concerned that the presence of the Eagles had already undermined the objectives by the revving of engines leading to public noise nuisance, bad language of members both inside and outside the premise some of which had been heard by children. The Committee had heard evidence of vomit and broken glass, noise from inside and outside and the Committee was not satisfied that Mr Towing as the Designated Premise Supervisor had sufficient control over the behaviour of members after considering his admitted recent disagreements with other members of the club. In conclusion the Committee was satisfied that the above concerns were so overwhelming in this case that conditions were not appropriate to be able to promote the licensing objectives and as a result the application should be refused. The Committee recognise that it would be a rare event when a premise license was refused but consider that the evidence in this case had been so overwhelmingly strong as to support the decision. The Committee should like to remind the applicants that they still had the opportunity to use Temporary Event Notices.

The Solicitor informed those present that the decision was appealable to the Magistrates Court within 21 days from written notification of the decision.

#### **47. CLOSE OF MEETING**

The meeting closed at 3.00pm.