

LICENSING AND APPEALS PANEL

TUESDAY, 18 JUNE 2024

Present: Councillor R Bullock, Chair

Councillors: D D Pringle
A Cooper
C M Tideswell (in attendance)

1 **ELECTION OF CHAIR**

RESOLVED that Councillor B Bullock be appointed Chair of the meeting.

2 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3 **APPLICATION TO VARY A PREMISES LICENCE**

The Panel considered the application to vary a premise licence.

The Panel noted the representations made by the applicant. This included:

- Efforts made to reduce noise with replacement of speakers, noise monitoring and noise management policies.
- Restriction to the use of beer garden from 10pm onwards.
- Use of door staff where necessary and monitoring of entrances to turn away customers arriving before closing time.

The Panel noted the representations made by the local residents and objectors to the proposals. This included:

- History of noise issues and Anti-Social Behaviour.
- Later closing times inappropriate for a residential area.

RESOLVED that the following variations to the Premises Licence be refused:

- **To extend the sale of alcohol, recorded music and late night refreshment on Friday and Saturday until 1:00 hours the following morning.**
- **To permit the premises to open for an additional 30 minutes following the cessation of the sale of alcohol.**
- **To remove the condition “A zero tolerance policy towards illegal drugs will be enforced at all times”.**

- To remove the condition currently listed at Annexe 3 “Clear and legible notices shall be displayed in prominent locations in and around the premises in wording and locations to be approved by the Licensing Authority advising members of the public with regard to the following:
 - a) Quiet departure and dispersal of customers after closing time.
 - b) Telephone helpline number provided by the licence holder for reporting any issues or concerns regarding the operation of the premises
 - c) Quiet departure of customers using the car parking facilities”.

RESOLVED that the following variations to the Premises Licence be **GRANTED**:

- To permit the sale of alcohol, recorded music and late night refreshments for New Year’s Eve until 2:00.
- To change the plan to include an external mobile bar for the sale of alcohol to be used between the hours 11am and 9pm on the basis that a robust dispersal policy for the garden area is to be used to clear the garden at 11pm.
- To add the following conditions as requested in the application:
- All staff who have direct dealings with customers shall be trained in the following:
 - (i) Licensing law and in particular that relating to the sale of alcohol;
 - (ii) The Challenge 25 policy;
 - (iii) The premises licence and its conditions. A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.
- An incident log will be kept and maintained at the premises and all incidents shall be recorded in it. As a minimum, the log will record the date and time of the incident, the name of the person making the entry, the nature of the incident and any actions taken.
- A CCTV system shall be installed and maintained at the premises during times when the premises is open to the public.
- CCTV images will be kept for a period of 31 days and made available to the police as soon as reasonably practicable.
- CCTV will operate in accordance with the relevant Data Protection Legislation.
- Any manager left in charge of the premises shall be trained in the use of any such CCTV equipment and be able to produce/download/burn CCTV images upon request from an authorised officer.

- **The DPS/ manager will undertake a weekly inspection of the public areas of the premises to identify anything might present an identifiable risk to public safety. Any risks identified that are deemed to be unreasonable must be rectified at the earliest possible opportunity.**
- **There shall be no new entry to the premises after Midnight on a Friday and Saturday evening. There shall be no new entry to the premises after Midnight on a Sunday preceding the bank holiday.**
- **A sign will be displayed at each exit from the premises asking customers to respect the rights of nearby residents not to be disturbed.**
- **Any outside areas are to be monitored by management and staff, when occupied, during the hours that the premises are open to the public.**
- **A dispersal policy ('the policy') will be drawn up and implemented to ensure that as far as practicable customers leaving the premises at the end of each night's trading session do so quickly and quietly. The policy will be disseminated to staff as required to ensure that it is properly implemented and a copy kept at the premises for inspection by licensing or other responsible authority officers on request.**
- **When regulated entertainment is provided, noise checks will be carried out at the nearest noise sensitive property. A noise check log of these checks will be kept and maintained at the premises. As a minimum the log will record the date and time of the check, the name of the person making the check, the sound level and if required, any action taken. The log will be made available to an authorised officer upon request.**
- **A complaints log will be maintained and any complaints from residents shall be recorded in it. As a minimum, the information recorded shall include: date and time of the complaint, name of complainant and any action taken thereafter in relation to it.**
- **A Challenge 25 policy shall be implemented and full and appropriate identification shall be sought from any person who appears under the age of 25.**
- **Any external mobile bar will only be used between the hours of 11.00 hours and 21:00 hours daily.**
- **Any external mobile bar will be supervised at all times when in use.**
- **Any external mobile bar will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.**