

LICENSING PANEL

Tuesday, 10 July 2012 (10:00 am – 11:15 am)

PRESENT:

Councillor Airey (Chairman); Councillors Craig and Wall

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1. THE APPLICATION

The Clerk outlined the application to vary the current licence. The Applicant not being present the Panel resolved to proceed in their absence.

2. REPRESENTATIONS FROM THE POLICE

Prior to the hearing the applicant made changes to the variation which resulted in the withdrawal of the Police objection.

3. REPRESENTATIONS FROM RESIDENTS

Mr Fenton Burgin had made written objection to the variation application but was not in attendance at the hearing. In his absence his objection was given due consideration by the Panel.

4. THE DECISION

The Panel withdrew from the meeting to make their decision and invited the Clerk and Legal Adviser to join them.

The following decision was read out to the hearing when the Panel reconvened:

**The panel has considered very carefully all the evidence submitted in the formal representations made and noted the variation to the application made by agreement with the Police (which resulted in the withdrawal of the Police objection).**

**The Panel has considered the operating schedule submitted by the applicant, the Council's Licensing Policy, statutory guidance, The Licensing Act 2003, the Licensing Objectives and Human Rights Legislation in determining the application.**

**Having paid due regard to all of the above the Panel has decided that the application should be granted in the terms sought and as amended by agreement with the Police. For the avoidance of doubt the licensable activities granted by the Panel and their timings are as set out below:**

**Film: 1000hrs to 2230 hrs Monday to Saturday**

**Live Music (Indoor Only):  
1930hrs to 2300hrs Monday to Thursday  
1930hrs to 0100hrs Friday and Saturday  
1200hrs to 2230hrs Sundays**

**Recorded Music (Indoor only): at all times the bar is open and supply of alcohol is permitted.**

**Dance: 1000hrs to 2300hrs Monday to Thursday  
1000hrs to 0000hrs Friday and Saturday  
1200hrs to 1700hrs Sundays**

**Anything Similar: to be treated in the same way as Film, Live Music, Recorded Music and Dance above.**

**Facilities for Dancing Indoors only:  
1000hrs to 2300hrs Monday to Thursday  
1000hrs to 0100hrs Fridays and Saturdays  
1200hrs to 2230hrs Sundays**

**Supply of Alcohol:  
1000hrs to 2230hrs Monday to Thursday  
1930hrs to 0030hrs Fridays and Saturdays  
1200hrs to 2330hrs Sundays.**

**For the avoidance of doubt the above timings override in places those timings agreed with the Police as they are limited by the timings actually applied for (ie the Police agreement cannot allow more than was originally applied for). Likewise the application form contained several discrepancies and the hours above reflect those set out in the relevant boxes other than where agreed with the Police.**

**Reasons: The Panel carefully considered all the representations and noted that no representation had been made by the Environmental Health Department and that the objection from the Police had been withdrawn following agreement and amendment of the application. The detail of that amendment was considered carefully and in particular the fact that much of the licensable activity shall not take place outside as initially proposed. Accordingly the Panel was satisfied that this in particular would address the major concerns of the one residential objection and that any potential issues resulting from the application would be minimised as a result. Residents should be reminded that there is a review process and that the Club Premises Certificate may be brought back to the Licensing Committee for reconsideration if the amendments do result in issues relating to the four licensing objectives and there is clear supporting evidence.**

**The full details of the decision together with reasons for granting and all the conditions imposed will be forwarded to all the parties and posted on the Council's website as soon as possible.**

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