

CENTRAL BEDFORDSHIRE COUNCIL

Record of Licensing Sub Committee hearing convened under The Licensing Act 2003 (Hearings) Regulations 2005 on Friday, 17 May 2013

Licensing Sub Committee Composition

Cllrs (Chairman) Mrs A Barker
R D Berry
R B Pepworth

Welcome

Licensing Sub Committee Composition

Cllrs Mrs A Barker (Chairman), R A Berry, R Pepworth

Members' Interest

There were none.

Name of Applicant

Bramwell Pubs and Bars Limited, 1st Floor, Lunar House, Globe Park,
Fieldhouse Lane, Marlow SL7 1LW

Premises Address

The Lancer Public House
10 Lake Street
Leighton Buzzard
Bedfordshire
LU7 1RT

Names of Parties (including the Applicant, Observers and Persons who have made relevant representations together with any persons who have made relevant representations together with any person representing each party)

Councillor Mrs A Barker
Cllr R D Berry
Cllr R B Pepworth
Cllr D Bowater
Mr T Shield, John Gaunt & Partners Solicitors
Mr P Robson, John Gaunt & Partners Solicitors
Mr P Bee, Designated Premises Supervisor
Mrs J Borthwick, Service Manager, Public Protection
Mrs M Clampitt, Committee Services Officer
Mr M Woolsey, Managing Solicitor

Licensing Procedure

The Sub Committee noted the Licensing Procedure to be followed at the hearing.

Licensing Objectives

The Sub Committee noted the four Licensing Objectives.

Name of Parties submitting representations and indications of their representations

Three written representations were received from residents in North Street, Albany Road and Lake Street complaining about disruption to sleep, concerns over future use of the establishment and the number of venues in the town with late hours and how this additional establishment will affect the residents. No public attended the hearing to support their written submission.

The Police wrote requesting a number of conditions should the Sub-Committee be minded to approve the variation request. The conditions are detailed in the decision below. The Police did not attend the hearing.

Amendment of Application

There were no amendments to the application by the applicant.

The Application

The application was for a variation of a premises licence under The Licensing Act 2003 at The Lancer, 10 Lake Street, Leighton Buzzard.

A hearing called to determine an application for a variation of a premises licence made under the Licensing Act 2003 at The Lancer, 10 Lake Street, Leighton Buzzard

The Committee received and considered a report from the Head of Service, Public Protection which advised that an application had been submitted for a variation to a premises licence for The Lancer, 10 Lake Street, Leighton Buzzard. The Applicant and the Applicant's solicitors attended the meeting and made representations.

The Chairman outlined the procedure to be followed.

The Chairman invited the Service Manager, Public Protection to present the report to the Sub-Committee. The Sub-Committee were advised that the Applicant, Bramwell Pubs and Bars Limited had submitted an application for a variation to their premises licence. The application sought the following:-

Activity	Current provision	The application
Sale of alcohol	<p>Sun to Wed 09.00hrs to 01.00hrs Thurs to Sat 09.00hrs to 02.00hrs</p> <p>Non standard timings – An additional hour to the standard and non standard times on the day when British Summertime commences.</p> <p>09.00hrs until 02.30hrs on St Patrick’s Day, Easter weekend – Thursday/Friday/Saturday/Monday.</p> <p>May Day, Spring & August Bank Holiday weekends – Friday/Saturday/Monday.</p> <p>Christmas Eve & Boxing Day. New Years Eve – from the start of permitted hours until the end of permitted hours on New Years Day.</p>	<p>Sun to Wed 09.00hrs to 01.00hrs Thurs to Sat 09.00hrs to 03.00hrs</p> <p>Non standard timings - 09.00hrs until 03.30hrs on St Patrick’s Day, Easter weekend – Thursday/Friday/Saturday/Monday. May Day, Spring & August Bank Holiday weekends – Friday/Saturday/Monday. Christmas Eve & Boxing Day</p>
Films, live music and recorded music	<p>Sun to Wed 09.00hrs to 01.30hrs Thurs to Sat 09.00hrs to 02.30hrs</p> <p>Non standard timings – as above.</p>	<p>Sun to Wed 09.00hrs to 01.30hrs Thurs to Sat 09.00hrs to 03.30hrs</p> <p>Non standard timings – as above.</p>
Indoor sports, Performance of dance	N/A	<p>Sun to Wed 09.00hrs to 01.30hrs Thurs to Sat 09.00hrs to 03.30hrs</p> <p>Non standard timings – as above</p>
Late night refreshment	<p>Sun to Wed 23.00hrs to 01.30hrs Thurs to Sat 23.00hrs to 02.30hrs</p> <p>Non standard timings – as above 23.00hrs until 02.30hrs</p>	<p>Sun to Wed 23.00hrs to 01.30hrs Thurs to Sat 23.00hrs to 03.30hrs</p> <p>Non standard timings – as above 23.00hrs to 03.30hrs.</p>

Hours open to the public	Sun to Wed 09:00hrs to 01:30hrs Thurs to Sat 09:00hrs to 02:30hrs Non standard timings – see above.	Sun to Wed 09.00hrs to 01.30hrs Thurs to Sat 09.00hrs to 03.30hrs Non standard timings – as above
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The Chairman invited the Applicant’s Solicitor to present their case to the Sub-Committee. The application for a variation to the premises licence was set out as detailed in the table above. Mr Robson explained to the Sub-Committee the following points:

- there had been no indications of any problems at the premises,
- other premises in the vicinity had licences which allowed them to remain open well past the hours applied for as part of this application;
- additional clientele will not be attracted after other premises have closed;
- the Police have no objection to the application;
- there was no evidence to suggest that the opinion of the Police should not be followed;
- representations from members of the public were based on fear, rather than evidence.

The Chairman invited the rest of the Sub-Committee to question the Applicant’s Solicitor.

The Chairman invited the Applicant’s Solicitor and the Service Manager to ask questions of each other.

The Chairman invited the Applicant and the Service Manager to sum up their cases.

The Sub-Committee adjourned to deliberate upon the application. The Managing Solicitor for Central Bedfordshire Council joined the panel to provide clarification of questions.

Decision

That having taken into account the Licensing Act 2003 Guidance issued under Section 182, Central Bedfordshire Council’s Licensing Policy and representations from the Applicant and parties, the application granted subject to the conditions already contained on the licence:-

1. CCTV will be installed at the premises in consultation with the Police, and
2. CCTV recordings will be stored for a minimum period of 31 days and during this period, be made available to an authorised officer of the Licensing Authority or Police within a reasonable time on request, and

3. The premises will have a minimum of 2 door supervisors on Friday and Saturday nights with more if necessary, based on a management risk assessment; and
4. A minimum of 2 door supervisors will be present on Thursdays if the premises open for sale of alcohol beyond 0:00 and there will be a minimum of 3 door supervisors on Fridays and 4 on Saturdays if the premises are open for the sale of alcohol beyond 02:00.

The Sub-Committee considered the additional conditions necessary for the promotion of the licensing objectives. All Licences were granted subject to the mandatory conditions imposed by the Licensing Act 2003.

Applicants or any person who has made a relevant representation who is dissatisfied with this decision or the imposition of any condition or restriction has the right of appeal to the Magistrates Court within 21 days of the date on which they were notified of the decision.

(Note: The meeting commenced at 2.00 p.m. and concluded at 3.15 p.m.)