

## CENTRAL BEDFORDSHIRE COUNCIL

Record of a **LICENSING SUB-COMMITTEE** hearing convened under The Licensing Act 2003 (Hearings) Regulations 2005 and held at the Room 15, Priory House, Chicksands, Shefford on Monday, 19 November 2018.

Those in attendance:

**Licensing Sub-Committee:**

Councillors P Smith, R Berry and A Dodwell

**Officers:**

Mrs S Hobbs, Senior Committee Services Officer

Mr R McAdam, Legal Advisor, LGSS

Ms N O'Donnell, Licensing Compliance Officer

Ms U Uddin, Licensing Team

**Applicant:**

Mr C Di Giorgi

Mr A Di Giorgi (Observer)

**Others in attendance:**

Councillor M Versallion (Observer)

LS/18/1. **Election of Chairman**

Councillor P Smith was elected Chairman for this Licensing Sub-Committee.

LS/18/2. **Members' Interests**

There were no declarations of interest.

LS/18/3. **Procedure for the Hearing of Applications under The Licensing Act 2003**

The procedure for the hearing of applications under the Licensing Act 2003 was introduced by the Chairman and noted.

LS/18/4. **The Four Licensing Objectives**

The following four licensing objectives were noted:

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

LS/18/5. **Variation to Premises Licence - Fratelli's, 111 Dunstable Street, Ampthill MK45 2NG**

The Sub-Committee considered a report from the Head of Public Protection that set out a request for the premises located in Ampthill Town Centre, above the existing Fratelli's restaurant, previously known as The Dew Drop Inn, to extend their permitted hours for performances of live music, playing of recorded music and the sale of alcohol.

It was noted that two objections had been received to the proposal to extend the hours.

In response to questions from the Sub-Committee, the Licensing Compliance Officer explained:

- that there was also a license for the venue located in the basement of the premises, known as 'Arena';
- there were nearby premises, Ampthill Tandoori Restaurant and Takeaway and the White Hart Public House, which had a license to sell alcohol. The White Hart Public House also had a license for recorded music and indoor sporting events;
- that there was an error at paragraph 2 in the report where it referred to the hours of the sale of alcohol on Thursday's as it should read from 12 p.m. to 12.30 a.m.; and
- that there had not been any noise and nuisance complaints against the current license for Fratelli's.

The applicant introduced their request to vary the premises licence:

- Fratelli's had been in operation for over 10 years;
- they planned to open a restaurant with a bar upstairs and confirmed that it would not be a nightclub;
- a reservation would be needed to dine at the restaurant;
- it would not be a music venue, but the applicant would like the option of having live music and recorded music in the background while dined at the restaurant;
- there would be no dance floor;
- the hours of the sale of alcohol, live music and recorded music were clarified; and
- they had a good relationship with their neighbours.

In response to questions, the applicant explained:

- that the two restaurants would not have the same door, but a lobby had been created so that diners could move between the ground and first floor;
- that there would be no changes to the restaurant 'Fratelli's' located on the ground floor;
- the premises had been inspected by the Fire and Rescue Service; and

- if the conditions were to be amended in line with the request from Amphill Town Council to close at 1 a.m. and not 1.30 a.m. then the applicant would be happy to accept this.

Both parties were given the opportunity to ask any further questions but no further question were asked.

The Sub-Committee and the Legal representative adjourned from 10:52 a.m. to 11:09 a.m. to make their decision.

### **Decision**

Following consideration of the information before it, the Sub-Committee decided that the application should be granted.

In coming to its decision, the Sub-Committee had taken into account:

- The Licensing Act;
- The Secretary of State's Guidance issued under section 182 of the Licensing Act 2003;
- Central Bedfordshire Council's Licensing Policy; and
- The merits of the application and the representations (including supporting information) presented by all parties.

The Legal representative informed the Sub-Committee that the Decision Notice would be issued within 5 working days.

(Note: The meeting commenced at 10.14 a.m. and concluded at 11.10 a.m.)