

LICENSING AND REGULATION COMMITTEE**18 February 2004**Attendance:

Councillors:

Carter (Chairman) (P)

Baxter (P)
 Bennetts (P)
 Coates (P)
 Evans
 Hammerton (P)

Johnston (P)
 Mather (P)
 Maynard (P)
 Pines
 Sutton (P)

Others in attendance:

Councillor Wagner (Standing Deputy for Councillor Evans)
 Councillor Hiscock

1129. **APOLOGIES**

Apologies were received from Councillor Pines and his deputy, Councillor Rees.

1130. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

1131. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE IN RESPECT OF THE FORESTER, NORTH WALLS, WINCHESTER**

(Report LR99 refers)

Members considered the above licensing application in accordance with the procedure note approved by the Licensing Sub Committee on 18th September 1995 (minute 95 refers).

The Licensing and Registration Officer advised the Committee that since the printing of the above report, he had received a second letter from Sarah Walker regarding her concerns about noise. She wished to attend the meeting but was unable to do so.

In response to questions, the Director of Health and Housing advised that no complaints regarding noise had been received. However, as the premises were situated in a densely populated area, it was recommended that the Licence be granted for 6 months in order that noise monitoring could take place.

At the invitation of the Chairman, Mr Kit Butler, the joint Licensee, addressed the Committee. He explained that, if issued, the Licence would be used on a Sunday evening for a jazz band, and that he did not intend there to be any other form of public entertainment in the near future. He also advised the Committee that a member of staff at the door would monitor the number of customers inside the premises so as not to exceed maximum numbers.

At the invitation of the Chairman, a Ward Member, Councillor Hiscock, addressed the Committee. Although he considered the premises to be well managed, he was concerned about possible noise nuisance in a residential area. He requested that should the Committee grant the Licence, it be restricted to use for one night only.

The Committee retired to deliberate in camera.

In his closing remarks, the Chairman stated that in reaching its decision, the Committee had considered the application, the case presented by the applicant together with the observations of the Police, Officers and members of the public. They also had regard to the Council's responsibilities under the Human Rights Act and Crime and Disorder Act.

RESOLVED:

1. That the Licence be granted for a period of six months and in compliance with the Standard Conditions of the Council. The following "Additional Conditions" to be included in the Licence :-

- (i) the hours during which the premises may be used for the purposes of this Licence shall be as follows :-

Mondays to Saturdays inclusive from 7.00pm to 11.00pm.
Sundays from 7.00pm to 10.00pm.
- (ii) The maximum number of persons permitted to be in the premises whilst in use for the purpose of this Licence shall not exceed 80.
- (iii) That the number of occasions that the premises may be used for the purposes of this licence shall not exceed 4 occasions in any one week between Sunday and Saturday.
- (iv) All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open, wedged open, or maintained open by a mechanical or other device whilst the premises are in use for the purposes of this Licence.
- (v) The Licensees or another person nominated by them shall be on duty at all times whilst the premises are in use for the purposes of this Licence to receive and respond to any complaints of nuisance received from any person.
- (vi) The Licensee shall give the City Secretary and Solicitor not less than 7 days notice of any occasions (other than on Sundays) when the premises will be in use for the purposes of this Licence.

2. That the applicants are advised of the need to take all possible steps to reduce any nuisance to residents.

1132. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE IN RESPECT OF THE BLONDE BEER CAFÉ, BRIDGE STREET, WINCHESTER**
(Report LR100 refers)

Members considered the above licensing application in accordance with the procedure note approved by the Licensing Sub Committee on 18th September 1995 (minute 95 refers).

The Director of Health and Housing explained that live entertainment would be situated in the centre of the bar area facing towards the rear of the premises. She reiterated her comments, within the above report, that the windows and doors should be kept closed at all times whilst the premises were in use for the purposes of this Licence.

In response to questions, Mr Paul Ayres explained that his customer base tended to leave the premises at 10.30pm to move to premises offering live entertainment. Therefore, he wished to offer live entertainment in the style of jazz bands. He confirmed that doormen were employed and would be responsible for checking numbers of customers inside the premises as well as ensuring that they leave quietly.

The Committee retired to deliberate in camera.

In his closing remarks, the Chairman stated that in reaching its decision, the Committee had considered the application, the case presented by the applicant together with the observations of the Police and Officers. They also had regard to the Council's responsibilities under the Human Rights Act and Crime and Disorder Act.

RESOLVED:

1. That the licence be granted for one year to be in compliance with the Standard Conditions and Regulations of Winchester City Council and to include the following Additional Conditions:-

- (i) The premises, described as the inside bars of the Blonde Beer Café, may be used for the purposes of this licence during the following times –

Thursdays from 12 noon to 12 midnight,
Fridays from 12 noon to 1.00am the next day, and
Saturdays from 12 noon to 1.00am the next day.
- (ii) All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open, wedged open, or be maintained open by an electrical, mechanical or other device whilst the premises are in use for the purposes of this Licence.
- (iii) Whilst the premises are in use for the purposes of this Licence no customers shall be permitted to be in the garden for any purpose after 9pm.

- (iv) The maximum number of persons permitted to be on the premises whilst in use for the purposes of this licence shall not exceed 100 persons in the whole premises.
- (v) The Licensees or other person nominated by them shall be on duty at all times whilst the premises are in use for the purposes of this Licence to receive and respond to any complaints of noise or other nuisance received from any person.

2. That the applicants be reminded of the need to take all possible steps to minimise any nuisance to residents caused by persons leaving the premises.

3. That the applicants be reminded that only the inside bars of the Blonde Beer Café are licensed for the purposes of public entertainment and no public entertainment may take place in the garden.

4. That the applicants be asked to give an undertaking that customers should not be permitted to be in the garden for any purpose (at times when the premises are not in use for public entertainment) after 11pm.

The meeting commenced at 6.30pm and concluded at 7.50pm

Chairman