

LICENSING SUB-COMMITTEE**12 June 2007****Attendance:**

Councillors:

Sutton (Chairman)

Hammerton (P)

Howell (P)

Officers in Attendance:

Mr J Myall: Licensing and Registration Manager

Ms C Stefanczuk: Assistant Licensing and Registration Officer

Mrs C Tetstall: Licensing Solicitor

1. UNIVERSITY CENTRE, UNIVERSITY OF WINCHESTER, SPARKFORD ROAD
(Report LR230 refers)

The Sub-Committee met to consider an application by the Winchester Student Union for the grant of a new Premises Licence under Section 17 of the Licensing Act 2003, for the proposed new University Centre to be built within the existing campus at the University of Winchester. The application was for the provision of regulated entertainment, late night refreshment and the supply of alcohol.

The Parties (in accordance with the Licensing Act 2003 (Hearings) Regulations 2005) present at the meeting were Mr Andrew Hodgson from the Student Union (the applicant), Mr Tommy Geddes (Pro-Vice Chancellor, University of Winchester) and Mr Graeme Cushion (Poppleston Allen licensing solicitor). Mr Nicholas Bryant, as an Interested Party, was in attendance and no representatives of the Responsible Authorities were present at the hearing.

Miss Stefanczuk presented the application as set out in the Report. She explained that the premises were in the process of being built and that, even though no Responsible Authorities had made representations, several of the suggested conditions had been written in consultation with the Environment Protection Team and the Police.

Mr Cushion then spoke in support of the application. He explained that although the application stated they wished to increase their hours on a Thursday night to 0230 hours, this would in practice only be three times per year, as part of the end of term celebrations. Local residents and interested parties would be informed of these dates on an annual basis. He continued that the student union was in need of modernisation and that it was important that the University provide an attractive facility for its prospective students. A local architect had designed the building to limit sound escape and all the trading areas were placed on the campus side of the building, to minimise noise nuisance. It had also been designed to be a flexible space that the local community could also enjoy for certain events, such as amateur dramatics and art workshops.

Mr Cushion confirmed that if a large number of people were to attend the Union, then SIA registered door staff would be employed to control access and egress to the premises. Mr Hodgson added that SIA staff would be in attendance for any event where an entry fee was charged. It was stated that there was no intention of providing a nightclub on the premises that would be open to members of the public. It would continue to be a facility for students and their invited guests, which would enable the Union to sanction their students should any problems occur. Mr Cushion continued that the Student Union had sent letters out to all local residents before the licensing application was submitted, informing of their intentions. They also held a public meeting, outlining their plans. Mr Cushion concluded by summarising the various policies and campaigns the Union ran to ensure that the minimum amount of disruption was caused to local residents.

Responding to questions from the Sub-Committee, Mr Hodgson stated that they required a safe space for students to enjoy a night out and they had better control over the students if they were on site, than if they went into town. He added that their patrols of the local area finished approximately an hour after the terminal hour at the Union, but that this would be extended if necessary.

Mr Bryant spoke against the application as an Interested Party. He confirmed that the University had been very open with residents as to its plans and intentions, but that he had concerns over future licensees and how they may run the premises. Students leaving the Union created considerable noise, disturbing local residents. Mr Bryant summarised that his main worry was over the later hours applied for during the week.

Mr Cushion responded that the hours applied for were not drastically different to those that had already been granted for the old Student Union. Noise levels had been conditioned in consultation with the Environment Protection Team, to ensure that it was kept to a minimum on the boundary of the premises. He added that although the University had to appeal to prospective students, it was not interested in providing a nightclub and reiterated that it would not be open to the general public.

Mr Hodgson summarised by informing the Sub-Committee that a log was kept by the Unions patrols of any disturbances in the local area, which detailed the issue and the action taken to resolve this. Copies of the most recent log were distributed to the Sub-Committee for their information with the permission of Mr Bryant.

The Sub-Committee retired to deliberate in camera.

In her closing remarks, the Chairman stated that the Sub-Committee had carefully considered the application, the representations made by Responsible Authorities and Interested Parties. It had taken into account the duties under the Crime and Disorder Act 1998, and the rights set out in the Human Rights Act 1998.

RESOLVED:

That the application be granted, subject to:

Mandatory Conditions

Under the Licensing Act 2003, the following conditions must be imposed on the Premises Licence:-

1. No supply of alcohol may be made under the Premises Licence (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or (b) at a time when the Designated Premises

Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

3. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

4. No film shall be exhibited unless it has received a U, PG, 12, 15 or 18 certificate from the British Board of Film Classification, or it is a current newsreel which has not been submitted to the British Board of Film Classification. The admission of children shall be restricted in accordance with the recommendation of the British Board of Film Classification.

Other Conditions

Operating Hours

1. The hours the premises may be used for regulated entertainment shall be:

Plays, films, indoor sporting events, live music, performance of dance, entertainment of a similar nature to live music/performance of dance, and provision of facilities for making music/dancing/other entertainment of a similar nature – Indoors only

Recorded music – Indoors and Outdoors

(i)	Monday and Wednesday	1100 to 0130
(ii)	Tuesday	1100 to 0100
(iii)	Thursday	1100 to 0230 on three occasions per year, otherwise hours to be the same as Monday and Wednesday unless agreed in advance with the Licensing Authority
(iv)	Friday	1100 to 0230
(iv)	Saturday	1100 to 0200
(v)	Sunday	1100 to 0030
(vi)	New Years Eve	1100 to 1100 1 January

2. The hours the premises may be used the provision of late night refreshment shall be:

(i)	Monday and Wednesday	2300 to 0130
(ii)	Tuesday	2300 to 0100

(iii)	Thursday	2300 to 0230 on three occasions per year, otherwise hours to be the same as Monday and Wednesday unless agreed in advance with the Licensing Authority
(iv)	Friday	2300 to 0230
(iv)	Saturday	2300 to 0200
(v)	Sunday	2300 to 0030
(vi)	New Years Eve	2300 to 1100 1 January

3. The hours the premises may be used for the sale of alcohol shall be:

For consumption on and off the premises

(i)	Monday and Wednesday	1100 to 0100
(ii)	Tuesday	1100 to 0030
(iii)	Thursday	1100 to 0200 on three occasions per year, otherwise hours to be the same as Monday and Wednesday unless agreed in advance with the Licensing Authority
(iv)	Friday	1100 to 0200
(iv)	Saturday	1100 to 0130
(v)	Sunday	1100 to 0000
(vi)	New Years Eve	1100 to 1100 1 January

4. The hours the premises may open for other than Licensable Activities shall be:

(i)	Monday and Wednesday	1100 to 0130
(ii)	Tuesday	1100 to 0100
(iii)	Thursday	1100 to 0230 on three occasions per year, otherwise hours to be the same as Monday and Wednesday unless agreed in advance with the Licensing Authority
(iv)	Friday	1100 to 0230
(iv)	Saturday	1100 to 0200

(v)	Sunday	1100 to 0030
(vi)	New Years Eve	1100 to 1100 1 January

5. The above hours may be extended as follows:-

- One hour on Valentines Day and St Patrick's Day.
- An additional hour to the standard and non-standard times on the day when British Summertime commences.

All Licensing Objectives

Crime and Disorder

1. The premises shall be a member of a local Pubwatch scheme if available.
2. Door supervisors, health and safety stewards and the Venue Manager shall have radios to aid communication at all events.
3. CCTV shall be maintained in good working order in all key areas of the premises and external locations. CCTV footage shall be retained for a period of at least 28 days.
4. An adequate and well serviced alarm system, along with deterrent signage, shall be provided and maintained in the premises.
5. SIA Door Supervisors shall wear clearly identifiable reflective jackets whilst on duty at entry/ exit points to the premises.
6. There shall be no irresponsible retailing of alcohol.

Public Safety

1. All staff shall be fully trained on all safety issues and a fire marshal shall be on duty at all times that the premises is in operation.
2. All bar staff shall be fully trained to ensure that no person who is drunk or disorderly or who appears to be under the age of 18 is served with intoxicating liquor and such training shall be reinforced regularly.
3. The premises shall be maintained to, and all staff employed in the premises shall be trained to, a standard as indicated by the Manchester Metropolitan Best Bar None accreditation scheme.

Public Nuisance

1. The premises licence holder shall ensure the level 2 terrace adjacent to the day bar is not used outside the hours of 0900 to 2100, other than as a smoking area patrolled and managed when in use outside of these hours by Security Industry Authority-licensed staff to avoid a noise nuisance being caused. Drinking on this terrace shall not

be permitted at any time. No music or other sound source shall be played on or in the terrace save for background music during daytime hours (0900 to 2100).

2. A full and inclusive policy dealing with noise and noise reduction shall be written and implemented to the satisfaction of the Licensing Authority.

Protection of Children

1. Persons between the ages of 16 and 18 may attend public live music, comedy or amateur theatre event, providing they are accompanied by a responsible adult and can produce proof of age where requested.

2. Persons under the age of 18 may attend an event that has been specifically designed for this age group. No alcohol shall be sold from any venue in the premises relating to the event. Proof of age checks shall be carried out where a person is believed to be under 18.

3. No persons under the age of 18 shall be permitted into any event that ceases after midnight.

4. The premises shall adopt the Hampshire Constabulary Challenge 21 proof of age scheme.

The meeting commenced at 9.30am and concluded at 10.55am.

Chairman