

LICENSING PANEL

MONDAY, 19 JANUARY 2015

PRESENT:- Councillors Michael Bray, Vera Tomlinson and Peter Watts

15. Appointment of Chair

Resolved – That Councillor Mick Bray Chair this meeting of the Panel.
(Councillor Bray took the Chair.)

16. Minutes

Resolved – That the minutes of the meetings held on 21st November and 10th December 2014 be confirmed and signed.

17. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

18. Application for the grant of a Premises Licence in respect Cineworld Cinemas, Unit 11 Swindon Regent Circus, Victoria Road, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application for a Premises Licence for Cineworld Cinemas, Unit 11 Swindon Regent Circus, Victoria Road, Swindon, (b) written representations from Toby Robinson and Tracy White (local residents) opposing the grant of a Premises Licence, (c) oral submissions received in support of the application from Ms Clare Johnson (Gosschalks) solicitor to the applicants and Mr Matthew Bayliss (Manager) (d) questions from Members to the applicants and answers received, and (e) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Licensing Policy.

After considering: -

1. The application for a variation of a Premises Licence; and
2. Representations and material put forward on behalf of the Police and the applicant:

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of public nuisance
- ii. The prevention of crime and disorder.

The Panel determined that the application for a Premises Licence, as set out in the application, be approved subject to the conditions agreed between and applicant and the Police and set out below.

Conditions agreed between the Police and the Applicant

1. Suitable staff training is to be completed prior to an employee's first shift to prevent the sale of alcohol to already intoxicated customers. Training should be recorded, repeated and kept up to date with refresher training occurring every six months. Training records shall be kept, signed and dated by staff and management and produced to any authorised officer on request.
2. No off sales shall be made at the premises and staff shall take steps to ensure that no glasses or opened bottles are removed from the premises.
3. A refusals book shall be kept and details of any refusals due to underage or drunkenness shall be recorded identifying the member of staff who refused the sale.
4. Children under 12 shall not be admitted after 23:00 hours unless with an adult.

Reasons

1. The conditions were accepted by the Panel as they had been agreed between the Police and applicant and should minimise the impact on the amenities of local residents and minimise any potential breaches of the Licensing Objectives.
2. The Panel considered the objections submitted by two local residents but were satisfied that, given the experience of the Manager and the company both within the Borough and on nationwide basis, that the concerns raised could be mitigated.
3. The Panel when considering the objections received were mindful that there had been no objections from the Statutory Authorities.
4. The Panel noted the comments of the applicant as to the day to day operation of the business and, that the extended hours requested covered special events rather than the normal day to day hours of operation.
5. The Panel noted that there was no evidence nuisance would arise from the operation of the premises given its location and the experience of running similar cinemas across the Country and within the Borough.