

LICENSING PANEL

MONDAY, 3 DECEMBER 2012

PRESENT:- Councillors Alan Bishop, Wayne Crabbe and Emma Faramarzi.

40. Appointment of Chair

Resolved – That Councillor Wayne Crabbe Chair this meeting of the Panel.
(Councillor Crabbe took the Chair.)

41. 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.

42. Application for a variation of a Premises Licence for the Bell Hotel, High Street, Old Town, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out a request for a variation of the Premises Licence for The Bell Hotel, High Street, Old Town, Swindon, (b) an objection to the variation received from Wiltshire Police, (c) representations from Councillor Brian Mattock (Ward Councillor) on behalf of local residents against the proposed variation, (d) written objections to the grant of a variation received from Mr. Davis, Mr and Mrs. Dazely, (d) oral representations from Wiltshire Police in support of their objection, (e) oral representations from Peter Laydon, Terry Wright and Mark Wade (management of The Bell Hotel) in support of the variation, (f) questions from Members to the applicants and the Police and the answers received, and (g) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

Resolved – That after considering: -

1. The application for variation to the licence made by the Licensee; and
2. Representations and material put forward on behalf of the Objectors;

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 crime and disorder;
- ii. The prevention of public nuisance
- iii. Public Safety

The Panel has determined the following: -

1. The permitted hours for the sale of alcohol be:

Monday to Thursday 10:00 until 12:00 midnight.

Friday and Saturday 10:00 am until 1:30am (the following morning)

Sunday 10:00 until 12:00 midnight.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

2. The permitted hours for regulated entertainment be:
Monday to Thursday 10:00 until 11:00pm.
Friday and Saturday 10:00 am until 1:00am (the following morning)
Sunday 10:00 until 11:00 pm.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

3. The permitted hours for the Late Night Refreshments be:

Monday to Thursday 10:00 until 12:00 midnight.
Friday and Saturday 10:00 am until 1:30am (the following morning)
Sunday 10:00 until 12:00 midnight.

Reason

To prevent breaches of the Licensing Objectives in respect of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

4. That in addition to the conditions on the existing Premises Licence the following additional/modified conditions should be applied to the licence:
- i That subject to ii to vi below the conditions set out in pages 26 and 32 to 33, as agreed by the applicants, be appended to the Premises Licence.

Reason

To maintain the Licensing Objectives through conditions agreed between statutory authorities and the management of The Bell Hotel.

- ii That condition 7 on the existing premises licence be deleted and replaced by "There shall be no regulated entertainment permitted in the Courtyard area."

Reason

To facilitate the promotion of the Licensing Objective in respect of the prevention of public nuisance by preventing noise nuisance emanating from an open courtyard with no sound retention measures

- iii. A suitable and sufficient noise assessment, to be agreed with Environmental Health Officers, shall be submitted, as soon as practicable, in writing to the Council's Environmental Health Department.

Reason

To facilitate the promotion of the Licensing Objective in respect of the prevention of public nuisance by preventing noise nuisance.

- iv. That condition 9 set out on page 33 shall be deleted and the current condition one on the licence be maintained.

Reason

To facilitate the promotion of the Licensing Objective in respect of the prevention of public nuisance by preventing noise nuisance.

- v. A last admission time of 1:00am be applied to sessions commencing on Friday and Saturdays

Reason

To facilitate the promotion of the Licensing Objective in respect of the Crime and Disorder by allowing an orderly drinking up period and dispersal of patrons.

- vi That all fire exit doors and escape routes shall be kept unobstructed, in good order with all doors opening in the direction of escape.

Reason

To assist with the management of the premises and to promote public safety.

The Chair reminded all parties that they had a right of appeal to the Magistrates' Court against the Panel's determination and that any such an appeal, must be commenced within 21 days of this determination.