

LICENSING PANEL

TUESDAY, 22 JANUARY 2013

PRESENT:- Councillors Andrew Bennett, Alan Bishop and Teresa Page

56. Appointment of Chair

Resolved – That Councillor Andrew Bennett Chair this meeting of the Panel.
(Councillor Bennett took the Chair.)

57. 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.

58. Application for Premises Licence for The Grapes Hotel, 135 Faringdon Road, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application made by two "other persons" in respect of an application for a premises licence made by Enterprise Inns for The Grapes Public House, Faringdon Road, Swindon, (b) oral representations from Mr. J. E. Plaister against the application submitted, (c) representatives from the management of Enterprise Inns in support of the application for a Premises Licence, (d) questions from Members to the applicants, representatives of Enterprise Inns and Mr. Plaister, and (e) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

After considering: -

1. The application for premises licence; 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

The Panel has determined the following: -

1. The permitted hours for the sale of alcohol be:
Monday to Saturday 11:00 until 12:00 midnight.
Sunday 11:00 am until 11:00pm

Reason

The Panel accepted the offer made by representatives of Enterprise Inns to reduce the hours for the sale of alcohol on Sundays from midnight to 11:00pm. and considered that the hours approved were fair and reasonable to both the business

and local residents.

2. The permitted hours for regulated entertainment (excluding Live Music) be:
Monday to Saturday 11:00 until 10:30pm.
Sunday 11:00 until 10:00 pm.

Reason

The Panel considered that regulated entertainment on Sundays should cease at 10:00pm in order to protect the amenity of local residents.

The Panel considered that the hours for regulated entertainment were fair and reasonable and in line with other establishments of a similar nature.

3. Live Music
Friday and Saturday 9:00pm to 10:30pm

Reason

The Panel did not consider the application for live music limited to Fridays and Saturdays to be unreasonable and felt that the requested hours would not have a detrimental effect on the amenity of local residents.

4. That the conditions set out in 1 to 8 of the tabled document, as agreed by the applicant, be approved and appended to the Premises Licence.

Reason

The conditions tabled were deemed by the Panel to be appropriate as a means of promoting the Licensing Objectives and ensuring a rigorous management regime at the premises.

5. That in addition to the conditions set out in (4) above the following additional conditions should be applied to the licence: -
 - i. That a Refusals Book, to include all refused sales, shall be kept and maintained by the management of the premises and made available at any reasonable time for inspection by authorised officers.

Reason

The Panel considered that the maintenance of a refusals book was good practice and given the problems experienced with the previous management of the premises to be necessary to monitor compliance with the Licensing Objectives.

- ii. That smoking by patrons be restricted to the smoking area identified by the applicant in the garden area to the rear of the premises. Management shall ensure that patrons do not smoke

on the public highway to the front or side of the premises.

Reason

To protect the amenity of local residents and to prevent public nuisance.

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