

Meeting: Licensing Committee

Date: 7 September 2005 10:00hrs

APPLICATION FOR VARIATION OF PREMISES LICENCE – KING PIN

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1 PURPOSE

To determine the application to vary the premises licence for the King Pin public house, Archer Road.

There have been no objections to the conversion application for this premises, so they will be granted their existing hours and activities as grandfather rights regardless of the decision related to the variation application.

2 SUMMARY OF APPLICATION

2.1 Type of Licence applied for

An application was received from Greene King Brewing and Retailing Ltd to vary a premises licence under section 34 of the Licensing Act 2003 during the transitional period (see appendix 1). The Licensing Authority accepted the application on 12 July 2005.

2.2 Summary of application

The King Pin is located in Archer Road, Stevenage (see appendix 2 for location map).

The premises is a Public House and the applicants are entitled to have the existing Justices On-licence converted to a premises licence. This allows the sale of intoxicating liquor for consumption either on or off the premises, and the sale of hot food and/or drink in line with alcohol sales plus an extra 30 minutes. Recorded music (incidental) may be played throughout the premises 24 hours per day in line with the provisions of Section 182 of the Licensing Act 1964.

The premises does not hold a public entertainment licence (PEL), but is permitted by virtue of the Justice's Licence to hold 'two in a bar' live music entertainments. Discos and karaoke are not currently permitted.

The variation application is to:

- Increase the hours for sale and supply of alcohol by up to 2hrs at the end of the evening with a 30 minute wind down period;
- To permit live music, karaoke and discos until 12 midnight Friday/Saturday and 23:00hrs Sunday - Thursday

Licensing Officer's Comment: Live music and all types of recorded music could include discos, karaoke, and quiz nights with compere etc.

Sale of alcohol is permitted from 10am throughout our district due to the Petty Sessional Division exercising their discretion. This does not necessarily mean that this premises currently uses this right, but it should be converted onto their new licence.

3 DETAILS OF THE PROPOSED VARIATION

These are described in the Operating Schedule. The table below summarises differences where they increase activities and/or hours:

Table 1 – summary of existing, proposed standard and non-standard timings.

Day of the Week	LICENSABLE ACTIVITY							
	LIVE MUSIC		RECORDED MUSIC & PROVISION OF FACILITIES FOR DANCING		SUPPLY OF ALCHOL		OPENING HOURS	
	Current permitted Hours	Proposed Hours	Current permitted Hours	Proposed Hours	Current permitted Hours	Proposed Hours	Current permitted Hours	Proposed Hours
Monday	10:00 – 23:00 Currently limited to 2 in a bar	12:00 - 23:30 Once per month No limit on number of performers	None	12:00 – 23:30 One event per month Max 10 disco events per year	10:00 – 23:00	11:00 – midnight 11:00 – 01:00	10:00 – 23.20	11:00 – 00:30 11:00 – 01:30
Tuesday								
Wednesday								
Thursday								
Friday								
Saturday								
Sunday								
Non Standard Timings	Occasional special or calendar date events Xmas Eve, Xmas Day, Boxing Day, New Years Day, all Bank Holidays including Easter weekend 11:00 – 01:00 for sale of alcohol + 30 min wind down period Sporting and International Events to be shown live							

3.1 LICENSING OFFICER'S COMMENTS ON TABLE 1.

- 3.1.1 **Live Music and discos:** The applicant proposes a maximum of 1 live music event per month and 10 discos per year. This would not be enforceable as neither the Police nor Licensing would be aware that they had taken place, unless complaints had been received. It is therefore proposed that either:
- a) a condition is added whereby the Licensing and the Police are informed in advance in writing of live music and disco events; or,
 - b) the applicant specifies the times that live music and discos will take place e.g. last Friday in every month.
- 3.1.2 **Occasional/special calendar dates:** These dates have not been specified except for on the sale of alcohol, so would not be enforceable. The applicant should confirm the occasional/special dates concerned. The TEN system can be used for any outside the dates specified.
- 3.1.3 **Sporting and International events:** The applicant proposes that these are shown live, but has not specified which types of events would be involved. The applicant does not propose to give notice to the Police and Licensing prior to those events. If an event occurred outside granted hours, the premises would be permitted to open and serve alcohol. Again, the TEN system could be used for this purpose.

4 BACKGROUND INFORMATION

The following background information is known about these premises:

Previous licences held:	Justices 'on' licence
Current Convictions:	None
Details of licence reviews:	None

5 PROMOTION OF LICENSING OBJECTIVES

The representations received relate to the objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. The operating schedule submitted by the applicant shows that those licensing objectives will be met as follows:

Please note that the operating schedule must be converted into conditions on the premises licence should the variation be granted.

5.1 THE PREVENTION OF CRIME AND DISORDER

- 5.1.1 Responsible Management of the Premises.
- 5.1.2 Training and supervision of the staff.
- 5.1.3 Membership of local Pubwatch scheme.
- 5.1.4 Good liason with the local police.
- 5.1.5 Internal CCTV system in place.
- 5.1.6 Monitoring the behaviour of customers leaving the premises.

- 5.1.7 Good levels of external lighting.
- 5.1.8 Use of photo ID proof of age schemes
- 5.1.9 Provision of litter bins

5.2 THE PREVENTION PUBLIC NUISANCE

- 5.2.1 Responsible management at all times.
- 5.2.2 Training and supervision of the staff teams.
- 5.2.3 Regular visits to all parts of the premises.
- 5.2.4 Monitoring levels of volume outside the premises.
- 5.2.5 Regular glass and litter patrols
- 5.2.6 Availability for liaison with local residents to discuss issues
- 5.2.7 Effective means of dealing with litter and refuse disposal
- 5.2.8 Effective ventilation systems to prevent nuisance from odours
- 5.2.9 Liaison with transport providers

6 RESPONSIBLE AUTHORITIES

6.1 Environmental Health – see appendix 3

Environmental Health has made representations on the grounds of the Prevention of Public Nuisance.

Prevention of Public Nuisance: Environmental Health commented that in order to prevent public nuisance, 5 conditions should be attached to any licence granted. These are detailed in appendix 3.

At the time of writing, all of the proposed conditions except number 2. on the Environmental Health representation have been accepted in writing by the applicant, and will be attached to the licence.

No representations have been received from the Fire and Rescue Service, Police, trading Standards, Child Protection or Planning.

7 INTERESTED PARTIES

Representations have been received from the 3 interested parties below, and their representations are attached as appendices 4a – 4c.

Table 2 – summary of Interested Party representations.

Number	Street Name	Representative Body (Yes/No)	Relevance to which licensing objective/s
3 addresses	Archer Road	No	Public Nuisance

			Crime and Disorder
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8 POLICY CONSIDERATIONS

The following sections of the licensing authority's statement of licensing policy apply to this application:

- a) 10. Licensing Hours
- b) 13. License Conditions
- c) 14. Licensing Objectives

The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

BACKGROUND DOCUMENTS

Licensing Act 2003

Stevenage Borough Council, Statement of Licensing Policy

National Guidance issued under section 182 of the Licensing Act 2003

APPENDICES

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| Appendix 1 | - Copy of application |
| Appendix 2 | - Location map |
| Appendix 3 | - Representation from Environmental Health |
| Appendix 4a-c | - Representations from Interested Parties |