

LICENSING (LIQUOR AND GAMBLING) PANEL

Date: 25 August 2010

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 1:00pm

Present: Councillors: -

Richard Gell
Glenn Harwood (Chairman)

Brian Northall

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Glenn Harwood be appointed Chairman for this Hearing.

2. DECLARATION OF INTEREST

Councillor Glenn Harwood declared a personal interest in Item 4 below because he had previously met Mr and Mrs Blades (two of the objectors attending and speaking at the Hearing), at a social event on one occasion and had also attended a game shoot at Mr and Mrs Blades' property. Councillor Harwood remained in the Hearing and also took part in the discussion on the item.

3. MINUTES

The Minutes of Licensing Panel meetings held on 26 June and 30 October 2009, and 17 March 2010 were approved and signed.

4. APPLICATION FOR A PREMISES LICENCE - JAZZ OFF LICENCE, 61A HIGH STREET SOUTH, RUSHDEN

The Licensing Officer reported on an application for a Premises Licence for Jazz Off Licence, 61A High Street South, Rushden, under the Licensing Act 2003.

The licensing activities and timings requested for the Premises Licence were: Sale of Alcohol (off sales only) from 07.00 hours until 00.00 hours from Monday to Sunday.

The statutory bodies had been consulted and no representations had been received. However, 11 local residents had made representations. The Licensing Officer confirmed that one additional representation had been received from a local resident which had been mislaid and should have been included, making a total of 12 representations. (The representations had been analysed and extracts placed under the relevant licensing objective are attached as an Appendix to these minutes at page 6 below). In addition, a petition signed by 19 people had been received and because it did not relate to the licensing objectives, was submitted for information only.

(a) Evidence from the applicant

Mr R Bhardwaj, a Solicitor representing Mr S Singh the applicant, spoke in support of the application. The applicant would be leasing 61A High Street South to run an off licence business. The premises would not just sell alcohol and he wished to provide a facility that the local community could use. The applicant had noted the objections from local residents and proposed some revised licensing hours for the sale of alcohol: Monday to Thursday from 10:00 to 22:00; Friday and Saturday from 10:00 to 23:00; and Sundays from 10:00 to 21:00. It was hoped that the revised hours would assist in resolving some of the objections. (At this point the Chairman asked the objectors present if they agreed with these revised hours but they indicated their unanimous rejection of the offer). The Police had no objections to the application because the applicant had agreed to some additional conditions proposed by Andy Glover, the Police Licensing Officer, covering training and supervision of staff and the provision of CCTV at the premises. He mentioned that the applicant had some experience in running an off licence and had previously worked in similar businesses in Kettering and Leicester owned by relatives. The applicant would be the Designated Premises Licence Holder, had received the appropriate training and gained the required Premises Licence Certificate.

(b) Evidence from the objectors

The following local residents spoke objecting to the application:

Mr F Judge (67 High Street South) – the location of nearby flats with young adults living in them and the location of a shelter opposite the premises for drug addicts and alcoholics would increase crime, vandalism and anti-social behaviour in the local area. The storage of alcohol on site could be a fire hazard. There was no proper storage area at the back of the property for waste which could also be a fire hazard. Lorries unloading provisions for the store during the day would cause a traffic hazard because High Street South was a main route into Rushden town centre. There was not enough provision for customer car parking outside the store.

Mrs P Bishop (71 High Street South) – there was no access to the rear of the property from inside the premises so any waste taken outside would have to be carried via the front door; along High Street South; round the corner into Crabb Street; and then along the alleyway to the rear of the premises. There was no proper storage facility for waste at the rear of the premises which could be a fire hazard. Another outlet selling alcohol was not required because there were already two pubs, a number of supermarkets and other off licences in the vicinity selling alcohol; and takeaways in the vicinity also caused parking problems.

Mr P Beasley (65 High Street South) – considered that the location of the proposed off licence was inappropriate and would be detrimental to the local community. There were vulnerable people living in the church shelter opposite the premises who could be tempted to purchase alcohol from the new off licence. There did not appear to be enough toilet facilities in the premises. He was concerned with the inability of the applicant to adequately respond if the premises alarm went off when the business was closed because the applicant would not be living on the premises and would not be able to contact the Police in an emergency.

Mrs F Mulcahy (69 High Street South) – considered that the applicant did not have enough experience in running an off licence and the business was not suitable for the location. There were already enough premises within the vicinity selling alcohol and children passing the premises to and from school would be tempted to buy alcohol leading to underage drinking. The provision and security of any waste bins placed outside the premises would lead to problems of waste being thrown about in High Street South.

The following people with business and community interests in the vicinity of the application site also spoke objecting to the application:

Mr N Darlow (Visage Aesthetics Ltd, 57A High Street South) – was concerned about the security of his business because anti-social behaviour had recently increased in the area. He now had to lock the front door of his premises during opening hours because he was concerned about the safety of his staff and customers visiting his business. The location of a new off licence nearby would only increase anti-social behaviour and vandalism.

Dr M Blades and Mr P Blades (Business at 63 High Street South) – Dr Blades complained that the Blue Notice displayed at the premises had not complied with the Licensing Act because it was very difficult to see and had not included any consultation dates. The Licensing Officer confirmed that the Notice displayed at the premises complied with the Act and that the appropriate dates had been added to the Notice once it was realised that these had been left off in error. CCTV cameras placed on the outside of the premises would not be suitable in a Conservation Area and it was doubtful whether the location of CCTV cameras outside complied with current legislation because they would be able to record people going to and from their businesses next door. They had already experienced people drinking in the doorway of their premises and permission for the new off licence would only increase crime and associated problems in this area. They were concerned that the applicant could be attacked when carrying alcohol and goods into the premises because there was no rear entrance. They also questioned the suitability of the applicant to run the business because he had not run a similar business before and whether the premises complied with national building and fire regulations.

The Reverend P Lees (Full Gospel Church, High Street South) – the proposed new off licence in this location would contravene and go against the Council's and Government's policies to introduce measures to reduce alcohol consumption in the UK. He had first hand experience in dealing with the problem of alcohol abuse because his church ran the shelter opposite the premises and he was very concerned that the off licence would make the situation worse.

Mr Bhardwaj replied to the objectors by stating that the applicant had received previous experience working in similar businesses; would be the Designated Premises Licence Holder; and had agreed with the additional conditions suggested by the Police. The CCTV system would be fitted by a company approved by the Police and would comply with current regulations. Any waste would be stored in the premises and only moved to the rear of the premises on the collection day, and it was not intended to store any waste outside the rear of the premises. He confirmed that the applicant had applied to the relevant authorities regarding fire and safety checks, and would be applying for planning permission and building regulations if he was granted the Premises Licence.

The Panel asked the applicant a number of detailed questions about his submission including: the provision and location of waste bins outside the premises; the storage of waste within the premises; the provision and location of CCTV; the compliance with Building and Fire Regulations; and the experience of the applicant to run an off licence.

Mr Bhardwaj then summed up the applicant's case and emphasised his commitment to work with the local community by proposing the revised hours. He assured the Panel that the applicant had experience working in similar businesses, would make every effort to comply with all relevant legislation and would also work with the Police to prevent crime. In summary, the application and opening of a new off licence business was all about choice for the local community and he requested that a Premises Licence be granted to the applicant with appropriate conditions, including the revised hours as proposed.

After considering the submitted report and the representations made at the Hearing from the

speakers, including advice from the Solicitor to the Council, the Panel retired to consider the application and evidence presented, and it was

RESOLVED:

That a Premises Licence for the Jazz Off Licence, 61A High Street South, Rushden be granted subject to standard conditions and additional conditions being imposed on the Licence (see below).

The Chairman read out the following statement giving the reasons why the Panel had granted the Premises Licence with additional conditions: -

“The Licensing Panel considered the application for a Premises Licence for the Jazz Off Licence and took into account the Licensing Officer’s report, representations objecting to the application and evidence presented by the applicant. After careful deliberation and consideration of the licensing objectives, East Northamptonshire Council’s Statement of Licensing Policy and guidance issued under Section 182 of the Licensing Act 2003, the Panel have decided to grant the Premises Licence, subject to the following conditions:

1. The Licence will be subject to the mandatory conditions as imposed by the Licensing Act 2003.
2. The Police Licensing Unit and the applicant previously agreed the following conditions which the Panel now imposes:

(a) The Licensee will ensure that all staff are trained to ensure that the requirements of the Licensing Act 2003 and the licensing objectives are complied with, all new staff to be trained within two weeks of commencing employment. Signed evidence of training to be retained in writing and to be available for inspection by any authorised person and Trading Standards officers.

Reason – to comply with the four licensing objectives.

(b) The licensee shall have installed, and properly maintain in working order at all times a CCTV system. In particular this system shall:

- Hold images for at least 21 days
- Cover all areas to which the public have access including entrance/exit
- Staff will be trained in its operation
- Images will be made immediately available from the system to a police officer on request
- Real time images of CCTV coverage will be on view to a member of staff at all times during hours of opening.

3. The Panel also imposes the following conditions:

(i) The CCTV system installed shall fully comply with the relevant and appropriate regulations for such equipment.

Reason – the prevention of crime and disorder.

(ii) The Designated Premises Supervisor or a Personal Licence Holder shall be on site at all times during sales of alcohol.

Reason – to comply with the four licensing objectives.

(iii) Location of alcohol stocks/displays shall not be sited near the entrance/exit to deter shoplifting.

Reason – the prevention of crime and disorder.

- (iv) The Licence Holder shall ensure that in order to ensure the integrity of the licensing objectives, the sale or supply of alcohol to any person appearing to be under the age of 18 years will only be made when appropriate proof has been given to verify age of purchaser. The licence holder is to operate the Challenge 21 Scheme.
Reason – the prevention of crime and disorder and the protection of children from harm.
- (v) The Licence Holder shall maintain a Refusals Register of all attempted underage purchases from those who appear to be under 18 or from persons who appear drunk.
Reason – the prevention of crime and disorder and the protection of children from harm.

The Panel noted the applicant's offered compromise on the originally requested licensing hours. This offer was unanimously rejected by all of the objectors present at the Hearing. Therefore, the Panel authorised licensable activity for the following times: Monday to Thursday - 10:00 to 22:00; Friday and Saturday - 10:00 to 23:00; and Sundays and Christmas Day - 10:00 to 21:00

The Panel was very aware of the concerns raised by objectors to this application. However, many of the reasons forwarded for objecting were not material when a Licensing Authority was determining a licensing application. These included parking issues; waste issues; loading and unloading and even the morality of supplying alcohol at all. Based on the evidence the Panel was not satisfied that there was sufficient proof that the grant of the Licence would exacerbate the problems that were described by the objectors in the locality. The Panel were also conscious that neither the Police nor Environmental Services had made a representation.

Notice of the Decision would be sent in writing to all parties within 21 days, who would also have the Right of Appeal within 21 days from receipt of the Decision Notice. The decision would become effective 21 days after receipt of the Notice by all parties or on the date when any appeal is finally determined."

Chairman

**APPLICATION FOR A PREMISES LICENCE – JAZZ OFF LICENCE, 61A HIGH STREET
SOUTH, RUSHDEN**

The representations received had been analysed by the Licensing Officer and are summarised under the following licensing objectives: -

(a) Prevention of Crime and Disorder

The representations from the public referred to concerns about anti-social behaviour and criminal damage being caused by customers. They also referred to existing anti-social behavioural issues in the area and that the off licence would exacerbate the problems already experienced. There were concerns that CCTV would not be allowed externally as suggested in the application because the premises was in a conservation area. There was also concern about vandalism, drunken behaviour and damage to properties.

(b) Public Safety

The representations referred to the potential for persons to loiter in the vicinity for the purposes of smoking and drinking and concern that the gardens opposite would be used as a toilet. There was also concern about vulnerable people staying at the night shelter, who were being helped to deal with addictions such as alcohol and the effect the off licence would have on those people.

(c) Prevention of Public Nuisance

The representations referred to possible litter, obstruction of footway, noisy and aggressive customers and also included the suggestion that an earlier finish time would be more appropriate because midnight was regarded as too late.

(d) Protection of Children from Harm

This representation referred to the possibility of children passing the off licence on their way to school witnessing anti-social behaviour or being tempted to buy alcohol.

LICENSING (LIQUOR AND GAMBLING) PANEL

Date: 8 October 2010

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 9:30am

Present: Councillors: -

Richard Gell
Glenn Harwood (Chairman)

Rupert Reichhold

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Glenn Harwood be appointed Chairman for this Hearing.

2. DECLARATION OF INTEREST

No interests were declared.

3. APPLICATION TO VARY A PREMISES LICENCE – THE FEATHERS PUBLIC HOUSE, HIGH STREET, RUSHDEN

The Licensing Officer reported on an application to vary the Premises Licence for The Feathers Public House, High Street, Rushden, under the Licensing Act 2003, as follows:

Removal of Conditions embedded on the Premises Licence by virtue of Schedule 8(6)(8):

Indoor Sporting Events (darts, pool, snooker tournaments)
Monday to Sunday from 10:00 hours to 00:00 hours.

Live Music

Sunday to Monday from 10:00 hours to 00:00 hours (10:00 to 00:00).
Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Recorded Music

Sunday to Wednesday from 10:00 hours to 00:00 hours (10:00 to 00:00).
Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Provision of facilities for making music and for dancing

Sunday to Wednesday from 10:00 hours to 00:00 hours.
Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Late Night Refreshment

Sunday to Wednesday from 23:00 hours to 00:00 hours (23:00 to 00:00).
Thursday to Saturday 23:00 hours to 03:00 hours (23:00 to 02:00).

Supply of Alcohol

Sunday to Wednesday from 10:00 hours to 00:00 hours (10:00 to 00:00).

Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Non-standard timings

Christmas Eve when not falling on Thursday, Friday or Saturday until 03:00 hours 25 December.

New Years Eve when not falling on Thursday, Friday or Saturday until 03:00 hours 1 January.

On Sundays prior to a Bank Holiday until 03:00 hours.

On the mornings on which British Summer Time begins, where the terminal hour is later than 01:00 hours, the terminal hour shall be extended by one hour.

Premises to be open to public for above non-standard timings for extra half hour (03:30).

Removal of the following conditions: -

1. The maximum number of persons permitted on the premises at any one time shall not exceed 250 people.
2. The rear doors of the premises are to be used for emergency access only during public entertainment.
3. No customer shall be allowed to enter or re-enter after 22:30 on Sunday to Wednesday or after 00:30 on Thursday to Sunday.
4. All doors and windows to remain closed when regulated entertainment is taking place other than for access and egress.

All the statutory bodies had been consulted and the Panel noted that:

- a representation received from the Police had been withdrawn because the applicant had agreed that the additional conditions proposed by the Police could be included on the Licence
- one representation had been received from a local resident Ms Taylor and another from Mr and Mrs Neville the owners of a property opposite the public house (The representations had been analysed and extracts placed under the relevant licensing objective are attached as an Appendix to these minutes at page 8 below).

The Panel agreed that a representation from Rushden Town Council and a letter dated 27 August 2010 from Mr and Mrs Neville did not meet the criteria for valid representations and that both should be discounted from the evidence.

Additional representations had been submitted from Ms Taylor and Mr and Mrs Neville in response to notification about the Hearing and the Panel agreed that these met the criteria for valid representations and should be counted as evidence. Mr P Birch, a Licensing Consultant representing the applicants, had submitted comments on the additional representations and these were noted by the Panel.

(a) Evidence from the applicants

Mr P Birch, spoke in support of the application. The reasons for requesting the removal of the four existing Licence conditions were:

- Condition 1 - he had personally undertaken a risk assessment of the premises and the limit of 250 people allowed in the premises at any one time was no longer valid
- Condition 2 – it was proposed to have a garden area at the rear of the premises for smoking and constant access through the rear doors would be required whilst the premises was open
- Condition 3 – the Police had supported the removal of this condition which could be

- covered by a new condition agreed with the Police
- Condition 4 – this was to be removed for reasons of fire safety with the outer front door remaining open.

The Chairman mentioned that the Fire Officer had suggested to him in passing that the outer front door of the premises should remain closed, which conflicted with the request to remove Condition 4. Mr Birch said that he would discuss this matter with the Fire Officer.

Mr Birch mentioned the representations from Ms Taylor and Mr and Mrs Neville and emphasised that no objections to the variation had been received from the Council's Environmental Protection Officer and that no complaints regarding noise nuisance from the premises had been logged with the Council. The Council had also not objected to the rear of the premises outside being used for customers who smoked. He stated that neither of the two objectors had requested a review of the existing Premises Licence and that most of their objections to the variation could be discounted because they had not provided any sound evidence to back them up. He confirmed that the premises had not been open beyond the existing permitted 2.00pm closing time as suggested by Ms Taylor. There had been only one public order incident about 6 weeks ago and the Police had not mentioned that they had any crime and disorder issues with the premises. The noise problem mentioned by Ms Taylor caused by the emptying of waste bins early in the morning could be explained by other businesses in the area using a different waste company to empty their bins at 6.00am and he confirmed that the bins outside the pub premises were emptied by another company between 8am and 9am in the morning. This matter could be covered by a condition if required.

Mr Birch then went through the proposed additional conditions suggested by the Police and said that the applicants would agree to all of these being imposed on the Premises Licence. The applicants had agreed that CCTV should cover all outside areas. He stated that the Police had requested that the outside front door should be kept open at all times as a fire escape route, subject to the inner front door being kept closed to prevent noise escaping. The applicants claimed that the age range of their customers meant that they would prefer toughened glass to polycarbonate glasses which would affect the taste of the drinks. The revised entry times had been suggested and agreed with Police.

Mr J Cowell, on behalf of the applicants, also spoke in support of the application. He confirmed that:

- he had been the manager since October 2009 and lived above the premises
- he would adopt a 'zero tolerance' approach to drugs on the premises in consultation with the Police
- waste bottles from the premises would be collected between 8.00am and 9.00am in the morning
- there was a need in the town for a late night entertainment venue to be open until 3.00pm
- when there was licensed entertainment at the premises, there would be 3 experienced SIA registered security staff on the front doors and usually 6 bar staff
- he could not prevent customers smoking at the front of the premises. Door staff would encourage customers to go to the rear of the premises to smoke where the garden area had been refurbished by the brewery company. Customers would not be allowed to drink outside the front of the premises and the rear doors had inner doors to prevent noise leakage
- there were no speakers in the left room at the front of the premises and the speakers in the room on the right at the front faced to the rear
- the sound system in the premises had had a noise limiter fitted and there were no amplified speakers at the front of the premises

- if the outer front door was closed it would look as though the premises was closed, so it was important that this was allowed to remain open
- he would look at the possibility of installing another interior door between the existing outer and inner front door in consultation with the Council's Environmental Protection Officer to prevent noise leakage
- he would contact the two objectors to overcome any issues that they had raised.

The Panel noted the applicant's case and sought clarification on a number of issues including:

- the issue of the front outer door being left open at all times during licensed entertainment and the feasibility of adding another door to prevent noise nuisance to local residents. It was agreed that the applicant would discuss this matter with the Council and also liaise with the brewery company to seek their permission if it were feasible
- whether the applicant would agree to the replacement of the existing additional conditions on the Licence with those suggested by the Police. The applicant confirmed that he would be happy to have these additional conditions on the Licence because he had been involved in discussing these with the Police
- the Panel noted that there had been no further complaints from the two objectors during the past year and the applicant confirmed that he would personally contact the objectors to resolve any future issues.

With the agreement of the Panel, the Chairman read out the closing hours of licensed premises in the vicinity of the application premises as a comparison and the applicant requested that the closing hours of nearby eating places should also be considered in the Panel's deliberations.

(b) Evidence from the objectors

Ms Taylor, the local resident and Mr and Mrs Neville the property owners who had submitted representations were not present at the Hearing. The Chairman stated that the Panel had already noted and considered their comments and observations on the application.

Mr Birch then summed up the applicant's case and stated that the applicants wished to work with the Police and local people to ensure the premises were run in a professional way and the management would do everything possible to avoid any public order and nuisance issues. He was concerned that the addition of another internal door could affect the capacity of the premises but would consult the Fire Officer over this matter and requested that the Premises Licence be varied as detailed in the submitted application.

After considering the submitted report and the representations made at the Hearing from the speakers, including advice from the Solicitor to the Council, the Panel retired to consider the application and evidence presented, and it was

RESOLVED:

That application to vary the Premises Licence for The Feathers Public House, High Street, Rushden, be granted subject to mandatory conditions and additional conditions being imposed on the Licence (see below).

The Chairman read out the following statement giving the reasons why the Panel had granted the Premises Licence with additional conditions: -

"The Licensing Panel has considered this application for a variation of the Premises Licence

for The Feathers, High Street, Rushden and has taken into account the Licensing Officer's report, representations both supporting and objecting to the application and other relevant items of evidence presented.

The Panel decided to disregard the Rushden Town Council's submitted comments as not relevant to the Licensing objectives. The Panel also disregarded a letter (dated 27 August 2010) from PS and JM Neville for the same reasons.

The Licensing Officer presented to the Panel two emails in support of the application and a copy of a submission objecting and listing alleged noise incidents. The Panel decided to accept these new submissions.

After careful deliberation and consideration of the four Licensing Objectives, East Northamptonshire Council's Statement of Licensing Policy and guidance issued under Section 182 of the Licensing Act 2003, the Panel has reached the following decision.

The application to vary the Premises Licence is granted, subject to the following mandatory and additional conditions:

1. Licensable Activities

Live Music

Sunday to Monday from 10:00 hours to 00:00 hours (10:00 to 00:00).
Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Recorded Music

Sunday to Wednesday from 10:00 hours to 00:00 hours (10:00 to 00:00).
Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Provision of facilities for making music and for dancing

Sunday to Wednesday from 10:00 hours to 00:00 hours.
Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Late Night Refreshment

Sunday to Wednesday from 23:00 hours to 00:00 hours (23:00 to 00:00).
Thursday to Saturday 23:00 hours to 03:00 hours (23:00 to 02:00).

Supply of Alcohol

Sunday to Wednesday from 10:00 hours to 00:00 hours (10:00 to 00:00).
Thursday to Saturday from 10:00 hours to 03:00 hours (10:00 to 02:00).

Indoor Sporting Events

(Darts, pool snooker tournaments)
Monday to Sunday from 10:00 hours to 00:00 hours

2. Non-Standard Timings

As applied for.

The Panel has agreed to remove the following existing additional conditions:

1. The maximum number of persons permitted on the premises at any one time shall not exceed 250 people.
2. The rear doors of the premises are to be used for emergency access only during public entertainment.
3. No customer shall be allowed to enter or re-enter after 22:30 on Sunday to

- Wednesday or after 00:30 on Thursday to Sunday.
4. All doors and windows to remain closed when regulated entertainment is taking place other than for access and egress.

The existing mandatory conditions are to remain with the following additional conditions imposed on the Licence:

CCTV to operate within the premises and to cover ANY outside areas. Recordings to be maintained for 21 days. The premises licence holder shall ensure that the DPS or in their absence a nominated member of staff is trained in methods of retrieval. Where evidence is requested from the CCTV by a police officer or authorised person this is to be provided for viewing immediately on request, and collection within 24 hours.

Reason – to prevent crime and disorder

SIA registered door supervisors must be employed on any day when the premises provides any form of regulated entertainment after 00:01 hrs (12 midnight). These door supervisors are to be in place on each occasion from 21:00 hours. DOOR SUPERVISORS OPERATING DOORS OR ANY EXTERNAL AREAS SHALL WEAR HIGH VISIBILITY JACKETS.

Reason – to prevent crime and disorder

No sound shall be allowed to emit from the premises so as to cause undue nuisance to occupants at nearby premises. Save for entrance and exit purposes all doors (other than the outer doors leading from the High Street) and windows to the licensed premises must be kept closed at all times whilst regulated entertainment is taking place.

Reason – prevention of public nuisance.

With immediate effect the Licence Holder is to adopt a policy of toughened plastic or toughened safety glass drinking vessels from 22:00 hours on Fridays and Saturdays. Stringent management policy is to be maintained with regard to the collection of glass bottles.

Reason – to prevent crime and disorder

No persons are to be allowed entry into the premises after 02:00 hours. This admission policy will apply to initial entry, thereby allowing persons who have previously been admitted to leave the premises for a short time. The Licence Holder is to ensure the appropriate measures are taken to prevent this condition being breached.

Reason – to prevent crime and disorder

A bound and sequentially paginated incident log shall be kept at the premises, and made available on request to a police officer or authorised person, which will record the following:-

- (a) all crimes reported
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents or disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

Reason – the promotion of all four Licensing Objectives

The Licence Holder is to be a member of the Pub Watch Scheme. The Licence Holder or his nominated representative is to attend the regular Pub Watch meetings.

Reason - to prevent crime and disorder and public nuisance

All members of staff and SIA door supervisors are to reinforce the need for patrons to leave quietly, out of respect for neighbours.

Reason – prevention of public nuisance

The volume of music at the premises is to be regulated by a limiter and must not cause noise nuisance.

Reason – prevention of public nuisance

The Licence Holder is to adopt a Challenge 21 Scheme

Reason – to protect children from harm

Additional Findings

The Panel had concerns that the suggestion of leaving the main door to the High Street in a fixed, open position might reduce the effectiveness it currently provides in terms of noise mitigation. The Panel appreciates the applicant's offer to investigate the feasibility of installing a second set of internal doors. The applicant has agreed that he will correspond with the Licensing Officer on this matter, within 30 days of the date of this Decision Notice, and the proposed solution has to be acceptable to the East Northamptonshire Council Environmental Protection (Noise) Service.

The Panel took into account the concerns raised by the two objectors, although in the interest of fairness, felt it had not been adequately evidenced that there was any significant noise issue specifically attributable to these licensed premises that could cause the Panel to refuse this application. The Panel made the observation that neither Environmental Services nor the Police had raised any Public Order issues. The Panel strongly advises the License Holder to ensure waste materials are not placed into the bins before 08:00 hours of a morning.

The prevention of public nuisance is, in this case, a very relevant licensing objective. The Panel felt the Licence Holder had demonstrated an awareness of that licensing objective and was prepared to undertake those actions necessary to be compliant with it.

The Panel believes the conditions it has imposed are robust enough to address the reasons for objections presented to it today.

Notice of the Decision would be sent in writing to all parties within 21 days, who would also have the Right of Appeal within 21 days from receipt of the Decision Notice. The decision would become effective 21 days after receipt of the Notice by all parties or on the date when any appeal is finally determined."

Chairman

**APPLICATION TO VARY A PREMISES LICENCE – THE FEATHERS PUBLIC HOUSE,
HIGH STREET, RUSHDEN**

The representations received had been analysed by the Licensing Officer and are summarised under the following licensing objectives: -

(a) Prevention of Crime and Disorder

One of the representations refers to youths climbing on the roof of their property, the need to clean up vomit from their doorways and broken windows.

(b) Prevention of Public Nuisance

Both representations referred to noise from the premises, detailing the noise from the DJ, the noise from patrons standing outside the premises smoking and the noise from the premises after closing hours.