

Interested Parties

Cllr Fran Benton

On behalf of local resident, Jenny Gardner

The Regulatory Officer informed the sub-committee that the application was for a variation to the Premises Licence for Ebeneezers, Grove Street, Peterborough made by Mr. John Beddows. The application was:

- to allow the sale of alcohol between the hours of 11.00 to 02.00 Monday to Thursday, 11.00 to 04.00 Friday and Saturday and 11.00 to 00.00 (midnight) Sunday;
- to allow the service of hot food and drink between the hours of 23.00 to 04.00 Friday and Saturday;
- to allow adult entertainment at the premises;
- to allow the showing of films between the hours of 19.00 to 01.00 Friday, 11.00 to 01.00 Saturday and 11.00 to 00.00 (midnight) Sunday;
- to allow live and recorded music to be played between the hours of 19.00 to 04.00 Friday and Saturday, 12.00 to 00.00 (midnight) Sunday;
- to allow the performances of dance between the hours of 19.00 to 04.00 Friday and Saturday and 19.00 to 00.00 Sunday.
- To remove and replace conditions & embedded restrictions upon the licence.

Representations from eight interested parties had been received in respect of the two relevant licensing objectives: Prevention of Crime & Disorder and Prevention of Public Nuisance. Representation had also been received from PC Ifor Maddox, Northern Licensing Officer, Cambridgeshire Police.

Mr Beddows advised the sub-committee that only members of the club and their guests were admitted to the premises and that, if already drunk, would not be permitted entry. Members of the sub-committee were advised that double glazing windows and doors, along with thick walls offered protection from noise to the surrounding area and that the outside smoking area was monitored and checked regularly to ensure any noise was controlled. Mr Beddows advised that the application for Adult entertainment at the premises was in response to a previous rejection received when a request for a 'hen night' had been received from a member of staff. There had not been a high demand for this and he anticipated that hen or stag nights would only take place occasionally. The sub-committee was advised that the sale of food was to try to retain customers who had requested food towards the end of the night. This would also ensure that people were not walking through residential areas to get to other food outlets. Live music would finish at 00.00 when an in-house disco could provide further music entertainment.

Following questions from the sub-committee, Mr Beddows advised the following points:

- The club has about 600 users
- No complaints have been received from nearby residents
- There has been no trouble involving the Police in fourteen years
- The private films would be home videos for birthdays and also some old Peterborough United football matches
- People would go outside to smoke later in the night as that is the only place to smoke
- No glasses or bottles are allowed off the premises and I [Mr Beddows] clean the car park and surrounding area.
- Children must be accompanied and over 12 years old after 19.00.

PC Ifor Maddox spoke as the local Responsible Authority. PC Maddox confirmed that there had been no call outs for Police Officers to the premises although 2 reports of noise had been reported to and dealt with by the local community Police Officer. PC Maddox raised

concerns about the hours applied for, claiming that it could lead to noise and disturbance later into the night in a residential area and could lead to Police resources being diverted from the city centre. The sub-committee was advised that later drinking hours often led to increased numbers of calls to the Police. The main concerns raised by PC Ifor Maddox to the variation application was the increase in drinking hours available and the subsequent lateness that people would be exiting the premises into a residential area.

Councillor Benton addressed the sub-committee on behalf of a local resident, Mrs Gardner. The sub-committee adjourned until it was clarified whether Councillor Benton could speak as a Ward Councillor and on behalf of Mrs Gardner.

The sub-committee reconvened.

Councillor Benton was advised that she could not speak as a Ward Councillor as neither she, nor either of the other Ward Councillors, had made a representation against the application and therefore, could only speak on behalf of Mrs Gardner as Mrs Gardner had made the representation.

Councillor Benton read a letter from Mrs Gardner and highlighted the concerns with the application. Mrs Gardner had raised concerns about the extended hours leading to increase in noise later into the night, especially in the summer months. The sub-committee were advised that Mrs Gardner had had to install air conditioning as in the summer she could not open her windows as the noise was too disturbing. Mrs Gardner was also concerned about the content of the films that could be shown especially as hen and stag parties were applied for too. The sub-committee was advised that there were already 6 other public houses in the area along with 5 takeaways nearby. Mrs Gardner felt that the extension to the hours would not only lead to more people leaving the premises later into the night but would involve more cars and taxis leaving and their subsequent noise too; the smoking area outside would also be used later and the noise emanating from there would continue later.

Mr Beddows advised the sub-committee that in view of the objections and concerns of local residents he would consider removing the application for adult entertainment. PC Maddox confirmed that his main concern was the lateness of the opening and the sale of alcohol hours applied for. Cllr Benton raised concerns that for one person, there would be too much to control to ensure that noise and disruption was kept to a minimum level. Mr Beddows closed by advising that there had been no incidents of trouble in fourteen years of his tenancy.

The sub-committee retired to consider the application.

RESOLVED

The sub-committee unanimously agreed to grant the variation to the Licence subject to:

- the hours for the sale of alcohol being limited between 11.00 and 03.00 Friday and Saturday;
- the service of hot food and drink between the hours of 11.00 and 02.30 Friday on Saturday;
- allow live and recorded music to be played between 19.00 and 03.00 Friday and Saturday;
- allow the performance of dance between 19.00 and 03.00 on Friday and Saturday until 9pm.

Subject to the above conditions, the applicant's proposed conditions as contained in Appendix E of the committee report and the mediated conditions as contained in Appendix F

of the committee report, the variation would be permitted as applied for in paragraph 3 of the report.

Reasons for the decision:

In making their decision and in view of the findings of fact, the sub-committee was satisfied on a balance of probability and considering all the circumstances, including the conditions imposed, that the requested variation with the amendment to the hours would not create additional public nuisance or additional crime and disorder.

In coming to its decision, the sub-committee also had regard to Peterborough City Council's Statement of Licensing Policy and the National Guidance, in particular, those sections highlighted at paragraphs 8.2 and 8.3 of the committee report.

CHAIRMAN
9.30 - 11.20 am