

SELBY DISTRICT COUNCIL

LICENSING ACT 2003

DETAILED DECISION RECORD

**Application for Variation to a Premises Licence
Squire's Café Bar, Newthorpe, Selby, LS25 5LX**

(This Record of Decision is made pursuant to the Licensing Act 2003
(Hearings) Regulations 2005 made under the Licensing Act 2003)

The Meeting was held at The Civic Centre, Doncaster Road, Selby, North Yorkshire
YO8 9FT on 31 August 2012

Present:

Councillor R Sayner
Councillor P Mackay
Councillor J Thurlow

Applicant:

Squires Café Bar Limited
Represented by Stuart Gibson, Agent

Responsible Authorities:

Wayne Palmer
Environmental Health & Housing – Lead
Officer, Selby District Council

Mick Wilkinson, Police Licensing Officer
North Yorkshire Police Authority

Interested Parties:

None

Democratic Services Officer: Palbinder Mann

Legal Adviser: Kelly Hamblin, Senior Solicitor

Senior Enforcement Officer: Tim Grogan

1. DETAILS OF APPLICATION

A premises licence was sought to specifically authorise the following activities:

1. To remove the occupancy capacity of 500 people attending the premises at any one time.
2. To extend the license boundary to include the outside area.
3. To permit regulated entertainment in the form of live music to take place outdoors within the red boundary once a year.

Police Authority proposed the following conditions –

In relation to the day to day normal operation:-

1. CCTV will be installed to cover the premises and will include all areas to where the public can purchase alcohol.
2. It will be maintained, working and recording at all times when the premises are open.
3. The recordings should be of sufficient quality to be produced in Court or other such hearing.
4. Copies of the recordings will be kept available for any Responsible Authority for 31 days.
5. Copies of the recordings will be made available to any Responsible Authority within 48 hours of request.
6. Copies of the recordings will display the correct time and date of the recording.
7. All off sales shall be made in sealed containers (save for consumption within the main complex).
8. Documented staff training will be given regarding the retail sale of alcohol; the conditions attached to the Premises Licence; and the Opening Times of the venue.
9. Such records (referred to in Condition 8) shall be kept for at least one year and they will be made available immediately upon a reasonable request for any Responsible Authority.
10. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals to under-age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises.
11. Both documents (referred to in Condition 10) shall be kept for at least one year and they will be made available immediately upon a reasonable request for any Responsible Authority.
12. Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of the local residents and to leave the premises and area quietly.
13. The only acceptable proof of age identification shall be a current Passport, photocard Driving Licence or identification carrying the PASS logo.
14. Once the venue's capacity goes beyond 500 customers after 2400 hours door staff will be provided at a rate of 1 per 100 customers plus one Door Supervisor on the following evenings:-
 - i. Friday and Saturday evenings
 - ii. the evening before any Bank Holiday

The Applicant submitted that -

- Confirmed the following discussions with the Responsible Authorities the proposed conditions subject to the agreed amendment relating to door staff were acceptable to the Applicant.

4. DECISION AND REASONS OF THE SUB COMMITTEE

The Sub-Committee resolved to grant the application subject to the following:

Environmental Health Conditions:-

- Noise from amplified and non amplified music, singing and speech from regulated entertainment at the premises between the hours of 23:00 to 07:00 shall not be audible inside habitable rooms of noise sensitive properties in the vicinity.
- No external doors and windows to the room(s) where regulated entertainment is being provided shall be open during the course of entertainment, other than for normal access and egress with the exception of the single Annual Event.
- Amplified and non-amplified music, singing and speech associated with the regulated entertainment shall only be carried out inside the premises except with the prior written approval of the Licensing Authority. Speakers used to relay amplified music, singing and speech provided as part of the regulated entertainment shall not be positioned outside the premises with the exception of the single Annual Event.
- All external areas of the premises (beer gardens, patios, etc) must not be used by customers between the hours of 23:00 and 07:00 with the exception of the single Annual Event.
- 56 days notice of the Annual Event must be given to the Licensing Authority, Police Authority and residential properties within the vicinity of the premises.

Police authority conditions:-

In relation to the day to day normal operation:-

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6. Copies of the recordings will display the correct time and date of the recording.

7. Details of all customers searched shall be recorded in the Incident book.
8. First aid facilities provided by a recognised first aid agency shall be provided for the event.
9. There shall be at least two first aiders (from the recognised first aid agency) on site at all times the event is in operation.
10. A two way radio system between the Event Organiser, Stewards and Door Staff shall be in operation at all times the event is in operation.
11. There shall be a pre-nominated Event Management Team who shall be contactable on a staffed mobile phone number at all times the event is in operation.
12. All drinks shall be sold decanted into non glass vessels.

Prevention of Crime and Disorder	✓
Public Safety	□
The Prevention of Public Nuisance	✓
The Protection of Children from Harm	□

RESOLVED: to attach the above conditions, which were agreed between the parties, in the interest of promoting the licensing objectives indicated.

6. Reasons for the Decision

- a) the Sub-Committee took into consideration that the representations of the Responsible Authorities and noted that there were no representation from Interested Parties.
- b) the Sub-Committee took into consideration that the proposed conditions had been agreed between the Applicant and the Responsible Authorities; and
- c) the Sub-Committee was of the view that the conditions agreed with the statutory consultees were reasonable, proportionate and necessary to enable the application to be granted whilst furthering the Licensing objectives.

Date:

3rd Sept 2012

Chairman's Signature:

