

LICENSING SUB COMMITTEE A

MINUTES OF A MEETING of the Licensing Sub Committee A held on Thursday 22 September 2005 at 9.30am in Conference Room A, Civic Offices, Portsmouth.

PRESENT

Councillors: Debbie Tomes (Chair)
Jacqui Hancock

132 Appointment of Chair (AI1)

Councillor Debbie Tomes was appointed Chair for the meeting.

133 Declaration of Members' Interests in accordance with Standing Order 14 (AI 2)

No interests were declared.

134 Licensing Act 2003 – Application for the Variation of a Premises Licence – The Romance of India, 61 Albert Road, Southsea, PO5 2SF (AI 4)

(TAKE IN REPORT)

Mr Richard Chalmers, Deputy Licensing Manager, asked the Committee to defer the hearing at the request of the solicitors acting for the applicant. Mr Chalmers gave the Committee the reasons put forward by the solicitors in the support of the adjournment.

RESOLVED that the hearing for the variation of the licence for the Romance of India be adjourned until the 6th October 2005.

135 Licensing Act 2003 – Application for the Variation of a Premises Licence – University of Portsmouth Students Union and UP The Students Centre, Cambridge Road, Portsmouth, PO1 2EF

(TAKE IN REPORT)

Ms Janet Hillier, Mr Peter Hooley and Mr David Livingstone, in support of the application were in attendance. PC Michael O'Malley and PC Dawson, from the Police a responsible authority were also in attendance.

Mr Richard Chalmers, Deputy Licensing Manager, presented his report. Mr Chalmers asked the Committee to note an amendment to the report in 2.6.d on page 2 of the report, it should read "para 2.5 of this report"

The applicants asked for the report to be amended in 2.2 this paragraph should read "permit the sale of alcohol on the premises, during 5 occasions per year, until 04:00 (with written notification) and in 2.4 which should read "10 occasions per year".

PC Dawson briefed the Committee on a number of agreements which had been reached with the applicants these were:

- Non-standard timings – the applicants had agreed to ACPO guidelines to go on

- operating schedule
- ❑ Outline style of dancing – the applicants had agreed to no nudity or stripping except as part of a pre booked or pre arranged private party
- ❑ Club Watch – the applicants actively participate in club watch
- ❑ CCTV – the applicants have a good working practice and have agreed conditions. The police requested that the word “fully” be removed from their letter
- ❑ Retain PEL Condition 47 – this was a key part to be able to maintain and monitor door staff

However, PC Dawson told the Committee that there were a number of concerns still to be addressed in respect of Prevention of Crime and Disorder and Prevention of Public Nuisance. The major issue was door staff and the numbers required. PC Dawson told the Committee that the premises should be viewed as 2600 capacity nightclub and as a High Volume Vertical Drinking Establishment (HVVDE). Viewed in this way the premises had the largest capacity in the City of Portsmouth. Because of this they wanted higher levels of door supervisors as laid out in their letter. PC Dawson also expressed concerns about noise from students leaving at 3.30am and the problems of them returning home and suggested a condition of no entry or re-entry an hour before the premises was due to close.

Mr Hooley on behalf of the applicants told the Committee that they were happy to reduce the capacity for the premises to 2250 and that the premises was not a night club as suggested by the Police, it was a leisure premises with 4 venues within it on split levels. People when they leave the premises use one exit so it is easier to control.

RESOLVED that the variation of the licence be granted as with conditions as set out below:

- ❑ **Event days as per police letter and amended report**
- ❑ **No public nudity or strippers except as part of a pre booked private party**
- ❑ **Female door supervisor to be in place**
- ❑ **No entry or re-entry prior to premises 1 hour prior closing to the public**
- ❑ **Wind down condition of 1 hour will not be applicable if venue ceases to sell alcohol by 23:59hrs**
- ❑ **To continue being members of Club Watch**
- ❑ **PEL Condition 47 to remain**
- ❑ **CCTV as requested and amended by police**

Reasons: The Committee had regard to its statement of licensing policy and had taken into account the representations from interested parties and believed it both reasonable and proportionate to prevent nuisance to neighbours.

Mr Chalmers, Deputy Licensing Manager advised all parties that they had the right of appeal to the Magistrates' Court within 21 days of this hearing

136 Licensing Act 2003 – Application for the Variation of a Premises Licence – Bar 38, Gunwharf Quays, Portsmouth, PO1 3TD

(TAKE IN REPORT)

Ms Sarah Collins, Area Manager for applicants Spirit Group Limited and Mr Brett

Smith Licensee in support of the application were in attendance. PC Michael O'Malley on behalf of the Chief Officer of Police, relevant authority and Mr Ralph Eves and Mr John Dunnett, interested parties were also in attendance.

Mr Richard Chalmers, Deputy Licensing Manager presented the Licensing Managers Report. Mr Chalmers informed the Committee that the premises had a special hour's certificate, which meant that alcohol sales were ancillary to the consumption of food and use of the premises for music and dance. He further informed the Committee that formal representations had been received from the Police a responsible authority and 7 representations from interested parties. Mr Chalmers informed the Committee that the premises had been in breach of a licensing condition on 9 August 05 when during a visit by a licensing officer Mr Ross Lee a door was observed to be open after 22:00hrs. Mr Lee, Licensing Officer had written to the licensee.

Ms Collins informed the Committee that there had been discussions with the Police and they had come to an agreement over these representations. PC O'Malley would confirm details.

Ms Collins further informed the Committee that the premises were active members of Pub Watch, the manager and staff did additional patrols of the outside area to monitor noise levels and notices requesting patrons to respect neighbours when leaving where being produced by the applicants for all their establishments.

In respect of noise levels from music Ms Collins informed the Committee that there was noise limiters installed, this had been calibrated before a lot of the residents apartments had been built and they were happy to have the noise limiters re-calibrated.

PC O'Malley briefed the Committee on the conditions agreed with the applicants.

Mr Eves, interested party gave the Committee details of his representations and produced a video of youths outside the premises at 2.30 in the morning. It was pointed out to the Committee that the premises was closed at this time.

RESOLVED that the variation of the licence be granted with amendments below and with conditions as shown:

(1) Hours of the sale of alcohol:

Sunday 10:00 – 23:00hrs and premises to remain open to the public until 23:30

With condition

□ CCTV conditions as set out in Police letter 17 August 05

Monday 10:00 – 01:00hrs and premises to remain open to the public until 00:30hrs

With conditions

□ CCTV conditions as set out in Police letter 17 August 05

□ No entry or re-entry 1 hour before cessation of sale of alcohol this will not be applicable if venue ceases to sell alcohol by 23:59hrs

Tuesday/Wednesday/Thursday 10:00 – 00:30hrs and premises to remain open to the public until 01:00hrs

With conditions

- CCTV conditions as set out in Police letter 17 August 05**
- No entry or re-entry 1 hour before cessation of sale of alcohol**
- this will not be applicable if venue ceases to sell alcohol by 23:59hrs**
- Door supervision as per police request**
- Wind down condition of 1 hour will not be applicable if venue ceases to sell alcohol by 23:59hrs**
- Terminal hour**
- Active participation in pub watch**
- Participate in radio link set up at Gun Wharf**
- Noise limiter to be re-calibrated**

Friday and Saturday 10:00hrs – 01:30hrs and premises to remain open to the public until 02:30hrs

With conditions as set out for Tuesday/Wednesday/Thursday

(2) Non-standard times (Bank Holidays) for sale of alcohol and times premises open to the public to be one hour later to those set out above with the same conditions

(3) Saints Days as in report

(4) Live Music to cease at the same time as the sale of alcohol

(5) Provision of late night refreshment times the same as open to the public

Extra Conditions

- Doors to be shut at 22:00hrs to prevent noise nuisance**
- Outdoor area to be cleared by 23:00hrs**
- No children to be allowed on the premises unless accompanied by an adult**
- No children to be allowed on the premises after 19:00hrs**

Reasons: The Committee had regard to its statement of licensing policy and had taken into account the representations from interested parties and believed it both reasonable and proportionate to prevent public nuisance, crime and disorder and protection of children.

Mr Chalmers, Deputy Licensing Manager advised all parties that they had the right of appeal to the magistrates' court within 21 days of this hearing.

The meeting concluded at 12:45hrs

Chair