

**BRIGHTON & HOVE CITY COUNCIL**  
**LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)**

**10.00am 16 SEPTEMBER 2009**

**COMMITTEE ROOM 3, BRIGHTON TOWN HALL**

**MINUTES**

**Present:** Councillor Cobb (Chairman); C Theobald and Lepper

**Officers:** Rebecca Sidell (Lawyer), Jim Whitelegg (Senior Environmental Health Officer) and Jane Clarke (Democratic Services Officer)

**PART ONE**

**48. TO APPOINT A CHAIRMAN FOR THE MEETING**

48.1 Councillor Cobb was appointed Chairman for the meeting.

**49. PROCEDURAL BUSINESS**

**49a Declarations of Substitutes**

49.1 There were none.

**49b Declarations of Interests**

49.2 There were none.

**49c Exclusion of the Press and Public**

49.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Licensing Panel considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

49.4 **RESOLVED** – That the press and public be not excluded.

**50. ONE STEP (STOP TO SHOP), 59A LONDON ROAD, BRIGHTON**

50.1 The Panel considered a report from the Assistant Director of Public Safety regarding an application for review of a Premises Licence for One Step (Stop to Shop), 59a London Road, Brighton, East Sussex, BN1 4JE (for copy see minute book).

50.2 Mr Boddulri, Premises Licence Holder (PLH), Mr Baker from Lockett & Co Licensing Agents, Mr Underwood, Solicitor to the PLH, and Mr Kumar, Premises Manager, attended the hearing to speak against the application. Mr Savill, Solicitor to Sussex Police, Ms Irving and Inspector Harris from Sussex Police, Ms MacBeth and Ms Player from Brighton & Hove City Council Trading Standards attended the hearing to speak in favour of the application.

50.3 The Senior Environmental Health Officer began by summarising the application and highlighted a reference in the review application that dealt with the immigration status of the PLH. She asked the Panel to disregard this statement on the request of the Police as it had no bearing on the review application and was factually incorrect.

Representations had been received from Sussex Police and Trading Standards based on three failed test purchases and concerns that the premises was contributing to alcohol related anti-social behaviour in the area. Sussex Police were seeking a suspension of the Licence and modification of conditions.

50.4 The Chairman asked if there were any questions of the Licensing Manager's statement and there were none.

50.5 Mr Savill began his representation and stated that the premises had failed three test purchases, which were set against a background of poor staff training and management. The government viewed sales of alcohol to underage persons as a serious offence and even for a first review, revocation of the licence could be considered if the problem was felt serious enough. The Police were not asking for a revocation in this instance but did believe a suspension was necessary. A significant period of time for suspension of the licence was felt necessary to ensure that training of an appropriate standard could be received and fully understood by all the staff, and to break the link between underage sales of alcohol and the premises.

The Police were also requesting a number of conditions to be added to the licence, which were largely uncontroversial and all necessary. Of particular note was a request to reduce the licensing hours from 24 hours to a terminal hour of 23:00. The Police felt this was necessary because the premises had been poorly run for a long time, and the longer it was allowed to stay open, the greater the potential for breaching their licence conditions or the licensing objectives.

50.6 The Chairman asked if there were any questions of Mr Savill's representation and Councillor Lepper asked what alcohol related problems had been experienced in the area. Inspection Harris replied that York Place and London Road were anti-social behaviour "hotspots" where issues with street drinking and low level crime were experienced. It was a challenging area for the Police to manage and that they were working with Local Action Teams to improve the area.

- 50.7 Councillor Mrs Theobald asked if the problems increased during late night/early morning hours and Inspector Harris replied that the area was troubled by anti-social behaviour all the time, but the night time economy had difficulties with additional people leaving from pubs and clubs and making their way through the area.
- 50.8 Councillor Mrs Theobald asked if the applicants had understood the steps the Police had taken before submitting the review application and Inspector Harris believed they did so.
- 50.9 The Chairman asked if the Panel's decision was to suspend the licence, when would this start. The Solicitor to the Panel stated that it would depend on whether the decision was appealed or not, but that both the PLH and the interested parties had 21 days to lodge an appeal to the decision.
- 50.10 Ms Player began her representation and stated that the premises had failed three test purchases despite training arranged by Trading Standards Officers. The full training had not been completed by several of the staff members and food safety issues had been highlighted at the premises.
- 50.11 The Chairman asked if there were any questions of Ms Player's representation and Councillor Lepper asked for more details on the training sessions provided by Trading Standards. Ms Player stated that five staff members had attended over two sessions in May 2009 but some had not completed the training.
- 50.12 Councillor Lepper asked if training on the purpose of a refusals book was included and Ms MacBeth stated that this was not a formal requirement unless placed as a condition on the licence. She noted it was good practise to have a refusals book.
- 50.13 Councillor Mrs Theobald asked who made the sales for the failed test purchases. Ms Player stated that in January and May it had been the same staff member, but in March it had been a different one.
- 50.14 Councillor Mrs Theobald asked if these staff members had received training and Ms Player confirmed that they had.
- 50.15 Mr Underwood asked if the refusals book at the premises had been used several times and Ms Player confirmed that it had. He asked whether Ms MacBeth had witnessed a refusal in August and had signed the refusals book to this effect and Ms MacBeth confirmed that she had.
- 50.16 Mr Underwood began his representation on behalf of the PLH, and stated that this was a family run business, but he admitted they had been lax in ensuring the licensing objectives were upheld. However, several new practices had been put into place and he felt there was very little more the business could do to ensure adherence to the objectives. Mr Underwood stated that both staff members who had sold alcohol to underage people were now dismissed and the Premises Licence had changed hands to a new owner.

Many of the Police conditions that were requested were already in practise at the premises or on the licence, and the PLH had agreed to most of them. There was

recognition that the operating style of the business needed to change and as such, Licensing Agents Lockett & Co had been employed for advice and training purposes. All staff members were now trained in licensing issues and many were Personal Licence Holders. Because of the measures put in place, Mr Underwood felt it was unnecessary for the licence to be suspended for any amount of time as the link between underage alcohol sales and the premises had already been broken by the change of management and operating style. He also felt that there was no need to reduce the hours of operation of the premises as there was no evidence of crime and disorder related to the premises late at night, and it would not be proportionate to agree to this restriction. Finally, Mr Underwood felt there was no need for Personal Licence Holder to be present during all sales of alcohol and this would be difficult to implement, but the premises was willing to accept this condition if the Panel felt minded to place it on the licence.

- 50.17 The Chairman asked if there were any questions of Mr Underwood's representation and Councillor Lepper asked how many people in the shop had worked there under the previous management. Mr Underwood stated that the two staff members who had failed the test purchases were no longer employed at the premises.
- 50.18 Councillor Lepper asked how many people worked in the shop and Mr Underwood replied there were six. Councillor Lepper asked if this was felt sufficient to cover a 24 hour premises and Mr Underwood believed that it was.
- 50.19 Councillor Lepper asked if all staff members had now undergone training, and how many were Personal Licence Holders. Mr Underwood confirmed that all staff had received some form of training and three staff members were now Personal Licence Holders. Councillor Lepper asked if the owner of the premises was a Personal Licence Holder and Mr Underwood stated that he was not, but he held a BII certificate.
- 50.20 Councillor Lepper asked how staff members handled anti-social behaviour in the shop late at night and Mr Underwood replied there were always two staff members on duty at night to mitigate any problems.
- 50.21 Councillor Mrs Theobald asked if the training had been Trading Standards training and Mr Underwood stated that all staff members had undergone Trading Standards training and training sessions from Lockett & Co, but he admitted that some had not completed the Trading Standards training.
- 50.22 Councillor Mrs Theobald asked questions around the training provided by Lockett & Co and Mr Baker from Lockett & Co stated that the training consisted of reading a manual and guide book and then taking a multiple choice exam. All the papers were kept as training records and the staff members needed to sign a statement to say they understood the training and the regulations relating to licensed establishments.
- 50.23 Councillor Mrs Theobald asked if there was a problem with the staff members understanding the questions in English and Mr Baker stated he had no knowledge of this, and there had been no comments to this effect from Trading Standards Officers after the training sessions in May.

- 50.24 Councillor Mrs Theobald asked if racial or verbal abuse was suffered by staff members at the premises and Mr Boddulri stated that this was experienced at times in the premises, but not to the level that it needed to be reported to the Police.
- 50.25 Mr Savill asked for the management structure at the premises to be clarified. Mr Underwood stated that Mr Boddulri was the Premises Licence Holder, his daughter was the DPS and her husband was the shop manager.
- 50.26 Mr Savill asked if there was any connection between Mr Boddulri and the previous PLH and Mr Boddulri stated that he had no connection with the previous PLH. Mr Savill asked if he was involved in the premises before he took over the licence and Mr Boddulri stated that he worked there part-time.
- 50.27 Mr Savill asked Mr Kumar, the premises manager if he was employed at the premises under the previous ownership and he confirmed that he was. Mr Savill asked if there was a considerable overlap of staff members who worked at the premises both currently and under the previous management, and Mr Underwood confirmed this.
- 50.28 Ms Player noted that a refusal had been recorded on 24 August but the person working at the premises had asked for the age of the customer. She asked why this was and Mr Kumar replied that this was to fill out the refusals book correctly and to aid in training of other staff.
- 50.29 Ms Player asked if all age-restricted product refusals were logged in the refusals book and Mr Kumar stated that they were. Ms Player asked if the majority of the records related to tobacco rather than alcohol and Mr Kumar agreed that this was true initially, but now the refusals book was being used properly this was not the case.
- 50.30 The Senior Environmental Health Officer began his final statement and stated that DCMS guidance advised that a first intervention for single test purchase failures could be to remove the DPS/manager or restrict hours or licensable activity. A second intervention on more than one failure could lead to revocation. The options open to the Panel were to modify conditions on the licence; to exclude any licensable activity; to remove the Designated Premises Supervisor (DPS); to suspend the licence for a period of not more than three months; to revoke the licence; or to do nothing.
- 50.31 Mr Savill began his final representation on behalf of Sussex Police and stated that most of the conditions the Police were requesting for the licence the PLH was not disputing. The Police felt that a suspension period was necessary and proportionate however, and were not confident that a simple change of management would be enough to ensure the effective operation of this premises in the future. There were outstanding concerns that many of the staff members who currently worked at the premises had worked there under the old management, and the Police believed that this would lead to a continuation of the old style of working. The reduction in hours was not a punitive request but based in the belief that if the premises was allowed to continue to trade for 24 hours, the opportunity to breach the licensing objectives would be increased. The Police believed that the premises needed to prove they were able to operate an effective and law-abiding establishment before trading for such long hours. Inspector Harris had nothing further to add.

50.32 Ms Player began her final representation on behalf of Trading Standards and stated that she completely supported the representation from the Police. She was very concerned with the overlap of staff at the premises and felt that a proper break with the old style of operation had not occurred. Ms MacBeth had nothing further to add.

50.33 Mr Underwood began his final representation and stated that the suspension and restriction in hours would act as a punishment rather than to correct any poor management currently at the premises. Measures had been put in place to ensure the licensing objectives were upheld in future, and this should be the Panel's only concern. There had been a clear change in management and style of operation, and effective training had been completed. Most of the conditions suggested by the Police were already in effect and others would be shortly. Mr Underwood raised concern about the CCTV condition and noted that the management may not be able to co-operate immediately in producing CCTV footage as it was kept in the flat upstairs, which some staff members did not have access to. All other conditions were undisputed.

50.34 **RESOLVED** – That the Panel had decided to take the following action in respect of the review application:

The panel decided to suspend the licence for a period of one month to enable staff to complete re-training with Trading Standards to the satisfaction of Trading Standards. The panel considered that this suspension would break a cycle of underage sales in a vulnerable area and protect the local community. The action was taken to promote the licensing objectives.

The panel also placed the following conditions on the premises licence:

1. The premises will operate a Challenge 25 police whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only forms of ID that will be accepted are passports, driving licences with a photograph, or Portman Group, Citizen Card or Validate proof of age cards bearing the PASS mark hologram.
2. Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the premises internally to cover all public areas with sufficient numbers of cameras as agreed with Sussex Police. CCTV footage will be stored for a minimum of 28 days, and the management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy and will be changed when British Summer Time starts and ends.
3. The premises will maintain a refusals book to record all incidences of age related products being refused and refusals to persons who are drunk. This book is to be checked and signed by the DPS once a month and be made readily available for inspection by Police or Trading Standards when requested.

4. A personal licence holder is to supervise all sales of alcohol between the hours of 1600 and 0000 hours (or close, whichever comes later) Thursday to Saturday inclusive.
5. All staff members will be provided with full training on alcohol sales before they commence working in the shop and serving the public. Training records will be held in the premises at all times and be available to the Police and Trading standards for inspection upon request. There will be a regular review of training by the DPS and re-training of staff every 3 months to a standard recognised by Trading Standards.

## **51. WHELAN'S LION & LOBSTER**

- 51.1 The Panel considered a report from the Assistant Director of Public Safety regarding an application for review of a Premises Licence under the Licensing Act 2003 in relation to Whelan's Lion & Lobster, 24 Silwood Street, Brighton, BN1 2PS (for copy see minute book).
- 51.2 Mr Gary Whelan and Mr Patrick Whelan, co-Licence Holders, attended the hearing to make representations against the review application. Mr Anderson, Mr Badger, Ms South, Ms Champion, Mr Walden, Councillor Kitcat as Ward Councillor and Mr Bulger from Brighton & Hove Environmental Protection Team attended the hearing to make representations in favour of the review application.
- 51.3 The Senior Environmental Health Officer summarised the application and stated that the premises was situated in the Special Stress Area (SSA). Representations had been received from local residents regarding prevention of crime and disorder and prevention of public nuisance. Representation had also been received from local residents in support of the premises. The review application had been submitted by Environmental Protection and a number of conditions were requested to be attached to the licence.
- 51.4 Mr Bulger on behalf of Brighton & Hove Environmental Protection Team began his representation and asked the Panel to circulate a list of conditions that had been agreed with the Premises Licence Holders. The Chairman agreed and Mr Bulger went on to say that the review had been called as a result of a breach of a Notice Abatement Notice in June 2009. Several complaints about noise had been received by local residents and the Noise Patrol had witnessed breaches of licence conditions when attending the premises. Detailed discussions had taken place with the Premises Licence Holders (PLHs) and a series of new conditions were suggested to be placed on the licence.
- 51.5 The Chairman asked if there were any questions of Mr Bulger's representation and Councillor Mrs Theobald asked if there was a numbers restriction on the premises. Mr Bulger stated that numbers would be controlled by risk self-assessment by the premises management.
- 51.6 Councillor Mrs Theobald asked if people were allowed to drink and smoke on the street up until 22:00 hours and Mr Bulger confirmed this, stating that this was not a licensable activity, although it could become a criminal offence if the Police chose to intervene.

- 51.7 Councillor Lepper asked why the terrace was considered to produce less invasive noise than the noise from people standing on the street. Mr Bulger explained that the terrace was completely enclosed by buildings and the PLHs had employed an acoustic engineer when building the structure to reduce any noise breakout. This approach seemed to be effective as there had been no complaints relating to the use of the terrace. He noted that currently the terrace was conditioned to close at 23:00 hours, which appeared to be affecting the numbers of people drinking on the street at later hours.
- 51.8 Councillor Lepper asked if any other complaints had been received about noise that were not related to the terrace. Mr Bulger agreed that there were and stated that complaints had previously been received about live music at the premises, but it was his understanding that this activity had now stopped.
- 51.9 The Chairman asked if there were any disagreements about the conditions that Mr Bulger was proposing and he stated there were not.
- 51.10 Councillor Kitcat asked if any call logs of the complaints were made. Mr Bulger stated that five calls had been received by Environmental Protection in the last six months, and these had been passed on to the Police.
- 51.11 Mr Anderson began his representation and stated that noise disturbance at the premises usually occurred at the weekend and he was pleased to see a proposed condition for Door Supervisors on Thursday, Friday and Saturday nights. He felt that the premises was usually quiet during the week and did not cause residents problems.
- 51.12 Mr Strauss began his representation and stated that the noise on the street continued until 03:00 hours and at times reached a point where he was unable to sleep, or was woken up. He asked the Panel to consider the amenity of the residents and ensure the area was quiet by midnight to allow them to enjoy some peace and quiet.
- 51.13 Mr Smith began his representation and stated that he lived opposite the premises and noted the noise had increased since the introduction of the smoking ban. When the terrace was opened by the premises the noise was reduced significantly and Mr Smith felt that this area should be open longer to allow people to smoke in an outside area that did not disrupt the local residents late at night. Mr Smith added that he had no other complaints about the premises.
- 51.14 Ms Champion began her representation and stated that she noticed a significant difference in noise disturbance after the Noise Abatement Notice was issued and would like it to stay that way. She also felt that extending the hours of the terrace would improve the situation as this would keep the street area as clear of people as possible.
- 51.15 Councillor Kitcat began his representation on behalf of Mrs Walden and stated that a large number of noise diaries had been completed relating to noise disturbance at the Lion & Lobster. He recognised that it was a popular local public house and the general consensus amongst residents was that extension of hours of the terrace would resolve any existing noise problems. However, he was not convinced that the terrace would not cause other residents problems who were not represented today, should it stay open for longer. He stated that the noise nuisance mainly occurred from the people on the street outside the premises who were not being managed properly, as there was a lack of

understanding as to who was responsible for these people. Councillor Kitcat asked for a minimum of one SIA registered Door Supervisor to be available on the door to monitor the area immediately outside the premises, and to reduce the noise nuisance caused by the premises. He also added that there were problems with adherence to the waste rubbish condition which needed to be monitored more carefully.

- 51.16 The Chairman asked if there were any questions about the representations of the interested parties and Councillor Mrs Theobald asked whether the people on the street were definitely from the Lion & Lobster. Councillor Kitcat believed that they were.
- 51.17 Councillor Mrs Theobald asked when the noise mainly occurred and Mr Strauss replied that it was mainly on Friday and Saturday nights.
- 51.18 Councillor Lepper noted that in one of the written representations it stated that noise could be heard from the terrace, and Mr Anderson agreed, but felt this was preferable to the noise from people on the street.
- 51.19 Mr G Whelan began his representation and stated that he was very concerned by the residents complaints and was seeking to resolve them as quickly as possible. He stated that the premises management had consulted fully with Environmental Protection and as a result were in agreement with the conditions proposed by Mr Bulger, which they hoped would resolve the situation.
- 51.20 Mr P Whelan added that the noise problems at the premise had been inherited from the previous management, and they had worked hard since the licence was transferred to them to rectify these. Live music had previously been played at the premises, but after complaints had been received this activity was stopped, and there was now no live music sessions permitted. He went on to state that the introduction of the smoking ban had introduced its own noise problems that had not been anticipated. Due to the close proximity of the buildings in the area any sound on the street created a noise nuisance. Mr P Whelan felt that if the terrace hours were extended, this could be controlled much more easily by the premises, and would significantly reduce the noise nuisance. He stated that the terrace had been designed specifically to reduce noise and was a success in this respect, and he was aggrieved to be present before the Panel as part of a review hearing. Mr P Whelan assured the Panel Members that several internal measures would be put in place to ensure there was no further cause for review of the licence, although he asked that they not form part of the conditions on the licence as he felt this would be too inflexible.
- 51.21 Mr G Whelan added that this was a family run pub, and he had been in the business for 35 years running premises consistently and effectively. He was very concerned to be present before the Panel today, but assured Members that he would take every measure to ensure the premises was well run. He stated that he did not feel that Door Staff were appropriate for what was essentially a family business, and felt that his own staff would be able to manage the situation effectively after appropriate training. He recognised there had been breaches of licence conditions in the past, in particular relating to the windows of the first floor. Measures were being put into place however, to ensure that these windows would be locked in the future to stop customers from opening them without the knowledge of the premises management.

- 51.22 The Chairman asked if there were any questions of Mr G Whelan and Mr P Whelan's representations and Councillor Mrs Theobald asked what the capacity of the terrace was. Mr P Whelan replied that it was around 100 for both floors of the terrace.
- 51.23 Councillor Mrs Theobald noted that many premises in the city were restricted on the hours they could use an outside space. Mr P Whelan replied that if the terrace remained restricted, it was his opinion that people would continue to drink on the street and the noise problems would continue unabated. He felt it was better to have an environment inside the premises where customers could be monitored and managed more effectively by the management and staff. He added that it was naturally a very busy area with lots of premises in close proximity, and did not feel that all of the people creating noise problems on the street were related to the Lion & Lobster.
- 51.24 Councillor Lepper asked what measures the premises would take to ensure alcohol was not taken off the premises. Mr P Whelan noted that off-sales were not permitted at the premises and this condition would be adhered to. He felt that if the terrace could be offered as a viable alternative to customers then the noise problems on the street would abate.
- 51.25 Councillor Lepper asked about waste disposal, in particular bottles, and Mr P Whelan replied that bottles were never disposed of late at night as the management were very aware of the problems this could cause for residents. There was a very strong policy at the premises to ensure bottles were only taken out in the morning. He did not agree that the Lion & Lobster was responsible for these complaints.
- 51.26 Councillor Lepper was concerned that although live music had stopped at the premises, noise complaints were still being received. Mr P Whelan felt that the noise was emanating mainly from the street as the interior of the pub was very relaxed, with only background music being played and no DJ nights held.
- 51.27 Mr Anderson asked how the street would be monitored by the staff. Mr G Whelan stated that the outside area would be monitored constantly and staff would encourage anyone outside to use the terrace. Mr Anderson asked what would happen if the premises was full and Mr G Whelan stated that new customers would not be admitted if this was the case.
- 51.28 Mr Strauss asked about dispersal at the premises and Mr P Whelan replied that as the premises closed around 02:00 hours, customers would only linger for a short time outside before dispersing, but this would be monitored by staff members to ensure there were no problems.
- 51.29 Councillor Lepper stated that the Premises Licence Holders were offering conditions to manage the premises much more carefully and effectively, and she asked if extra staff would be hired to help with this. Mr P Whelan stated that Sundays – Thursdays were not busy days for the premises, but more staff would be hired on Friday and Saturday nights to ensure it was well run. He believed his staff were responsible and competent, and more that able to handle any extra monitoring duties and he would also be offering SIA training to all of his staff members.

- 51.30 The Senior Environmental Health Officer began his final statement and stated that the review process represented the key protection for residents for the local community once a licence is in force if the licensing objectives are being undermined. He noted that Environmental Health were recognised experts in giving advice & guidance with regard to noise matters and have a statutory duty to investigate noise complaints and take enforcement action where required. However, guidance issued under section 182 of the Licensing Act 2003 states that licensees should take reasonable steps to prevent the occurrence of crime & disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden, or in a smoking shelter, where and to the extent that these matters are within their control. If the Panel considered that extra conditions were necessary for the premises to meet licensing objectives then these conditions should be clear, precise and enforceable.
- 51.31 Mr Bulger began his final representation and stated that there had been frequent monitoring of the premises over a period of time, but very little substance to the complaints. A great deal of consultation had occurred with the Premises Licence Holders to ensure the conditions would be effective and easily enforceable for those problems that were identified, and he believed this was the best course of action in respect of the review.
- 51.32 The Chairman asked if the interested parties would like to make a final representation, and Councillor Kitcat stated that problems were occurring at the premises and he asked the Panel to take into consideration the amenity of the local residents who had taken the time to complain and attend the panel hearing. He recognised that it was a popular local pub and hoped the conditions offered would resolve the problems, but felt the situation needed continued monitoring. There were no further final representations from the interested parties.
- 51.33 Mr P Whelan began his final representation and stated that the management and staff worked very hard to ensure the premises was popular and successful. He felt that it was inevitable that some noise would be created as a result of this success, but added that the pub was often frequented by many of the locals who had made complaints about it. He recognised there was an existing noise problems however, but felt confident that the proposed conditions from the Environmental Protection Team would resolve the problems.
- 51.34 **RESOLVED** – That the panel considered the application, relevant representations, and submissions of the responsible authority, interested parties and of the licence holders and decided to take the following action in respect of this review:

The panel were pleased to adopt the conditions agreed between the Environmental Protection officer and the licence holders. The panel recognised and appreciated the hard work that had gone into this agreement by all parties which they hoped would produce a satisfactory outcome.

The conditions to be attached to the licence are as follows:

1. On Thursday, Friday and Saturday from 21:00 until 15 minutes after the premises are closed the operator of the premises shall employ not less than one SIA registered door supervisor. On all other days from 21.00 until 15 minutes after the

premises are closed an SIA trained member of staff will be available on the premises.

2. Regulated entertainment when provided will cease at 22.30 (save for New Years Eve).
3. Performance of Live Music - Indoors - The use of live music is restricted to short sessions on an ad hoc basis at different times and on different days during the week and may be unamplified or amplified, Music may be via artists singing, karaoke, DJ and other of a similar nature. (Excluding anything of an adult nature). There will be no permanent stage area for the performer(s) as the performance is intended to contribute to the premises' ambience and not be a stage focused concert style performance. Monday - Saturday: 18.00 - 22.30, Sunday: 15.00 - 22.30. All performances will be limited to end at 22.30, or before to minimize any possible nuisance.
4. Recorded music shall be performed only through a sound level limiter which shall be set, using tamper proof technology in conjunction with an authorised officer of Environmental Health and Licensing.
5. No drinks are to be permitted outside the premises between the hours of 22.00 and 10.00 on any day. The extended use of the outside areas within the curtilage of the premises is intended to reduce congestion and the pressure on customers using the highway outside the front of the building.

The following conditions which are currently on the licence are to be removed from the licence:

1. Regulated entertainment when provided will cease at 23.00 on weekdays and 22.30 on Sundays (save for New Years Eve).
2. **Performance of Live Music Indoors** The use of live music is restricted to short sessions on an ad hoc basis at different times and on different days during the week and may be unamplified or amplified, Music may be via artists singing, karaoke, DJ and other of a similar nature. (Excluding anything of an adult nature). There will be no permanent stage area for the performer(s) as the performance is intended to contribute to the premises' ambience and not be a stage focused concert style performance Monday – Saturday 18.00 - 23.00, Sunday: 15.00 - 22.30. All performances will be limited to end at 23.00, or before to minimise any possible nuisance.
3. Reference to outdoor areas being closed and cleared by 23.00.
4. Door supervisors will be employed when appropriate and in accordance with a suitable risk assessment.
5. No drinks (except where sold in sealed containers) will be allowed to be taken off the premises.

The meeting concluded at 1.30pm

Signed

Chairman

Dated this

day of