

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 10

meeting date: 29 NOVEMBER 2011
title: APPEAL UPDATE AND PREMISES HOURS INFORMATION
submitted by: HEAD OF LEGAL AND DEMOCRATIC SERVICES
principal author: DIANE RICE

1 PURPOSE

1.1 To inform Committee about:

- the outcome of a recent appeal;
- the current opening hours in the town centre; and
- a proposed initiative.

2 BACKGROUND

2.1 On 6 June 2011 the Council received an application by Keystreet Ltd to vary their premises licence. As a result of the fact that representations were received, a hearing was held on 13 July 2011. The application was refused in part; the element of refusal related only to additional hours on bank holiday weekends.

2.2 Once the changes permitted by the Committee were translated into the licence, it became apparent that modifications to the bank holiday hours would be relatively minimal and would not, in any event, affect the opening hours of the premises.

2.3 Therefore, after consultation with the Chairman and confirmation of certain matters by the police, an agreement was reached with the Applicant whereby the Appeal was disposed of without a contested hearing.

2.4 This application was one of several recently which have extended the hours of the premises.

3 ISSUES

3.1 Members of the Licensing Sub Committee have expressed concern not in relation to the management of the individual premises, but rather in relation to the effect on the character of the town, visitors and residents of premises operating for longer periods in the early hours of the morning.

3.2 The Police and Social Responsibility Act 2011, changes the Licensing Act in several respects as part of the process, which began with the consultation exercise 'Rebalancing the Licensing Act'. The Act will give local licensing committees more power to influence the way the Licensing Act affects their local area, although it will be some time before the relevant provisions are in force.

3.3 The changes the Act makes include the late night levy, early morning restriction orders and the conditions that can be attached to the licence, namely from necessary (the Committee can only impose conditions where there is clear evidence that a condition will be required) to appropriate (which will allow Committees to exercise

some element of judgement based on past experience rather than having to show need).

3.4 After discussions with the Chairman, it was agreed that would be useful to set out for Members of Committee:

- the current opening hours and
- times for supply of alcohol and hours for
- provision of regulated entertainment, at weekends, for the premises in the centre of Clitheroe.

Attached as Appendix 1 is a table showing this information, in descending order by reference to the hour when the premises close.

3.5 Members who sit on the Licensing Sub Committee have expressed concern that they have not been able to translate their sympathy with the concerns of residents into greater safeguards.

3.6 Discussions with local licensees have suggested that although the closing time of their premises has become later the effect on takings has been minimal and there can be additional costs.

3.7 Once the Police and Social Responsibility Act is in force, it will be appropriate to look at some of the more formal measures which will be available to control the way in which late night entertainment and drinking affects the centre of Clitheroe. However, before this there will be an offer to the local Pub Watch group to discuss whether there is any possibility of a local compact, whereby the current hours for premises are at least stabilised and possibly brought forward by agreement.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – None.
- Technical, Environmental and Legal – None.
- Political – None.
- Reputation – If, once the Act is in force, formal measures are taken, the Council will be able to demonstrate a commitment to working with licensees on a voluntary basis where possible.

5 **RECOMMENDED THAT COMMITTEE**

5.1 Note the information provided above.

HEAD OF LEGAL AND DEMOCRATIC SERVICES

For further information please ask for Diane Rice, extension 4418.

APPENDIX 1

Name of Premises/Public House	Opening Hours			Supply of Alcohol			Latest of live or recorded music		
Carlitos	03.00	03.00	00.30	02.30	02.30	00.00	02.30	02.30	00.00
Keystreet Ltd	03.00	03.00	02.00	02.30	02.30	01.30	02.30	02.30	01.30
Dog Music & Sports Bar	02.45	02.45	01.15	02.15	02.15	23.45	02.15	02.15	00.45
White Lion	02.00	02.00	00.30	01.30	01.30	00.00	01.30	01.30	23.30
Conservative Club *	-	-	-	02.00	02.00	00.00	02.00	02.00	00.00
Rose & Crown	02.00	02.00	00.00	01.00	01.00	23.30	01.00	01.00	23.00
Swan & Royal - Pub Function Room	00.30 02.00	01.30 02.00	01.30 02.00	01.00 01.30	01.00 01.30	00.00 01.30	01.00	01.00	00.00
Royal Oak	01.30	01.30	00.30	01.00	01.00	00.00	00.00	00.00	23.00
Craven Heifer	01.30	01.30	01.00	00.30	00.30	00.00	23.00	23.00	22.30
Waggon & Horses	01.30	01.30	00.30	01.00	01.00	00.00	01.00	01.00	00.00
White Horse	01.30	01.30	00.00	01.00	01.00	23.30	00.00	00.00	23.00
Buck Inn	01.30	01.30	00.30	01.00	01.00	00.30	00.00	00.00	00.00
Castle Hotel	01.30	01.30	00.30	01.00	01.00	00.00	01.00	01.00	00.00
New Inn	01.30	01.30	00.00	01.00	01.00	23.30	00.00	00.00	23.30
British Legion *	-	-	-	01.00	01.00	00.00	01.00	01.00	00.00
So Bar	01.00	01.00	00.00	00.30	00.30	23.30	01.00	01.00	00.00
Brown Cow	01.00	01.00	01.00	00.30	00.30	00.30	00.45	00.45	00.45
Piccolino	01.00	01.00	01.00	00.00	00.00	00.00	00.00	00.00	00.00
Maxwells	00.30	00.30	00.30	00.00	00.00	00.00	23.00	23.00	23.00
Emporium	00.30	00.30	00.30	00.00	00.00	00.00	00.00	00.00	23.00
Inn at the Station	00.00	00.00	00.00	00.00	00.00	00.00	00.00	00.00	00.00
Clitheroe Social Club *	-	-	-	23.59	23.59	23.30	23.59	23.59	23.00
The Victoria Hotel **	-	-	-	23.00	23.00	22.30	← None →		

* Denotes club licence – opening hours not controlled

** Denotes licence specified – originates from ‘grandfather rights’ hence no opening hours