

DECISION NOTICE

COMMITTEE:

Licensing Sub-Committee (Licensing Act 2003 and Gambling Act 2005)

DATE:

Tuesday, 22 December 2015

Premises:	Emporium, High Street, Winchcombe, GL54 5LJ.
Applicant:	Karen Adams.
Application for a premises licence.	
Present:	Councillors Mrs G F Blackwell, R Furolo and R E Garnham (Chairman)
Representative of Applicant:	Zainah Salam – Manager
Other Parties Addressing the Sub-Committee:	Tim Benton – Owner of a property in Emporium building, High Street, Winchcombe. Bette Galloway – Resident of Royle Mews, Cowl Lane, Winchcombe. Stephen Howarth – Resident of Royle Mews, Cowl Lane, Winchcombe. Steve Meredith – Resident of High Street, Winchcombe. Keith Pritchard – Resident of High Street, Winchcombe. David Wilson – Resident of Royle Mews, Cowl Lane, Winchcombe.

SUMMARY OF REPRESENTATIONS

1. No representation was received from responsible authorities, however, the applicant agreed with Gloucestershire Constabulary to modify the application. The applicant also agreed with Environmental Health that background music would be played no longer than 02:00 on New Year's Eve and 00:00 on all other nights.
2. 20 representations had been received from other parties, all of whom wished to object to the application. The representations mainly referred to the licensing objectives of crime and disorder and public nuisance.

Some representations referred to whether there was a need for more licensed premises in Winchcombe but this was not a relevant consideration for the Licensing Authority in determining the application.

THE APPLICATION

Relevant licensable activities and (standard) hours applied for:

Recorded Music	Sunday to Thursday	08:00 – 00:00
	Friday and Saturday	08:00 – 02:00
Late Night Refreshment	Sunday to Thursday	23:00 – 00:00
	Friday and Saturday	23:00 – 02:00
Supply of Alcohol	Sunday to Thursday	10:00 – 00:00
	Friday and Saturday	10:00 – 02:00
Hours premises are open to the public	Sunday to Thursday	08:00 – 00:00
	Friday and Saturday	08:00 – 02:00

Non-standard timings applied for:

During National Hunt Meetings at Cheltenham Race Course the opening time and sale of alcohol will start at 07:30.

AMENDMENT TO THE APPLICATION BY THE APPLICANT

Supply of Alcohol	Monday – Saturday	10:00 – 23:00
	Sunday	10:00 – 22:30

Non-standard timings applied for:

During Cheltenham Race meetings scheduled for March and November the opening time and sale of alcohol will start at 07:30.

On New Year's Eve permitted hours for sale by retail of alcohol will be extended to 02:00.

DECISION

Having considered the application; the evidence provided; the representations made by all parties, including those made at the hearing; the four licensing objectives; the National Guidance; and the Council's Statement of Licensing Policy it was resolved that the application for the premises licence be **GRANTED** as follows:

Supply of Alcohol	Monday – Saturday	10:00 – 23:00
	Sunday	10:00 – 22:30

All other timings to be by way of an application for a Temporary Events Notice.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. A CCTV system must be maintained in good working order.
2. The premises shall be protected by an alarm system which must be maintained in good working order.
3. Staff will be trained on general health and safety.
4. Signage must be displayed asking patrons to leave quietly.
5. The 'Challenge 25' scheme must be adopted so that any customer attempting to purchase alcohol who appears to be under the age of 25 shall be asked for an accredited photographic proof of age (e.g. passport, photo driving licence or a Pass approved card) and that a sale shall not be made unless this evidence is produced.
6. A refusals register must be maintained on the premises to record details of any alcohol purchases refused by staff.

CONDITIONS CONSISTENT WITH THOSE RECOMMENDED BY THE RESPONSIBLE AUTHORITIES AND AGREED WITH THE APPLICANT

1. CCTV must be installed and retained for a minimum of 14 days if digital, 28 days if non-digital, and must be available to Police or a Responsible Authority upon request.
2. A risk assessment must be carried out prior to any event, in particular Cheltenham Races.

ADDITIONAL CONDITIONS IMPOSED BY THE SUB-COMMITTEE

1. A sign will be displayed stating the designated smoking area. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and to use the area quietly.
2. Patrons are permitted to temporarily leave and then re-enter the premises, e.g. to smoke, but shall not be permitted to take drinks or glass containers with them.
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibrations be transmitted through the structure of the premises which gives rise to a nuisance.
4. There will be no use of the alleyway at the side of the premises by the patrons of the premises and a sign must be erected reminding patrons not to use the alleyway at any time.

REASON

The Sub-Committee placed these conditions on the licence for the purpose of promoting the licensing objectives. In all other respects, the Sub-Committee found that the licensing objectives had been satisfied and the conditions imposed on the licence would ensure that the licence would continue to meet those objectives.