

\*Printed for information

## LICENSING SUB-COMMITTEE

29 January 2007

**Present:-** Councillor Hambleton in the Chair

Councillors Clarke and Chrzanowski

Mr P W Clisby	- Clerk
Mr G Blakey	- Environmental Health Officer – Newcastle Borough Council
Mr A Snow	- Environmental Health Officer – Newcastle Borough Council
Inspector J Moore	- Staffordshire Police
Ms Lisa Roberts	- Staffordshire Police
Mr R Leese	- Staffordshire Police
Mrs G Williams	- Councillor – Representing Objectors
Mr J Williams	- Councillor – Representing Objectors
Mr A Clarke	} - Objectors
Mr J V Clarke	
Mr M J Toft	
Mr S M Smith	
Mr K M Maddock	
Mr I Matthews	- Councillor
Mr J G Coen	- Solicitor, Punch Taverns (Applicant)
Mr R Ault	- Staffs Sentinel Newspapers

994. \* **THE HEMPSTALLS INN, HEMPSTALLS LANE, NEWCASTLE  
APPLICATION TO VARY PREMISE LICENCE**

Members were informed of an application to vary the above premises licence by way of structural alteration, increased hours and the addition of live music and karaoke.

### Decision

The Sub-Committee have taken into account the Licensing Act 2003, the Council's statement of Licensing Policy and the guidance issued under the Act.

Consideration was given to the relevant licensing objectives relevant representations and the evidence for the applicant and the Sub-Committee were persuaded that to grant the additional hours would fail to meet the licensing objective relating to the prevention of public nuisance. Regarding the structural alterations, the variation was approved for the *interior* works within the area edged red on the submitted plan.

Regulated entertainment – Approved – 10.00am until 11.00pm with live music being restricted to no more than 2 performers, and subject to prevention of nuisance condition and maintenance of signs.

Sale of alcohol – 10.00am until 11.00pm.

Premises open to public – 10.00am until 11.20pm.

Subject to the following conditions:

**Prevention of Nuisance**

1. Noise from regulated entertainment shall be inaudible at the boundary of the nearest noise sensitive premises.

*Note: "This condition has reworded the applicant's condition, as the applicant's would be unenforceable and unmonitorable by the applicant".*

2. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
3. All windows and doors shall be shut when live and recorded music is being played after 9pm including the front entrance.
4. There shall be a noise limiter installed at the premises and it shall be set at a level as determined by the Director of Community Services or his duly authorised agent.

**Public Safety**

**1. DPS and Person in Charge General Duties;**

You shall:

- take all reasonable precautions for the safety of anyone on the Premises;
- comply with all the conditions contained in this Licence; and
- take all reasonable measures to make sure that any person, including any promoter or performer or any other person working at the Premises complies with this Licence;
- have due regard to the Guidance issued in connection with this Licence.

**Designated Premises Supervisor's Deputy**

When you are not in attendance at the premises during hours of operation you must appoint a deputy to be the Person in Charge.

**Even if you appoint a Designated Premises Supervisor's deputy, you will still be responsible for any breach of condition which takes place when you are not on the premises.**

You must, when you want to appoint or change a Deputy, write to the Council at least 7 days before he/she starts their duties, or as soon as possible after this time stating the name and address of the proposed Deputy.

You must be satisfied that the Deputy can competently carry out the functions of the Person in Charge.

You must make sure that your Deputy has read and understood the terms of the Licence.

You must:

- keep a written record of the dates and times when a Designated Premises Supervisor's Deputy acts as the Person in Charge of the Premises;
- keep this record on the Premises at all times and for at least 2 years; and
- show it to an Authorised Officer if they ask to see it.

## **2. Person in Charge**

The Person in Charge must take all reasonable precautions to make sure that when the Premises are open for entertainment anyone on the Premises is safe.

The Person in Charge must be on the Premises all the time when the Premises are open and must be available immediately if there is an emergency.

Before opening the Premises to the public for entertainment the Person in Charge must make sure that:

- escape doors are unlocked and can easily be opened from the inside;
- exit signs are in place;
- the normal lighting is working;
- lights are switched on when there is not enough natural light;
- emergency lighting is in working order;
- fire fighting equipment is readily available;
- the fire alarm at the Premises works; and
- fire escape routes are clear and there is no flammable material on or near these routes.

The Person in Charge must:

- keep a written record of the dates and times when the checks listed in condition 3.3 above are completed;
- keep this record on the Premises at all times and for at least 2 years; and show it to an Authorised Officer if they ask to see it.

The Designated Premises Supervisor/Duty Manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. The register shall be produced immediately on the request of an Authorised Officer.

**T HAMBLETON  
Chair**