

LICENSING COMMITTEE9 June 2005
(2.00pm – 3.59pm)

PRESENT: Councillor Benstead, Blencowe, Hymans (Vice Chair), and J Rosenstiel (Chair). Councillor Baker attended as the alternate.

FOR THE INFORMATION OF THE COUNCIL05/m/43 **APOLOGIES**

Apologies were received from Councillors Dixon and Liddle.

05/m/44 **DECLARATIONS OF INTEREST**

Councillor Blencowe declared a personal interest (05/m/47) as a graduate of a previous establishment on the site of what is now known as APU.

Councillor Benstead declared a personal interest in (05/m/50) as being located in his Ward.

05/m/45 **PUBLIC ENTERTAINMENT LICENCE (NEW) – ROSEMARY
BRANCH PH, COLDHAMS LANE**

The Head of Environmental Services (HES) presented the report.

Resolved

To defer and delegate to HES to grant subject to the following conditions and once works as required by the Fire Officer are completed:

1. This licence is for three events.
2. The three events to be held within three months of the licence being granted.
3. Head of Environmental Services (HES) to be given at least seven days notice of each event.
4. Hours 8pm – 11pm Monday – Saturday and 8pm – 10.30pm Sunday.
5. All doors and windows including doors to beer garden to remain closed during entertainment events.
6. No entertainment events to be held outside of the premises.
7. Conditions to be advised by Fire Officer

05/m/46 **PUBLIC ENTERTAINMENT LICENCE (NEW) – JENNY WREN, ST
KILDA AVENUE**

The applicant was present with someone who spoke in support.

The Head of Environmental Services (HES) presented the report.

In response to points made by HES, the applicant advised the Committee that the problem in 2004 had taken place prior to her taking over the pub in December 2004. She had not been aware that a licence was needed for the type of entertainment provided on 22 April (see para 4.1). The applicant's supporter, who lived very close, stated that the previous owner had insisted on keeping doors and windows open which was a cause of annoyance and she had complained. She did not have any such issue with the applicant.

The Committee agreed to delegate the matter for final approval to HES, subject to there being no objections.

Resolved

To approve subject to the following conditions:

1. One event only may be held, to enable the design of a scheme of sound insulation for the building to be prepared and approved by HES. A further event may be held, following implementation of the approved scheme, to enable its effectiveness to be demonstrated.
2. 7 days notice of both events permitted by this licence shall be given to HES.
3. Events to be held during pub hours only. (ie finish by 11 p.m.)
4. All doors and windows to venue to be kept closed during public entertainment events.
5. Maximum numbers dancing – 125
6. Number of exits – 3, to remain unobstructed during events.
7. Fire fighting equipment – 2 x 9l water extinguishers, behind bar, 1 x 2kg CO2 type extinguisher adjacent to band/disco.
8. Emergency lighting: Maintained illuminated "fire exit" notice (above each exit). Three in all.
9. One steward to be present.

05/m/47 **PUBLIC ENTERTAINMENT LICENCE (RENEWAL) – KUDOS AND THE ACADEMY, HELMORE BUILDING, ANGLIA POLYTECHNIC UNIVERSITY**

The applicant and an objector were present.

The Head of Environmental Services (HES) presented the report. The Committee noted that if approved, the licence would expire on 24 November, the date which the new licensing regime becomes effective. The applicant requested an additional night until 2am. He was advised that this was not possible as the licence would be granted as applied for and as advertised ie. with no variation on the hours except for one day a week.

The police advised the Committee that following the hearing earlier in the year, the first

liaison meeting had been held of APU, the Student Union and residents which had been positive. It was clear that stewarding issues on the campus remained a matter of concern to residents.

The applicant informed the Committee that issues raised by objectors were outside of the direct control of the premises. However, they were now using the front entrance/exit (onto East Road) rather than the rear, which had improved matters.

The objector commended the applicant for the liaison work with residents recently. He stated that there was a real problem of public control within the campus and it was the responsibility of APUs management to take the issue more seriously. He suggested that the Committee be more restrictive on the applicant so APU management took the matter seriously.

The police informed the Committee that there had been a representative of the management at the recent liaison meeting and there was also a dedicated APU police liaison officer.

The HES suggested to the Committee that it was a good time to have a dialogue between the interested parties ahead of the introduction of the new licensing regime. The Chair stated that this could be raised at the next City Council/APU Forum.

Resolved

To approve subject to the following conditions:

- a) The licence to be for a period to 24 November 2005 in order to allow officers to monitor the events.
- b) Programme of events to be supplied to HES.
- c) Doors and windows in the licensed areas to be kept shut during events. Internal dividing glazed doors to the ground floor and first floor to be kept closed during events. Doors to 'The Academy' on the ground floor and the main entrance to be managed by staff, to prevent them both being open at the same time.
- d) Only one event per week may continue until 2.00 a.m., during the initial six month period , referred to in a)
- e) No entry to events after 2300 hours.
- f) Noise limiting devices to be used to control the sound levels and prevent noise from the events from being audible beyond the site boundary with Broad Street, Flower Street, and Bradmore Street.
- g) The written scheme of stewarding to encourage students to leave quietly in particular in Broad Street, Bradmore Street and Collier Road, as approved by HES to be adhered to at all events.
- h) Access to and egress from all entertainment events to be via the main entrance doors on East Road where possible until 31 August 2005 but on all occasions for events that finish at 2am and thereafter the East Road entrance shall be used on every occasion.

- j) The premises shall be provided with a secondary set of doors on the ground between the entertainment area and the fire exit in the corridor where the toilets are situated in order to reduce sound leakage by the 31 August.
- k) Reduce the sound level in the premises immediately adjacent to the rear-glazed wall of the bar as agreed by the HES.

05/m/48 **PUBLIC ENTERTAINMENT LICENCE (OCCASIONAL) – KUDOS AND THE ACADEMY, HELMORE BUILDING, ANGLIA POLYTECHNIC UNIVERSITY**

The applicant and an objector were present.

The Head of Environmental Services (HES) presented the report. A revised Condition (c) was tabled by HES. One of the concerns was the noise at a late hour, hence the condition to cease the use of the marquee after midnight.

The police highlighted the need for additional stewarding. The applicant advised that the marquee was to have its own stewards and the police were satisfied with this approach. The applicant apologized for the lateness of the application.

The objector expressed concern that the decision was a 'done deal' and the application had caused the most concern amongst residents at the first liaison meeting with the APU and Student Union held on 26 May. He did not think that the management of the dispersal of people could be done satisfactorily.

The Chair requested that the applicant consider distributing a phone number for residents to contact on the night, to also include the Council's noise call-out service number and to place a notice requesting quiet when leaving at the Bradmore Court end.

Resolved

To approve subject to the following conditions:

- a) Subject to the existing conditions for the premises in the full Public Entertainment Licence.
- b) The use of the marquee shall cease at 12 midnight and be used only for dining and cabaret as applied for.
- c) The sound level measured at the boundary of Theatre Court shall not exceed 57dB Laeq (5 minutes). The sound level measured at 1 metre from the marquee shall not exceed 75 dB Laeq (5minutes) and 80 dB LAMax. The licence holder, or a person designated by them, shall carry out monitoring of the sound levels during the use of the marquee and shall be responsible for ensuring that the specified levels are not breached.
- d) The rear entrance doors from the Helmore Building shall only be used to seat diners and they shall cease to be used and the fire exit facing Broad Street shall be used.

05/m/49 **PUBLIC ENTERTAINMENT LICENCE (RENEWAL AND VARIATION) –
THE VINE BAR, EAST ROAD**

The Head of Environmental Services (HES) presented the report.

Resolved -

To refuse request to permit opening until 12 midnight but approve a licence until 11.00 pm subject to existing conditions.

To defer determination of the application until works requested by HES and the Fire Officer in 4.1 and 4.2 (of the report) have been completed. To delegate to HES to issue on completion, subject to the following conditions:

1. All amplified music and voice shall only be generated / played through the fixed in-house sound system.
2. Before any events are held as part of a noise insulation scheme, an appropriate noise limiter / regulatory device shall be fitted to the in-house sound system and shall be set by an acoustic consultant engaged by the applicant to the satisfaction of the HES.
3. The external doors opening onto the rear external courtyard to Burleigh Place, shall be kept closed at all times during performances and shall not be used except as an emergency fire exit.
4. The external rear courtyard / beer garden with seating and tables shall not to be used during events.
5. All external doors and external windows to be kept shut at all times during performances, apart from the main entrance door from East Road that allows general ingress and egress which shall kept closed so far as reasonably practicable during events.
6. Only three events to be held per week.
7. Numbers -130
8. Exits - 2
9. 1 x 2kg CO₂ extinguisher adjacent to band/disco.
1 x 6L AFFF extinguisher behind bar.
10. 2 x maintained illuminated fire exit notices, one above each exit.
11. All furniture on flat floor bar area to be removed from the room when event is taking place.
12. An emergency exit route shall be maintained across the rear garden into Burleigh Place.
13. One steward to be present.

05/m/50 **PUBLIC ENTERTAINMENT LICENCE (RENEWAL AND VARIATION) –
NUSHA CAFÉ BAR, CAMBRIDGE LEISURE PARK**

The applicants and the objector were present.

The Head of Environmental Services (HES) presented the report. The applicant stated that they would wish to extend hours further in the future but accepted the officer recommendation.

The objector (representing the Junction) explained that there was a public disorder issue if the premises were granted hours until 2am. The objection would not apply to the premises remaining open until 1am.

Resolved -

To refuse a request to permit opening until 2am but approve a licence until 12 midnight Monday – Sunday.

To defer determination of the application until works requested by HES in 4.1 have been completed. To delegate to HES to issue on completion, subject to the following conditions:

1. All amplified music and voice shall only be generated /played through the fixed in house sound system.
2. Before any events are held an appropriate noise limiter/regulatory device shall be fitted to the in-house sound system and shall be set by an acoustic consultant engaged by the applicant to the satisfaction of the HES.
3. No live entertainment.
4. Entrance doors to premises to be stewarded and remain closed as far as practicable.
5. Rear fire doors to remain closed and unobstructed during entertainment events.
6. Numbers – 150.
7. Fire Exits – 2.
8. 1 x 6 Litre AFFF Extinguisher behind bar.
9. 1 x 2 Kg CO₂ Extinguisher adjacent to DJ Booth.
10. 2 x maintained illuminated fire exit notices, one above each exit, plus other non-maintained units throughout the premises.
11. One steward to be present (as stipulated in Condition 4 above).

05/m/51 PUBLIC ENTERTAINMENT LICENCE (VARIATION) – SOUL TREE, CORN EXCHANGE STREET

The applicant was present.

The Head of Environmental Services (HES) presented the report. The applicant was not content with the officer recommendation of only three representative events.

He explained that the sound system was unchanged from that already installed in the building and which had previously been monitored by the officers.

The HES advised the Committee that on the reassurance that the sound insulation was satisfactory and confirmation that it was the same sound system, the recommendation can be amended to remove additional condition (a) as listed in the report.

Resolved -

To approve, subject to the existing conditions, with the following variations:

- a. 7 days notice to HES of live music events.
- b. The minimum number of stewards shall be:
 - a. Ground floor – one
 - b. First floor – two
 - c. Second floor – two
 - d. Third floor – one

The licence holder shall ensure that stewards include the area between the club and Fisher House in their duties.

**05/m/52 PUBLIC ENTERTAINMENT LICENCE (RENEWAL & VARIATION) –
CAFÉ AFRIKA, STURTON STREET**

The Head of Environmental Services (HES) presented the report. Refusal was recommended on the grounds described in paragraph 4.1. The Committee noted that the police supported refusal.

Resolved -

That the application be refused on the grounds listed in paragraph 4.1 of the report.

CHAIR