

REPORT OF CORPORATE DIRECTOR OF CITY DEVELOPMENT
APPLICATION FOR VARIATION OF ENTERTAINMENTS LICENCE

Punch & Judy, 532-534 Mansfield Road, Sherwood, Nottingham

1.0 SUMMARY

1.1 This application is to vary the terminal hour of operation on Fridays and Saturdays from midnight to 1 am.

2.0 RECOMMENDATIONS

2.1 **IT IS RECOMMENDED THAT the Committee determine the application having regard to objections from the Police, the Noise Pollution Officer and the Chair of Sherwood Neighbourhood Watch groups, and to;**

- **the City Council's Entertainment Licensing Policy No.1 'Matters that might present an adverse impact on the neighbourhood from the licensed activity have been assessed and suitable measures put in place to minimise or prevent the impact', and;**
- **'Matters that impact on local crime and disorder have been identified and suitable measures to the satisfaction of the Police have been established to minimise or prevent avoidable incidents' and;**
- **'Matters that might present an adverse impact on the neighbourhood from the licensed activity have been assessed and suitable measures put in place to minimise or prevent the impact' and;**
- **'That they have taken steps to ensure good order inside and outside the premises';**
- **'They can (or have put) in place such effective measures as given above to the satisfaction of the Council or Police' and to;**
- **the City Council's Entertainments Licensing Policy No 8 'Normally the preferred terminal hour for public entertainment licence will be 11 pm. Any later terminal hour applied for will need to be supported and justified as part of the application'.**

3.0 BACKGROUND

3.1 The entertainments licence which was recently transferred to David Buchanan, provides music and dancing as follows:-

Mondays to Wednesdays	-	10.30 am to 11.30 pm
Thursdays to Saturdays	-	10.30 am to midnight
Sundays	-	noon to 11 pm

4.0 PROPOSALS

4.1 Mr Buchanan has applied to vary the terminal hour of operation as follows:-

Fridays & Saturdays	-	10.30 am to 1 am
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4.2 The Chief Fire Officer and Planning Officer have no objection. Ward Councillors have been consulted and have not objected.

- 4.3 The Police have objected and their letter is attached at Appendix 1.
- 4.4 The Noise Pollution Officer has objected and his letter to the applicant is attached at Appendix 2.
- 4.5 Mr Jacoby who is the chair of Sherwood Neighbourhood Watch groups has objected and his letter is attached at Appendix 3.
- 4.6 The location of the premises is shown on the attached map and the applicant, the Police, Noise Pollution Officer and Mr Jacoby have been invited to attend.

5.0 LEGAL IMPLICATIONS

The legal implications will be reported at the meeting

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

None.

7.0 List of background papers other than published works or those disclosing confidential or exempt information

- Application form dated 14 August 2003
- Letters from Berryman Shacklock solicitors dated 14 August, 12 September & 22 October 2003
- Form D26 from the Chief Fire Officer dated 1 September 2003

8.0 CRIME & DISORDER IMPLICATIONS

Licensing for public entertainments is an opportunity for the City Council to work in partnership with the Police to reduce the risk of crime and disorder occurring both within and immediately outside licensed premises, having regard to the effect of the proposals on both customers and residents.

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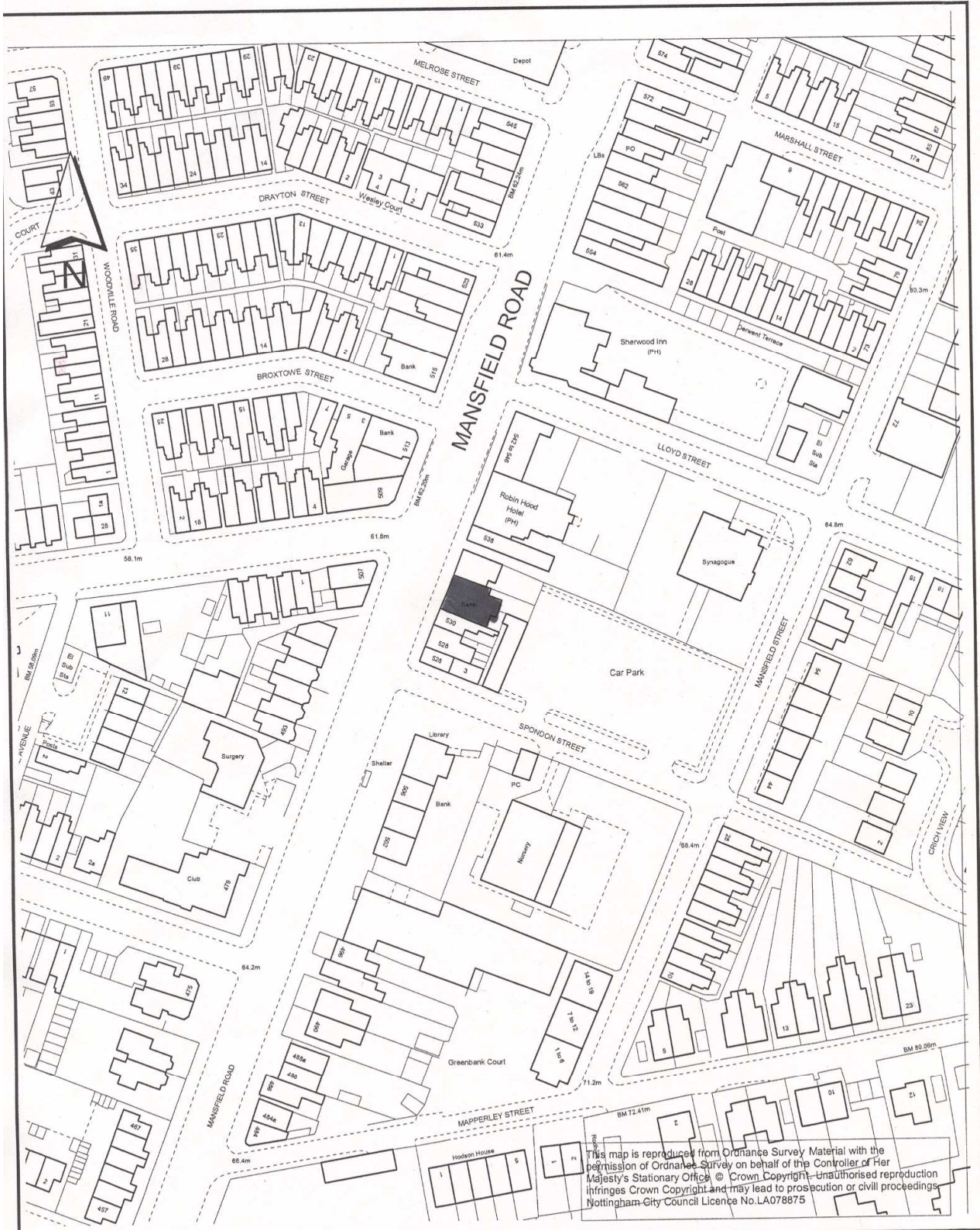
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Barry Horne
Corporate Director
City Development


Lawrence House, Talbot Street, Nottingham NG1 5NT

Contact Officer: Janet Swain, Team Leader – Food & Licensing
Telephone number: 0115 9156776
email: general.licensing@nottinghamcity.gov.uk

30 October 2003



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532 - 534 MANSFIELD ROAD (PUNCH AND JUDY PH) SK5742NW	Scale 1:1250	Date OCT2003	 Severns House, 20, Middle Pavement, Nottingham NG1 7DW Tel. (0115) 915 6999 Fax. (0115) 915 8026
	Initial PG	Drawing No 692	

A Safer Nottinghamshire For All



NOTTINGHAMSHIRE
POLICE

HEADQUARTERS

Sherwood Lodge, Arnold,
Nottingham NG5 8PP

Direct Line **01159 672715**
Fax **01159 672719**

Our ref: HQ(CJ)L MFG/JV

22 August 2003

FOR THE ATTENTION OF MRS SWAIN
Nottingham City Council
Environmental Health
Lawrence House
Talbot Street
Nottingham
NG1 5NT

Dear Sir

**OBJECTION TO THE VARIATION OF THE PUBLIC ENTERTAINMENT
LICENCE – PUNCH AND JUDY, 532-534 MANSFIELD ROAD, SHERWOOD,
NOTTINGHAM.**

With reference to a recent application which has been received relative to the above. I wish to advise you of the intention of the Chief Constable to object to this application.

The general grounds of objection are:-

1. The variation of this licence could have an adverse affect on Public Order.
2. Having regard to the Crime and Disorder Act, Police feel sufficient late licences already exist.
3. The variation of the licence has the potential to create noise and disturbance in the vicinity.

The Chief Constable reserves the right to raise further grounds of objection in the light of any further evidence led before the Licensing Committee.

Could you please advise me of the date and time of any hearing in order that we may be represented.

Yours faithfully


Mr M F Graham
Licensing Officer

c.c Berryman Shacklocks Solicitors, Park House, Friar Lane, Nottingham NG1 6DN



INVESTOR IN PEOPLE



Copy.

Ref DM/03/123764L1

Derek Moss
915 6403
8th September 2003

FAO Robin Wilson

David Paul Buchanan
136 Berry Hill Road
Mansfield
Nottingham
NG18 4RR

Dear Sir

Re: Punch and Judy P.H., 532-534 Mansfield Road, Sherwood, Nottingham. NG5 2FR.

Application to Vary Entertainments Licence

I write following consultation on the above Provisional Public Entertainments Licence variation application.

The Pollution Control Section is currently investigating a complaint from a resident in the area of alleged noise nuisance due to the breakout of loud music from the premises. As a result of this complaint, officers of the Section's Out of Hours Noise team were requested to carry out observations to assess the likelihood of statutory noise nuisance occurring.

These observations satisfied us that the level of noise breakout was clearly audible at the façade of the complainant's property and would be likely to constitute a statutory noise nuisance within the property. Subsequently, the management at the Punch and Judy were contacted and advised of the level of noise breakout witnessed and the consequences should further observations confirm statutory noise nuisance.

This contact resulted in a temporary reduction in levels of noise breakout. However, a further complaint was received a few weeks later, alleging a return to previous levels. This resulted in a letter to the proprietor of the premises, McManus Pub Company Limited, advising them of the continuing noise complaint and the consequences of causing statutory noise nuisance.

A representative of the Company, Mr Julian Tann (Area Manager) contacted Pollution Control on the 21st August 2003 and advised us that a replacement 'noise limiter' would be installed to the P.A. at the premises. The limiter to be set to a level that would ensure noise produced within the premises would be inaudible at the façade of the nearest residential premises. He agreed to confirm these proposals in writing.

To date, no written confirmation has been received.

Further observations were carried out by the Sections' Out of Hours Noise team following receipt of this PEL variation application. These observations on Friday 5th September and Saturday 6th September 2003, between the hours of 22.55 and 23.40. On both occasions the level of noise from loud music being played at the premises and raised voices of employees and patrons was deemed such to be likely to cause a noise nuisance to residents in the area. As such, I am of the opinion that the premises are not satisfactory at this time and wish to raise my objection to this variation application.

Should you require further advice or information, please contact me at this office.

Yours faithfully



Derek Moss
Environmental Health Officer (Pollution Control)

15/10
Fax'd to
Robin Wilson

SHERWOOD NEIGHBOURHOOD WATCH

8 Devonshire Road
Sherwood
Nottingham
NG5 2EW
0115 9106689
Mob 0794 1620 422

30.10.03
Sue Bowler
Assistant Licensing Officer
Lawrence House
Talbot St
Nottingham
NG1 5NT

Re – Application by Punch and Judy to extend their entertainment license

Dear Madam

I understand that the Punch and Judy pub located on Mansfield Road Sherwood has applied to change their opening hours so that they can remain open until 1.00.am.on selected nights.

Sherwood is beset by anti-social behaviour and crime, much of it fuelled by alcohol. Many traders have had windows smashed by drunken louts. For a recent example, the flat above Indigo Dry Cleaning had a window smashed by a Smirnoff Ice bottle, carried out from a local pub and then hurled across the road. This kind of behaviour is not uncommon. I know from meetings with residents that many have to put up with noise and disruption, which includes drunks vomiting and urinating in their doorways, well into the early hours. An extension of any licence would make their lives even more miserable.

Additionally, the policing resources in Sherwood are stretched to breaking point as evidenced by the high crime rate and increase in anti-social behaviour. Beat managers finish their shift at midnight and so there are no patrolling policemen on hand between the hours of midnight and 6.00am.

We do not accept the argument that the licensee will ensure that there will be no late admissions and this will make the impact of a later license negligible. Later opening means later drinking and more of it; the licensee is after all in the business of selling alcohol, not running a community centre. The problems start when the customers are no longer his responsibility.

I also note that there has been very little publicity given to this proposal, no public notice is evident in the vicinity of the premises and I only got to find out about it by chance.

Residents and traders can see no material benefit whatsoever consequent upon the extension of the opening hours of the Punch and Judy. I am therefore objecting, on behalf of the combined Neighbourhood Watch groups in Sherwood, to any change in the licence conditions for these premises.

Yours sincerely

Ivan Jacoby (Chair – Sherwood NW)

