

REPORT OF CORPORATE DIRECTOR OF CITY DEVELOPMENT

**APPLICATION FOR VARIATION OF ENTERTAINMENTS LICENCE -
'B BAR', 34A & 34B HEATHCOTE STREET, NOTTINGHAM**

1 SUMMARY

This is an application for variation of an entertainments licence.

2 RECOMMENDATIONS

IT IS RECOMMENDED THAT the committee determine the application having regard to an objection from a local resident and to the following relevant extracts of the City Council's Entertainment Licensing Policy:-

Policy 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';**
- **'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 and Police';**

Policy 9

'Within the City Centre the preferred terminal hour is 1am for a public entertainments licence';

Policy 10

'It is unlikely that a new application for a terminal hour beyond the times stated in Policy 8 and 9 will succeed where the area is predominantly residential or has circumstances that are sensitive to the problems associated with licensed premises unless the applicant can demonstrate extenuating reasons why the application should be granted';

Policy 11

'For a new application or variation, exceptions may be made to permit a later terminal hour where the Council are satisfied that the applicant has shown that the following circumstances would apply;

- a **the licensed activity would not be likely to cause adverse impact, especially on local residents, and if there is a potential to cause adverse impact that appropriate measures will be put in place to prevent or minimise the impact; and**

- b there will not be an adverse impact from the licensed activity, cumulatively or by itself, on local residents.’.

3 BACKGROUND

The existing entertainments licence which is attached at Appendix 1 was first granted in April 2002 and provides music and dancing as follows:-

Mondays to Saturdays	-	10.30 am to 1 am
Sundays	-	noon to midnight

4 PROPOSALS

- 4.1 The licence holder Mr Julian Benton has applied to vary the licence by extending the terminal hour of operation as follows:-

Mondays to Saturdays	-	10.30 am to 2 am
Sundays	-	noon to midnight (as existing)

- 4.2 A local resident has objected and a copy of his letter is attached at Appendix 2.
- 4.3 Other Officers and Ward Councillors have been consulted and have no objection.
- 4.4 The applicant and the local resident have been invited to attend and a map showing the location of the premises is attached.

5 LEGAL IMPLICATIONS

Legal implications will be reported at the meeting.

6 EQUAL OPPORTUNITIES IMPLICATIONS

None

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

- ◆ application dated 27 October 2003
- ◆ letter from Young & Pearce solicitors dated 27 October 2003
- ◆ letter from Nottinghamshire Police dated 11 November 2003
- ◆ form D26 from the Chief Fire Officer dated 28 October 2003
- ◆ memo from planning advice & applications dated 5 November 2003
- ◆ memos from pollution control dated 29 October & 1 December 2003

8 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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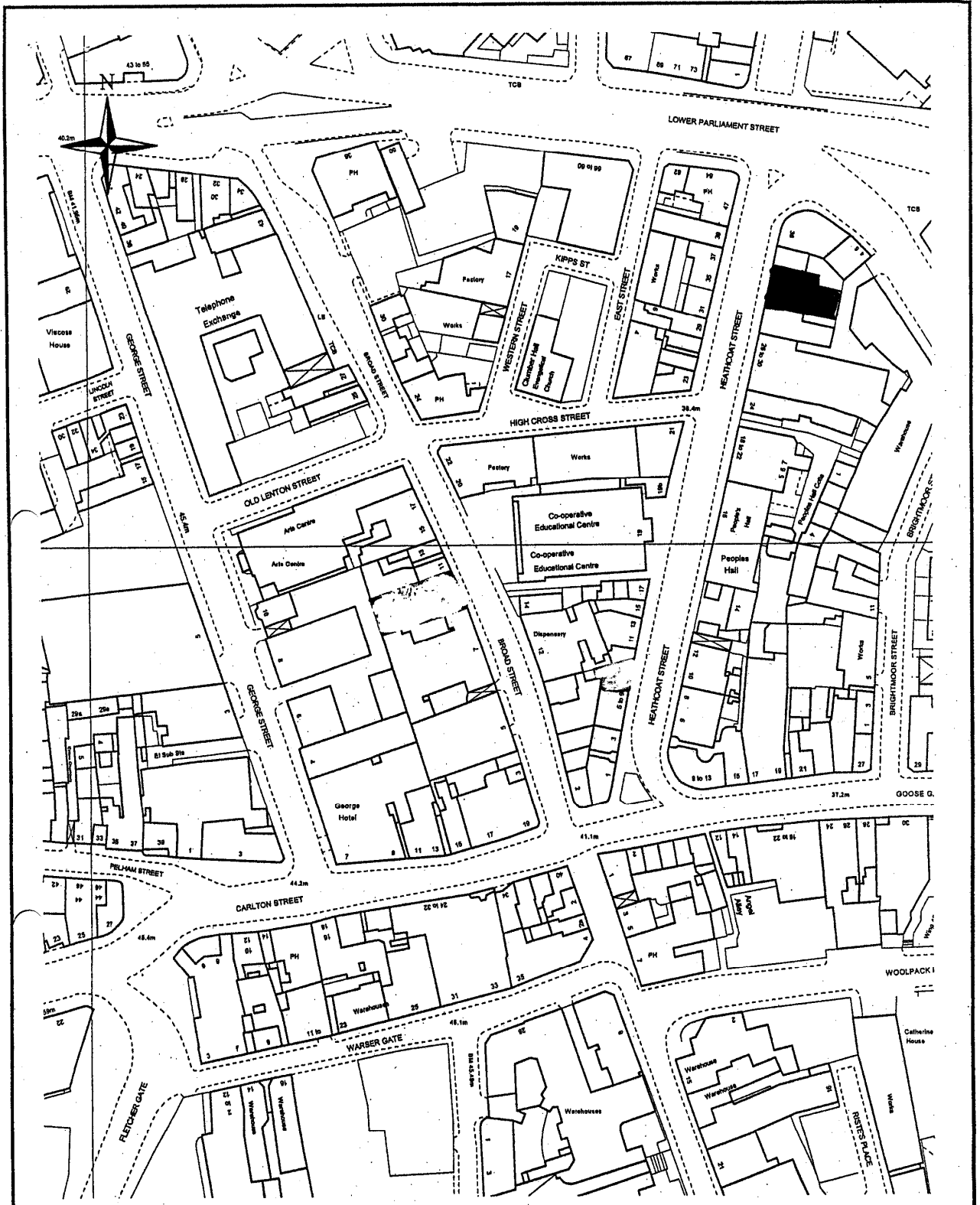
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Barry Horne
CORPORATE DIRECTOR
CITY DEVELOPMENT

Lawrence House, Talbot Street, Nottingham NG1 5NT

Contact Officer: Janet Swain
Telephone number: 0115 9156776
email: janet.swain@nottinghamcity.gov.uk

Date 1 December 2003



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B Bar
 Heathcote Street
 Nottingham

Scale
 1:1250

Initial
 SMDK

Date
 08/2001

Drawing
 No

 Severns House,
 20, Middle Pavement,
 Nottingham NG1 7DW
 Tel. (0115) 915 6999
 Fax. (0115) 915 8026

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

ENTERTAINMENTS LICENCE

By virtue of the powers conferred in it by the Local Government (Miscellaneous Provisions) Act 1982 and the Sunday Entertainments Act 1932 (the Acts), NOTTINGHAM CITY COUNCIL hereby grant to **Julian Charles William Benton**

Of Hawthorn Lodge, Flat 8 Julia Road, West Bridgford, Nottingham NG2 5AJ

this licence to keep or use the premises known as **B Bar (Ground floor), 34a & 34b Heathcoat Street, Nottingham NG1 3AA**

for the purpose of **Music & Dancing**

This licence shall continue in force from **6 April 2003** until **5 April 2004**

or until sooner revoked, and is granted subject to the provisions of the Acts, and any special conditions set out below and to the standard conditions imposed by the City Council, a copy of which is attached to this licence.

The premises shall not be used for the above purposes except between the hours of

Mondays to Saturdays - 10.30 am to 1 am

Sundays - noon to midnight

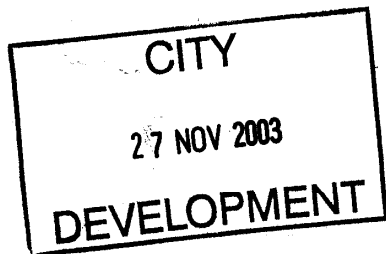
Signed:

Dated: 5 April 2003

Licensing Officer

SPECIAL CONDITIONS

1. MAXIMUM OCCUPANCY:- 160 persons excluding staff



Flat 202
30 Heathcoat Street
Hockley
Nottingham
NG1 3AA
25.11.2003

Dear Ms Bowler,

Following our conversation the other day, I am writing to you to object to the application by the B'Bar on Heathcoat Street, Nottingham, to extend their licensing hours. My reasons for objecting are as follows:-

- 1) At present they are open until 01.00am and on Fridays and Saturdays. They also have live bands playing which often play up until 00.45am. This noise is a mixture of drums, vocals, cymbals, keyboards, and sometimes Saxophones. It can be heard from the back and front of the building and is clearly audible in our bedroom. This is often so loud that it keeps my partner and I awake, which means a highly disturbed sleep. We are both journalists and often work shift patterns which occasionally involve an early start. If an extension of licensing hours is granted, this will mean another hour where we are kept awake.
- 2) Any extension of hours will inevitably mean longer drinking hours with more noise from drunken people leaving the bar late at night. We already have a problem with noise from other bars in the area, and we feel this can only add to the problem.
- 3) Finally, I am concerned that any extension of hours will only add to the general, late night drinking culture that exists in parts of Nottingham already. I appreciate bars bring wealth into the city but so do people like us who live and work there. **Our quality of life matters too.**

As you know, the city council's noise pollution dept has already lodged an objection to the application by the B'bar to extend its licensing hours. They are aware there is an existing noise problem and the trouble it causes. I hope you will take all these factors into account when making a decision. I also hope to attend the Licensing meeting on Dec 15th to make my views known personally. If you have any queries, please do not hesitate to contact me on (07711) 525945.

Yours sincerely

(Mr) Phil Brewster