

REPORT OF CORPORATE DIRECTOR CITY DEVELOPMENT

APPLICATION FOR VARIATION OF ENTERTAINMENTS LICENCE  
CHESTNUT TREE, 480 MANSFIELD ROAD, NOTTINGHAM

**1.0 SUMMARY**

- 1.1 This is an application to vary the hours of entertainments licence to extend the terminal hour on Wednesdays to Sundays from 11 pm to midnight.

**2.0 RECOMMENDATIONS**

- 2.1 **IT IS RECOMMENDED THAT the Committee determine the application having regard to an objection from a Councillor, from local residents 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;**
  - **That the applicants have taken steps to ensure good order inside and outside the premises;**
  - **The applicants can (or have put) in place such effective measures as given above to the satisfaction of the Council and Police.**
- 2.2 **to the City Council's Entertainment Licensing Policy No 8; 'normally the preferred terminal hour for entertainment licences is 11 pm. Any later hour applied for will need to be supported and justified as part of the application', and;**
- 2.3 **to the City Council's Entertainment Licensing Policy No 10; 'It is unlikely that a new application for a terminal hour beyond the times stated in Policy 8 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'; and;**
- 2.4 **to the City Council's Entertainment Licensing Policy No 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.**

### **3.0 BACKGROUND**

3.1 The current entertainments licence provides music and dancing during the following hours:-

|                             |   |                          |
|-----------------------------|---|--------------------------|
| <b>Mondays to Saturdays</b> | - | <b>10.30 am to 11 pm</b> |
| <b>Sundays</b>              | - | <b>noon to 10.30 pm</b>  |

### **4.0 PROPOSALS**

4.1 The licence holders Jane Chadwick and Peter Russell have applied to extend the terminal hour as follows:-

|                               |   |                             |
|-------------------------------|---|-----------------------------|
| <b>Mondays to Wednesdays</b>  | - | <b>10.30 am to 11 pm</b>    |
| <b>Thursdays to Saturdays</b> | - | <b>10.30 am to midnight</b> |
| <b>Sundays</b>                | - | <b>noon to midnight</b>     |

4.2 Letters of objection from residents are attached at Appendices 1, 1A, 1B and 1C

4.3 As the premises are adjacent to Mapperley ward, Ward Councillors were consulted and Councillor Munir has objected. A copy of his objection is attached at Appendix 2.

4.4 The Police and Officers have been consulted and have no objection.

4.5 The applicants and objectors have been invited to attend and a map showing the location of the premises is attached.

### **5.0 LEGAL IMPLICATIONS**

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 dated 28 January 2004
- Letter from Licensing Direct dated 30 January & 19 February 2004
- Letter from Nottinghamshire Police dated 20 February 2004
- Form D26 from the Chief Fire Officer dated 5 February 2004
- Memos from planning applications and advice dated 11 & 24 February 2004
- Memo from pollution control dated 24 February 2004

### **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.

## **9.0 Copyright Acknowledgement**

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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](mailto:janet.swain@nottinghamcity.gov.uk)

29 March 2004

# APPENDIX 1

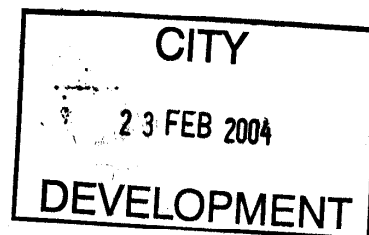
## SHERWOOD NEIGHBOURHOOD WATCH

8 Devonshire

Road

Sherwood  
Nottingham  
NG5 2EW  
0115 9106689  
Mob 0794 1620 422

19.02.03  
Sue Bowler  
Assistant Licensing Officer  
Lawrence House  
Talbot St  
Nottingham  
NG1 5NT



### Re – Application by The Chesnut Tree public house to extend their license

Dear Madam

It is the considered view of the community that many of the problems in Sherwood are alcohol related. This assertion is borne out by the fact that the behavior of people leaving pubs in the early hours comes up for discussion at every meeting of the Sherwood and Mapperley NW (which covers some 60 schemes). The problem is not simply the late hours but the fact that as a consequence of late closing, drunks tend to wander about looking for convenience food. These establishments, as a result stay open even later, leading directly to groups of unsupervised, intoxicated individuals congregating in Sherwood Centre and behaving, at best in a loud and disruptive manner.

It is a documented fact that drunks have played 'chicken' on the Mansfield Road during the early hours and fights and unpleasant behaviour are commonplace.

In recent months the centre of Sherwood has been the scene of some extreme violence, much of it fuelled by alcohol. I allude in particular to the fight outside the KMD recently, which has resulted in a youth needing to be put on life support and with a prognosis of possible permanent brain damage.

It is a fact that alcohol is one of the main contributory factors in Sherwood's

problems and absorbs a great deal of police time, which we all pay for. I note that there is no extra levy on licensed premises to cover these costs; we the taxpayers pick up the tab in the form of an overstretched police force.

With respect to late opening of the Chesnut tree. While it is some distance from the centre of Sherwood, the ~~same~~ problems will be the same, since many of those who leave will be intoxicated, or at the very least 'high' and will tend to gravitate to the late opening chip shops and fast food outlets.

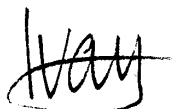
It is a perception amongst older people that Sherwood is not a safe place to be out in at night because of drunken rowdy behavior.

I would also draw your attention to the submission made By Neighbourhood Watch with respect to the application for an extension by the Punch and Judy. That evidence is equally valid in this case.

I apologise for not getting this to you sooner, but I have had major computer problems

Yours sincerely

Ivan Jacoby (Chair – Sherwood NW)

A handwritten signature in black ink, appearing to read 'Ivan', with a stylized flourish at the end.

SHERWOOD NEIGHBOURHOOD WATCH

8 Devonshire

Road

Sherwood  
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NG5 2EW  
0115 9106689  
Mob 0794 1620 422

25.02.04  
Sue Bowler  
Assistant Licensing Officer  
Lawrence House  
Talbot St  
Nottingham  
NG1 5NT

Re - Application by The Chesnut Tree public house to extend their  
license

Dear Sue

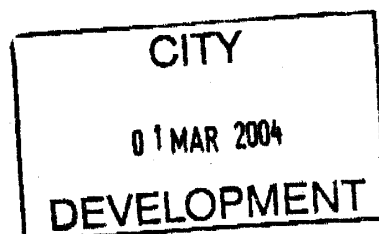
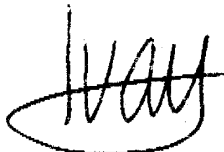
Please find a copy of my objection to the proposed extension.

I am away for the next week and so could I prevail upon you to make the necessary copies for the meeting of the 15<sup>th</sup>.

I have spoken to the Licensee and she tells me that she wants me to talk with her solicitor!? She also tells me that the application is to be deferred until April. I will however work on the date you have given me unless I hear otherwise.

I anticipate that I will need about eight to ten minutes to outline my case.

Ivan Jacoby (Chair - Sherwood NW)



**OBJECTION ON BEHALF OF SHERWOOD NEIGHBOURHOOD WATCH to  
Application for for Variation of Entertainment License The Chestnut Tree  
482 Mansfield Road, Sherwood, Nottingham**

**Preface**

It is the considered view of the community that many of the problems in Sherwood are alcohol related. This assertion is borne out by the fact that the behavior of people leaving pubs in the early hours comes up for discussion at every meeting of the Sherwood and Mapperley NW (which covers some 60 schemes). The problem is not simply the late hours but the fact that as a consequence of late closing, drunks tend to wander about looking for convenience food. These establishments, as a result, stay open even later, leading directly to groups of unsupervised, intoxicated individuals congregating in Sherwood Centre and behaving, at best in a loud and disruptive manner.

It is a documented fact that drunks have played 'chicken' on the Mansfield Road during the early hours and fights and unpleasant behavior are commonplace.

In recent months the centre of Sherwood has been the scene of some extreme violence, much of it fuelled by alcohol. I allude in particular to the fight outside the KMD recently, which has resulted in a youth needing to be put on life support and with a prognosis of possible permanent brain damage.

It is a fact that alcohol is one of the main contributory factors in Sherwood's problems and absorbs a great deal of police time, which we all pay for. I note that there is no extra levy on licensed premises to cover these costs; we the taxpayers pick up the tab in the form of an overstretched police force.

With respect to late opening of the Chestnut tree. While it is some distance from the centre of Sherwood, the problems will be the same, since many of those who leave will be intoxicated, or at the very least 'high' and will tend to gravitate to the late opening chip shops and fast food outlets.

It is a perception amongst older people that Sherwood is not a safe place to be out in at night because of drunken rowdy behavior. This is borne out by the initial findings of a poll of Sherwood residents which is currently being undertaken by Neighbourhood watch

I would also draw your attention to the submission made By Neighbourhood Watch with respect to the application for an extension by the Punch and Judy. That evidence is equally valid in this case.

The centre of Sherwood is not only a collection of businesses; it is a dense residential area with several hundred households in the streets immediately adjoining the Mansfield Road as well as residential accommodation above the shops. The mix of business and residential accommodation means that the locality not suited to late night entertainment. It is important that the need of

the residents is considered as more significant than the narrow commercial interest implied by later drinking hours.

#### Problems with drunks reported into the Contact Point

Since the Contact Point is open on Saturday morning only, the information brought in by members of the public is very limited and in all cases does not truly reflect the scale of problems of crime and anti-social behaviour in the area.

- Anonymous caller to the Contact Point has reported on two occasions that there is a continuing problem with drunks on the corner of Cannon St and Drayton St. Usually after closing time
- 6.04.03 Drunks hurling bottles into Mansfield Road after closing time
- 4.05.03 Drunken fight on Drayton St reported by Drayton St resident

#### Sherwood Neighbourhood Watch meetings

There are frequent passing references to problems with drunks at these meetings. These include rowdy behaviour, vomiting and urinating in doorways and vandalism.

#### Policing

The policing resources in Sherwood are stretched to breaking point as evidenced by the high crime rate and increase in anti-social behaviour. The Neighbourhood wardens finish their shifts at 10pm and in any case do not have the powers of arrest and as police officers are inevitably drawn into the City centre to deal with drunkenness, Sherwood is not covered during the crucial period from 10pm into the early hours.

#### Problems with Alcohol in Sherwood

That there is an ongoing problem with anti-social behaviour and disorder in Sherwood, particularly after dark and that much of this is alcohol related, is a perception held by residents. No doubt the Police will corroborate this view. It is a fact that there is noise and rowdy behaviour on the Mansfield Road and on some of the side streets well after closing time since there are fast food outlets trading well into the small hours. A further minor consequence of this is litter, some of which is pushed through letterboxes, I am told.

#### Submission

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.



Beat managers finish their shift at midnight and so there are no patrolling policemen on hand between the hours of midnight and 6.00am. This means that there will be no patrolling police deal with rowdy people leaving the premises at 1.00am.

Residents and traders can see no material or social benefit whatsoever consequent upon the extension of the opening hours of the The Chestnut Tree. I am therefore objecting, on behalf of the combined Neighbourhood Watch groups in Sherwood, to any change in the licence.

Ivan Jacoby

Sherwood NW

MISS J. LESLEY BAKER. F.R.C.O.G.  
6 PRIVATE ROAD. SHERWOOD, NOTTINGHAM. NG5 4DB.

Tel. 0115 9609572.

24<sup>th</sup> March 2004.

Ms. Sue Bowler,  
Licensing Officer,  
Licensing Section,  
City Division,  
Lawrence House,  
Talbot Street,  
Nottingham.  
NG1 5NT

Dear Madam,

Two days ago we found out that The Chestnut Tree, 480 Mansfield Road, Nottingham had applied for an extension of its licensing hours from 11.00 p.m. to 12 midnight on Thursdays, Fridays and Saturdays and until 11 p.m. on Sundays (we think they already have permission for this over Bank Holidays).

This Public House is situated on Mansfield Road in a residential area. This includes the bottom of Private Road, houses including Daisy House and other houses to the north of the Pub, houses opposite and on Mapperley Street.

We are already aware of the noise and anti-social behaviour, which occurs in the immediate area, usually at weekends and late at night. This is particularly marked during the summer. I myself am aware of the noise now from closing time until 1.00 a.m. in the morning at the bottom of Private Road and Mansfield Road, the noise being related to excessive drinking patterns.

As you well know, there are already problems with noise and anti-social behaviour in the middle of Sherwood. This does already extend up into our area and we feel that an extension of the hours requested by The Chestnuts is only going to add to the problems we have in our immediate area.

At the moment our Government is trying to pass measures, which would restrict anti-social behaviour, particularly that related to excessive drinking and we do feel that an extension of these hours would be detrimental to our area, with particular regard to noise and anti-social behaviour.

Yours sincerely,



(Miss) J. Lesley Baker.

MISS J L BAKER F. R. C. O. G.  
6 PRIVATE ROAD, SHERWOOD, NOTTINGHAM, NG5 4DB

Tel 0115 9609572

29<sup>th</sup> March 2004

Ms S Bowler  
Licensing Officer  
Licensing Section  
City Division  
Lawrence House  
Talbot Street  
Nottingham  
NG1 5NT

Dear Madam,

I am enclosing a separate letter of comments which pertain specifically to the centre of Sherwood but are relevant to our particular problem with the Chestnut Tree. Majority of these comments were discussed at the Neighbourhood Watch meetings and I just thought that if you are not already aware of these problems relating to Sherwood as a whole then you maybe ought to be.

Yours sincerely



**(Miss) J. Lesley Baker**

Encl.

## **COMMENTS RELEVANT TO THE PROBLEM OF EXTENSION OF VARIATION OF ENTERTAINMENT LICENSE AT THE CHESTNUT TREE PUB**

It is the considered view of the community that many of the problems in Sherwood are alcohol related. This assertion is borne out by the fact that this behaviour of people leaving pubs in the early hours comes up for discussion at every meeting of the Sherwood and Mapperley NW (which covers some 60 schemes). The problem is not simply the late hours but the fact that as a ~~consequence of late closing, drunks tend to wander about looking for convenience food.~~ These establishments, as a result, stay open even later, leading directly to groups of unsupervised, intoxicated individuals congregating in Sherwood Centre and behaving, at best in a loud and disruptive manner.

It is a fact that alcohol is one of the main contributory factors in Sherwood's problems and absorbs a great deal of police time, which we all pay for. I note that there is no extra levy on licensed premises to cover these costs; we the taxpayers pick up the tab in the form of an overstretched police force.

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The centre of Sherwood is not only a collection of businesses; it is a dense residential area with several hundred households in the streets immediately adjoining the Mansfield Road as well as residential accommodation means that the locality is not suited to late night entertainment. It is important that the need of the residents is considered as more significant than the narrow commercial interest implied by later drinking hours.

### **Sherwood Neighbourhood Watch meetings**

There are frequent passing references to problems with drunks at these meetings. These include rowdy behaviour, vomiting and urinating in doorways and vandalism.

### **Policing**

The policing resources in Sherwood are stretched to breaking point as evidenced by the high crime rate and increase in anti-social behaviour. The neighbourhood wardens finish their shifts at 10pm but the police cannot always cover Sherwood during the crucial period from 10pm into the early hours.

### **Submission**

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.

Residents and traders can see no material or social benefit whatsoever consequent upon the extension of the opening hours of The Chestnut Tree.

| NAME               | ADDRESS                              | SIGNATURE       |
|--------------------|--------------------------------------|-----------------|
| Mr & Mrs Allwright | 10B, PRIVATE ROAD                    | D. Allwright    |
| MR. & MRS CLEWS    | 10A PRIVATE ROAD                     | clews           |
| Mr & Mrs Standing  | 9 PRIVATE ROAD                       | A. Standing     |
| MRS J. MASON       | 7, PRIVATE ROAD                      | J. Mason        |
| MRS. M. WHEELER    | 8 PRIVATE ROAD                       | Melanie Wheeler |
| MISS A. P. KNIGHT  | 4 PRIVATE ROAD.                      | A. P. Knight    |
| MR & MRS J. KNIGHT | 4 PRIVATE RD                         | J. Knight       |
| MRS. M. ROSTANCE   | 2, PELHAM COURT,<br>3, PRIVATE ROAD. | M. Rostance     |
| MR J. SLADE        | 4, PELHAM COURT<br>3, PRIVATE ROAD   | J. Slade        |
| MR R BLORE         | 484 MANSFIELD ROAD                   | R. Blore        |
|                    |                                      |                 |
|                    |                                      |                 |
|                    |                                      |                 |
|                    |                                      |                 |

I have had no more time to do  
for setting further signatures

SHERWOOD NEIGHBOURHOOD WATCH

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

ivanjacoby@hotmail.com

29.03.04

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

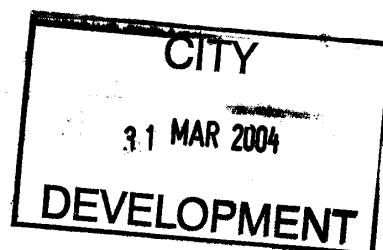
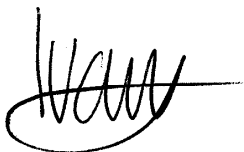
Re - Application by The Chesnut Tree public house to extend their  
license

Dear Sue

Following a meeting of the Sherwood and Mapperley Neighbourhood Watch Groups, it has been decided by ballot not to formally oppose this extension, though our opposition in principle remains. Please find enclosed my letter to the licensee outlining our position. I assume that this will be made available to the members of the licensing committee.

Yours sincerely

Ivan Jacoby (Chair - Sherwood NW)



SHERWOOD AND MAPPERLEY NEIGHBOURHOOD WATCH

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

23.03.04  
Jane Chadwick  
Peter Russell  
The Chestnut Tree  
Mansfield Road  
Sherwood  
Nottingham

---

Dear Madam/Sir

I am directed to communicate to you the following.

Your license application was discussed last night and the following decision was reached. To the motion, that we continue to oppose your application, opinion was equally divided and as Chair it was my job to vote for the status quo (Mr Marsh may possibly be aware that in the situation where there is a tied vote, the Chair is bound by the rules to vote for no change). Accordingly, it was minuted that our opposition stands.

Given the sensitivity of the issue and the presumption that my mandate to mount a formal opposition to the licensing department is based on a casting vote, I put forward a further proposition that I be given an unequivocal mandate to pursue the action. This was not carried.

The position therefore, is as follows. Sherwood and Mapperley Neighbourhood Watch oppose your proposed extension but will not mount formal opposition at the licensing panel. The licensing panel will be informed, through the City Council Licensing Department.

---

We do however wish it to make clear that we will formally renew our opposition to the new license if it turns out that there are complaints from residents, which are a direct result of the changes. A number of people at the meeting were concerned about drunkenness and noise in the early hours and the possibility that undesirables who are unable to gain access to the Kat Man Do after 11.30, may arrive at the Chestnut Tree for a drink before closing time and given that you do not employ door staff, there is no way to prevent them.

Yours sincerely

Ivan Jacoby (Chair – Sherwood NW)

---

APPENDIX 2



18 February 2004

Janet Swain  
Licensing Officer  
Lawrence House  
Talbot Street  
Nottingham



**The Council House**

Old Market Square  
Nottingham  
NG1 2DT

MM/At  
Tel: 0115 915 5555  
Fax: 0115 915 5041

[www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)

Dear Ms Swain,

USE OF DELEGATED POWERS  
APPLICATION FOR VARIATION OF ENTERTAINMENTS LICENCE  
CHESTNUT TREE, 480 MANSFIELD ROAD, NOTTINGHAM

I wish to object to the above on the following grounds:

1. A history of previous behavioural problems relating to the premises
2. There is no call for another late night establishment making demands on the policing of behavioural, noise and disturbance problems.
3. The establishment is close to residential areas which will suffer from further noise and disturbance.
4. This would be setting a precedent with other establishments following.

Yours sincerely,

Councillor M. Munir  
Labour Councillor Mapperley Ward

Cc: Councillor M. Edwards  
Councillor E. Dewinton



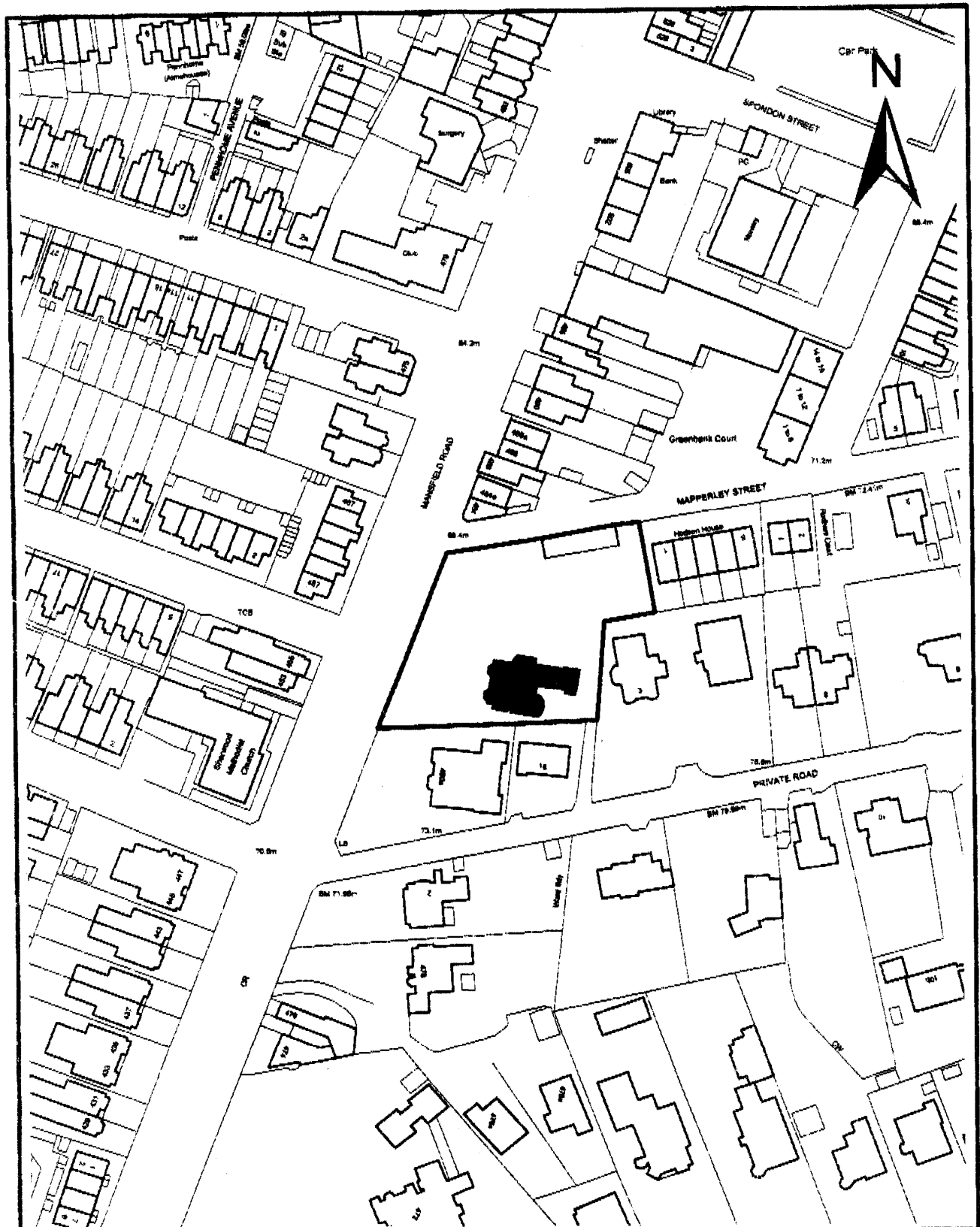
INVESTOR IN PEOPLE

Printed on recycled paper



City of  
**NOTTINGHAM**





**No 480 MANSFIELD ROAD, NOTTINGHAM  
CHESTNUT TREE**

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**Scale**  
1:1250

**Initial**  
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**Date**  
MAR2004

**Drawing**  
**No** PG746

**NOTTINGHAM**  
**PROPERTY**

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