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NORTH LINCOLNSHIRE COUNCIL

LICENSING (ACTIVITIES) SUB-COMMITTEE

19 January 2021

PRESENT: - Councillors K Vickers (Chairman).

Councillors T Ellerby and D Wells

This was a Microsoft Teams Virtual Online Meeting.

1735 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY** - There were no declarations of personal or personal and prejudicial interests. No lobbying was declared.

1736 **LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE, OSCARS BAR, GILLIATT STREET, SCUNTHORPE** - Further to Minute 1728, the Director: Operations submitted a report advising members of an application for the grant of a premises licence at the Oscars Bar, Gilliatt Street, Scunthorpe.

Details of the application were outlined in the report, together with the application for the grant of a premises licence and representations received from the council's Health and Safety department, the Licensing Authority, Humberside Police and two Interested Persons.

The Director in his report reminded the sub-committee that the options available to it under the Licensing Act 2003 when considering such applications were:

- To refuse to grant the licence.
- To grant the licence with additional conditions.
- To grant the licence without additional conditions.
- To grant the licence but restrict the licensable activities.
- To grant the licence with restricted times

The applicant, a representative from the council's Health and Safety department and Licensing Authority, a representative of Humberside Police and two Interested Persons addressed the sub-committee and responded to questions.

Following the summary of the case, the meeting was adjourned for deliberation by members and then reconvened when the decision of the sub-committee was stated as follows: -

Resolved – That the Licensing (Activities) Sub-Committee carefully considered all the information contained in the agenda bundle, as well as the

LICENSING (ACTIVITIES) SUB-COMMITTEE
19 January 2021

supporting documentation submitted by the applicant with their counter notice and the further additional evidence submitted the day before the hearing. After listening to all the representations made by the applicant, all responsible authorities and interested parties at the hearing and taking into account the statutory guidance under section 182 of the Licensing Act and the council's Licensing Policy, the sub-committee agreed that the application be granted subject to the following:

1. That the agreed conditions (between the applicant and Humberside Police and the Licensing Authority on behalf of the council's Health and Safety Team) for the prevention of crime and disorder, prevention of public safety, the prevention of public nuisance and protection of children from harm contained within the agenda bundle at Appendix C and Appendix D be adhered to and incorporated within the premises licence.

This was to protect all patrons and the amenities of local residents.

2. That the following conditions be adhered to and incorporated within the premises licence:
 - a. That boundary checks shall be undertaken and recorded in a logbook every hour when regulated entertainment is being provided to ensure the noise emanating from the premises is not excessive. The logbook shall be made available for inspection when requested by a Responsible Authority.
 - b. That all external windows and doors shall be kept closed when indoor regulated entertainment was being provided, except for access and egress. All exterior windows and doors shall be maintained in a good state of repair.
 - c. That from 22:00 hours a minimum of two SIA licensed door supervisors must be employed and where up to 100 persons are in attendance at the licensed premises a further SIA licenced door supervisor must be employed for each additional 100 persons or part thereof.
 - d. That the supply of alcohol at the premises will be from 11:00 hours to 03:30 hours each day of the week.

These conditions were to adhere to the prevention of public nuisance and public safety licensing objective.

These conditions would ensure that the level of noise being generated from the premises and any threat of public nuisance would be reduced to protect the amenities of nearby residents and neighbouring properties.

3. The premises licence holder shall appoint a Designated Premises Supervisor who must not be Jason Benstead or John White.

LICENSING (ACTIVITIES) SUB-COMMITTEE
19 January 2021

This is to adhere to the prevention of crime and disorder, prevention of public safety, the prevention of public nuisance and protection of children from harm licensing objectives.

After listening to the evidence submitted by the Licensing Authority on behalf of the council's Health and Safety Team, the sub-committee had serious concerns over the applicant's ability to manage the premises. Therefore, a new Designated Premises Supervisor was required to operate the premises in accordance with the Licensing Act and the council's Licensing Policy.

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