

## **LICENSING PANEL (354)**

**15th August 2007 at 10.00a.m.**

PRESENT: Councillors Hinkley, Neale and Siederer.

IN ATTENDANCE: Councillor J. Davies

OFFICERS: B. Vale - Clerk to the Panel (Solicitor)

A. Bacon - Licensing Manager's representative

S. Paradine - Committee Administrator

### **79 ELECTION OF CHAIR (REF: 1)**

**Resolved:** That Councillor Siederer be elected Chair of Panel No. 354.

### **80 APPLICATION FOR VARIATION OF PREMISES LICENCE – BARRELS, 59 CANNON LANE, LUTON (REF: 8)**

PRESENT:

APPLICANT: John Walsh (Landlord of the Barrels)

Nick Sandle (Punch Taverns Plc representing the Applicant)

OBJECTORS: Nick Belshaw  
Councillor J. Davies representing objectors in her capacity as Ward Councillor.

RESPONSIBLE

AUTHORITIES : Sergeant Frank Fender – Bedfordshire Police

The Chair introduced the Members of the Panel and Officers to those parties present.

The Licensing Manager's Representative reported on an application by Punch Taverns Plc, for the Variation of a Premises Licence in respect of Barrels, 59 Cannon Lane, Luton and outlined the variation requested in respect of the replacement of conditions listed on the current premises licence. She further reported on 4 objections to the variation of the Licence received from an interested party in relation to the additional hours and activities.

The Applicant's representative referred to a letter circulated at the meeting which had been sent from solicitors acting on behalf of Punch Taverns Plc to the local residents. The letter stated that their clients were willing to have a further condition imposed on the licence to prohibit the consumption of alcohol, food and any other licensable activities in the outside area after 11.00pm. He confirmed that variation of Conditions 5 and 9 should remain as detailed in the application form and that hours set out in condition 6 should be amended as follows:

"Designated premises supervisor to use all reasonable endeavours to remove customers and /or visitors from any outside areas after 23.00 hours, other than for the purposes of entering or leaving the premises"

Bedfordshire Police had submitted an objection to the variation of the premises licence however, through correspondence with the applicant's solicitor it had been agreed that no change would be sought to conditions 5 and 9 of the current licence and that condition 6 would be amended. On this basis Bedfordshire Police had withdrawn their representation.

In light of the proposed amendment as now put forward by the Applicant's agent Bedfordshire Police requested that their original representation be re-instated.

The Panel questioned all parties and all parties raised questions and responded to each other in compliance with the approved Procedure.

**Resolved:** That consideration of this matter take place following consideration of the passing of a resolution to exclude the public and press from the meeting.

**81 LOCAL GOVERNMENT ACT 1972, PART VA (REF: 9)**

**Resolved:** That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Head of Environmental and Consumer Services referred to at Minute 80/07 above, as there would be disclosure to them of exempt information falling within Paragraph 3 of Schedule 12A of the Act.

**82 LOCAL GOVERNMENT ACT 1972, PART VA (REF: 9)**

**Resolved:** That the public and press be no longer excluded from the meeting.

**83 APPLICATION FOR VARIATION OF PREMISES LICENCE – BARRELS, 59 CANNON LANE, LUTON (REF: 8)**

The Panel had carefully considered the papers before it including the oral representations made by the Applicant and the oral and written

representations made by the objectors and had regard to the Council's Statement of Licensing Policy, in particular Section 7 "Prevention of Crime and Disorder" and Section 9 "Prevention of Public Nuisance".

**Resolved:** That the application by Punch Taverns Plc for the Variation of the Premises Licence in respect of the Barrels, 59 Cannon Lane, Luton be **REFUSED**.

**(Note: The meeting ended at 11.20 a.m.)**