

# City Area Committee

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## REPORT

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### PUBLIC ENTERTAINMENT LICENCE – VARIATION OF HOURS

#### 1. Introduction

- 1.1 The Old Coach House is situated at 23 – 25 Milford Street Salisbury. A plan of the area is attached as Annex A.
- 1.2 Originally the area licensed for public entertainment included most of the building but in more recent years the only licenced area is the first floor (now known as Club Rouge) which has an occupancy of 100.
- 1.3 The present days/hours are :-
- |                   |             |
|-------------------|-------------|
| Monday – Saturday | 0800 – 0100 |
| Sundays           | 0800 – 2230 |

#### 2. Application

- 2.1 On 24<sup>th</sup> July 2003 an application was received from Mr M Barratt, the licensee to
- a) extend the hours, Monday – Saturday to 0300. (Mr Barratt does not wish to extend the hours to include Sundays or Good Friday).
  - b) include in the public entertainment licence another area on the second floor. The overall occupancy to remain at 100.
- 2.2 Accompanying the application was a letter dated 23<sup>rd</sup> July and a plan of the first and second floors. These documents are attached as Annex B. The letter includes reference to nudity. It is understood that nudity will only be allowed when the premises are hired to a corporate body or an individual. On those occasions only invited guests will be admitted and the premises will not therefore be operating under the 'umbrella' of the public entertainment licence, as the function will be private.

- 2.3 For Mr Barratt's application to use the second floor to be successful it is necessary for him to apply for Listed Building Consent/Conservation Area Consent. He has applied for this Consent and is awaiting a decision.

### **3. Consultation**

- 3.1 Police No objection
- Fire No response
- Ward Members a) Councillor S J Howarth
- b) Councillor I R Tomes
- Both requested the application be determined by Committee
- Environmental Health No objection but issue the public entertainment licence for a trial period of six months
- 3.2 Public Consultation
- The Application was advertised on site on 25<sup>th</sup> July and in the Salisbury Journal on 31<sup>st</sup> July 2003.
- 3.3 One letter of objection was received from Mr N Anderson, 33 Guilder Lane, Salisbury. That letter is attached as Annex C.

### **4. Applicant's Response**

- 4.1 The letter of objection was served on Mr Barratt who has responded in a letter dated 15<sup>th</sup> September 2003, attached as Annex D.

### **5. Recommendation**

- 5.1 That the Committee approve the application to increase the hours to 0300 hours Monday – Saturday for a trial period of 6 months.
- 5.2 That the Committee approve the application to extend the public entertainment licence to include an area on the second floor, provisional upon the applicant obtaining a Listed Building/Conservation Area Consent.

## 6. Implications

6.1	Financial	If this application is refused and it goes to appeal, if the appeal is successful costs may be awarded against the Authority.
6.2	Legal	All licensing applications have to be dealt with in accordance with the rules of natural justice and all parties concerned have to have their views considered. One objection has been received relating to possible disorderly conduct in the surrounding streets.
6.3	Human Rights	The balance of consideration is such that the recommendation is proportional as regards the right of the applicant and any interference there may be with the rights of neighbours and the general public. Rights engaged – Articles 6 and 14: Article 8 and the First Protocol.
6.4	Personnel	None
6.5	Community Safety	The consultation process has taken into account community safety issues.
6.6	Environmental	Contained in the Report.
6.7	Council's Core Values	Providing excellent service, promoting a thriving local economy, being environmentally conscientious, being fair and equitable.
6.8	Wards Affected	St Martin and Milford