



## **RECORD OF DECISION**

### **LICENSING SUB-COMMITTEE**

**DATE OF HEARING: FRIDAY, 6 OCTOBER 2023**

**MEMBERS: Councillors S Bywater, S A Howell and C H Tevlin (Chair)**

**APPLICATION CONSIDERED: NO 6 THE BISTRO & COCKTAIL BAR, 6 NEW STREET, ST NEOTS, PE19 1AE**

#### **We heard representations from the following persons:**

Frank Fender, as agent for the Applicant

2 Interested Parties.

#### **We found the following facts:**

The Application is lawful, and complies with the statutory requirements.

The police made no formal representation, but through meeting with the Applicant, the Applicant agreed to reduced hours for alcohol and music, together with other new conditions as shown below.

No CCTV of alleged incidents was provided.

Alleged ASB was anecdotal in the main, albeit an interested party stated that he had personally witnessed public urination on the Museum forecourt, however that could not be evidentially attributable to the Applicant's premises.

It was noted that no residents in the immediate vicinity had made any representations and that it was businesses and the Museum who had made representations and that the majority of their commercial activities ceased by 1800 each day, save for evening activities which may arise in the Museum.

#### **In making our decision we considered the following:**

- ❖ Statutory provisions referred to in the report
- ❖ Statutory Guidance referred to in the report and by the Agent for the Applicant

- ❖ Huntingdonshire District Council Statement of Licensing Policy
- ❖ Licensing Officer's Report
- ❖ Advice from the District Council's Legal Representative
- ❖ Submission from the Applicant's Agent
- ❖ Representations from those listed above
- ❖ Written representations from those not present at the hearing, (it was noted by the Committee that the letters / emails of support were all dated on the same day)
- ❖ Amendments proposed by the Applicant and the Police
- ❖ Responses to questions asked by Members and those attending the hearing.

**We did not consider the following matters to be relevant:**

Use of the highway and other private property is not a matter which can be considered by the licensing authority.

The Application setting a precedent was beyond the scope of the Committee to consider as it is not a licensing objective.

**Our decision is as follows:**

To grant the license with the revised timings as previously agreed between the applicant and Cambridgeshire Constabulary, together with the additional conditions to the current licence as follows;

1. At all times, sufficient SIA security staff shall be employed at the premises to ensure the promotion of the licensing objectives. This will be documented in a dynamic written risk assessment, which will be made available to a police officer or authorised officer of a responsible authority upon request. In any case whilst licensable activities are taking place on a Friday, Saturday (and days prior to a Bank Holiday) a minimum of 2 SIA registered persons shall be employed between the hours of 20:00hrs and closing time;
2. When SIA staff are on duty at least one, shall will wear a Body Worn Video camera. Footage shall be retained as in line with the CCTV requirement;
3. No entry or re-entry to customers after 2 hours prior to closing time;
4. No customer will be permitted to leave the premises with glass receptacles;
5. Have a written drugs policy;
6. Have a written entry policy;
7. Have a written managed dispersal policy;
8. Have a managed smoking area in operation from 1800 to closing, daily;
9. The manager will join the HBAC/Pub watch scheme to include the use of a HBAC radio. This includes support of its agreed banning policy and attending meetings; personally, or by sending an authorised representative of the

venue. The condition is only binding whilst the HBAC/Pub watch scheme is in existence;

10. All customer facing staff will be given relevant training on conflict management resolution, welfare and vulnerability, including 'Ask for Angela' safety initiative;
11. To conduct a full outside area litter sweep around the premises, after closing time daily, with litter arising to be bagged for collection, or placed into the premise's commercial bins, and
12. To ensure that the outside area around the premises is left in a clean and tidy condition.

**Our reasons for reaching the decision are as follows:**

On consideration of all the representations made by both the Applicant's agent, and those opposed to the Application, that the agreed and reduced amended hours, together with the additional conditions to be added to the licence should be sufficient to ensure that the Premises operates within the law.

It is noted that should there be any tangible evidence provided in due course of any breaches of conditions, or the breaking of the law, then naturally the licence may at any time be reviewed, leading to any subsequent sanction which may be deemed appropriate as a result.

**Date:** 6 October 2023

**PLEASE NOTE**

You have a right of appeal to the Magistrates Court against the decision above. You **MUST** lodge any appeal with the Magistrates Court within 21 days from the date of this decision.

The address of the Magistrates Court is:-  
Peterborough, Huntingdon and Fenland Magistrates Court  
Bridge Street  
Peterborough  
PE1 1ED