

LICENSING SUB-COMMITTEE
17th December, 2014

Present:- Councillor Dalton (in the Chair); Councillors
The Mayor (Councillor John Foden) and Havenhand.

**CLUB/PREMISES CERTIFICATE (LICENSING ACT 2003) - NAUTICAL
DECADES (FORMERLY KNOWN AS THE BRIDGE BAR), DUN
STREET, SWINTON**

Further to a Minute of the meeting of the Licensing Sub-Committee held on 12th October, 2012, consideration was given to an application to vary a premises licence, under the Licensing Act 2003, in respect of the premises known as Nautical Decades, Dun Street, Swinton (premises which were formerly known as the Bridge Bar).

The Licensing Authority received representations from a local Ward Councillor, which were not withdrawn and the Sub-Committee considered those representations.

The Sub-Committee noted that the objector had requested deferment of the hearing to enable him to obtain a response to his Freedom of Information request made to the South Yorkshire Police. This request for deferment was notified to the representative for the applicant, who declined to agree to any deferment in advance of the hearing.

Prior to the commencement of the hearing, the applicant's representative stated his intention to make an audio-recording of the proceedings under the "The Openness of Local Government Bodies Regulations 2014". The objector requested an adjournment, explaining that he required time to seek legal advice in relation to the question of the audio recording of the hearing.

He also explained that the Freedom of Information request to South Yorkshire Police had been made in order to obtain information relating to the subject premises which would assist him with his representation. As the South Yorkshire Police were unable to respond to this request until January 2015, he requested a postponement of the hearing for 28 days. The applicant's representative replied that he did not agree to an adjournment.

Members formally considered, in private, the request for the adjournment of the hearing on both grounds and concluded that no adjournment would be allowed because "The Openness of Local Government Bodies Regulations 2014" clearly state that the recording of public meetings should be allowed to take place. Members concluded that no adjournment should take place on the grounds of delays following requests for further information made to the Police about the premises as the Licensing hearing Regulations did not appear to provide for an adjournment in such

circumstances. Furthermore, as the Police had not objected to the application, the Freedom of Information request would be unlikely to produce any useful material to support the objection. In addition, an adjournment would prejudice the applicant in that the determination of his application would be delayed. The objector left the hearing room at this point in the proceedings.

The hearing proceeded and Members heard from the applicant's representatives only. The Sub-Committee noted the amendments to the application in the form of a reduction of the hours previously applied for and as agreed with South Yorkshire Police and with the Council's Community Protection Unit.

The applicant did formally request that the condition "The licence holder shall ensure that Mr. Brett Jones is specifically excluded from any involvement with the management and running of the premises" shall be removed from the licence, as part of the premises licence variation process.

The Sub-Committee also noted the attempts made by the applicant's representative to contact and mediate with the objector, as encouraged within the Licensing legislation.

Resolved:- That the application for the variation of the premises licence for the premises known as Nautical Decades, Dun Street, Swinton (formerly known as the Bridge Bar) be approved as follows:-

- (a) To amend the hours for Regulated Entertainment, Late Night Refreshment and the Sale of Alcohol on Friday and Saturday, Christmas Eve, Boxing Day, the Sunday of a Bank Holiday weekend and any other day appointed to be a Bank Holiday, to 02.00 hours the following morning;
- (b) To amend the premises' opening hours on Friday and Saturday, Christmas Eve, Boxing Day, the Sunday of a Bank Holiday weekend and any other day appointed to be a Bank Holiday, to 02.30 hours the following morning; and
- (c) To remove from the premises licence the condition which states 'The licence holder shall ensure that Mr. Brett Jones is specifically excluded from any involvement with the management and running of the premises'.