

Notice of Meeting

Licensing Sub-Committee

Tuesday 20th November 2012 at 2.00 pm

in Council Chamber, Council Offices,
Market Street, Newbury RG14 5LD

Members Interests

Note: If you consider you may have an interest in any Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Friday, 9 November 2012

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

If you require further information about this Agenda, or to inspect any background documents mentioned in the reports, please contact Denise Anns - Tel: (01635) 519486 - Email: danns@westberks.gov.uk.

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk

Fever Club Rooms, Market Place, Newbury RG14 5AA



To: Councillors Jeff Beck (Chairman), Billy Drummond and Geoff Mayes

Substitute: Councillor Andrew Rowles

Agenda

Part I

Page No.

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|------------|---|--------|
| 1 | Declarations of Interest
To receive any declarations of interest from Members. | |
| 2 | Schedule of Licensing Applications | |
| (1) | Application No.12/01771/LKB - Fever Club Rooms, Market Place, Newbury, RG14 5AA
Proposal: Temporary Event Notice – 01 st December 2012
Location: Fever Club Rooms, Market Place, Newbury, RG14 5AA
Applicant: Mr Jeremy Wilkinson | 1 - 8 |
| 3 | Representation from Environmental Health | 9 - 10 |

Andy Day
Head of Strategic Support

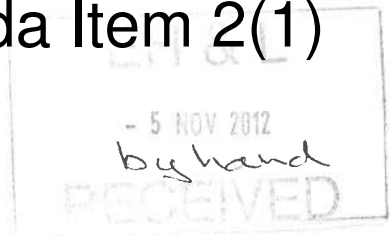
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If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



Agenda Item 2(1)

West Berkshire Council, Market Street, Newbury, RG14 5LD



Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	WILKINSON		
Forenames	JEREMY		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 16	Month 09	Year 1965
4. Your place of birth	CHCH, NEW ZEALAND		
5. National Insurance Number	NZ 309968 B		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
19 ST TERESAS DRIVE SALISBURY SP1 3FP			
Post town	SALISBURY	Postcode	SP1 3FP
7. Other contact details			
Telephone numbers			
Daytime	07980 875152		
Evening (optional)			
Mobile (optional)	07980 875152		
Fax number (optional)			
E-Mail address (if available)	jeremy@8everbars.com		
8. Alternative address for correspondence (If you complete the details below, we will use this			

address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
<p style="text-align: center;">FEVER 17A MARKET PLACE NEW BURY RG14 5AA</p>	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	013827
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
<p style="text-align: center;">NIGHT CLUB</p>	
Please describe the nature of the event below. (Please read note 5)	
<p style="text-align: center;">HENNESSY GOLD CUP SPECIAL</p>	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
SATURDAY 1st DECEMBER 2012		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
21:30 - 04:00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		
399		
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

- addition
via
e-mail

confirmed
via
e-mail

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	HERFORDSHIRE COUNCIL	
Licence number	263	
Date of issue	NONE	
Date of expiry	27 OCT 2015	
Any further relevant details	_____	


5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.			
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>


7. Checklist (Please read note 15)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	5/11/12

Name of Person signing	JERRY WILKINSON
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For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	6-11-2012
Name of Officer signing	SHARON GAVIN

Sharon Gavin

From: jeremy wilkinson [jerrywilkinson@virginmedia.com]
Sent: 06 November 2012 10:06
To: Sharon Gavin
Subject: <v9_SmartSaved/> Re: TENS application 1/2 Dec 2012 - please advise maximum number of people - Thank You
Categories: SmartSaved
SmartSaved: WBCOPENTLAPP_U343_D22_N155414

Hi Sharon

Just to confirm, the TENS application for Fever is for maximum 399 people

Thanks

Jerry

On 6 Nov 2012, at 08:41, Sharon Gavin wrote:

Sharon Gavin

Support Services Assistant

Business Support Team

West Berkshire and Wokingham

Environmental Health and Licensing Service

sgavin@westberks.gov.uk

☎ 01635 519890 ☎ Ext no (internal) 2890 ☎ 01635 519172



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Sharon Gavin

From: jeremy wilkinson [jerrywilkinson@virginmedia.com]
Sent: 06 November 2012 13:00
To: Sharon Gavin
Subject: Re: TENS application 1/2 Dec 2012 - please advise maximum number of people - Thank You
Hi Sharon

I have had a conversation with Suzanne from EHO I believe it was (I didn't catch the name, I was in a bad reception area) who has asked me to confirm with you that under sub section 3 The Licensable Activities The Provision Of Regulated Entertainment should be ticked and has not been, along with the sale by retail of alcohol

Can you take this as confirmation that should be the case with this application for TENS and circulate as necessary

Many Thanks

Jeremy Wilkinson

On 6 Nov 2012, at 08:41, Sharon Gavin wrote:

Sharon Gavin

Support Services Assistant

Business Support Team

West Berkshire and Wokingham

Environmental Health and Licensing Service

sgavin@westberks.gov.uk

 01635 519890  Ext no (internal) 2890  01635 519172



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Agenda Item 3

MEMORANDUM

To:	Licensing	Our Ref:	12/03649/EP_Q
From:	Suzanne McLaughlin	Your Ref:	12/01771/LKB
Extn:	2851	Date:	7 November 2012

Application for Temporary Event Notice for Fever Club Rooms, 17A Market Place, Newbury RG14 5EN for 1-2 December 2012

Representation from Environmental Health (Environmental Quality)

The application is for a Temporary Event Notice to extend the provision of regulated entertainment from 20:00-03:00 on Saturday 1st – Sunday 2nd December 2012 to 21:30-04:00 on Saturday 1st – Sunday 2nd December 2012 and to extend the sale of alcohol on the premises from 11:00-03:00 Saturday 1st – Sunday 2nd December 2012 to 21:30 -04:00 Saturday 1st – Sunday 2nd December 2012.

The original application did not state the extension to the hours of the provision of regulated entertainment. A telephone conversation with the applicant, Mr Jeremy Wilkinson, on 6th November 2012 confirmed that this is to be included.

The Fever Club Rooms are located in the centre of a town environment in Newbury, with a residential property bordering one side with several more in close proximity.

The premises opened in March 2010 and complaints were received from May 2010 regarding both noise from the regulated entertainment and public nuisance.

These complaints were from noise and vibration from loud music and lead to a statutory nuisance being witnessed. An Abatement Notice under the Environmental Protection Act 1990 was served in July 2010. Some works to reduce the impact from the music were carried out.

Complaints regarding public nuisance from noise in the early hours of the morning, notably after 03:00, have been received since 2010 from residents living in close proximity to the Market Place. These relate to people talking and shouting and other antisocial behaviour as they move from Market Place, especially as they move towards Bartholomew Street via The Arcade alleyway.

In summary Environmental Health (Environmental Quality) recommend that this application for a Temporary Event Notice be refused on grounds of historical

noise complaints amounting to a statutory nuisance and the likelihood of public nuisance from this increase in the hours the premises is open.

Suzanne McLaughlin
SEHO