

CARLISLE CITY COUNCIL

Report to:- **THE CHAIRMAN AND MEMBERS OF THE LICENSING & REGULATORY PANEL**

Date of Meeting:- 5th December 2001

Agenda Item No:-

A.1

Public	Operational	Delegated Yes
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Accompanying Comments and Statements

Required

Included

Cumbria Fire Service

No

No

Cumbria Constabulary

Yes

Yes

Environmental Services

Yes

Yes

Corporate Planning & Information Unit

No

No

Planning Services

Yes

Yes

Title:-

APPLICATION FOR A VARIATION TO THE PUBLIC ENTERTAINMENT LICENCE – CROWN INN, BOTCHERGATE, CARLISLE

Report of:-

CITY SOLICITOR AND SECRETARY

Report reference:-

TC. 225/01

Summary:-

The Crown Inn is situated in Botchergate, Carlisle at the junction with Crown Street.. The premises have a Public Entertainment Licence for standard licensing hours. An application has been received to extend the terminal hour to 0100 hours, Monday to Saturday and until 0030 hours on Sundays and 2am when this precedes a Public Holiday.

Recommendation:-

To reach a decision from the options available after hearing the evidence.

J M Egan

City Solicitor and Secretary

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- The application, letters from Cumbria Constabulary, Environmental Services and Planning Department, copies of which are attached.

To the Chairman and Members of the Licensing & Regulatory Panel
on 5th December 2001

1) The Crown Inn is situated in Botchergate, Carlisle at the junction with Crown Street. It is adjacent to the proposed O'Grady's Irish Bar and Restaurant, which is also owned by the applicant.

2) The Licensee and applicant is John Pattison, 34 London Road, Carlisle

3) The premises have the benefit of a Public Entertainment Licence with operating times as follows;

Monday to Saturday	1000 hours until 2300 hours
Sunday	1200 hours to 2230 hours

(4) Application is made for a variation to the current Public Entertainment Licence hours as follows (Appendix A):

Monday to Saturday	1100 hours until 0100 hours the following day
Sunday	1200 hours to 0030 hours the following day other than where this precedes a Public Holiday when the terminal hour will be 0200 hours, except Easter Sunday.

(5) The application has been advertised in a local newspaper and no objections have been received.

(6) Cumbria Constabulary have no objections (Appendix B)

(7) Planning Services Department have no observations (Appendix C)

(8) Environmental Services have requested details from the applicant on the measures to be taken to prevent entertainment causing a noise nuisance to neighbouring properties.

(9) Schedule 1 to the Local Government (Miscellaneous Provisions) Act 1982 is the legislation for the licensing of public entertainment. Section 16 of the Schedule reads as follows;

(1) The holder of an entertainment licence may at any time apply to the appropriate authority for such variations of the terms, conditions or restrictions on or subject to which the licence is held as may be specified in the application.

(2) An authority to whom an application under sub-paragraph (1) above is made may:

- (a) Make the variations specified in the application.
- (b) Make such variations as they think fit including the imposition of terms, conditions or restrictions other than those so specified ; or
- (c) Refuse the application.

OPTIONS

1. Refuse the application.
2. Approve the application to extend the PEL as requested or to such an hour as the panel determines.

Prepared by J A Messenger

CITY OF CARLISLE
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Notice and application for a licence to use premises for Public Entertainment

I hereby make application for a ~~NEW/RENEWAL OF / TRANSFER OF / VARIATION~~
 TO / OCCASIONAL Licence to use premises described below for Public Entertainment
 as defined in the Local Government (Miscellaneous Provisions) Act 1982

1. Full Name, Address,
Postcode and Telephone (1) JOHN LAWRENCE
PATTISON
34 LONDON RD (2)
CARLISLE
CA1 2EL 01228 595686
2. Date and Place of Birth (1) 20.2.53 (2)
CARLISLE
3. Full Name, Address,
Postcode and Telephone
Number of Premises CROWN INN
BOTCHERGATE
CARLISLE
01228 532644
4. Proposed Hours of Operation VARY TO 11AM UNTIL 1AM FOLLOWING DAY
ON MON-SAT INCLUSIVE & 12 NOON UNTIL 12.30 AM
THE FOLLOWING DAY ON SUN EXCEPT SUN PRECEDING A
BANK HOLIDAY OTHER THAN EASTER SUNDAY.
5. Date if Occasional N/A
6. Rooms or Areas to be Licensed GROUND FLOOR
7. Nature of Entertainment LIVE and PRE-RECORDED MUSIC
+ KARAOKE

8. If this is an initial application for a new Public Entertainment Licence, a simple A4 size plan of the premises should accompany it with the areas intended to be used for Public Entertainment clearly marked.

Dated 6 Nov 01

Dated _____

(1)

(2)

Signed [Signature]

Signed _____

Please note the information supplied on this form may be divulged to the Police and other agencies involved in the prevention of fraud.

This form should be returned to:

The Licensing Officer
 City Solicitor & Secretary
 Carlisle City Council
 Civic Centre
 Carlisle CA3 8QG

73770

Together with the appropriate fee of £25.00 Should the application be subsequently withdrawn or refused, the fee will be retained by the Council to cover administration costs. Cheques should be made payable to Carlisle City Council.

CUMBRIA CONSTABULARY

ASU Facsimile: 01768 218400
Telephone: 01228 528191

Please ask for: PS 16 Pannone
County Police Station

My Reference:
Your Reference:

Area Commander
North Cumbria Area
Superintendent G Horlacher

Rickergate
Carlisle
Cumbria CA3 8QW

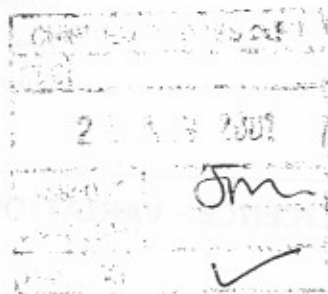


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IM

APP "B"

Mr Sharrock / Mr Messenger
Licensing Department
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG



22 November, 2001

Dear Sirs,

The Police have no objections to the application for a variation to the Public Entertainment Licence in respect of The Crown Inn, Botchergate, Carlisle.

Yours sincerely,

Mark Pannone Sgt 16

Carlisle City Council
Planning Services

INTERNAL MEMORANDUM

15685
APP "C"

CHIEF EXECUTIVE'S DEPT	
FILE	
13 NOV 2001	
PASSED TO	Jam
ANSWERED	
MAIL LOG	✓

From: Head of Planning Services
To: City Solicitor & Secretary
FAO: Jim Messenger

Please ask for: Martin Tickner
Extension: 7175
E-mail: Martin Tickner
Your ref: Licensing/JAM
Our ref: MT/CN/DC
12 November 2001

**RE - PUBLIC ENTERTAINMENT LICENCE - VARIATION - THE CROWN INN,
BOTCHERGATE, CARLISLE**

I refer to your memo of 8th November, regarding the above. I have no observations to make.

M. Tickner

M Tickner

Enforcement Officer

Carlisle City Council
Environment & Development
Environmental Services

CHIEF EXECUTIVE'S DEPT	
FILE	
13 NOV 2001	
PASSED TO	Jm
ANSWERED	
MAIL LOG	✓

INTERNAL MEMORANDUM

From: HEAD OF ENVIRONMENTAL SERVICES
To: TOWN CLERK & CHIEF EXECUTIVE
FAO: Jim Messenger

Please ask for: Frank McLeod
Extension: 7338
E-mail: Frank McLeod
Your ref:
Our ref: 6/003/11/F9/FMCL/LM
12 November 2001

PUBLIC ENTERTAINMENT LICENCE – CROWN INN, BOTCHERGATE, CARLISLE

The applicant should forward information or steps to be taken to prevent noise nuisance to residents in nearby properties.


F McLeod
Environmental Health Officer

Department of Environment & Development Environmental Services Division

Director: M Battersby C Eng MICE FIHT
Head of Environmental Services: R W S Speirs MIEH MIOA
Civic Centre, Carlisle, CA3 8QG • Telephone (01228) 817000
• Fax (01228) 817346 • Typetalk 0800 95 95 98 • www.carlisle.gov.uk

Mr J L Pattinson
34 London Road
CARLISLE
CA1 2EL

Please ask for: Frank McLeod
Direct Line: 01228 817338
E-mail: FrankM@carlisle-city.gov.uk
Your ref:
Our ref: 6/003/11/F9/FMCL/LM

12 November 2001

Dear Mr Pattinson

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 PUBLIC ENTERTAINMENT LICENCE CROWN INN, BOTCHERGATE

I refer to your application for a variation to your Public Entertainment Licence. As your premises is in close proximity to a residential area, please forward information or measures to be taken to prevent your entertainments causing a noise nuisance to neighbouring properties.

Yours sincerely



F McLeod

Environmental Health Officer

Copy to Licensing Officer



INVESTOR IN PEOPLE