

## **Licensing Sub-Committee – 27 September 2005**

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Minutes of the meeting of the **Licensing Sub-Committee** held on **27 September 2005** when there were present:-

Cllr K A Gibbs  
Cllr Mrs M A Starke

Cllr M G B Starke

### **OFFICERS PRESENT**

N Khan	- Solicitor
K Doyland	- Licensing Manager
S Worthington	- Committee Administrator

### **31 APPOINTMENT OF CHAIRMAN**

Cllr K A Gibbs was appointed Chairman of the Sub-Committee.

### **32 PROCEDURE FOR LICENSING HEARINGS**

The Sub-Committee noted the procedure to be followed in hearing the review.

### **33 LICENSING APPLICATION**

The Sub-Committee considered an application for variation of a premises licence made under Section 34 of the Licensing Act 2003. The application related to premises known as the Rayleigh Lodge, The Chase, Rayleigh, SS6 8RW. Members had before them the report of the Head of Housing, Health and Community Care setting out the details of the application and the representations received.

In support of the application the applicant's representative stressed that the hours of licensable activity had been reduced significantly from those included in the original application, to 10.00 am – 12.00 midnight daily, with hot drinks and snacks being served until 12.30 am, at which point the premises would be closed to the public. These amendments had been made in order to address concerns made by the Police and interested parties to the original application. The intention was not to make any great changes to the current mode of operation.

The representative confirmed that the applicants wished to continue to reserve the right to have up to two live entertainers in the bar area, although, in practice, this happened very infrequently. The representative did, however, indicate that the applicants would be agreeable to any live or amplified music ceasing at 11.00 pm.

The representative confirmed that there was no intention for the premises to hold regular discotheques; the applicants wished the licence to cater for customers who might wish to get up and dance on a limited basis. Furthermore, a juke box had been removed from the premises and replaced

with piped music, which was played via a music limiter device.

It was noted that, although the Essex Fire Authority had made a representation to the application, concerning a lack of adequate measures to ensure public safety at the premises, they were not in attendance at this hearing. The applicant's representative advised that a lot of expenditure had been incurred recently by the applicants in order to address fire safety issues at the premises and it was perceived that this had addressed the Essex Fire Authority concerns.

In response to concerns raised by residents, the representative advised that:-

- The garden would be closed from 10.00 pm; notices would be placed on the tables to that effect.
- the applicants would be agreeable to a condition being applied to any licence stipulating that all doors and windows be kept closed during events involving live and amplified music.
- Estimates had been obtained relating to the possible installation of CCTV cameras in the pub car park.
- Children were not permitted in the area immediately adjacent to the bar serving area inside the premises.

Public objectors were particularly concerned that any increase in the opening hours of the premises could lead to increased public nuisance. The Rayleigh Lodge was situated in the heart of a residential area and during the summer months residents were disturbed by the sound of live music coming from the premises, when doors and windows were open. The garden area was also very noisy during the summer evenings.

Residents were also disturbed by the noise made by customers leaving the Rayleigh Lodge late at night, with cars accelerating and people shouting and swearing. Residents perceived that although the Rayleigh Lodge was predominantly a family restaurant, the pub was attracting younger customers who appeared to be less considerate of residents in a densely populated area.

Members, while mindful of the representations made, were of the view that the concerns raised should be adequately addressed by the measures and controls put forward by the applicants, including additional conditions relating to the cessation of live and amplified music at 11.00 pm and the closure of doors and windows during live entertainment. The licence could, however, be reviewed in future in the event of any complaints being received.

### Resolved

That the application be granted, subject to the conditions set out in the operating schedule and subject to all live and amplified music ending at 11.00 pm and subject to all doors and windows being kept closed during events involving live and amplified music. (HHHCC)

The meeting commenced at 10.00 am and closed at 12.05 pm.

Chairman .....

Date .....