

Licensing Sub-Committee – 6 September 2005 (pm)

Minutes of the meeting of the **Licensing Sub-Committee** held on **6 September 2005 (pm)** when there were present:-

Cllr K A Gibbs
Cllr R A Oatham
Cllr Mrs C A Weston

OFFICERS PRESENT

N Khan - Solicitor
K Doyland - Licensing Manager
J Bostock - Principal Committee Administrator

16 APPOINTMENT OF CHAIRMAN

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

17 PROCEDURE FOR LICENSING HEARING

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

18 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 Spread Eagle, 93 High Street, Rayleigh. Members had before them the report of the Head of Housing and Community Care setting out the details of the application and the representation received.

The Chairman confirmed that, in the absence of the author, the Sub-Committee would take the letter of representation received into consideration.

In support of the application, the applicant advised that during the last 6-7 year period of managing the premises there had been no problems. As a full-time resident of the High Street it could be recognised that a variety of noises could be associated with high street living. However, to date, there had been no complaints of noise made, including from flats to the rear of the premises.

Responding to Sub-Committee questions the applicant advised that:-

- With all appropriate doors closed, it would not be possible to hear music being played at decibel levels set by the premises. It is probable that some live drum beats may be heard.
- In that there had not been complaints, it had not been necessary to introduce a complaints register.
- Only bar staff are able to gain entry to the premises after 11pm.

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- There was no current intention to automatically extend the period when music is played, the application was just intended to cover this possibility.
- He would be more than happy to consider the display of notices close to entrance and exit doors requesting customers to leave quietly.

The Sub-Committee noted that, if approved, a condition of the licence would be that the licensee should maintain a logbook.

Members, whilst mindful of the representation made and concerned about the potential for nuisance and disturbance, and having carefully considered all the evidence, were of a view that, on the basis of the measures and controls put forward by the applicant, these concerns should be adequately addressed. The licence could, however, be reviewed in future in the event of any complaints being received by the Council.

Resolved

That the application be granted, subject to the conditions set out in the operating schedule and to an additional condition that notices shall be displayed close to the entrance and exit doors requesting customers to leave quietly. (HHHCC)

The meeting commenced at 2.00pm and closed at 2.32pm.

Chairman

Date