

## **Licensing Sub-Committee – 15 August 2005**

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Minutes of the meeting of the **Licensing Sub-Committee** held on **15 August 2005** when there were present:-

Chairman: Cllr M G B Starke

Cllr Mrs S A Harper

Cllr R A Oatham

### **OFFICERS PRESENT**

|               |                           |
|---------------|---------------------------|
| A Bugeja      | - Head of Legal Services  |
| K Doyland     | - Licensing Manager       |
| N Khan        | - Solicitor               |
| P Nellies     | - Licensing Officer       |
| S Worthington | - Committee Administrator |

### **4 APPOINTMENT OF CHAIRMAN**

Councillor M G B Starke was appointed Chairman of the Sub-Committee.

### **5 PROCEDURE FOR LICENSING HEARING**

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

### **6 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 Red Lion, at 67 – 69 High Street, Great Wakering. 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.

Objectors were particularly concerned that if the applicant was granted permission to sell alcohol on the premises until 1.00 am on Fridays and Saturdays, together with the possibility of there being live and recorded music until 1.00 am on Fridays and Saturdays, this could lead to increased public nuisance. Many residents lived in close proximity to the High Street and were already affected by the noise of customers leaving the premises as they waited for taxis outside and of cars accelerating down the High Street. In addition there were already instances of anti social behaviour, and there was anxiety amongst residents that proposals to increase the licensing hours would lead to noise and anti social behaviour in the High Street extending into the small hours.

The applicant, in support of the application, advised that some revisions had been made to her original application, in order to address specific concerns raised by responsible Authorities, namely:-

- Reduction in the hours of sale of alcohol on Thursdays from 1.00 am to 11.00 pm.
- Restricting drinking up time from 1 hour to 30 minutes
- Introducing toughened drinking glasses for use in the outside drinking area.
- All doors and windows would be closed for amplified music and live entertainment at the premises.
- Regulated entertainment would not take place later than 9.00 pm in the outside drinking area.

No representations had subsequently been made by responsible Authorities.

The applicant emphasised that issues relating to noise and public nuisance in the High Street could generally be attributed to the fact that there were four other public houses in the vicinity and an existing youth nuisance. The public house had a regular clientele, which encompassed young, middle aged and more elderly customers.

Noise attenuation measures had recently been implemented at the premises, namely the installation of air conditioning, extractor fans and heavy grade curtains. Furthermore, double-glazing would also be installed on the ground floor of the premises. Signs would be posted up asking customers to leave the premises quietly and on music nights DJs would also make an announcement reminding customers to leave quietly. The applicant considered that extending the licensing hours to 1.00 am on Fridays and Saturdays would enable customers to disperse gradually from 11.00 pm onwards.

In addition, staff routinely booked taxis for customers with the local taxi firm, whose drivers were instructed to wait in the car park at the rear of the premises, rather than on the High Street.

The applicant also stressed that many of the activities included within the application, such as films and dancing, would only occur occasionally. Similarly, although the application included provision for music to be played until 1.00 am on Fridays and Saturdays, it was more likely to end shortly after 11.00 pm, with the possible exception of Public Holidays.

The applicant confirmed that the late night refreshment provision included within the licensing application did not relate to hot food, but was in order to provide customers with tea and coffee while waiting for transport home.

In conclusion, the applicant emphasised that the adult entertainment element of the application related to rare occasions when, for example, a customer might want to book a strip-o-gram for a birthday celebration.

Members, while mindful of the representations made and concerned about the potential for disturbance and disorder in the High Street, having carefully considered all the evidence were of the view that the conditions and controls proposed were sufficient to ensure that the variation sought by the application should not aggravate the existing situation. 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. (HHHCC)

The meeting closed at 12.45 pm.

Chairman .....

Date .....