

Licensing Sub-Committee – 12 July 2007

Minutes of the meeting of the **Licensing Sub-Committee** held on **12 July 2007**
when there were present:-

Cllr Mrs L M Cox
Cllr T E Goodwin
Cllr Mrs J A Mockford

OFFICERS PRESENT

A Bugeja - Head of Legal Services
K Doyland - Licensing Manager
P Nellies - Licensing Officer
C Honey - Trainee Solicitor
J Bostock - Principal Committee Administrator

66 APPOINTMENT OF CHAIRMAN

Councillor Mrs J A Mockford was appointed Chairman of the Sub-Committee.

67 PROCEDURE FOR LICENSING HEARING

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

68 LICENSING APPLICATION

The Sub-Committee considered an application by Hullbridge Community Association Social Club for a variation of a premises licence granted under Section 18 of the Licensing Act 2003 to extend the licensed hours of the Hullbridge Community Centre, Pooles Lanes, Hullbridge. Members had before them the report of the Head of Environmental Services setting out the details of the application and the representations received.

In submitting their case the applicant observed that:-

- The extended hours would provide additional flexibility and enable the club to show international sporting competitions. Darts, crib and pool events can also overrun in the winter. Applying for temporary event licences for individual occasions can be costly for the Club.
- There had been no objections from the responsible authorities and the Club had been happy to accept the two conditions that had been suggested by the authorities.

- Whilst a petition had been raised, the applicant would suggest that this be treated with caution. Many Members of the Association lived in the Tower Caravan Park. There had been licensed premises at this location since 1979, so people moving in since that time will have been aware of the premises.
- There had only been one recent complaint about noise to the Council and this had not been substantiated. The Club operates a zero tolerance policy on rowdiness and would bar a member if necessary. Whilst young people may congregate in an adjacent car park, the club had no responsibility or jurisdiction over the car park.
- The Centre had a steel fence perimeter, air-conditioning, cladding and double-glazing, a noise limiting device and a soft football for outside use. Trees had also been planted. The Club had applied to the National Lottery for further noise reduction measures including the construction of an enclosed porch at the entrance.

Responding to questions from public objectors the applicant indicated that:-

- The gate relating to a pre-school playgroup remained locked unless there were deliveries. Not many children play during the week.
- The Club had no current plans to introduce entertainment beyond 11.00 pm.
- The door to the outside is self-closing – there is a plan to introduce a porch over the door.
- CCTV is being introduced to facilitate outside surveillance.
- The application promotes the four licensing objectives. There is no requirement for the Club to have a noise abatement policy.

Public objectors to the application wished to highlight that a number of residents had lived in the vicinity of the Centre prior to it becoming licensed premises. There was concern about the balance of activities run by the Club in that alcohol related activities were increasing and some consideration should perhaps be given to achieving a balance between the needs of the Club and the needs of the community. It would be wrong to completely discount the petition, which included the names of local residents. The availability of a soft ball for outside did not necessarily mean that there would be no noise and there is likely to be an increase in the number of customers going outside by virtue of the recent national smoking ban.

Responding to questions from the applicant the objectors indicated that noise from children seemed to emanate from the Centre on Fridays and Saturdays and that it was understood the police had been called to a disturbance relating to a party at the Club. A resident had experienced phoning the centre about noise but calls being ignored.

During closing statements the objectors wished to emphasise that approval of the application could create an imbalance and that the petition should not be dismissed. An increase in hours could deter from the view that the Club is an asset to the community.

The applicant observed that the application represented a modest increase in hours balanced with measures to ameliorate noise disturbance. Licensing objectives were provided for and the relevant authorities had not made any representations.

Having given careful consideration to the application and all representations made Members recognised the concerns expressed by local residents and the impact an extension of the licence may have on them, in particular in relation to later closing hours. It was considered that there had been some level of disturbance and, given the proximity of the premises to the Tower Caravan Park and the neighbouring residential area, concern remained that this would be exacerbated to an unacceptable degree if the application were to be granted in full.

Members were mindful of the arrangements that the applicant had put in place to minimise potential nuisance and that the premises served the community. It was, therefore, concluded that the application should only be granted subject to a reduced terminal hour for all licenced activities as specified below:-

- 0800-2300 hrs Sunday to Wednesday.
- 0800-0100 hrs Thursday to Saturday.

In addition, the use of outside areas for the consumption of food and drink should cease at 2300 hrs Sunday to Wednesday and midnight Thursday to Saturday. The grant of the licence would also be subject to the mandatory conditions and those specified in the operating schedule.

Members wished to make it clear that the Licensing Authority would be concerned should any nuisance arise as a result of the extension that had been granted and reminded the parties that the Authority had the power of review should this be necessary. It was hoped that the applicant would liaise with residents to ensure that any concerns are appropriately addressed.

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The meeting commenced at 2.00 pm and closed at 5.15 pm.

Chairman

Date

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