

Licensing Sub-Committee – 6 September 2005 (am)

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

Cllr Mrs R Brown
Cllr K H Hudson
Cllr Mrs B J Wilkins

OFFICERS PRESENT

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|-----------|---------------------------|
| N Khan | - Solicitor |
| K Doyland | - Licensing Manager |
| M Martin | - Committee Administrator |

13 APPOINTMENT OF CHAIRMAN

Councillor K H Hudson was appointed Chairman of the Sub-Committee.

14 PROCEDURE FOR LICENSING HEARING

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

15 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 Kings Head, Market Square, Rochford. Members had before them the report of the Head of Housing and Community Care setting out the details of the application and the representations received.

The Licensing officer advised that the concerns raised in the representation made by the Environmental Protection Unit at Rochford District Council in their communication to the Licensing Unit Manager, dated 11 August 2005, had been satisfactorily resolved with the applicant and the recommendations would be transferred into conditions on the licence.

In addition, it had now been agreed with the applicant that, with the exception of special days, all licensable activities would finish at midnight. A 30-minute drinking-up period would follow.

The Chairman confirmed that, in the absence of the author, the Sub-Committee would take the letter of representation received into consideration and the letter was read out to those present.

In response to the letter, the applicant advised that:-

- The majority of customers are local clientele and not travellers.
- In response to the incident referred to the applicant had taken the decision to close the premises to the public.
- The piles of rubbish referred to in Back Lane could not be attributed solely to the public house, as it is a public right of way.

In support of the application/response to questions, it was confirmed that:-

- The sale of alcohol would end at midnight throughout the week.
- Extended hours would not be utilised on a daily basis, but would provide the flexibility to extend when the mood is right.
- Patrons would be asked to depart responsibly from the premises.
- All existing glass drinking vessels would be replaced by drinking vessels made from toughened glass; this would be done by the second appointed day.
- The 9 am opening time would enable breakfast to be served, particularly on market day.
- The live music currently being provided by a singing duo for charity on a Friday night meets with the approval of the Environmental Protection Unit and has been provided for the last three years.
- Should complaints arise, a noise limiter would be considered.
- A personal licence number had been issued.
- Mr Carter had been a responsible licensee at these premises for three and a half years.

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 the view that, on the basis of the measures and controls put forward by the applicant, these concerns should be adequately addressed.

Members were minded to grant the application subject to the terms and conditions stated in the operating schedule (as amended) and the recommendations agreed with the Environmental Protection Unit.

However, particular attention was drawn to the fact that, with the exception of the special days, the premises would cease all licensable activities at midnight throughout the week and the hours of operation for the premises would be from 9 am to 12.30 am.

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 the additional conditions set out by the Environmental Protection Unit. (HHHCC)

The meeting commenced at 10 am and closed at 10.55 am.

Chairman

Date