

Licensing Sub-Committee – 27 September 2005

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

Cllr T G Cutmore
Cllr K H Hudson

Cllr Mrs B J Wilkins

OFFICERS PRESENT

A Bugeja - Head of Legal Services
K Doyland - Licensing Manager
S Worthington - Committee Administrator

34 APPOINTMENT OF CHAIRMAN

Cllr Mrs B J Wilkins was appointed Chairman of the Sub-Committee.

35 PROCEDURE FOR LICENSING HEARING

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

36 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 Anchor, 284 Ferry Road, Hullbridge, SS5 6ND. 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 applicants' representative stressed that the original application had been significantly amended in order to address concerns raised by the Fire Authority, Environmental Protection Unit and the Police. He confirmed that the application currently before Members was for licensable activity between the hours of 10.00 am until midnight daily, with 30 minutes' dispersal time, and that the original application for extended licensing hours on up to 12 unspecified dates per year had been withdrawn.

The representative confirmed that the applicants wished to continue to reserve the right to have up to two live entertainers in the bar area and, similarly, wished the licence to cater for customers who might wish to get up and dance on a limited basis.

It was noted that there were some outstanding managerial issues associated with the premises, but that a temporary manager had just been granted a personal licence by the magistrates.

The representative advised that CCTV cameras had recently been installed at the premises. The applicants recognised that there were residential properties in the vicinity of the pub, but felt that this was partially alleviated by

the waterside location.

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

- The CCTV was inside the premises; it was monitored and recorded images digitally. It did not, however, include sound recording.
- It was unfortunate that there had not been a regular licensee at the premises in recent months, but that the company was taking steps to address this.
- The applicants would be agreeable to the installation of a noise limiting device for the playing of any amplified music.
- The Fire Authority had set generous maximum occupancy levels both inside and outside the premises.
- The applicants would be agreeable to displaying notices at all exits and appropriate areas requesting patrons to leave quietly.
- The applicants would be willing to prohibit children from bar areas after 9.00 pm.
- The applicants would agree to the current licensing hours being maintained within the garden area.
- The garden was enclosed by a low, picket fence.
- Meals were served in the garden.

Public objectors were particularly concerned that any increase in the licensing hours would lead to further public nuisance. Residents were already disturbed by music, by noise patrons made in the garden of the premises and by customers noisily leaving the premises late at night. At weekends there appeared to be a lot of younger customers and there had been instances of car stereos being played loudly, of shouting and of fights.

One table in the garden area, that in front of the gate, posed a particular problem for residents with respect to noise. Residents perceived that the garden was not adequately managed late at night; there were various instances of raucous behaviour and bad language emanating from this area.

Residents were also concerned that the gate at the end of the garden area, which opened out onto the sea wall, always appeared to be open. This was a particular cause for concern, given that there were often children in the pub gardens.

Responding to concerns raised by residents, the applicants' representative confirmed that the applicants would ensure that a spring loading device was

affixed to the gate leading to the sea wall from the pub garden and that signs were placed around the premises and within the garden asking patrons to be mindful of not disturbing residents, particularly on leaving the pub. He further confirmed that the table within the garden that was particularly close to residential properties would be permanently removed, with that area of the garden to be kept clear of any seating.

Members, while mindful of the representations made, were of the view that the amendments made to the original application reducing the hours of licensable activity that were first applied for and the further conditions agreed by the applicants went some way towards addressing the objections.

Resolved

That the application be granted, subject to the conditions set out in the operating schedule, as amended, and the following additional conditions:-

- CCTV cameras to be placed both inside and outside the premises. The premises to be kept open for the licensing hours currently in operation until such time as external CCTV cameras are installed.
- Appropriate notices to be displayed both inside and outside the premises requesting patrons to leave quietly and to be considerate of neighbouring residents.
- Prohibition of children in the bar areas after 9.00 pm.
- The present licensed hours to be maintained within the garden area, namely 11.00 pm Monday to Saturday, and 10.30 pm on Sunday.
- The table in the garden area immediately to the north of the premises and closest to Ferry Road to be removed and this area to be kept clear of seating.
- Any amplified music to be played through a noise limiting device at a level to be set by agreement with a Council Environmental Health officer.
(HHHCC)

The meeting commenced at 2.00 pm and closed at 4.43 pm.

Chairman

Date