

Licensing Sub Committee (Miscellaneous)

Friday 12 March 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Lock, Vice Chair.
Councillor Rennie.

The meeting started at 10.00 am and finished at 10.45 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

45. APPOINTMENT OF CHAIR AND VICE-CHAIR

Resolved that Councillor Mrs Bowyer be appointed as Chair, and Councillor Lock be appointed as Vice Chair.

46. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

47. CHAIR'S URGENT BUSINESS

There were no items of exempt business.

48. VARIATION OF PREMISES LICENCE - DUCHY OF CORNWALL, 14 ANSTIS STREET, PLYMOUTH

The Committee having –

- (i) considered the report from the Director for Community Services;
- (ii) considered the written representation from interested parties and heard from a representative of the interested party present;
- (iii) heard that following the agreement of conditions with the applicant, the Environmental Health representation had been withdrawn;
- (v) heard from the Designated Premises Supervisor (DPS) on behalf of the applicant that –
 - since the review of the licence last year a complete audit of the business had been undertaken and the DPS was solely in charge of the day to day operations of the premises;
 - there had not been any official complaints about the premises since August last year;
 - the DPS had attended a BII course and had trade qualifications in relation to her responsibilities;
 - signs had been posted around the premises as part of their good neighbour policy;
 - the representation from residents relates to an historical matter which had

since been addressed;

- the extension to trade was nominal and relates to public holidays;
- the practice of leaving empty kegs outside was discontinued in December and there had been no instances of theft or vandalism regarding the kegs reported;
- the DPS had written to all neighbours and given them full contact details;
- since the review the DPS has cooperated fully with all professional bodies and adopted their recommendations;
- the live music proposed was intended to consist of two 45 minute sets with a 30 minute break in between.

(vi) heard and considered representations under the licensing objectives as follows:

a) Prevention of Public Nuisance –

- that noise and disturbance would not end at the times stated with people not dispersing from the vicinity. The concern was that this would affect the large number of elderly residents in an otherwise quiet street and would lead to their quality of life being undermined. This was not considered to be relevant as the application was mainly to extend hours at the beginning of the day. It was also acknowledged by the interested parties' representative that there had been no problems with the premises since the noise limiter had been installed;
- residents already suffered from the actions of the patrons of the premises which involved loud and abusive language, fighting and scuffles outside the pub and general antisocial behaviour associated with the consumption of alcohol. The concern was that extended opening hours would exacerbate the problem. This was considered to be relevant however the interested parties' representative had acknowledged that there hadn't been any particular problems recently. Members also noted that there had been no representations from the Police on this issue;
- there had been problems with noise from the licensee leaving the empty aluminium beer barrels outside of the pub. These had then been rolled about by patrons in moments of high spirits. There was a concern that this would eventually lead to significant damage being caused as well as being a potential obstacle for elderly residents to negotiate. This was considered to be relevant but Members noted that this practice had now been discontinued.

Resolved that having taken into account all of the above representations the variation application be granted as applied for subject to mandatory conditions contained in the Licensing Act 2003 and conditions consistent with the applicants operating schedule and conditions agreed with Environmental Health.

49. **EXEMPT BUSINESS**

There were no items of exempt business.