

LICENSING SUB-COMMITTEE

Wednesday, 8th February, 2012

Present:- Cllr Welsh in the Chair
Councillors D Cornes, S Simpson and Welsh

1. APPLICATION FOR PREMISES LICENCE FLAMES, LIVERPOOL ROAD

Having taken into account the Licensing Act 2003, the guidance issued under Section 182 of the Act, the Councils statement of Licensing Policy and also the fact that the Police and interested parties had objected to the application on the basis that to grant the application would undermine the Crime and Disorder, Public Nuisance and Public Safety Licensing objectives.

Having put forward a number of conditions which were acceptable to the Police in order to promote the Crime and Disorder objective, agreement had been reached between Staffordshire Police and the applicant. Having heard the other objectors the Sub Committee considered the Licensing objectives in the light of what had been said and listened to the arguments.

The Sub Committee were persuaded that whilst the grant of the hours applied for would offend the Licensing objectives the grant of limited hours would not. The Committee had some sympathy for what some objectors had said but unfortunately they were not present to corroborate the information and therefore only limited weight could be attached to the points made. The points raised by those objectors who were present at the hearing were taken into consideration.

The Committee also took into account the fact that all determination of Licensing applications should be made on empirical evidence and that no account should be taken of speculative evidence. There was clearly a possibility that the extension of opening hours to those applied for could have an adverse impact on the residential amenity of the occupiers of the surrounding residential premises by virtue of increase in noise disturbance caused by patrons coming to and going from the premises.

The Committee considered that a compromise would be for the grant of additional hours for one or two days a week It being open to the applicant to apply for the additional hours in the future if there were no objections. Equally it was open to residents to apply for a review of the licence if nuisance occurred.

Therefore, subject to the condition that will be referred to, the Sub Committee were disposed to grant the application for an additional hour as follows:

Friday and Saturday from 11pm to midnight.

The conditions which the Committee were disposed to impose in addition to the relevant mandatory conditions and also conditions that were consistent with and of those listed by the applicant in the operating schedule were:

1. Those set out by Staffordshire Police in their letter dated 9th January 2012 and accepted by the applicant.

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2. That the shop shutters shall be closed promptly at midnight and the shop doors locked.
3. That no customers shall be admitted to the premises after 11:45pm.

Chair