

LICENSING SUB-COMMITTEE

Thursday, 27th November, 2014

Present:- Councillor Mrs Joan Winfield – in the Chair

Councillors Williams and Mrs Williams

1. APPLICATION FOR A PREMISE LICENCE - CRICKETER'S ARMS. ALEXANDRA ROAD, MAY BANK

Having taken into account the Licensing Act 2003 and the Guidance issued under Section 182 of the Act, the Council's Statement of Licensing Policy and also the fact that objections to the application have been received on the basis that to grant the application would undermine the objective relating to the prevention of public nuisance.

The Committee have considered that licensing objective in the light of what has been said and have listened to the arguments and were mindful of the fact that following consultation with Staffordshire Police the applicant's application had been amended in order to provide for additional opening hours of the premise for just 30 minutes per day to provide for 'drinking up time'.

The Committee were persuaded that it was appropriate to take steps to ensure that the licensing objectives were promoted. In considering which powers to invoke the committee had regard to the guidance at 11.19 and 11.20 which indicates that the Committee should seek to establish the cause of the concerns that the representations identify and that remedial action taken should be directed at the causes and be no more than appropriate and proportionate.

The residents had stated that they had been subjected to noise nuisance for some considerable time and that patrons have not been leaving the premises until well after the time when the premises should have been closed. Evidence had been given that much of the noise had occurred because the windows to the premises had been left open.

Residents also complained about noise and nuisance being caused by patrons leaving the premises particularly in the car park.

In response to the complaints the applicant guaranteed that if an extension to the opening hours was granted then patrons would be out of the premises before closing time. The applicant also confirmed that the windows to the premises would be closed to prevent noise nuisance and that all bottling would be done before the first shift (in the morning), rather than after the last shift (at night), to prevent noise nuisance.

On balance the Committee considered that it would not offend the licensing objectives to grant a short period of drinking up time with a number of conditions imposed to reflect the promises given by the applicant. Therefore, subject to the conditions that are referred to, the Committee were disposed to grant an additional 20 minutes drinking up time on Monday's to Sunday's. Patrons were therefore expected to have vacated the premises with the minimum of noise by 11.20pm

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Mondays to Saturdays and by 10.50pm on Sundays, and a notice would be issued to that effect.

The conditions which the Committee were disposed to impose in addition to the relevant mandatory conditions were;

1. That toilet windows at the premises shall be closed before 7.00pm each day
2. That all other windows in the premises shall be closed before 8.00pm each day
3. That all 'bottling' at the premises to be done with the minimum of noise before the first shift at the premises in the morning and that no bottling shall be undertaken in the evening.
4. That permanent and clear legible notices shall be displayed at all the exits used by customers asking patrons to respect the needs of local residents and to leave quietly.
5. Members of staff to monitor the car park area after 10.30pm until closure of the premises for the purpose of minimising disturbance from the patrons and their vehicles in the car park.

COUNCILLOR MRS JOAN WINFIELD
Chair