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Licensing Sub-Committee - 20/10/20

LICENSING SUB-COMMITTEE

Tuesday, 20th October, 2020
Time of Commencement: 10.00 am

Present: Councillor John Williams (Chair)

Councillors: Ruth Wright John Cooper

Officers: Melanie Steadman Licensing Officer
 Anne-Marie Pollard Solicitor
 Geoff Durham Mayor's Secretary / Member
 Support Officer
 Matthew Burton Licensing Administration Team
 Manager

Also in attendance: Joules Brewery

Note: In line with Government directions on staying at home during the current stage of the CV-19 pandemic, this meeting was conducted by video conferencing in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020

1. APPOINTMENT OF CHAIR

Resolved: That Councillor John Williams be appointed as Chair for this meeting.

2. APOLOGIES

There were no apologies.

3. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

4. VARIATION OF A PREMISES LICENCE - THE OFFLEY ARMS, POOLSIDE, MADELEY

The Sub-Committee considered an application to vary a premises licence relating to the addition of a new beer garden to the premises and the removal of one condition relating to a designated family area.

The licensing committee carefully considered the report including all the objections within the report, the licensing Act 2003 and its associated guidance. They also heard from the applicant, environmental health and several public objectors.

The Sub-Committee took into account the fact that there was already a licence in place which covered the licensable activities and hours. This application was purely

to vary a premises licence relating to the addition of a new beer garden to the premises and the removal of one condition relating to a designated family area.

The committee noted that agreements had been reached with Staffordshire Police and the Environmental Health department who had subsequently amended and agreed conditions and were in attendance to assist the committee in addressing the residents' concerns.

The representations received from local residents related predominantly to parking but also included litter, noise nuisance, smoke and light pollution, these fell under the licensing objectives of Prevention of Public Nuisance and Prevention of Crime and Disorder.

Eight residents were in attendance at the meeting and were given the opportunity, to address the Sub-Committee. The Environmental health officer had provided a new condition -

A noise management plan shall be developed which identifies all noise sources that have the potential to cause public nuisance and the measures that will be put in place to prevent such nuisance. The plan shall be submitted to the Head of Environmental Services for approval prior to the first use of the outdoor area introduced by the application to vary the premises licence dated 25/8/2020.

This outdoor area shall not be used until a noise management plan is approved. Following approval, the noise management plan will be implemented, and maintained, in full.

There shall be no variation of the noise management plan without the prior written approval of the Head of Environmental Services.

This condition had been amended in light of the objections and he felt it to be sufficient to meet the licensing objective, he did not feel that the other issues raised would amount to a public nuisance in line with the statutory licensing guidance.

The committee then heard from Steve Nuttall of Joules Brewery and advised that they had been invited to get involved by the 'Save the Offley Arms Community Group'. A survey had been carried out with local residents and one of the elements was for outside space. The residents were invited to visit other Joules licensed premises to get a feel for the type of establishments operated by the company. Concerns were raised about the usage times of the beer garden and were advised that it would be closed after 10pm with those still in there, leaving the garden once they had finished their drink/conversations but no drinks would be taken outside after 10pm.

The Sub Committee considered the representations in line with the licensing objections and gave the following reasons for their decision.

The prevention of crime and disorder. These premises had been closed since 2018 and were now under new ownership. Prior to the premises closing there had been no complaint or evidence of crime and disorder. The conditions proposed and agreed with the police were sufficient to promote the licensing objectives.

The prevention of public nuisance. There had been a complaint in 2016 under the old premise licence but after hearing from the residents and Environmental Health

officer they felt that the proposed and agreed condition should reassure the residents and considered it sufficient to meet the licensing objectives.

Resolved: That the variation be granted as per the application with the conditions proposed and agreed to be incorporated into the operating schedule.

CLLR JOHN WILLIAMS
Chair

Meeting concluded at 1.40 pm

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