

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **LICENSING SUB COMMITTEE** held at Room 3, Priory House, Monks Walk, Chicksands, Shefford on Wednesday, 20 May 2009.

PRESENT

Cllrs D Bowater
Mrs J R Davison

Cllr Ms A M W Graham

Members in Attendance: Cllrs A A J Rogers
B J Spurr

Officers in Attendance: Miss H Bell – Democratic Services Officer
Mr A Fraser – Licensing Enforcement Officer
Mr M Woolsey – Principal Solicitor

LS/08/12 **Members' Interests**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

LS/08/13 **Name and Address of Applicant**

Punch Taverns Plc
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DE14 2WX

LS/08/14 **Names of Parties Present (including applicant, observers and persons who have made relevant representations together with any person representing each party)**

Mr A Griffith	-	Landlord, Three Tuns, Arlesey
Mr D William	-	Solicitor representing Punch Taverns Plc
Mr M Taylor	-	Area Manager Punch Taverns Plc
Miss H Bell	-	Democratic Services Officer, Central Bedfordshire
Cllr A A J Rogers	-	Central Bedfordshire Councillor
Mr A Fraser	-	Interim Team Leader, Health and Safety (Licensing)

LS/08/15 **Names of Parties submitting written representations and indications of their representation**

Mrs J Mann - Environmental Health Officer, Central Bedfordshire

LS/08/16 **Amendment of Application (if any) requested by Applicant**

- (1) Prominent, clear and legible notices are to be displayed at exits requesting patrons to respect local residents and to leave the premises and area quietly.
- (2) Ingress and egress notwithstanding, all external doors and windows to the premises are to be kept closed during indoor regulated entertainment that involves amplified music and/or voices.
- (3) Noise levels from amplified music and/or speech shall not cause a nuisance when assessed at the nearest residential premises.
- (4) Consumption of food, alcohol and other refreshments including outdoor areas shall not continue after 2330 hours.
- (5) No more than two events to be held per calendar month.

LS/08/17 **The Application**

The application was submitted by Punch Taverns Plc for a variation to a premises licence at the premises known as the Three Tuns, 80 High Street, Arlesey, to allow the premises to permit the sale of alcohol and provision of recorded music (indoors only) on Sunday to Thursday between 0900 hours and midnight and on Fridays and Saturdays between 0900 hours and 0100 hours the following day.

Further to these activities, application is being made to extend all permitted licensable activities by an additional hour into the morning following every Sunday for each May Bank Holiday, also for an additional hour into the morning following every Thursday and Sunday for the Easter Bank Holiday and for Christmas Eve and Boxing Day and to extend the provision of all permitted licensable activities from the start of permitted hours on New Years Eve until the close of permitted hours New Years Day.

The Application also sought removal of the condition “amplified and unamplified music maximum 2 performers (indoors)” and all the embedded restrictions transferred from the original premises licence under the heading “conversion of existing licences. Schedule 8 Paragraph 6 of the Licensing Act 2003.” A copy of the application form was attached to the report at Appendix A.

LS/08/18 The Four Licensing Objectives

The Chairman drew attention to the four Licensing Objectives which were set out in the report circulated with the Agenda.

LS/08/19 Licensing Act 2003 - Determination of Application to Vary a Premises Licence

The Sub Committee received and considered an application submitted by Punch Taverns Plc at the premises known as the Three Tuns, 80 High Street, Arlesey to vary the licence to extend all permitted licensable activities. The applicant and solicitor representing Punch Taverns attended the meeting and made representations in support of the application.

The Chairman outlined the procedure to be followed.

The Chairman invited the Interim Team Leader, Health & Safety Licensing to present the report to the Sub-Committee. The Sub-Committee were advised that the applicant had submitted an application for variation to the premises licence at the Three Tuns, Arlesey to allow for the premises to permit the sale of alcohol and provision of recorded music (indoors only) on Sunday to Thursday between 0900 hours and midnight and on Fridays and Saturdays between 0900 hours and 0100 hours the following day and to furthermore extend all permitted licensable activities by an additional hour into the morning. A copy of the application form was attached to the report at Appendix A.

The Chairman invited the Applicant and Solicitor to present their case to the Sub-Committee.

Mr Griffith and Mr D William set out the application as detailed in the agenda.

The Sub-Committee noted that Mr Griffith had been the tenant for the last year and during that time the pub had undergone refurbishment to include removal of televisions and a pool table. It was evident that the main concerns from the objectors surrounded the kebab van that would locate itself within close vicinity to the pub. The kebab van was no longer parking near the pub and hadn't done so since August 2008 and had no intention to return. Arlesey Town Council supported this.

Mr Griffith asserted that the Three Tuns was a small community pub and that since he had been insitu there had been no complaints.

The application was mainly for an element of flexibility to enable a small band or guitarist for example to play, it was the intention that there would be no more than 2 regulated events per calendar month.

The Chairman invited the rest of the Sub-Committee to question the Applicant.

The Chairman invited the Applicant and the Objector to sum up their cases.

The Sub-Committee adjourned with its Solicitor and Committee Administrator to deliberate upon the application.

DECISION

That having taken into account the licensing Act 2003 Guidance issued under Section 182 of the Act and representations from the Applicant, Solicitor and parties, the application to vary the premises licence at the Three Tuns Arlesey be granted to Mr Griffith subject to the following conditions:

- (1) Prominent, clear and legible notices are to be displayed at exits requesting patrons to respect local residents and to leave the premises and area quietly.
- (2) Ingress and Egress notwithstanding, all external doors and windows to the premises to be left closed during indoor regulated entertainment that involves amplified music and /or voices.
- (3) Noise levels from amplified music and/or speech shall not cause a nuisance when assessed at the nearest residential premises.
- (4) Consumption of food, alcohol and other refreshments which the outdoor areas shall not continue after 23.30 hours.
- (5) No more than two events to be held per calendar month.

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.05 a.m.)