

CENTRAL BEDFORDSHIRE COUNCIL

Record of Licensing Sub Committee hearing convened under The Licensing Act 2003 (Hearings) Regulations 2005 on Monday, 12 April 2010

Licensing Sub Committee Composition

Cllrs L Birt (Chairman) K Janes
A A J Rogers

Members' Interests

(a) **Personal Interests:-**

There were no personal interests to disclose.

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

There were no personal and prejudicial interests to disclose.

Name of Applicant

Green King Retailing Limited
Abbot House
Bury St Edmunds
IP33 1QT

Names of Parties present (including the Applicant, Observers and Persons who have made relevant Representations together with any person representing each Party)

Mr S Arms-Perkins	-	DPS
Mr A Price	-	Regional Manager
Mr J Veitch	-	Licensing Manager
Mr J Atkinson	-	Head of Legal Services
Mrs M Clampitt	-	Democratic Services Officer
Mrs P Davies	-	Licensing & Policy Officer
Mr D McBain	-	Licensing Enforcement Officer
Cllr A A J Rogers	-	Central Bedfordshire Councillor
Cllr L Birt	-	Central Bedfordshire Councillor
Cllr K Janes	-	Central Bedfordshire Councillor
Mr G N Groom MBE	-	Objector
Mr N Woods	-	Objector
Mr Lines	-	Objector
Mrs Lines	-	Objector

Names of Parties submitting written representations and indications of their representations

Mr G N Groom MBE – objection to the length of opening hours into the early hours of the morning and possible future disruption.

Mr N Woods – objection to the length of opening hours into the early hours of the morning and the disruption especially during the summer months when windows are open.

Mr & Mrs Lines – objection to the noise and disturbance and offensive language and behaviour of people after closing time.

Procedures for Hearings of Applications for Authorisations under the Licensing Act 2005 by the Licensing Sub-Committee(s)

Amendment of Application (if any) requested by Applicant

The Applicant requested that the application be amended to the following:

Liquor Sales on Fridays and Saturdays be between 1000 hrs and 0100 hrs.

Films, plays, indoor sporting events and live music etc be between 1000 hrs and 0030 hrs

The opening hours would be between 0700 hrs and 0130 hrs.

The Application

The application was for the variation of a premises licence to cover the following:-

- To extend the hours for opening, sale and recorded music
- To add films, indoor sporting events, live music, anything of a similar description to that falling within (e), (f) or (g), facilities for making music, performance of plays, facilities for dancing and late night refreshment.
- To attach amended licensing plan to include external areas.

A copy of the application form was attached to the report at Appendix A.

The Four Licensing Objectives

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

Licensing Act 2003 - Determination of Application to Grant a Premises Licence

The Sub-Committee received and considered an application for the variation of a Premises Licence to the Sow & Pigs at 19 Church Square, Toddington. The Applicant, Regional Manager and Designated Premises Supervisor attended the meeting and made representations in support of the application.

The Chairman outlined the procedure to be followed.

The Chairman invited the Licensing Enforcement Officer to present the report to the Sub-Committee. The Sub-Committee were advised that the applicant had submitted an application for the variation of a premises licence for the premises the Sow & Pigs, 19 Church Square, Toddington. The application sought to vary the hours of operation to permit the sale of liquor on Fridays and Saturdays until 0100 hrs, the addition of the option for films, plays, indoor sporting events and live music etc until 0030 hrs and that opening hrs be extended until 0130 hrs.

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

Mr Price, Mr Veitch and Mr Arms-Perkins set out the application as detailed in the agenda.

The Sub-Committee noted that there had been two instances of noise complaints since the licence was granted, both were in 2007 prior to the current DPS. It was noted that the current DPS had not had any complaints made since he had been insitu and that he had a good relationship with the neighbours.

The Applicant proposed a variation to the original request for extended hours to those detailed in the paragraph above.

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

The Objectors asked a number of questions which the Applicant answered.

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

The Sub-Committee adjourned with its Solicitor and Democratic Services Officer 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 Sow & Pigs, Toddington be granted to Mr Arms-Perkins but to limit the extension to the hours as proposed by the applicants during the course of the hearing as follows:-

On Fridays and Saturdays liquor sales will be permitted from 1000 hrs to 0100 hrs.

Films, plays, indoor sporting events and live music etc will be permitted from 1000 hrs to 0030 hrs.

The opening hours will be from 0700 hrs to 0130 hrs.

subject to the condition that customers are not permitted to use the alleyway adjoining the premises after 2300 hrs except for access and egress.

(Note: The meeting commenced at 10.30 a.m. and concluded at 12.30 p.m.)