

LICENSING PANEL

22 AUGUST 2005

Chair: * Councillor O'Dell

Councillors: * Branch * Idaikkadar

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**123. **Appointment of Chair:**

RESOLVED: That Councillor O'Dell be appointed as Chair of the Panel for the purposes of this meeting.

124. **Attendance by Reserve Members:**

RESOLVED: To note that no Reserve Members were currently appointed to this Panel.

125. **Declarations of Interest:**

RESOLVED: That note that there were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

126. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present.

127. **Minutes:**

See Note at conclusion of these Minutes.

128. **Public Questions, Petitions and Deputations:**

RESOLVED: To note that no public questions were put, or petitions or deputations received, at this meeting under the provisions of Committee Procedure Rules 18, 15 and 16 (Part 4B of the Constitution) respectively.

129. **Licensing Procedures:**

The Chair introduced the Panel and officers present and outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

130. **Application for variation of hours at Vine, 154, Stanmore Hill, Stanmore during Transitional period:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a conversion and simultaneous variation to the Justices Licensing hours for the Vine, Stanmore Hill, Stanmore.

The application had been made by TLT Solicitors on behalf of Punch Taverns Plc for a Premises Licence which sought to remove the condition that alcohol be ancillary to food and music as stipulated in Section 68 and Section 70 of the Licensing Act 1964. It was explained that the applicant was not seeking an extension to opening times. The premises were situated in a residential part of Stanmore.

The application had been referred to the Panel as there was one unresolved representation from local residents and two from responsible authorities.

Ms Melissa Murphy representing Punch Taverns Plc was present. Sergeant Carl Davis, representative from the Metropolitan Police and Bruce Williams, representative from Environmental Health, who, as responsible Authorities, had made representations in respect of the application, were also present.

The representation from Environmental Health cited one of the four Licensing Objectives, namely the prevention of public nuisance. Bruce Williams, Environmental Health Manager, reported that the applicant had failed to provide adequate information with regards to noise, and that there was a history of complaints regarding noise from the premises, including music and patrons in the car park, and those leaving the premises, disturbing local residents. Particular concern was raised about controlling the noise from the back of the premises and whether the windows and doors overlooking the garden would be improved in the refurbishment programme.

Responding to issues raised, the applicant's representative stated that the applicant would accept a condition on noise. As the premises were situated in a conservation area, it may not be possible to install double glazing.

The representation from the Metropolitan Police had cited two of the four Licensing Objectives, namely the prevention of crime and disorder and the prevention of public nuisance. Sergeant Davis explained that the section of his representation which related to extended opening hours no longer applied, as it was now clear that extended opening hours were not being sought. Sergeant Davis requested that if the licence was granted, the conditions outlined in his representation be imposed.

The applicant's representative stated that the applicant would be agreeing to the following conditions being placed on the licence:

- The exterior drinking area to be cleared by 11.00 pm
- All doors and windows to be kept closed after 11.00 pm
- Registered door supervisors to be used
- Signs to be displayed asking patrons to leave quietly

The applicant explained that structural alterations had been approved. A plan showing the changes was circulated. The Vine would be closing for a three-month period to enable the planned refurbishment to take place.

An objector, who represented residents who had raised concerns about the impact of the licence being altered in any way, explained that local residents had been very unhappy with the noise emitting from the premises. It was claimed that although alcohol was ancillary to food and music, a resident had asked for food late at night and none had been available. Objectors were concerned about the trustworthiness of the operation.

The applicant's representative reported that there would be minimal change to the existing licence. The applicant was seeking greater flexibility within the licence.

RESOLVED: That the variation to the licence for Vine Public House, Stanmore Hill, Stanmore, be granted as per the agenda, with the following additional conditions:

ADDITIONAL CONDITIONS

1. All doors and windows to be closed whilst music is being played.
REASON: The prevention of public nuisance.
2. External areas not to be used after 11.00 pm.
REASON: The prevention of public nuisance.
3. Notices to be placed in prominent positions requesting patrons to leave the premises quietly.
REASON: The prevention of public nuisance.
4. No children allowed on the premises after 9.00 pm.
REASON: The protection of children from harm.
5. Registered door supervisors to be present after 11.00 pm.
REASON: The prevention of crime and disorder, public safety and the prevention of public nuisance.
6. Amplified sound equipment to be governed by a sound-limiting device set at a level approved by the Licensing Authority.
REASON: The prevention of public nuisance.
7. AWP machine to be booted or emptied daily.
REASON: The prevention of crime and disorder.

REASONS: The above conditions were imposed in support of the Council's four Licensing Objectives.

(Note: The meeting having commenced at 7.35 pm, closed at 10.35 am)

(Signed) COUNCILLOR PHILLIP O'DELL
Chair

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
- (2) printed into the Council Minute Volume, published monthly;
- (3) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].