

LICENSING (LIQUOR AND GAMBLING) PANEL

Date: 31 August 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 9:30am

Present: Councillors: -

Glenn Harwood (Chairman)
Gill Mercer

Tony Boto

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Glenn Harwood be appointed chairman for this hearing.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APPLICATION FOR A VARIATION TO THE PREMISES LICENCE – THE ANGEL PUBLIC HOUSE, 4 ST OSYTHS LANE, OUNDLE

The Licensing Officer reported on an application for a variation to the premises licence for the Angel Public House, St Osyths Lane, Oundle under the Licensing Act 2003.

The application requested variations to permitted hours for late night refreshment, the supply of alcohol and showing of films. It also requested extended opening hours for New Years Eve and a variation to a condition requiring doors and windows to be kept closed after 2100 hours.

All the statutory bodies had been consulted. Three representations had been received from local residents.

(a) Evidence from the applicant

Ms Clare Johnson, the applicant's solicitor, spoke in support of the application. Since the representations from objectors had been received, the premises now kept the front door closed after 10pm and had put up a notice directing people to the back entrance to prevent people smoking at the front of the property. The speakers been moved to the rear of the premises and were now directed away from front single-glazed windows. The Designated Premises Supervisor (DPS) was doing sound checks and noise levels had improved since the changes had been made.

(b) Evidence from the objectors

Mr Alistair Sherwin, a local resident, outlined his concerns about noise and explained that he had made informal complaints to the council and had discussions with the Licensing Officer.

He asked that the closure of windows/doors during the playing of music be extended to the playing of films.

The chairman commended the action taken by the applicant and the neighbourly discussions between the DPS and the objector. The panel asked some questions for clarification.

After considering the submitted report and the representations made at the hearing from the speakers, including advice from the solicitor, the panel retired to consider the application and evidence presented, and it was

RESOLVED:

That the application for a variation to the premises licence for the Angel Public House, 4 St Osyths Lane, Oundle be granted subject to mandatory conditions and additional conditions being imposed on the licence (see below).

The chairman read out the following statement giving the reasons why the panel had granted the licence with additional conditions:

“The Licensing Panel has considered this application for a variation of premises licence for The Angel Public House, 4 St Osyths Lane, Oundle and has taken into account the Licensing Officer’s report, representations objecting to the application, and other relevant items of evidence presented.

After careful deliberation and consideration of the four licensing objectives, East Northamptonshire Council’s Statement of Licensing Policy and guidance issued under section 182 of the Licensing Act 2003, the panel has reached the following decisions.

To grant the following variations to the premises licence.

Supply of alcohol

Sunday – Thursday 0800 hours to 0030 hours
Friday and Saturday 0800 hours to 0130 hours

Showing of Films

Sunday – Thursday 0800 hours to 0030 hours
Friday and Saturday 0800 hours to 0130 hours

Late night refreshment

All week from 2300 hours until 0130 hours

Non standard timings (for the above)

From end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. Friday, Saturday, Sunday and Monday of Bank Holiday weekends, Christmas Eve, Boxing Day until 0130 hours the following day.

Hours open to the public – non standard timings only

From the end of permitted hours New Years Eve to the start of permitted hours on New Years Day. Friday, Saturday, Sunday and Monday of Bank Holiday weekends until 0200 hours the following day.

Licensable Hours granted for the duration of the Rugby World Cup

For the duration of the Rugby World Cup 2011 only, the Panel grants the following additional timings

For the supply of alcohol and showing of films - from 0700 hours to 0800 hours daily.

All mandatory conditions remain.

The conditions consistent with the operating schedule shown at annexe 2 of the officer's report are to remain with the exception that the following condition is to be removed:

Live music will end at 2330 hours

Recorded music will end at 2330 normal days

Recorded music will end at 2330. All windows will be kept closed after 2100 hours

That is to be replaced by the following condition:

All live and recorded music is to end at 2330 hours.

All windows and doors (save for ingress and egress) are to be kept closed after 2100 hours whenever live, recorded music or films are being played or performed.

Reason – prevention of public nuisance

Mr A Sherwin of Bramston House had applied to speak as an objector later than is normally accepted. The applicant and members of the panel were asked if they had any objection to him being permitted to speak. In the interest of natural justice applicant and panel members agreed to hear him.

In reaching the above decision the panel had regard to the representations which covered the licensing objectives relating to public nuisance and harm of children. Additionally, the panel took account of the proximity of the premises to the accommodation for Oundle School school-children and a resident of Bramston House.

The panel feels the above agreed variations are a reasonable compromise.

Advisory

The panel was pleased to see the applicant has already responded to some local concerns brought to his attention.

Both the re-designation of the smoking area and repositioning of the loud speakers have gone some way to address earlier issues.

The chairman announced the decision notice will be sent out in writing. If aggrieved with the panel's decision, the applicant and any party that has made representation has the right to appeal to the Magistrates Court within 21 days of the decision notification letter."

Chairman