

**THE MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 1 FEBRUARY, 2006**

Present: Councillor E Bell (Chair)
Councillors B Burn and Mrs M Nugent

Also present: M Bell, District of Easington
S Craig, District of Easington
Mr P Bell, Legal Advisor for District
of Easington
Mr J Robson, Applicant

Residents: Mrs Wood, Mr Kirkup, Mrs Walsh,
Mrs Robinson, Mrs Hatfield, Mrs
Robinson

1 APPLICATION TO VARY PREMISES LICENCE UNDER THE LICENSING ACT 2003 – JASON RALPH ROBSON/LINDSEY ANN PEARCE, THE BELL, SUNDERLAND ROAD, HORDEN

Consideration was given to the report of the Environmental Health and Licensing Manager which gave details of an application to vary a Premises Licence under Section 34 of the Licensing Act 2003, a copy of which had been circulated.

The Principal Environmental Health Officer (Licensing) explained that the application was for the variation of a Premises Licence from the current permitted hours, under the Licensing Act 2003, to extend the hours for the sale of alcohol Monday to Saturday 11.00 to 01.00 and Sunday 11.00 to 00.00 with a further hour to the terminal hour on various Bank Holidays and Christmas with a thirty minute “drinking up time”.

The application also requested recorded music and provision of facilities for dancing Thursday to Sunday 19.30 to 00.00 and Friday and Saturday 19.30 to 01.00. These hours to be extended in line with the sale of alcohol for Bank Holidays.

The applicant had requested the provision of live music from 19.30 to 00.00 every evening and indoor sports events from 19.30 to 23.00 each night excluding Sunday.

Members were advised that following negotiation with the Police the following had been agreed with the applicant:

- (i) Supply of alcohol between 11.00 to 00.00 each day with thirty minutes “drinking up time”, after which the premises would be closed to the public.
- (ii) SIA licensed door supervisors would be employed from 21.00 to closing on Friday and Sunday when a disco was held. The Police to be advised of any change to this.

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- (iii) There would be no extension to these hours for Bank Holidays and special occasions without the use of a temporary event notice.

A copy of the completed application was attached at Appendix 1.

Environmental Health had made representation on the grounds that the proposed operation of the premises would have an adverse impact on nearby residents in respect of the Licensing Act Objective of the prevention of Public Nuisance. Conditions to address these matters was outlined in Appendix 2.

Local residents had made representation with respect to the Licensing Act Objective of Public Nuisance. A petition was submitted with over 120 signatures, however, only those who had given their address could be considered so the majority of the petition must be discounted as not relevant. In addition, the occupier of the property in Chapel Hill Road must also be discounted as a relevant party as The Bell was too far away to be of affect to this property.

The residents objected to the application on the Objective of Public Nuisance from the proposed activities. They did not consider the extended hours or activities suitable for a residential area and alleged existing problems in respect of the premises.

The Police had made representations in respect of the Licensing Objective of Crime and Disorder however, following successful negotiations in respect of the terminal hour and the provision of door supervisors objections had been withdrawn.

The relevant extracts of the authority's Licensing Policy and Guidance of the Secretary of State were attached at Appendix 3 and 4.

Mr Kirkup spoke on behalf of the residents and stated that their objections were based on the facts outlined by the Environmental Health Officer. In addition, Mr Kirkup advised that the Police were regularly called to The Bell, on average between six and seven times per year and every weekend for minor incidents. He explained that residents continually cleared glass from outside their properties which was a result of bottles and glasses being removed from the pub. He outlined that local residents had no complaints about the existing hours of operation but felt that 02.00 was unacceptable.

Mr Robson, the applicant, explained that 02.00 was originally requested but this had been reduced to 00.00 each night. He explained that the Police had been called possibly 2-4 times in the last year and following the removal of door staff in September there have been no problems but the Police were monitoring the situation.

At this point Members of the Sub-Committee retired from the meeting to deliberate the application in private in accordance with 14(2) of the Licensing Hearing Regulations.

Members returned and the Chair explained that having considered the application and the representations put forward the Sub-Committee had

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RESOLVED that:-

- (i) the application to vary the times for the sale of alcohol be refused and the existing mandatory conditions would apply.
- (ii) The application for the provision of indoor sporting events be approved.
- (iii) The application in respect of live and recorded music for the provision of dancing be approved subject to the following conditions:-
 - the permitted hours shall be restricted to the same hours as in the existing licence for the sale and supply of alcohol
 - a suitable sound lobby be provided between the room and the exit door in accordance with appropriate fire and building regulations
 - external doors must not be wedged open and a door closing device must be fitted and maintained and kept in good working order
 - secondary or double glazing to be fitted by a reputable manufacturer to all windows at ground floor level
 - windows must be kept closed when public entertainment was taking place. The applicant must make the appropriate risk assessment under the workplace (Health, Safety and Welfare) Regulations 1992 Regulation 6.1 ventilation.
 - Public entertainment should be kept inside the premises with doors and windows closed
 - The placing of refuse such as bottles into waste bins outside the premises must not be done between the hours of 11.00 and 8.00
 - SIA licensed door supervisors should be employed from 21.00 on Friday and Saturday

JW/MC/COM/LIC/060201
6 February 2006