

**MINUTES OF THE LICENSING SUB-COMMITTEE C
TUESDAY, 14 NOVEMBER 2006**

Councillors Patel (Chair), Demirci, Reid

Apologies Councillor Beacham, Dobbie

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCC01.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies were received from Cllr Dobbie, who was substituted for by Cllr Patel, and from Cllr Beacham, who was substituted for by Cllr Demirci.</p>	
LSCC02.	<p>URGENT BUSINESS:</p> <p>The application from Gladesmore Community School was admitted as urgent business as it had not been possible to hear that application at the scheduled meeting on 7 November 2006.</p>	
LSCC03.	<p>DECLARATIONS OF INTEREST:</p> <p>No declarations of interest were received.</p>	
LSCC04.	<p>SUMMARY OF PROCEDURE:</p> <p>The Chair read out a summary of the procedure to be followed at the hearing.</p>	
LSCC05.	<p>WETHERSPOONS, UNIT 5 SPOUTERS CORNER, HIGH ROAD N22 (NOEL PARK WARD):</p> <p>The Licensing Officer (Ms Barrett) presented the officers' report on the application from Wetherspoons. The application was for a licence variation to permit the provision of regulated entertainment. The premises already had a licence for the provision of alcohol.</p> <p>The applicant had made alternations to their application, following discussions with the Planning Department. The hours of opening in the operating schedule would be until 01.30 for Sundays to Thursdays and until 02.30 on Friday and Saturday. This meant the hours they were requesting a licence for regulated entertainment for were the same as the hours for which they had planning permission to open.</p> <p>No representations had been received from any of the relevant authorities or regulatory agencies. The police commented that an agreement had been reached to have 2 SIA door supervisors on duty from 21.00 to the close of business on Fridays and Saturdays.</p>	

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Objections had been received from local residents and from 'Shout' - the nightclub next door.

A representative from 'Shout' addressed the panel to voice his objections to the variation of Wetherspoons' licence. He suggested that there was an increased risk of crime and disorder if the revised licence came into force. There would not be staggered finishing times and so customers from Shout and from Wetherspoons would be leaving at the same time. He was of the opinion that this could lead to 'flashpoints' that could mean that there was violence at the end of an evening.

Additionally, the objector expressed concerns about the lack of a capacity limit for Wetherspoons. He was concerned that this could mean that the venue would be overcrowded. He also voiced an objection to extra noise that might be generated if Wetherspoons' was playing music. Additionally, he expressed concerns that Wetherspoons did not have a trained first-aider on the premises, whereas Shout did.

A local resident from Moselle Avenue attended the meeting to voice her objection to the proposed licence variation. She said there had been incidences of people urinating and vomiting in the street where she lived. She feared this problem would become more prevalent if the licence variation was granted.

Members questioned the objectors. The objectors were unable to confirm whether anti-social behaviour that had taken place was perpetrated by Wetherspoons' customers. They also had not made any complaints about noise to the Noise Team previously.

The applicants presented their case. Their opinion was that customers wanted the chance to enjoy music and other forms of regulated entertainment. They wished to provide this by applying for a licence variation. They informed the Sub-Committee that the music would only start at 8pm. They stated that the music would not be loud. It would be recorded music and would not be having live bands. They also alleged that the objections from Shout were trade objections and were not objections in line with the provisions of the Licensing Act.

The applicant stated that the premises were well-run and that there had been no significant incidents of disorder in the last 15 months. They also re-iterated that they were committed, as agreed with the police, to have SIA-accredited door staff on duty on Fridays and Saturdays.

In response to concerns expressed by members about fire safety and risk assessments, the applicants stated that JD Wetherspoons' was committed to doing a fire risk assessment and would prevent the premises from becoming overcrowded. The door staff would click people in and out to make sure there were not too many people in the premises at any one time. However, no maximum figure they wished to enforce was given by the applicant.

The applicant confirmed that they did not have a first-aider on duty. They

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	<p>were of the opinion that, in the case of injury, it would be better if staff who had only undergone basic training did not attempt to deal with the situation, and summoned an ambulance instead.</p> <p>Members enquired whether Wetherspoons intended to attract a younger clientele by providing music and opportunities to dance. The applicant denied that this was their intention and stated that they intended to attract a balance of clientele, with lots of older customers as well as younger ones.</p> <p>The applicants and the objectors summed up their positions and then the Panel retired to deliberate.</p> <p>RESOLVED:</p> <p>The Sub-Committee resolved that the application for the variation of the premises licence be granted, subject to the following conditions:</p> <ul style="list-style-type: none">• That there be at least one door supervisor on duty from 2100 each evening when regulated entertainment is taking place.• That there be 2 door supervisors on Fridays and Saturdays and on the named bank holidays, national days and saints' days named in the operating schedule when regulated entertainment is taking place.• That glasses and bottles left in the outside drinking area be cleared away on a regular basis in the interest of public safety.• That a fire risk assessment be done by the applicant and a maximum capacity be fixed, following discussion between the applicant and the relevant responsible authorities.• That copies of the fire risk assessment be served on the Licensing Authority and the relevant responsible authorities.• That no regulated entertainment takes place at the premises until the fire risk assessment has been done and maximum capacity fixed.• That no loudspeakers be placed outside	
LSCC06.	<p>ITEMS OF URGENT BUSINESS:</p> <p>The Gladesmore Community School application for a premises licence had been accepted by the Sub-Committee as urgent business at Item 2 above.</p> <p>The School was applying for a premises licence for regulated entertainment. The Licensing Officer (Ms Barrett) introduced a report on the application. Ms Barrett informed the Sub-Committee that this application was merely for the provision of regulated entertainment and would not include the ability to serve alcohol. She informed the Sub-Committee that no representations had been made from the relevant regulatory authorities. The Noise Team had made some comments and these were included with the report in Appendix 2. The Noise Team had</p>	

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suggested that there be no loudspeakers or PA system outside the school premises. There were reservations about this advice on health and safety grounds as the school would need the ability to communicate warnings to those in the playground and just outside the school buildings.

Objections had been received from local residents, including a petition. Two local residents attended to voice their objections.

The objectors mentioned that there was a significant amount of litter in the area and that there had been anti-social behaviour. The objectors expressed the opinion that they feared this would increase if there were more evening events at the school. In addition, the objectors were concerned at the lack of parking spaces in the area. People coming to events at the school added to the congestion in the area. The objectors thought this congestion would be further amplified as there were proposals to build a further 54 housing units in the area. The objectors stated that they saw the application as a commercial venture and not as something in keeping with the purpose of the school.

The applicant addressed the panel. The applicant stated that there was parking available in the school playground and so an event held at the school would not necessarily increase competition for parking spaces on the roads outside by a large amount. The applicant also disagreed with the view of the objectors that anti-social behaviour would be made worse by the provision of regulated entertainment at the premises.

The applicant mentioned to the panel that the existing legislation permitted them to hold private events on school premises. He was applying for the licence to 'tidy up loose ends' and to enable members of the public, those who were not children at the school or parents of children at the school or who were not those specifically invited, to attend a function without falling foul of the law. He stated that he anticipated no more than 20 events during the course of a year. Evening events at the school playing music would not be a regular occurrence.

Following summing up from both parties, the panel retired to deliberate.

RESOLVED:

The Sub-Committee resolved that the licence for the provision of regulated entertainment be granted.

As an informative, the Sub-Committee advised that the School inform patrons of the parking facilities in the playground and that litter bins be placed outside the school premises to reduce the amount of litter dropped by pupils and others.

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JAYANTI PATEL

Chair