

SHROPSHIRE COUNCIL

LICENSING ACT SUB-COMMITTEE

Minutes of the meeting held on 23 May 2016

1.00 - 1.26 pm in the Ludlow Room, Shirehall, Abbey Foregate, Shrewsbury,
Shropshire, SY2 6ND

Responsible Officer: Emily Marshall

Email: emily.marshall@shropshire.gov.uk Tel: 01743 257717

Present

Councillors Peter Adams, Andrew Davies and Vivienne Parry

29 Election of Chairman

RESOLVED:

That Councillor Andrew Davies be elected Chairman of the Licensing Act Sub-Committee for the duration of the meeting.

30 Disclosable Pecuniary Interests

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

31 Application for a Premises Licence - Café Radio, 39 Bailey Street, Oswestry

Consideration was given to an application for a Premises Licence in respect of Café Radio, 39 Bailey Street, Oswestry, Shropshire, SY11 1PX.

Mr Saffron Rainey (Applicant); Ms Louise Prince (Solicitor – Shropshire Council) and Mr Simon Ditton (Public Protection Officer - Specialist- Shropshire Council) were present.

Mr Rainey addressed the Sub-Committee explaining the nature of his business and that it had been recognised that to ensure the long term viability and sustainability of the business it was important to move into the evening and night time economy. The applicant explained that he had held successful tapas nights using Temporary Event Notices. The premises was located within a night time zone and was based around food rather than drinking. The applicant explained that he had taken steps to address the concerns raised by the local resident, such as a new door closure system to prevent door slamming, a small music amplification system with foam behind the speakers to reduce vibration and also insulation around the speakers, the new system had been checked and approved by the environmental health officer. The premises had been in poor condition when purchased however the area had been cleaned and the yard area tidied. Regular vermin checks were also undertaken.

In response to questions from the Public Protection Officer (Specialist), Interested Parties and Members of the Sub-Committee Mr Rainey confirmed that:

- The live concerts referred to would be acoustic and take place early in the evening;
- Clarified that he would allow 30 minutes for the premises to empty after the last sale and a further 30 minutes for the premises to be cleaned and locked up;
- There was a fire escape door at the back of the premises; and
- He clarified some of the points raised by the objector.

The Public Protection Officer (Specialist) addressed the Sub-Committee, confirming that one objection had been received from a local resident who had also raised concerns but was unable to attend the hearing.

The Chairman invited all parties to sum up and make any final comments prior to the Sub-Committee making a decision on the application.

Members of the Sub-Committee retired to consider the application, in private, at 1.20 p.m. and reconvened at 1.24 p.m. to announce their decision.

RESOLVED:

That the application for a Premises Licence for Café Radio 39 Bailey Street Oswestry Shropshire SY11 1PX be granted for the following days, hours and licensable activity:

Live Music - indoors

Thursday to Saturday – 18:00 to 22:00

Recorded Music – indoors

Monday to Wednesday – 11:00 to 22:00

Thursday to Saturday – 11:00 to 23:00

Sunday – 12:00 to 20.00

Supply of Alcohol - on the premises

Monday to Wednesday – 11:00 to 22:00

Thursday to Saturday – 11:00 to 23:00

Sunday – 12:00 to 20:00

Opening Hours

Monday to Wednesday – 09:00 to 22:00

Thursday to Saturday – 09:00 to 23:00

Sunday – 09:00 to 20:00

And in accordance with the following operating schedule:

Prevention of Crime and Disorder

CCTV system is in place and operating at all times licensable activities are taking place with the recordings kept for a minimum of 28 days. Recordings will be made available to Shropshire Council or the police on request.

Public Safety

Premises has good lighting both internally and externally.

Prevention of Public Nuisance

- 1. All deliveries during the daytime.
- 2. Notices will be displayed at exit doors to ask patrons to leave quietly. Staff to ensure patrons do not make too much noise when outside premises.

Protection of Children from Harm

- 1. A Challenge 25 policy will be operated at the premises with notices informing of the policy being displayed within the premises. Those responsible for alcohol sale(s) must be trained on this policy. Regular refresher training to enforce this policy.
- 2. All alcohol sale challenges will be noted in a log book which will be available for inspection by an officer of a responsible authority on request.
- 3. Acceptable proof of identification will be a passport, photocard driving licence or recognised proof of age card.

Reasons:

The Sub-Committee had considered all of the representations that had been made by all parties prior to the hearing and at the hearing. The Sub-Committee also took into account the Guidance issued under S182 of the Licensing Act 2003 and Shropshire Council’s Licensing Policy.

The Sub-Committee had noted the concerns of local resident and understood their position. However, having considered the application in detail and the answers given by the applicant the Sub-Committee were satisfied that the application satisfactorily promoted the licensing objectives and therefore granted the application as detailed above.

The applicant was advised that the decision would be confirmed in writing within 7 days of the date of the hearing and that every party had the right of appeal against this decision to the Magistrates Court within 21 days of being notified of the decision.

Signed (Chairman)

Date: