

SHOPSHIRE COUNCIL

LICENSING ACT SUB-COMMITTEE

Minutes of the meeting held on 29 May 2014

**10.00 - 10.27 am in the Ludlow Room, Shirehall, Abbey Foregate, Shrewsbury,
Shropshire, SY2 6ND**

Responsible Officer: Shelley Davies

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Present

Councillor

Councillors Joyce Barrow, Peter Cherrington and Roger Hughes

7 Election of Chairman

RESOLVED:

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

8 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.

9 Application for a Premises Licence - Percy's Coffee and Curios, Star Hotel, Watergate Street, Whitchurch, SY13 1DW.

Consideration was given to an application for a Premises Licence in respect of Percy's Coffee & Curios, Star Hotel, Watergate Street, Whitchurch, SY13 1DW.

Ms Louise Prince (Solicitor – Shropshire Council), Mr Simon Ditton (Public Protection Officer - Specialist), Mr Mark Dawson (Joint Applicant) and Mrs Karen Painter (Joint Applicant) were present.

Mr Dawson (Joint Applicant) presented the case to the Sub-Committee. Mr Dawson outlined the background to the business and responded to the representation received in objection to the application. He explained that it was not their intention to open to the hours requested every night but the amendment to the opening hours would allow them the option to stay open if required. Letters, from customers, in support of the business were circulated to Members of the Sub-Committee.

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

- The CCTV currently installed at the premises was colour digital;
- The CCTV did not currently include the external garden area;

- They were happy for an additional condition to be included regarding CCTV in the external garden area;
- Live music would cease at 12.00 midnight;
- Entry to the premises was not permitted after 1:00 a.m.;
- Children were not generally admitted after 9.00 p.m. but they had not specified an age limit due to children being present at private parties; and
- The music played outdoors was amplified but would be low in volume due to it being a small area.

The Public Protection Officer (Specialist) addressed the Sub-Committee, confirming that the application had been accepted as a valid application and that during the statutory consultation period a relevant representation had been received.

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 10.16 a.m. and reconvened at 10.25 a.m. to announce their decision.

RESOLVED:

That the application for a premises licence for Percy's Coffee and Curio's, Star Hotel, Watergate Street, Whitchurch, SY13 1DW be granted for the following days, hours and licensable activity:

Plays – indoors and outdoors

Monday to Thursday – 10:00 to 01:00

Friday to Saturday – 10:00 to 03:00 (01:00 outdoors)

Sunday - 12:00 to 01:00

Films – indoors and outdoors

Monday to Thursday – 10:00 to 01:00

Friday to Saturday – 10:00 to 03:00 (01:00 outdoors)

Sunday - 12:00 to 01:00

Indoor Sporting Events

Monday to Thursday – 10:00 to 01:00

Friday to Saturday – 10:00 to 03:00

Sunday - 12:00 to 01:00

Live Music – indoors and outdoors

Monday to Thursday – 10:00 to 01:00 (00:00 outdoors)

Friday to Saturday – 10:00 to 03:00 (00:00 outdoors)

Sunday - 12:00 to 01:00 (00:00 outdoors)

Recorded Music - indoors and outdoors

Monday to Thursday – 10:00 to 01:00

Friday to Saturday – 10:00 to 03:00 (01:00 outdoors)

Sunday - 12:00 to 01:00

Performance of Dance – indoors and outdoors

Monday to Thursday – 10:00 to 01:00

Friday to Saturday – 10:00 to 03:00 (01:00 outdoors)

Sunday - 12:00 to 01:00

Late Night Refreshment – indoors

Sunday to Thursday – 23:00 to 01:00

Friday to Saturday – 23:00 to 03:00

Supply of Alcohol - on and off the premises

Monday to Thursday – 10:00 to 01:00

Friday to Saturday – 10:00 to 03:00

Sunday - 12:00 to 01:00

Opening Hours

Monday to Thursday – 10:00 to 01:00

Friday to Saturday – 10:00 to 03:00

Sunday - 12:00 to 01:00

Non-standard timings

On Sunday/Monday of Bank Holiday weekends, Xmas Eve and Boxing Day end time for all activities and opening 03:00. End time on New Year's Eve is end time on New Year's Day for all activities and opening.

And in accordance with the following operating schedule:

Prevention of Crime and Disorder

1. Digital colour CCTV to main areas of the premises (including all points of access, egress and public areas) operating and recording at all times when licensable activities are taking place. Images retained for a minimum of 31 days and made available in a viewable format to the Police and Licensing Authority on request.
2. No persons carrying open bottles shall be admitted to the premises at any times that the premises are open to the public.
3. Alcoholic and other drinks may not be removed from the premises in open containers.
4. Restricted access to Premises after 01:00 on Fri/Sat nights.

Public Safety

None.

Prevention of Public Nuisance

1. Notices will be displayed in a prominent position at all exits requesting the public to respect the needs of local residents and to leave the premises area quietly.
2. Noise and vibration shall not emanate from the premises so as to cause nuisance to nearby properties.
3. After 00.00 only background music incidental to the event in question shall be played outdoors.

4. Prior to any licensable activities taking place, a noise management plan shall be submitted by the licence holder and approved in writing by the Licensing Authority. The premises shall only be operated in accordance with the control measures in the approved plan.

Protection of Children from Harm

1. Challenge 25 Policy applied.
2. Refusals book maintained and made available to responsible authorities on request.
3. Proof of ID by passport, photo card driving licence and/or PASS approved photo card.
4. Children are allowed on the premises at the discretion of the licensee.
5. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

It will also be a condition (as offered by the applicant) that the digital colour CCTV would include the external garden area.

Reasons: The Sub-Committee had read and considered all the relevant papers and the written representations received from all parties and considered the oral submissions of the applicant. The Sub-Committee saw no reason why the application should not be granted subject to the inclusion of the additional condition (detailed above), which they believed was appropriate for the promotion of the Licensing Objectives, in particular the prevention of public nuisance. The matters set out in the operating schedule (detailed above) were to be made conditions on the licence. The setting of these conditions was an appropriate and proportionate measure to take for the furtherance of the licensing objectives.

Signed (Chairman)

Date: