

SHROPSHIRE COUNCIL

LICENSING ACT SUB-COMMITTEE

Minutes of the meeting held on 14 August 2018

10.00 - 11.30 am in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Emily Marshall

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

Present

Councillor

Councillors Simon Jones, Paul Milner and Kevin Pardy

4 Election of Chairman

RESOLVED:

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

5 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.

6 Application for a Variation Premises Licence - Peepo Bar Pizza, 84-85 High Street, Bridgnorth, WV16 4DS

Consideration was given to an application for a Variation of a Premises Licence in respect of Peepo Restaurant, 84-85 High Street, Bridgnorth.

Mr Phillip Jeffrey (Owner and applicant), Ms Corrina Harris (applicant's solicitor), Mr and Mrs Aitken (Objectors), Mr Jon Brown (Objector), Ms Abigail Kemp (Objector), Ms. Louise Prince (Solicitor – Shropshire Council) and Ms. Jessica Moores (Public Protection Officer – Professional (Licensing) Shropshire Council) were in attendance.

Ms Harris (the Licence Holder's solicitor) addressed the Sub-Committee explaining that Mr Jeffrey was a responsible Premises Licence Holder and Designated Premises Supervisor having been involved in the licencing trade for over twenty years.

In response to questions from the Public Protection Officer, Objectors and Members of the Sub-Committee, the applicant confirmed that:

- Customers would be seated and standing when outside;
- Notices advising customers to keep noise levels down and respect neighbours would be clearly displayed throughout the premises and customers would be reminded of this at the time of booking;

- It was his responsibility as designated premises supervisor to monitor the noise and the number of customers in the outside area at all times;
- He was usually always on site, but if he wasn't his sister would be and he was happy for local residents to have his mobile number to contact him directly if problems arose.

The applicant reminded the objectors that if at any time there was a problem with noise, they could let him know and he would take action.

The Public Protection Officer - Professional (Licensing) addressed the Sub-Committee, confirming that the application had been accepted as a valid application and that during the statutory consultation period representations had been received from Environmental Health. Additionally 11 representations had been received from 'other persons' in objection to the application.

Mr and Mrs Aitkin (Objector) addressed the Sub-Committee in relation to the application. They explained that they owned the property opposite the rear outside seating area and the only border between the two was a fence, they also expressed concerns that the outside area was not being monitored.

Mr Jon Brown and Ms Abigail Kemp (Objectors) addressed the Sub-Committee in relation to the application.

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 11.08 a.m. and reconvened at 11.29 a.m. to announce their decision.

RESOLVED:

That the application for a variation of a premises licence for Peepo Restaurant, 84-85 High Street, Bridgnorth, WV16 4DS be granted for the following days, hours and licensable activity:

Supply of Alcohol (on and off premises)

Monday – Saturday 11:00 – 00:00
Sunday 11:00 – 23:00

Non Standard Timings

Christmas Eve, Boxing Day, New Year's Eve – plus one hour, or when these days fall on a Sunday plus two hours.

Recorded Music (Indoors)

Monday – Thursday 07:00 – 00:00
Friday – Saturday 07:00 – 00:30
Sunday 07:00 – 23:00

Non Standard Timings

Christmas Eve, Boxing Day, New Year's Eve – plus one hour, or when these days fall on a Sunday plus two hours.

Non Standard Timings do not apply to DJ with the exception of new year's eve until midnight

Anything of a Similar Description (to live/recorded music or performances of dance) (Indoors)

Friday – Saturday 18:00 – 00:30
Sunday 18:00 – 00:00

Non Standard Timings

Christmas Eve, Boxing Day, New Year's Eve – plus one hour, or when these days fall on a Sunday plus two hours.

Late Night Refreshment (Indoors)

Monday – Saturday 23:00 – 00:00

Non Standard Timings

Christmas Eve, Boxing Day, New Year's Eve – plus one hour, or when these days fall on a Sunday plus two hours.

Opening hours

Monday – Thursday 07:00 – 00:00
Friday – Saturday 07:00 – 00:30
Sunday 07:00 – 00:00

Subject to the following additional conditions to promote the prevention of public nuisance offered by the applicant during the hearing:

1. External Area shall be closed with no public to use after 22:30.
2. Customers advised at 22:00 that the outside area will be closed at 22:30.
3. Polite customer notices to be displayed at main entrance/exit, along with being placed on the fencing in the outside decked areas asking clients to keep noise to a minimum and no bad language Appendix C
4. Booking for external area limited to tables of a maximum of 4 people.
5. All windows will be closed and doors will not be latched/propped open after 22:30
6. Lighting will be below fencing level and downward pointing
7. No strobe lighting will be used in the outside areas
8. DJ shall cease to play at 2330 hours.
9. Non standard timings will not apply to music provided by a DJ with the exception of New Year's Eve until midnight.

And in accordance with the operating schedule set out in the current licence.

Reasons: The Sub-Committee had considered all the representations that had been made by all parties before 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 raised by the objectors to the application. Having considered the application in detail and the answers given by the applicant the Sub-Committee were not satisfied that there was sufficient evidence to prove the application did not satisfactorily promote the licensing objectives and therefore granted the application as detailed above.

The additional conditions offered by the applicant further served to reassure the Sub-Committee that the licensing objectives would be promoted.

The parties were advised that the decision would be confirmed in writing within 7 days of the date of the hearing. 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: