

## Licensing Sub-Committee

A meeting of the Licensing Sub-Committee was held on Monday, 5 June 2006.

**Present:** Councillors Rix, Roberts and Woodhead.

**Officers:** G Jardine, D Jobson, C Llewellyn, (DNS); R McKenzie (LD).

### **224 Appointment of Chairman**

RESOLVED that Councillor Woodhead be appointed Chairman for this meeting only.

### **225 Presto Pizza, 5 Healaugh Park, Yarm, Stockton on Tees Application under Schedule 8 of the Licensing Act 2003 - Application to vary a premise licence under Schedule 8 of the Licensing Act 2003**

The Applicant requested the Committee to adjourn the Hearing so he could obtain legal advice and/or an interpreter.

RESOLVED that the application be adjourned.

### **226 Eggescliffe Parish Hall, Butts Lane, Eggescliffe, Stockton on Tees Application under Schedule 8 of the Licensing Act 2003 - Application for a premise licence under Schedule 8 of the Licensing Act 2003**

A copy of the application detailing the hours and entertainment applied for was circulated to all persons who had made a representation prior to the meeting. The Committee had regard to all written representations. An Environmental Health Officer and the Applicant were in attendance.

The Environmental Health Officer informed the Committee that they had agreed the conditions with the applicant to control public nuisance and a copy of the agreed conditions was handed to the Committee.

The Committee also noted that representations had been made from residents living within the vicinity of the premise and that the representations were in relation to noise nuisance.

Furthermore, representations were also made regarding alcohol being consumed in the hall and allegations of underage drinking. It was also suggested that those attending functions within the hall caused anti social behaviour such as urinating and causing noise within the car park. Residents expressed concerns regarding the consumption of alcohol and the subsequent problems this may cause.

The Applicant was asked by the Committee to respond to the representations. The Applicant informed the Committee that the residents appeared to misunderstand the application, as the application was not for alcohol. Furthermore the primary use of the hall would be for guides, youth groups and local drama groups. In order to continue to operate Eggescliffe Hall had decided to apply for a licence. They did not wish to upset neighbours and the management committee of Eggescliffe Hall were aware of problems in 2002 regarding youths gate crashing a teenage party. The Committee were informed that 200 events had been held at the Hall and that 29 of these events had ended at 11 o'clock. The Applicant was unaware of any problems in relation to these events. These events included nine fund raising events and eleven private functions. Eleven events had continued until midnight and involved

three brownie sleepovers, three New Year parties and five booked parties which occurred on a Friday and Saturday.

The Committee considered the representations made from all parties and formed the view that concerns regarding public nuisance would be controlled by the conditions agreed with Environmental Health. The Committee also noted that many of the residents raised concerns regarding the consumption of alcohol, which would lead to noise, and antisocial behaviour. The Application form did not include an application to supply alcohol and therefore the Committee were satisfied the crime and disorder objective would not be undermined if the application was granted.

RESOLVED that the application for a grant of a premise licence be granted subject to the conditions stated below. The Licence would be issued by the Council's Licensing Section as soon as possible. The application would take effect immediately.

Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Dance, Hours Open to the Public Monday - Sunday 8.00 am - 23.30 pm

Additional hours were also granted for specified events as detailed in the application form.

1. Conditions agreed with Environmental Health
  - Any music played within the premises after 21.00 shall be background music only and inaudible at the nearest residential premises. Music above background level may be played within the premises between 21.00 and 00.00 for a maximum of six events a year.
  - All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency. Any music played within the premises shall not cause a disturbance at the nearest residential premises. Any music shall be played indoors only.
  - The licence holder or his representative shall conduct periodic assessments of the noise coming from the premises when used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.
  - Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises. This should include placing at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles)
2. The steps contained in Section P of the application form would be converted into conditions.
3. Mandatory conditions as detailed within the Licensing Act 2003 would also be attached to the license.

**227 Parkfield Community Centre, Bickersteth Close, Stockton on Tees  
Application under Schedule 8 of the Licensing Act 2003 - Application for a  
premise licence under Schedule 8 of the Licensing Act 2003**

A copy of the application detailing the hours and entertainment applied for was circulated to all persons who had made a representation prior to the meeting. The Committee had regard to all written representations. In addition an Environmental Health Officer was in attendance to state their case.

The Environmental Health Officer informed the Committee that they had agreed conditions with the Applicant to control public nuisance. A copy of the agreed conditions was handed to the Committee. The Applicant did not attend the Committee hearing.

The Committee noted that representations have been made from interested parties. The representations related to noise nuisance and the inadequate parking. Concerns were also raised in relation to two children's parties which involved adults drinking alcohol outside and children running around. Furthermore the resident could hear the music from the parties. The Committee felt the conditions agreed with Environmental Health would control concerns regarding public nuisance and in particular noise nuisance.

RESOLVED that the application for a premise licence be granted subject to the conditions stated below. The Licence would be issued by the Council's Licensing Section as soon as possible. The premise Licence would take effect immediately.

Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Dance, Hours Open to the Public	Monday - Sunday 8.00 am - 23.00 pm
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Additional hours were also granted for specified events as detailed in the application form.

1. Conditions agreed with Environmental Health
  - Any music played within the premises after 21.00 shall be background music only and inaudible at the nearest residential premises. Music above background level may be played within the premises between 21.00 and 23.00 for a maximum of six events a year.
  - All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency. Any music played within the premises shall not cause a disturbance at the nearest residential premises. Any music shall be placed indoors only.
  - The licence holder or his representative shall conduct periodic assessments of the noise coming from the premises when used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.

- Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises. This should include placing at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles).
2. The steps contained in Section P of the application form would be converted into conditions.
  3. Mandatory conditions as detailed within the Licensing Act 2003 would also be attached to the license.

**228 Carlton Women`s Institute Hall, Thorpe Road, Carlton, Stockton on Tees  
Application under Schedule 8 of the Licensing Act 2003 - Application for a  
premise licence under Schedule 8 of the Licensing Act 2003**

A copy of the application detailing the hours and entertainment applied for was circulated to all persons who had made a representation prior to the meeting. The Committee had regard to all written representations. In addition an Environmental Health Officer and the Applicants were in attendance.

The Environmental Health Officer informed the Committee that they had agreed conditions with the Applicant to control public nuisance and a copy of the agreed conditions were handed to the Committee. The Committee also noted that representations had been received from interested parties. In summary the representations concerned noise and slamming of car doors late at night. Concerns were also raised that there would be nobody to oversee functions at closing time. Residents made representations in relation to the increase in noise due to anti social behaviour following the consumption of alcohol.

The Committee asked the Applicant to respond to the representations made. The Applicant explained the reason why they had applied for a licence and it was to cover all eventualities and to ensure that they were not breaking any laws when they sang Jerusalem at the beginning of every meeting. The Applicants explained that any parties would be overseen and would not continue to until late. The Applicants informed the Committee that they were in the process of renewing their car park. The Environmental Health Officer stated that she had spoken to one of the complainants and explained the agreed conditions and also explained that there would be no sale of alcohol. The complainant had been happy with the proposed conditions.

The Committee took into consideration all of the representations made and considered that any public nuisance would be controlled by the conditions agreed with Environmental Health. The committee also noted the concerns raised regarding the consumption of alcohol leading to anti social behaviour. The Committee noted the application did not include the supply of alcohol and formed the view that the crime and disorder objective would not be undermined if the application were granted.

RESOLVED that the application for a premise licence be granted subject to the conditions stated below. The Licence would be issued by the Council's Licensing Section as soon as possible. The premise licence would come into effect immediately.

Plays, Films, Indoor Sporting Events, Live Music, Recorded Music, Dance, Hours Open to the Public	Monday - Sunday 8.00 am - 23.30 pm
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Additional hours were also granted for specified events as detailed in the application form.

1. Conditions agreed with Environmental Health
  - Any music played within the premises after 21.00 shall be background music only and inaudible at the nearest residential premises. Music above background level may be played within the premises between 21.00 and 00.00 for a maximum of six events a year.
  - All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency. Any music played within the premises shall not cause a disturbance at the nearest residential premises. Any music shall be played indoors only.
  - The licence holder or his representative shall conduct periodic assessments of the noise coming from the premises when used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.
  - Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises. This should include placing at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles)
2. The steps contained in Section P of the application form would be converted into conditions
3. Mandatory conditions as detailed within the Licensing Act 2003 would also be attached to the license.