

## Licensing Sub Committee

A meeting of Licensing Sub Committee was held on Thursday, 19th October, 2006.

**Present:** Cllr K Leonard, Cllr J M Roberts, Cllr B Woodhead.

**Officers:** J Nertney(LD); M Vaines, C Llewellyn(DNS).

**Also in attendance:** The Green Tree item - Mr Grunert (Camerons Brewery - Mincoffs Solicitors), Mrs L Suttill (Designated Premise Supervisor); Speakeasy item - L Pickering (Designated Premise Supervisor) D Oram, P Creamer (Area Manager), Mrs M Nevison (Police Solicitor) and PC M Hodgson.

**Apologies:** None.

### **652 Appointment of Chairman.**

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

### **653 The Green Tree, 24 High Street, Yarm, Stockton on Tees - Application to vary a Premise Licence under the Licensing Act 2003.**

Consideration was given to an application to vary a licence at the Green Tree, High Street, Yarm.

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 the application and the two representations that had been made by persons living within the vicinity of the premises. It was noted that neither of the persons who had made a representation was in attendance at the meeting.

The Committee also had regard to the representations made by the Environmental Health Section. Mrs Llewellyn indicated that discussions had taken place with the Applicants representative in order to agree conditions to be placed on the licence to control potential nuisance.

Mrs Llewellyn confirmed that there had been no complaints relating to the premises since Mrs Suttill took over management in May 2006. The last complaint received was in November 2005 when a generator had caused a noise disturbance.

Mr Grunert indicated that he acted for Camerons Brewery who owned the premises. Their application was to permit regulated entertainment and not to permit nuisance. Mr Grunert indicated that they were happy to agree to the conditions as suggested by the EHO.

Mr Grunert referred to the representations that had been received from persons living within the vicinity of the premises. Mr Gruenrt noted that these mainly referred to the Pizza takeaway and the Black Bull and did not indicate that the Green tree caused them too many problems.

Mr Grunert indicated that he felt the representations had been generated by the

application as opposed to there been any problems caused by the premise.

Members gave due consideration to all of the evidence and representations that had been presented to them.

RESOLVED that the application be granted for the hours as detailed in the Application which were summarised as follows:-

- To extend the hours for the provision of regulated entertainment including Films, Indoor Sporting Events, Live and Recorded Music, Performance of Dance or anything of a similar description to live and recorded music and performance of dance between Monday to Sunday from 09:30 to 23:15 hours
- Supply of alcohol Monday to Sunday between 09:30 to 00:00 hours (with 30 minutes as drinking up time/wind down period)
- Licensable activities be permitted at New Years Eve from 09:30 hours on New Years Eve until close of business on 1st January, save for late night refreshment which shall take place between 23:00 hours on the 31st December until 05:00 hours on the 1st January.
- Provision of late night refreshment Monday to Sunday from 23:00 to 00:30 hours

The grant of the licence was made subject to the following conditions which had been requested by the Environmental Health Officer namely:-

- A noise limiting device should be provided covering all sound systems which at all times shall operate at the decibel level set by the Environmental Health Unit and shall be maintained in good working order.
- Any music played within the premises after 23:15 shall be background music only and inaudible at the nearest residential premises
- Regulated entertainment including but not restricted to live music and similar including karaoke may be played within the premises between 09:30 and 23:15 for a maximum of 26 events per year.
- A written log shall be maintained of events which shall be made immediately available to the Council and the Police on request.
- Any odours created from cooking on the premises shall be adequately vented and/or provided with odour control so that they do not cause a nuisance to nearby premises.
- There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
- Have appropriate systems in place to control pest infestations, such as a pest

control contract.

- Refuse such as bottles shall be disposed of from the premises between the hours of 09:00 until 21:00 so as not to cause a disturbance to local residents.

In addition to these new conditions there was an existing condition relating to the use of management controls and members agreed to add the additional sentence below at the end of the paragraph:-

- 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 reference to vehicles). Taxis and customers should be encouraged to use the exits at the front of the premises.

**654      Speakeasy, 54 Yarm Lane, Stockton on Tees - Application for a Review of a Premise Licence under the Licensing Act 2003.**

Consideration was given to an application for a review of a licence at Speakeasy, 54 Yarm Lane, Stockton on Tees.

A copy of the application detailing the grounds for the review of the premises licence and the representations received was circulated to all persons who had made a representation prior to the meeting.

The Committee noted that since submitting the review application the Police had held discussions with the Designated Premises Supervisor to agree reductions in hours and conditions which would address the Polices concerns over the premises.

An agreement had been reached which was detailed in a letter from Cleveland Police to Ms Pickering dated 13th September 2006. The Police and respondents in this matter invited the Committee to deal with the review by attaching the conditions as detailed in the letter dated 13th September 2006.

Members gave due consideration to all of the evidence and representations that had been presented to them.

RESOLVED that the review application be dealt with by attaching the following conditions to the licence, namely:-

1. The premises to cease all licensable activities by 23:00 and close 30 minutes thereafter each day apart from Thursday, Friday and Saturday. On Thursday, Friday and Saturday the premises shall cease licensable activities at 01:00 hours and close 30 minutes thereafter.
2. Digital CCTV must be installed and maintained. The images to be retained for one calendar month and made available to both the Local Authority and Police upon request. CCTV must cover both the inside of the premises and the external beer garden.

3. All persons on the premises , including those in the beer garden must be 18 years of age or older EXCEPT immediate family members of the Designated Premises Supervisor.

4. A personal licence holder must remain on the premises every Thursday, Friday and Saturday evening between 20:00 hours and closing.

**655 90-92 Yarm Lane, Stockton on Tees - Application for grant of a Premise Licence under the Licensing Act 2003.**

Members were informed that as Cleveland Police had reached agreement with the applicant on conditions they had withdrawn their representation and therefore the item had been withdrawn from the agenda.