

LICENSING SUB-COMMITTEE (A)

HELD:

AGENDA ITEM 5

22 MARCH 2007

Start:

10.30am

Finish:

12.40pm

PRESENT:

Councillor: Forshaw
Carson
M. Pendleton

Officers: Public Protection and Licensing Manager
Assistant Solicitor (JB)
Senior Licensing Officer (MM)
Member Services Officer (JAJ)

49. APOLOGIES

There were no apologies for absence received.

50. MEMBERSHIP OF THE COMMITTEE

There were no changes to the Membership of the Committee.

51. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

52. DECLARATIONS OF INTEREST

There were no declarations of interest.

53. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

54. MINUTES OF SUB-COMMITTEES

RESOLVED: That the Minutes of the meeting of the Sub-Committee held on 19 January 2007 be received as a correct record and signed by the Chairman.

55. LICENSING COMMITTEE 2003 - HEARING REVIEW PROCEDURE

The Chairman referred to the above procedure.

56. REVIEW OF PREMISES LICENCE IN RESPECT OF THE SANDBROOK ARMS, 78 SANDBROOK ROAD, ORRELL

Consideration was given to a report of the Executive Manager Community Services (as contained on pages 561 to 629 of the Book of Reports) in relation to the above application in respect of which representations had been made.

The Sub-Committee had regard to its Licensing Policy and the Guidance issued under S.182 of the Act. It considered that the licensing objective on this occasion was the prevention of public nuisance.

The Sub-Committee carefully considered the evidence submitted for the review and the mitigating circumstances put forward on behalf of Oxford Inns, together with the commitment by Mr Garbutt, that regulated entertainment would be suspended until the sound-proofing works were completed. However, the Sub-Committee could not ignore the professional advice given by the Environmental Protection Manager, together with the supporting evidence, as to the suitability of these premises to provide regulated entertainment.

The Sub-Committee listened carefully to all representations made, and they took into account the history of noise complaints relating to these premises including the recent period since Oxford Inns became the premises licence holder. The Sub-Committee sought to establish the causes of the concerns which were identified by all of the representations made, and came to the conclusion that remedial action should be taken which is a necessary and proportionate response in the cause of promoting the licensing objectives.

Having balanced all the points raised and considered the options available to it, the Sub-Committee decided that, after three hearings it is now appropriate to exclude the regulated entertainment element of the current licence, together with the conditions appertaining thereto. For the avoidance of doubt this includes all music except background music provided by the premises.

The Sub-Committee wanted to make it clear to all present that the exclusion of the regulated entertainment element of the licence would not affect any other licensable activity included within the current licence.

RESOLVED:- That the premises licence for the Sandbrook Arms be amended to exclude regulated entertainment together with all conditions appertaining thereto.

- CHAIRMAN -