

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING SUB-COMMITTEE

Tuesday, 20th September 2005, at 10.00 a.m.

PRESENT: Councillors Miss D. H. Campbell, Mrs. R. L. Dent (substituting for G. H. R. Hulett) and N. Psirides

Also in attendance were Mr. N. McMahon (Applicant), Mr. T. Minor (Representative acting for the Applicant), Mr. P. K. and Mrs. C. J. Jones, Mrs. E. Moffett, and Mr. S. and Mrs. K. Povey (local residents)

50/05 **APOLOGIES**

An apology for absence was received from Councillor G. H. R. Hulett.

51/05 **ELECTION OF CHAIRMAN**

RESOLVED: that Councillor N. Psirides be elected as Chairman for the Meeting.

52/05 **PROCEDURE**

The Chairman opened the hearing and introduced Members of the Sub-Committee and Officers present to the applicant and the other parties present.

The Chairman invited the other parties present to identify themselves, so that the applicant and/or the objector(s) were able to satisfy themselves that no person who may be in a position to influence the Sub-Committee remained in the room when the Sub-Committee considered their decision at the conclusion of the Hearing.

The Chairman reminded all parties of the procedure to be followed during the Hearing and that those parties present could be represented by a legal representative at their own expense, or by a Ward Councillor.

53/05 **APPLICATION TO VARY A PREMISES LICENCE - THE GATE HANGS WELL, WOODGATE ROAD, STOKE PRIOR, BROMSGROVE, B60 4HG**

The Sub-Committee considered an application for the variation of a Premises Licence in respect of The Gate Hangs Well, Woodgate Road, Stoke Prior, Bromsgrove. The application was subject to a Hearing in light of the letters of objection which had been received from local residents expressing their concerns in respect of the proposed extension of hours during which the premises would be able to retail both alcohol and late night refreshment, and provide regulated entertainment.

Mr. Minor, acting on behalf of the Applicant, put forward the case for Mr. McMahon's proposals.

Representations were also received from Mr. and Mrs. Jones, Mrs. Moffett, and Mr. and Mrs. Povey (local residents).

Following consideration of the representations put forward by all parties, it was

RESOLVED: that the application for the variation of the Premises Licence in respect of The Gate Hangs Well, Woodgate Road, Stoke Prior, Bromsgrove, be granted in part, subject to a number of additional conditions, namely:-

The timings for the retail sale of alcohol, the provision of late night refreshment and the provision of regulated entertainment are -

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- (i) 9.00 a.m. to 11.30 p.m. on Sunday to Thursday;
- (ii) 9.00 a.m. to 12.00 midnight on Friday and Saturday;
- (iii) 9.00 a.m. to 1.00 a.m. on Good Friday;
- (iv) 9.00 a.m. to 1.00 a.m. on Christmas Day; and
- (v) there would be no change to the current permitted hours on New Year's Eve.

The granting of the above-mentioned hours were also subject to the following additional conditions, most of which were proposed by Mr. McMahon:-

- that signs be placed on the car park seeking the co-operation of customers to leave the premises in a quiet, orderly and respectful manner;
- that traffic calming ramps are positioned at the entrance to the car park;
- that the shale surfacing to the car park be removed and replaced with tarmac;
- that the car park shall remain locked after the premises have closed;
- that, on occasions when the premises remains open after 11.30 p.m., a member of staff must patrol the car park during the last 30 minutes and ensure that customers leave the premises as quietly as possible;
- that no regulated entertainment is to take place outside;
- that the use of the external patio area ceases at 11.00 p.m.; and
- that the licence holder be reminded that specific doors and windows must remain closed whilst regulated entertainment is taking place, in accordance with the conditions attached to the current Public Entertainments Licence.

The Sub-Committee reached their decision by listening very carefully to the representations made by the applicant and the assurances he gave concerning the operation and nature of the premises which would not significantly change. It was understood that the extension in hours would only be used to give greater flexibility as and when required, whilst giving due appreciation to the concerns expressed by the local residents.

The Meeting closed at 11.30 a.m.

Chairman