

`LICENSING SUB-COMMITTEE

A record of proceedings of the Licensing Sub-Committee held at Bodicote House, Bodicote, Banbury on 14 September 2005 at 6.00 pm.

Membership of the Sub-Committee (all Members present) – Councillors Bhart (Chairman), Back and Webb.

Officers:	J Astle (Solicitor)	}	Advising the Sub-
	S Lodge (Democratic Services Officer)	}	Committee
	Mrs T Poke (Central Services Manager)	}	Representing the
	Mrs J Smith (Electoral and Licensing Services Manager)	}	Licensing Authority

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. LICENSING HEARINGS PROCEDURE

The hearings were undertaken in accordance with the agreed licensing hearings procedure.

3. APPEAL HEARING – BANBURY TRADES AND LABOUR CLUB

Present at hearing:	R Lowther	-	Environmental Protection Manager Cherwell District Council – Responsible Authority
	P Fitton	-	President, Banbury Trades and Labour Club
	D Cox	}	Interested parties making representations
	E Bishop	}	

The Central Services Manager stated that an application had been received on 1 August 2005 from Banbury Trades and Labour Club and Institute, 32 West Bar Street, Banbury, for a variation of the Premises Licence under the Licensing Act 2003.

The report set out:-

- (i) details submitted by the applicant which set out support for the promotion of the four licensing objectives, ie (a) prevention of crime and disorder; (b) public safety; (c) the prevention of nuisance; and (d) the protection of children from harm;
- (ii) the representations received from the Head of Environmental Services as responsible authority and Mr D Cox, Ms E Bishop as interested parties.

The application set out variations to the Premises Licence which was summarised as follows:-

- (i) to extend authorised hours for the supply of alcohol from 10.30 to 00.00 Monday to Thursday, 10.30 to 01.00 Friday, 10.30 to 02.00 Saturday and 11.00 to 00.00 on Sunday;
- (ii) addition of regulated entertainment for club members and guests to qualifying club activities. Plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performance of dance, provision of facilities for making music, provision of facilities for dancing; and
- (iii) non standard timings for supply of alcohol as follows:- Christmas Day 11.00 to 14.00, Boxing Day 10.30 to 01.00, New Years Eve 10.30 to 02.00, New Years Day 10.30 to 01.00 and Bank Holidays 10.30 to 01.00.

Mr Fitton, President of Banbury Trades and Labour Club spoke in support of the variation of premises licence which was for the benefit of his members.

Mr R Lowther, on behalf of the Head of Environmental Services, confirmed that he had no objection to the variation of the licence subject to the following conditions:-

PN6 and PN7. A noise limiting device shall be installed and fitted and maintained in such a manner as to control all sources of amplified music or speech at the premises and shall be set so to maintain maximum levels as specified by the Head of Environmental Services when regulated entertainment takes place.

EN12. All external doors must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.

Mr D Cox, speaking as an interested party, outlined the problems he and his partner had experienced from noise during Saturdays nights and stated that an increase in licensing hours would only exacerbate the problem. He had no problem with the extended hours for the supply of alcohol, but considered that unless conditions were strictly applied then he objected to an increase in the hours of regulated entertainment.

The Sub-Committee then retired to consider the application under Regulation 14(2) of the Hearings Regulations. Upon the return of the Sub-Committee it was

RESOLVED that the variation of the existing premises licence be granted as applied for but subject to the following conditions:-

- (i) all external doors must be kept closed other than for access and egress in all rooms when events involving amplified music or speech are taking place (EN12 – Pool of Conditions); and
- (ii) a noise limiting device shall be installed, fitted, and maintained in the function room and main hall (refer to drawing LD/1002-1) in such a manner as to control all sources of amplified music or speech at the premises and shall be set so as to maintain maximum levels as specified by the Head of Environmental Services when regulated entertainments takes place. (Pool of Conditions EN6 and EN7).

REASONS

- (1) the application is consistent with the promotion of the licensing objectives provided the conditions are fulfilled; and
- (2) in particular the conditions are required to ensure that neighbouring premises are not unreasonably disturbed and the measures required are proportionate to the potential nuisance.

4. **END OF PROCEEDINGS**

The proceedings ended at 7.32 pm.