

LICENSING PANEL

MONDAY, 1 JULY 2013

PRESENT:- Councillors John Ballman, Alan Bishop and Michael Bray

1. Appointment of Chair

Resolved – That Councillor Mick Bray Chair this meeting of the Panel.
(Councillor Bray took the Chair.)

2. Minutes

Resolved - That the minutes of the meeting held on 22nd March 2013 be confirmed and signed.

3. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

4. Application to vary the Premises Licence in respect of the Queens Tap, 74 Station Road, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out details of an application for a variation to the Premises Licence held by the Queens Tap Public House, 74 Station Road, Swindon, (b) local residents, and the Council's Environmental Health Team, (c) oral submissions by Simon Evans (local resident against the grant of the variation of the Premises Licence, (d) submissions received in support of the application received from the applicant and Pearce Warne (Solicitor to the applicant), (e) oral representation by Damon Greed clarifying the submission of the Environmental Health Representation opposing the application, (f) questions from Members to the applicants, Wiltshire Constabulary and the representatives of the applicants and answers received, and (g) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Licensing Policy.

Resolved - After considering: -

1. The application for a Premises Licence made by the Licensee; and
2. Representations and material put forward on behalf of the Objectors;

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance
- iii. Public Safety

1. That, subject to the conditions set out in the report and the additional condition

set out below, the Panel determined that the Premises Licence be granted for the following hours:

Provision of Live Music

Monday to Wednesday	08:00 and 00:00
Thursday to Saturday	08:00 and 02:00

Provision of Recorded Music or similar activities set out in the application

Monday to Wednesday	08:00 and 00:00
Thursday to Saturday	08:00 and 02:00

Sale of Alcohol and Hours of Operation

Monday to Wednesday	08:00 and 00:00
Thursday to Saturday	08:00 and 02:00

Reasons

(i) The Panel received no evidence that there was poor or ineffective management at the premises, indeed it was confirmed by objectors that there was good management in place.

(ii) There was no clear evidence submitted to the Panel that the requested hours would cause substantial nuisance to local residents and that the premises opposite the Queens Tap had similar hours of operation.

(iii) The Panel heard evidence that the management wanted to act as a good neighbour and the applicant offered a condition stating that local residents would be provided a "hot line" number to call in the event that any noise reached an unacceptable level.

(2) That Annex 2 of the current licence reading "Plays, films, indoor spectator sports, boxing, wrestling and the performance of dance are not permitted" be removed from the licence.

Reason

(i) No objection to the removal of this condition was received and the Panel found no reason not to approve the request.

(3) That the landlord provide neighbouring properties telephone details to call in the event that they suffer significant disturbance from the premises during entertainment.

Reason

(i) The condition offered by the applicant was deemed to be appropriate in assisting in the good management of the premises.