



LICENSING PANEL

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

16th MARCH 2017

PRESENT

Councillors T Greenow (Chair)
P Cumbers, J Wyatt

Officers:

Licensing & Compliance Officer (Business Advisor: Licensing) (AY)
Licensing & Compliance Officer (Business Advisor: Licensing) (SG) (Shadowing)
Legal Officer (SK)
Administration Assistant (LT)

Applicant

Applicant's Representative 1 (AR1)
Applicant's Representative 2 (AR2)

Representative 1
Representative 2

LP1. ELECTION OF A CHAIRMAN

Cllr Wyatt proposed election of Cllr Greenow.
Cllr Cumbers seconded. Vote was unanimous.
Cllr Greenow was elected.

LP2. APOLOGIES FOR ABSENCE

Cllr Holmes

LP3. DECLARATIONS OF INTEREST

A Member of the panel advised of a possible interest. A discussion took place as to whether there was a declaration of interest or prejudicial interest. During this time, the Legal Officer read out the advice on Members' interests and a Member was then asked, after hearing the advice if they had a prejudicial interest to which they answered no. The Legal Officer asked the all parties involved if they were happy to continue with the panel, having heard the discussion, to

which both parties agreed. The Legal Officer asked for it to be noted that no personal prejudicial interest considered.

LP4. APPLICATION FOR PREMISES LICENCE (LICENSING ACT 2003) – GORAL POLISH PUB, SANDY LANE, MELTON MOWBRAY

The Chairman introduced themselves and the other Members on the panel. The Chairman asked if there was anyone in the room who was aware of any reason for any of the Members to not take part on the panel, to which there were none. The Chairman introduced all who were in attendance and read out the procedure of the Licensing Panel. The Chairman then asked the Licensing & Compliance Officer to present the application and report.

The Licensing and Compliance Officer summarised the content of their report and stated the purpose of the panel was to determine an application by the Applicant for a Premises Licence to allow for the provision of licensable activities at Goral Polish Pub, Sandy Lane, Melton Mowbray.

The Licensing and Compliance Officer stated that the panel was required as one relevant representation was submitted during the statutory consultation period and that the panel was to determine this application for a Premises Licence having regard to all the information provided by the Applicant and the representation whilst taking into account this Council's Statement of Licensing Policy.

The Chairman asked if the Applicant or Applicant's Representatives could present their statement. The Applicant's Representative 1 (AR1) stated that this was a new application. It replaced an existing club licence, and any previous complaints would be with the previous management. The Applicant was the personal identifiable to be responsible for the Licence. The Applicant had had no comments and no other representations made from any responsible authority about the application and that the conditions in the operating schedule fully address licensing objectives. AR1 asked if they could hear from representatives. The Chairman checked with the Legal Officer. The Legal Officer said there were no objections to having the representatives to talk at this point.

Representative 1 discussed the issue they had had with the former patrons leaving the premises, and that the club had absolved their selves of responsibility of the behaviour of it patrons once they have left the building. They also mentioned the premises location was in the middle of residential estate with the first house residing 40 yards away. A discussion took place about the where the representatives lived in relation to the premises. Members asked questions about which

conditions they had objections to. Representative 1 mentioned the dedicated smoking area, as swearing was audible and the late night refreshments until midnight.

The panel asked if the Applicant would like to respond, to which AR1 discussed public nuisance and dispersal. AR1 handed over to the Applicant's Representative 2 (AR2) to talk further about this. AR2 discussed the personal history with the premises and their target audience; people they knew very well, many of them church-going people, who would want to relax after shift work and therefore come in quite late. This was the reason for the hours applied for. AR2 addressed potential 'rowdy' behaviour and suggested that taxis could be asked to come round the back to collect people and that exits be monitored. AR2 discussed that no matter what time they closed dispersal would be the same and that they would try to calm people before closing by turning music down and turning the lights on. They would consider moving the smoking area. It was mentioned that Sandy Lane was a main road and used by people to walk up from town to get home that could cause nuisance.

The AR1 said premises had not operated under the club premises for some time and that the Applicant had operated temporarily on Temporary Event Notices. A discussion took place on the location of the representations. The Chairman asked the representatives if they could clarify distance from their house to which Representative 1 said 30-40 yards from the smoking area. A discussion took place where the representatives recounted times when events had happened, where they had heard swearing from outside the premises and a family Member woken up due to this and personal property stolen. The Licensing & Compliance Officer wanted to make it clear that the application be considered on own merits not on a previous licence.

The Chairman asked if there was one exit for the premises, the AR2 discussed the plan of premises, exit on front and the function room can only exit from the back entrance.

A Member asked the AR2 how often they expected to work until 2am and what need they had to open to this time, they answered nothing to gage it on, they thought the need would be occasional and that clients would finish work around 11.30pm so would like to open until 2am. A Member asked how the Applicant would work with residents, to which AR1 said that the premises licence holder would be contactable. AR1 mentioned that it was the first time he has been denied access to the representation during consultation stage, to which the Licensing and Compliance Officer stated that the representation was received the

final day of consultation and had been made available to all parties prior to the commencement of the hearing.

The Chairman asked the Applicant how they would be contactable and about the opening times. The Applicant explained they would try to be there every night, have a complaint book, find solutions and take appropriate actions. The opening times would depend on clientele. AR2 said it would be a small number. The AR1 mentioned the use of notices to highlight respecting neighbours as they leave and to turn the music down. AR2 mentioned they have eight Members of staff where the previous had one steward. The Chairman asked how many people would there be on an average night, to which the AR2 answered 20-50 people and on event nights 70 people. These people would be very regulars.

Representative 1 relayed that it was the noise from smoking and the noise from dispersal of patrons.

The Chairman asked Applicant when 50 people left would they all leave at 2am, AR2 answered no there would be around 10 after midnight. A Member mentioned that if licence is granted, licence can be revoked. The Chairman asked for both parties to sum up.

Representatives summarised that they bought house knowing the club was across the way and said notices becomes like wallpaper, would like to see prevention of noise.

AR2 summarised main points, the history of the premises, and promotion of community after church, serve polish food and beer. AR1 summarised that the club had been operating until 1am with no complaints; they have relationships with taxi firms and would have liked opportunity to invite those who made representations to see the place. It is a new premises which they feel will add value to area. It is not in the cumulative impact area and they would like to request the panel grant the licence.

The Chairman adjourned the Sub-Committee at 10:20am. Representative 1 left.

The Sub-Committee recommenced at 11:25am, to which the Chairman thanked everyone and handed over to the Legal Officer for the Decision.

The Legal Officer summarised the findings of facts and **RESOLVED** that it was a unanimous decision to grant the premises licence as applied for. The Legal Officer advised all parties that if they did not agree with the licensing sub committee's decision to contact the magistrates court

regarding an appeal and that they had 21 days to for the date of notification of this decision to do this.

LP5. ANY OTHER BUSINESS

None

The Chairman thanked everyone and closed the meeting.

The meeting, which commenced at 9:30am, closed at 11:32am.

Chairman