

LICENSING SUB-COMMITTEE
29th May, 2008

PRESENT – Councillors Lee, Nutt and Vasey.

(3)

LS1. ELECTION OF CHAIR – RESOLVED – That Councillor Nutt be appointed Chair for this meeting only.

LS2. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS3. REVIEW OF PREMISES LICENCE - The Director of Corporate Services submitted a report (previously circulated) to consider an application by Environmental Health, as a Responsible Authority, to review a Premises Licence in respect of The Copper Beech, Neasham Road, Darlington.

Steve Todd, Environmental Health Manager addressed the meeting with regard to his grounds for review under the prevention of public nuisance responded to Members' questions. Mr. Rob Summers, the Business Regional Manager of Punch Taverns Ltd and their solicitor, Mr. John Coen, Ford and Warren Solicitors also addressed the meeting and responded to Members' question and the points for clarification.

At the hearing the Environmental Health Manager provided updated information and evidence of noise disturbance from the premises and the impact on local residents. Mr. Coen advised the Members of checks undertaken by Punch Taverns PLC to ensure compliance within the premises with the licensing and other legislation and also details of checks undertaken to noise disturbance.

The Sub-Committee considered the views of the applicant for review in accordance with Guidance issued Under Section 182 of the Licensing Act 2003 (Hearings) Regulations 2005 and in accordance with the "Licensing Sub-Committees – Full Hearing Procedure for Applications for Reviews of Premises Licences/Club Premises Certificates Where Relevant Representations Have Been Received".

RESOLVED – That Members agreed that the relaying of music was not incidental and had undermined the licensing objective of preventing public nuisance and as a result of their finding no music should be relayed to the exterior of the premises and if the premises wished to offer such music an application be made to vary the Premises Licence to include recorded music outdoors.