

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
2 August 2005 (10.30 am-11.45am)**

Present:

COUNCILLORS:

Conservative Group Peter Gardner (Chairman)
Wendy Brice-Thompson

Residents' Association Ivor Cameron
Group

Ms T Donno (the applicant) Mr N Yeo (the applicant's solicitor) Derron Jarrell (solicitor to the Council) Graham Hopkins & Paul Jones (licensing officers) PC Dave Leonard (police licensing officer) and Anthony Clements (clerk) were also present.

There were nine members of the public present.

Apologies were received from Councillor John Mylod. Councillor Wendy Brice-Thompson substituted for Councillor Mylod.

The Chairman advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

**THE SPENCERS ARMS – 124, ARDLEGH GREEN ROAD,
HORNCHURCH – OPPOSED VARIATION TO A PREMISES LICENCE**

The Council's licensing officer presented his report. The application was to allow the premises to extend opening hours from 0900 until 0100 the following day from Sunday to Wednesday and from 0900 to 0200 the following day from Thursday to Saturday. The application also sought to extend finish times by one hour on the 4 Patron Saints days and on occasions of local, national or international significance. Permission was also sought to extend finish times by one hour on a possible total of 24 days around and including public holidays. An extension of two hours was sought for Christmas Eve.

One representation was received from the Police under the responsible authorities' procedure. The Police licensing officer informed the Sub-Committee that there had been only five crime reports concerning the premises in the last year but there may well be a number of other incidents that were not reported to the police. The officer also reminded the Sub-

Licensing Sub-Committee, 2 August 2005

Committee of the large numbers of crimes fuelled by alcohol, both in Havering and nationally.

The Sub-Committee received oral submissions of objections from three members of the public who had already made valid representations in accordance with the four licensing objectives. The other members of the public present had agreed that these representatives should speak on behalf of the whole group. The people making representations informed the sub-committee that houses in the vicinity of the pub suffered from noise pollution in the form of loud music being played. There was also noise pollution such as shouting, screaming and bottles or glasses being smashed in the premises' car park. Residents had also witnessed irresponsible driving, drug dealing and urine or vomit in surrounding streets. It was felt that the public house was seeking to become more of a night club with the associated change to a younger clientele. The Spencers Arms was in a densely populated residential area that the people making representations felt was totally unsuited to a licence variation such as that which was being requested.

The Sub-Committee also received an oral submission from the applicant and the applicant's legal representative which stated that the Spencers Arms was a community pub with a large, mainly local clientele and that there was no plan to change substantially the way in which the premises were run. It was not intended to remain open for all the requested hours; the pub simply wanted the flexibility for some later drinking. The applicant's solicitor suggested several conditions that the Sub-Committee could impose that would be accepted by the applicant. These included the closing of doors and windows during regulated entertainment, stopping the playing of recorded music one hour before the end of alcohol sales, not having entertainment in the garden area and not allowing bottles or cans outside the premises after 9 pm. The applicant's solicitor added that the application was modest and balanced and should be granted in full.

In response to questions from the Sub-Committee, the applicant agreed that she would accept a noise limiter device and confirmed that there was a new and extensive CCTV system on the premises. It was also confirmed that the plan of the premises showing the children's area had been lodged with the court at the time of applying for the children's certificate and had not been included with the application papers.

The Council licensing officer informed the Sub-Committee that the karaoke and video jukebox currently in the pub were at present being used illegally i.e. without a licence.

At this point the Chairman adjourned the hearing to allow the Sub-Committee to make its decision.

On reconvening, the Sub-Committee **RESOLVED** that the application for a

Licensing Sub-Committee, 2 August 2005

variation to the premises licence be refused. This was on the grounds of prevention of public nuisance and concerns over crime and disorder if the variation was to be granted. In addition, the number of valid representations received gave the Sub-Committee cause for concern over issues of public safety connected with the requested variation.

CHAIRMAN

Date _____