

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
22 August 2005 (10.30 am-10.45am)**

Present:

COUNCILLORS:

Conservative Group	Peter Gardner (Chairman) Edward Cahill
Labour Group	Jeff Stafford

Mr Barry Ramsay (the applicant) Ray Holmes (Greene King Brewery) Derron Jarell (solicitor to the Council) Paul Campbell (licensing officer) and Anthony Clements (clerk) were also present.

Two members of the public and one member of the press were present.

No apologies or declarations of interest were received.

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 BRIDGE PUBLIC HOUSE, BRIDGE HOUSE, UPMINSTER ROAD,
UPMINSTER – OPPOSED VARIATION TO A PREMISES LICENCE**

The Council's licensing officer presented his report. There had been no notification with the application of the publishing of an advertisement giving details of the requested variation as required under the Licensing Act 2003. The licensing officer's evidence was that he telephoned the applicant on 18 August 2005 and left another message for them to contact him regarding the advertisement. It was not however until Friday 19 August that he received an e-mail from the applicant stating that they had published an advertisement in a local paper but that they didn't have a copy of it.

The licensing officer's evidence indicated that a copy of the advertisement concerning the proposed variation in the pub's licensing hours had not been received by the licensing authority "at least seven clear working days prior to the hearing" as required by the powers given to the Sub-Committee under section 21 of the Licensing Act 2003 (Hearings) Regulations 2005 to determine the procedure to be followed at the hearing, and paragraph 8.1 (Documentary evidence) of the Procedure for Hearings under the Licensing Act 2003.

Licensing Sub-Committee, 22 August 2005

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

On reconvening, the Sub-Committee noted that the licensing officer had not received a reply to a telephoned request to provide the Licensing Authority with proof of the advertisement of the application for variation, despite repeated requests as late as 18 August 2005.

The application for variation to the premises licence was refused as there had been no confirmation of an advertisement publicising the requested variation submitted to the Licensing Authority within 7 clear working days of the hearing. This was in contravention of paragraph 8.1 (Documentary evidence) of the Procedure for Hearings under the Licensing Act 2003, which the applicant received a copy of before the hearing.

CHAIRMAN

Date _____