

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
6 September 2005 (10.35am – 12.00 noon)**

Present:

COUNCILLORS:

Residents' Group

Malvin Brown (Chairman), Ivor Cameron

Mr Jamie White (the landlord/Designated Premises Supervisor of the Huntsman & Hounds) and Mr James Brilliant (pupil barrister) on behalf of the applicant.

PC D Leonard (police licensing officer), Graham Hopkins (Havering Licensing) Derron Jarell (Legal advisor to the Sub-Committee) and Grant Söderberg (Clerk) were also present.

The Chairman advised those present of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

**HUNTSMAN & HOUNDS PUBLIC HOUSE – APPLICATION TO VARY A
PREMISES LICENCE**

The Committee received a report outlining the application.

The premises were currently permitted to open:

Monday to Saturday	10.00 hours to 23.00 hours,
Sunday & Good Friday	12.00 hours to 23.00 hours
Christmas day 1 st	12.00 hours to 15.00 hours
Christmas Day 2 nd	19.00 hours to 22.30 hours and
New Years Eve	10.00 hours to 24.00 hours New Years Day.

The Sub-Committee noted that there were 11 valid representations from members of the public who lived in the vicinity of the premises or on a transitory route from the venue. Councillor Pat Mylod had been invited to speak on behalf of one of the objectors who had been unable to attend the hearing. Three other objectors were also present.

Before the Licensing Officer presented his report to the Sub-Committee, the Council's legal representative asked for clarification concerning the late night refreshment application which was recorded in the application (section L) as being from 10.00 hours to 00.00 hours. This was accepted as being erroneous and would be amended to read 23.00 hours to 00.00 hours.

The Licensing Officer continued, drawing to the Sub-Committee's attention the fact that the premises in question was in a residential area within a semi-rural setting and not far distant from the Corbets Tey Crematorium..

The police representative was then invited to present his case, He stated

that, in negotiations between the police and Mitchells & Butler, the elements that had led to the police objecting, had been satisfactorily addressed, in that the applicant had undertaken to follow the ACPO guidance relating to non-standard timings and the notification period required by the police. He added that the applicant had expressed a desire to retain the good will of neighbouring residents, respect their desire to enjoy peace and operate as considerately as possible. He further noted that the Huntsman and Hounds:

- Maintained and operated a CCTV system that was acceptable to the police,
- There was no record of crime related to drink or emanating from the pub,
- The landlord was well known and was willing to compromise with the local residents.

The police representative added that the only concern was that of noise caused by some patrons driving away from the pub and accelerating quickly. He added that this was due to the position of the pub, which was near a bend in the road and therefore departing drivers wished to ensure they moved away from the bend in safety.

There remained only one area of disagreement: The applicant had originally requested additional hours for the sale of alcohol Monday to Sunday to midnight each day. This had subsequently been amended by the applicant to 23.00 hours Sunday to Wednesday and to midnight Thursday to Saturday.

The Sub-Committee then invited those objectors present if they wished to speak. Councillor Pat Mylod accepted on behalf of the resident who had nominated her.

Councillor Mylod acknowledged that there was no objection to the person of the landlord himself, but she expressed concern that if a younger person were to take over the pub, the character of the Huntsman and Hounds might change for the worse and problems might then surface. She stated that if longer hours were granted, residents were concerned that noise from departing patrons would cause disturbance into the early hours. She reminded the Sub-Committee that the location of the pub was in a very quiet area and that many of the neighbouring residents were elderly.

In addition, she informed Members that there were issues with bottles and litter being thrown into the gardens of residents living near by – especially during the Summer months and when the car park was full and new arrivals had to park along the road or in a nearby lay-by. She asked whether the police were in a position to deal with problems promptly if they were summoned. The prospect that the police might be unable to cope gave residents cause for alarm.

Councillor Mylod also addressed the concerns of residents that the pub had asked for earlier opening times and that this would mean that the noise generated by deliveries and collections of bottles etc., would start even earlier.

Another resident raised concerns about the problems caused by patrons leaving bottles, glasses and general litter. He claimed that this debris had been thrown into his property and was concerned that this would worsen if the pub were granted longer hours.

Mr Brilliant spoke on behalf of the applicant and sought to reassure the objectors present that the Licensee wished to work in harmony with his neighbours. He stated that the applicant had amended his hours for the sale of alcohol on the nights of Sunday to Wednesday so that the sale of alcohol would continue to cease at 23.00 hours and the premises would close at 23.30 hours. The slightly later times would really only apply to weekends.

Mr Brilliant stated that the applicant would forward a list of non-standard days to licensing, giving 10 working days notice. He then stated that the pub was a branded establishment. The applicant was aware that its location near a crematorium needed sensitivity. Many patrons using the pub during the day had come from the crematorium. With regard to the evening trade, the pub catered for a quiet and leisurely clientele and was very seldom full. The applicant was not asking for any entertainment licence and was content with the provision of taped background music. With regards to people entering and leaving, the premises had three sets of doors. The outer doors were usually kept open – in line with the welcoming policy of Ember Inns – but there were two sets of inner doors which provided excellent sound proofing. Mr White, the licensee, was a member of Pubwatch and CCTV was already in place and would remain operational whilst the premises was open.

He addressed an issue raised by one of the objectors concerning people accessing the pub by taking a short cut across neighbouring property, by saying that the applicant would ensure that problems were rectified. He mentioned that with regard to the problem concerning litter, this might not all emanate from the pub as there was a café nearby. He added that the landlord ensured that all glasses and litter was cleared from the beer garden and other areas around the pub, but would advise his staff to ensure that any obvious litter was collected from nearby. He did, however ask whether the question of litter was a valid objection to the pub being granted longer opening hours.

Mr White then addressed the question, raised by objector living across the road to the pub, of light from illumination of the premises causing a nuisance by spilling into the neighbour's bedroom and that this would be prolonged by even later opening. He expressed concern over this, declaring that it had not been drawn to his attention sooner, but that he would take steps to address the problem by either using filters or lower wattage lights or some other means.

In conclusion, Mr Brilliant stated that the Huntsman and Hounds was a branded pub (and it was the applicant's intention that it should remain so) and it was promoted as being an environment for relaxed drinking and socialising. The intention was to attract more women to the establishment, which was a non-smoking pub. To this end, it was hoped that the licensing authority would see that the additional time applied for represented an option for the pub to use, not that it would use it.

After deliberation, the Sub-Committee RESOLVED, that the application submitted by Mitchells & Butlers Leisure Retail Ltd for a transfer of the existing licence to the Huntsman and Hounds be granted. The Sub-Committee also granted permission for the following variations:

1. That the premises may open for the following licensable activities;

a. Supply of alcohol:

Sunday to Thursday: 10.00 hours to 23:00 hours
Friday and Saturday: 10.00 hours to 24.00 hours

a. Premises opening times:

Monday to Sunday: 09.00 hours until 00.30 hours of the morning following

b. Provision of Late Night Refreshment:

Friday and Saturday: 23.00 hours to 24.00 hours

c. Non Standard Timings:

In addition to the use of Temporary Event Notices allowed under the Licensing Act 2003, the premises may open on 12 non-standard occasions, in line with the Association of Chief Police Officers guidelines; subject to a minimum of 10 working days' notice being given to licensing authority and the Police for each occasion. The prior written consent of the Police to be obtained and the police to have absolute right to refuse any occasion. A register to be kept at the premises available for inspection by the police or an Authorised Office of the Licensing Authority and details of each occasion to be recorded in it including the written consent of the police.

2. Removal of "embedded restrictions"

As these were not identified by the applicant the request was denied

3. Conditions

The Sub-Committee imposed the following conditions:

- a. The CCTV continue in use whilst the premises is open and that CCTV tapes are kept for 31 days.
- b. Signage is to be erected and displayed in prominent positions requesting patrons to be considerate to residents when leaving the premises.
- c. The applicant or his agent is to liaise with the Environmental Health Authority to address the problem of light emission from the premises with the intention of reducing its effect on neighbouring properties.

In making its decision the Sub-Committee took into account the relevant written and oral representations. In particular, the representations of the Police, the applicant's legal representative, the licensee and residents who had submitted valid objections.

Chairman

Date