

LICENSING SUB-COMMITTEE**9 August 2005**Attendance:

Councillors:

Allgood (Chairman) (P)

Pines (P)

Sutton (P)

1. **RENEWAL OF PUBLIC ENTERTAINMENT LICENCE FOR THE DOVE INN, ANDOVER ROAD, MICHELDEVER STATION, WINCHESTER**

(Report LR127 refers)

The Chairman welcomed to the meeting the applicant, Mr Carley together with 11 members of the public.

In introducing the application, the City Secretary and Solicitor reminded the meeting that the existing Public Entertainment Licence for the premises had been in force since January 2005 for a 6 month period. There was no application to vary the licence. Attention was also drawn to the number of representations received regarding the proposals. These included complaints of increased noise disturbance during events as well as those in support of the application. Reference was also made to the recommendations of the Director of Communities for the applicant to appoint a specialist acoustic advisor regarding the noise disturbance from the premises.

Following a question, the City Secretary and Solicitor confirmed that there were no constraints on the number of events held within the specified hours as part of the conditions of the original licence, as long as the Council was given prior notification of events. The Director of Communities also clarified that complaints regarding persistent noise disturbance were generally from residents of Brunel Close and that sound recording equipment installed at one of the properties had substantiated these concerns.

At the invitation of the Chairman, Mr Carley detailed to the Sub-Committee proposed and ongoing structural changes to the premises to improve acoustics as so to attenuate the concerns raised by some residents. These included the moving of the band area away from the rear of pub, closest to Brunel Close. He also confirmed that he would be employing the services of a specialist acoustic advisor as recommended by the Director of Communities. Responding to questions, he reported that as far as he was aware, car parking was not an issue and that some customers came by train. He also advised that he had recently cancelled those live bands that he considered might be excessively loud.

At the invitation of the Chairman, seven members of the public including local residents and neighbours of the pub addressed the Sub-Committee:

- (i) Mr Herrity, a resident of Andover Road spoke in support of the application. He stated that he was satisfied the landlord was doing his best to address the concerns raised of noise disturbance.
- (ii) Mrs Roberts, a resident of Andover Road close to the pub, also spoke in support of the application. She stated that the majority of residents of Micheldever appreciated the pub as a community facility and that it was run well by the applicant.
- (iii) Mr Hudson, a resident of Brunel Close, stated that although there had been an increase in noise when the Mr Carley first became licensee, this had been swiftly addressed. He stated that he supported the application as the pub had become a good community facility.
- (iv) Mrs Smith, also a resident of Brunel Close, reiterated her concerns regarding the premises as detailed in her letters as appended to the report. In summary she reported that the noise disturbance occurred every time an event was held. She stated that she had observed customers leaving the premises noisily with bottles. Following questions, she reported that in her experience, neither the remedial works to improve sound insulation nor relocating the band area within the premises had been effective.
- (v) Mr Smith (husband of Mrs Smith) stated that the application should not be for entertainment seven days a week due to the noise disturbance apparent during each event.
- (vi) Mrs Goff (daughter of Mrs Smith) advised that her daughter had been unable to stay with her grandparents as she had been disturbed by the noise.
- (vii) Mr White, also a resident of Brunel Close, reported that Mr Carley had quickly addressed his concerns of noise disturbance when he first took over the premises. Since that time he had experienced no problems. He also stated that parking in the vicinity had only become a problem from the customers of the railway station.

The Committee retired to deliberate in camera.

In his closing remarks, the Chairman stated that in reaching its decision, the Sub-Committee had given careful consideration to all the issues raised regarding the application, including those set out in the report and matters raised during the hearing. The Sub-Committee agreed to grant the application to renew the Public Entertainment Licence as requested with a number of conditions as set out below.

RESOLVED:

1. That the application to renew the Public Entertainment Licence is granted subject to the following conditions:-

(i) The hours during which the premises may be used for the purposes of this Licence shall be:

Mondays to Saturdays 1200 to 2400

Sundays 1200 to 2300

(ii) The maximum number of persons permitted to be admitted whilst the premises are in use for the purposes of this Licence, shall not exceed 110 persons;

(iii) The Licensee must notify the City Secretary and Solicitor of any event when this Licence is to be used at least seven days in advance of any proposed use. There is no limitation on the number of events held on the premises.

(iv) All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open, wedged open or maintained open by any mechanical, electrical or other device, at any time whilst the premises are in use for the purposes of this licence.

(v) The applicant shall appoint a specialist acoustic advisor to undertake a noise report of the premises with a view to making recommendations for noise attenuation. The Licence shall not be used until such measures have been put in place to the satisfaction of the Director of Communities.

(vi) The Licensee or his representative shall monitor noise levels at the boundary of the site whenever the Licence is being used to assess whether the noise is likely to disturb nearest residential property. If levels are likely to cause disturbance, suitable action shall be taken which could include reducing the volume of music.

(vii) The entertainment shall finish promptly at the times stated in the Licence.

(viii) The Licensee should erect notices at the exits to the premises reminding customers of the residential nature of the neighbourhood and asking them to leave quietly.

Informative

The Licensee should publicise locally all events to be held on the premises.

The meeting commenced at 6pm and concluded at 7.10pm

Chairman