

LICENSING SUB COMMITTEE

28 JULY 2014

Present: Councillor P Jeffree (Chair)
Councillors I Brown and S Williams

Also present: Ms Julie Wattam, Applicant and Designated Premises
Supervisor
Ms A Spence, Support for the Applicant
Ms Stephanie Marshall, Interested Party (For minute
number 6)
Ms Wendy Trussell, Interested Party (For minute number 6)

Officers: Licensing Officer (PS)
Solicitor
Committee and Scrutiny Support Officer (RW)

4 COMMITTEE MEMBERSHIP/ ELECTION OF A CHAIR

The Committee and Scrutiny Support Officer confirmed that the Sub Committee would comprise Councillors I Brown, Jeffree and S Williams.

The Sub-Committee was asked to elect a Chair for the Hearing.

RESOLVED –

that Councillor Jeffree be elected Chair for this Hearing.

5 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

6 VARIATION OF PREMISES LICENCE APPLICATION: THE LOAD OF HAY LTD, 207 PINNER ROAD, WATFORD HEATH

The Interested Parties had not arrived at the start of the hearing and the Sub-Committee agreed to adjourn the meeting while the Licensing Officer tried to contact them.

The Interested Parties had not arrived by 10.55 a.m. and as no communication had been received, the Hearing was resumed.

The Sub-Committee received a report of the Head of Community and Customer Services setting out details of an application to vary the premises licence at The Load of Hay and also of the representations received.

The Licensing Officer explained that whilst two representations had been received from Interested Parties, there had been no response from Responsible Authorities.

The Licensing Officer then advised that a mediation meeting had taken place between the Applicant, the Interested Parties and Council officers; the meeting had concentrated on alleged noise nuisance. The officer stated that three conditions had been appended to the licence to which the Applicant had agreed.

The Licensing Officer said that the Applicant applied for a Temporary Event Notice for the 30 August 2014 and no objections or representations had been received for this event.

The Licensing Officer further advised that the Applicant had been the Designated Premises Supervisor since November 2013 and that no complaints regarding the premises had been received.

The Chair invited questions for the officer.

In response to a query from Councillor Brown regarding the absence of representations from Responsible Authorities, the Licensing Officer advised that had representations from these authorities been received during the consultation period they would have been included in the report. She confirmed that no such representations had been received.

There were no further questions for the officer.

The Chair then invited Ms Wattam to address the Hearing.

Ms Wattam said that the area to which the variation applied was a small garden bar at the rear of the pub which was not currently open for the sale of drinks. She explained that the garden was already used by customers who had bought drinks at the inside bar. She added that the opening of this bar would make no change to the number of people in this area but would be more convenient for current regular customers.

Ms Wattam added that no music would be played outside and that there would consequently be no increase in noise. Since no additional customers were anticipated, there would also be no extra traffic in the vicinity.

The Chair then asked Members if they had any questions for Ms Wattam.

Councillor Brown referred to Ms Wattam's statement that customers currently bought drinks inside and then accessed the garden. He asked for information on the size of the proposed outside bar.

Ms Wattam replied that the structure was approximately 7' by 4'. She described it as the size of a 'small garden shed'. Responding to a further question from Councillor Brown, she said that its sole use would be for the sale of drinks. She added that the garden door to the pub was self-closing and that the proposed arrangement would be more convenient for customers as well as adding to their comfort.

The Chair referred to the concessions which had been agreed at the mediation meeting and asked whether Ms Wattam was aware of residents' concerns regarding parking. He also asked whether there could be more advice for customers on where it would be sensible to park.

Ms Wattam replied that she had been unaware of residents' problems but said that customers were advised to park in Sherwoods Road which was opposite the premises.

The Chair suggested that it would also be wise to discourage parking on Watford Heath and asked how this advice could be communicated.

Ms Wattam advised that customers mostly lived locally and consequently walked to the pub.

The Chair suggested that information on parking could be added to the premises' website in addition to cautionary advice regarding excessive noise or nuisance to neighbours.

The Chair then asked for final comments from those present.

Ms Wattam said that she had agreed to start cooking for the barbecue after 4.00 p.m. and asked whether this condition would apply solely to The Load of Hay or for all residents in the area.

The Licensing Officer advised that this would not be added as a condition as it was not a licensable activity.

Ms Spence explained that the times for holding a barbecue had been a verbal agreement between Ms Wattam and Ms Marshall, one of the Interested Parties. She asked whether it would be acceptable to start the barbecue at 2.00 p.m. but to finish cooking earlier.

The Chair reiterated that this subject was not a matter for the Licensing-Sub Committee to determine.

In response to the Chair, Ms Wattam agreed that the premises' phone number would be added to the premises' website in order that neighbours could have direct contact; this number would be publicly available.

The Sub-Committee retired to consider their decision.

Whilst the Sub-Committee had been reaching their decision, the Interested Parties had arrived for the Hearing. Ms Marshal and Ms Trussell explained that they had not been able to get to the Council offices in time and had been unable to make telephone contact.

The Chair advised that the Sub-Committee had taken their representations into account when reaching their decision.

The Chair then announced the Sub-Committee's decision.

RESOLVED –

Having heard from the Applicant and taking into account the representations from the Interested Parties, the Sub Committee grants the application as amended and also attaches the conditions agreed with the Interested Parties.

In reaching this decision the Sub-Committee has taken into account the provisions of the Licensing Act 2003, the Secretary of State's Guidance of June 2014 and the Council's Statement of Licensing Policy 2013 – 2018.

Subsequent to the announcement of the decision, the Chair added that the Sub-Committee advised the Applicant to ensure that their customers were made aware of the location of suitable car parking near to the premises and also to make a public telephone contact number available to nearby residents.

Chair

The Meeting started at 10.30 am
and finished at 11.30 am