

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE MEETING ROOM A AND B -
CHARRINGTONS HOUSE, BISHOP'S
STORTFORD ON WEDNESDAY 7
SEPTEMBER 2011, AT 10.00 AM

PRESENT: Councillor Michael McMullen (Chairman)
Councillors N Poulton and J Taylor.

ALSO PRESENT:

Councillors E Buckmaster, Mrs R Cheswright
and P Ruffles.

OFFICERS IN ATTENDANCE:

Monica Bett	- Legal Services Advisor
Linda Bevan	- Committee Secretary
Paul Newman	- Interim Licensing Manager

ALSO IN ATTENDANCE:

REVIEW OF A PREMISES LICENCE AT KING WILLIAM IV,
VANTORTS ROAD, SAWBRIDGEWORTH CM21 9AJ

Laura Trunle	- DPS
David Walters	- Owner
John Ivens	- Herts Constabulary
Chris Hunt	- “
Ross Lauders	- “
Tina Mustoe	- “
Richard Turner	- “

9 APPOINTMENT OF CHAIRMAN

Councillor N Poulton proposed and Councillor J Taylor
seconded that Councillor M McMullen be appointed Chairman

of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor M McMullen be appointed Chairman of the Licensing Sub-Committee for the meeting.

10 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (AS AMENDED) - APPLICATION FOR A REVIEW OF A PREMISES LICENCE AT KING WILLIAM IV, VANTORTS ROAD, SAWBRIDGEWORTH CM21 9AJ

Everyone present for the review was introduced. The Chairman outlined the procedure to be followed.

The Interim Licensing Manager outlined the application by the Police for a review of the licence at the King William IV pub in Sawbridgeworth. This had arisen because of disorder on the evening of the May Fayre. The Police had provided witness statements regarding this and would show a U tube video of incidents. An e-mail with further documents had been sent to Members of the Sub-Committee. The Interim Licensing Manager informed the meeting that the statement by Rachel Moore had been retracted. The Police had asked for the pub to be licensed for on sales only and for a reduction in opening hours. It had also been requested that the pub close on May Day.

John Ivens, for the Police, said that they had asked for a review on the grounds that all of the Licensing Objectives were not being upheld. Police Officers were in attendance to offer their support of the review. On May Day there had been serious disorder outside the pub and access along the streets nearby had been blocked. Bottles had been thrown at vehicles. Lack of control at the pub had made it impossible to control the DPPO area on the day. There had been criminal damage to a fence and a Police Officer had been assaulted. Efforts had been made by Police to engage with staff at the pub but they had been found to have a casual attitude. The pub had refused to have registered door staff. The manager of the pub lived on the premises but needed control by the Designated Premises Supervisor (DPS) who was Mr Trunle.

Duncan Wallace played the U tube footage and explained what was happening on it. It showed the crowd outside the pub on May Day. This had been split in two in order to help control it. The Police at the point shown were waiting for reinforcements. The footage showed a hostile and unruly gathering. Mr Wallace pointed out one Officer he knew to have been present on the day when asked for proof that this footage was taken on May Day.

John Ivens went through the statements provided picking out the main points. These statements showed a failure of the management to engage with the Police and a breach of mandatory conditions of the licence. The manager of the pub, Mrs Hoddle had failed to understand her responsibilities. Mr Ivens said similar problems had been experienced on May Day for 3 years. He said that trouble had been building up on May Day this year and had been predictable but the DPS had left the pub at 6 p.m. He also referred to a statement from one of the Council's Licensing Enforcement Officers about the road outside the pub being blocked on another occasion in July.

Mr Walters, for the management of the pub, said he apologised for the disorder shown on the video. He accepted this was totally unacceptable. He said he jointly owned the pub with a friend (Mrs Trunle's husband). Mrs Trunle was the DPS and Mrs Hoddle managed the pub for them on a daily basis. He had retired from the City because of ill health and he and his friend had wanted to set up a business together. They were not greedy people, selling alcohol as cheaply as possible and wanting to make as much money as possible. He said that on May Day the supermarket and local shop had sold out of beer. It was much cheaper than at his pub so the pub alone was not responsible for any drunkenness.

Mr Walters said they realised it had been a mistake not to have a registered doorman on duty on May Day.

He questioned the evidence given of public nuisance by a neighbour. He said he had been told by a mutual

acquaintance that she wanted the pub closed down. The Council's Legal Services Advisor pointed out that the Sub-Committee could take this hearsay evidence into account but must give it appropriate weight in their deliberations.

Mr Walters said the DPS, Mrs Trunle had been present until 6 p.m. on May Day but had left to take her children home. She had left her husband and the manager in charge.

Mrs Trunle said they had tried to control access to the pub through the barbeque area but accepted this had not worked.

Mr Walters said the pub promoted all the Licensing objectives from day to day. The pub did not usually cause problems. They were all parents and did not want to encourage under age drinking. Mrs Trunle was the heart of the pub and her parents had run it before her. The pub would not open on May Day again. They had spoken to the manager at length and she had received a verbal warning. She had led them to believe she had been co-operating with the Police and asked that in future any correspondence be sent to Mrs Trunle. They understood they could not delegate responsibility for this in future. They realised they had not done enough to prevent disorder. They had enjoyed the May Fayre for many years with their families. It was disappointing that the current social climate had led to this result.

He said he had a regular clientele although a nearby pub sold cheaper beer. He had arranged for a SIA registered doorman at the pub on Friday and Saturday. In future, Mrs Trunle would be able to have greater involvement as her children were now all of school age.

Mr Walters questioned the statement of the Council's Licensing Enforcement Officer. He said he was at the pub on that date for a birthday party and was not aware of a crowd outside in the street.

He was encouraging people to go into the courtyard of the pub to smoke and drink rather than on to the street. He would remove the benches from the front of the pub.

Mr Walters said the management was happy to restrict live music to 8.30 p.m. to 10.30 p.m. on Saturdays only. They were also happy to remove off-sales from the licence and to reduce the hours. However, they did not want to relinquish recorded music as background and said the noise limiter was used and in working order.

Richard Turner said it was normal for doormen to work in pairs and the Police would prefer this.

Councillor E Buckmaster, a Ward Member said he had helped to man the barriers for the roads closed for the May Fayre. Crowds had been building up throughout the day. He believed social media had helped to increase numbers. He had cleared some wine bottles from the street but had left at 4.30 p.m. as the stalls closed.

Councillor J Taylor commented on the huge cost to the community of paying for the Police on this occasion and taking them away from other duties.

John Ivens, in summing up for the Police, accepted the pub owner's apology but said this had been a very unpleasant situation for the Police. They had been at full stretch and forced to ask for help from neighbouring Police services. The failures of the management of the pub had led to a loss of confidence by the public. Efforts had been made by local Councillors, the Police and public to avoid trouble. He asked for the additional conditions suggested by the Police to be applied to the licence.

Richard Turner added that this was the minimum that the Police would ask from the Sub-Committee.

Mr Walters concluded by saying they realised they had made a mistake on the day and were truly sorry for it. They felt other pubs and shops had contributed to the problem. Sawbridgeworth was a lovely town and they would like the May Fayre to continue.

Councillor Buckmaster said the closure of the pub on May Day would be welcomed and it would help if this was widely publicised in advance.

At the conclusion of the representations the Sub-Committee withdrew with the Legal Services Advisor and Committee Secretary to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee which was that the review should be supported as now detailed.

RESOLVED - that the Sub-Committee supports the Police application for a review and imposes the following conditions:

1. The pub to close on May Day Bank Holiday;
2. The current fire risk assessment to be provided to Fire Service Officers;
3. The benches to be removed from the front of the pub;
4. One SIA registered doorman to be provided from 8 p.m. to closing time on Fridays and Saturdays;
5. The Designated Premises Supervisor (DPS) to attend meetings with the Police, including Pub Watch meetings;
6. The existing hours to be amended as follows:

B, C,F,H,I,J and M – 10 a.m. to midnight on Monday to Sunday

E – amended to 8.30 p.m. to 10.30 p.m. on Saturday only

7. “and OFF” be deleted from M;

It is noted that all correspondence should be sent to the DPS.

The Sub-Committee decided not to revoke the DPS' licence on this occasion but reminded her that her

position as DPS will be under review by the Police,
public and East Herts Licensing Committee.

The meeting closed at 12.55 pm

Chairman

Date