

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON TUESDAY 14 OCTOBER
2014, AT 2.00 PM

PRESENT: Councillor Dorothy Hone (Chairman).
Councillors R Beeching and P Ruffles.

ALSO PRESENT:

Councillors N Symonds.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Oliver Rawlings	- Senior Specialist Licensing Officer
George Robertson	- Legal Services Manager

16 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor P Ruffles and seconded by Councillor R Beeching that Councillor Mrs D Hone be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor Mrs D Hone be appointed Chairman of the Licensing Sub-Committee for the meeting.

17 APPLICATION BY BREEZE BARS LTD FOR A NEW PREMISES LICENCE AT BACCHUS, STATION ROAD, ANCHOR STREET, BISHOP'S STORTFORD CM23 3BP

The Chairman outlined the procedure to be followed. All those present were introduced.

The Senior Specialist Licensing Officer provided a summary of the background to the application. He

advised that comments from Environmental Health had been withdrawn. The Sub-Committee was advised that in September 2014, the applicant had agreed two further conditions with the Police Licensing Officer and these were set out in Essential Reference Paper 'D' of the report now submitted. The Senior Specialist Licensing Officer advised that, during the consultation period, 9 representations against the application had been received.

In response to a query from Councillor P Ruffles, the Senior Specialist Licensing Officer clarified the position in relation to representations by Environmental Health (paragraph 3.2).

The applicant's Licensing Consultant provided a summary of use of the building, which had been originally built by Chicago Rock Café and stated that the building had been purpose built as an entertainment complex some years ago and had the benefit of appropriate sound insulation.

It was noted that regular meetings had been held with local residents but levels of attendance had dwindled. The applicant's Licensing Consultant suggested that meetings might be held quarterly rather than monthly.

The applicant's Licensing Consultant reminded the Sub-Committee that the Police had not objected to the application. He stated that there had been no complaints to either the Police or to Environmental Health or about crime and disorder.

The applicant's Licensing Consultant referred to a number of operational challenges which Bacchus faced as a responsible operator. He referred the Sub-Committee to the current requirement (of two) SIA Door Staff at any one time, adding that on occasions, there were only 20 people on the premises. In those situations, he suggested that there be 1 door supervisor (up to 100 people) and two door supervisors (up to 200 people).

The applicant's Licensing Consultant explained why an application had been made and which they believed,

would support the promotion of Licensing Objectives from the viewpoint of a staggered dispersal of customers at the end of the evening. He stated that many of the establishments in Bishop's Stortford already had extended opening times over key bank holidays such as Christmas and the New Year.

It was noted by the applicant's Licensing Consultant that Bacchus had submitted nine temporary events notices and these had allowed Bacchus to stay open until 3.00 am. There had been no complaints on these occasions and this they felt, substantiated their suggestion that a later opening aided customer dispersal as the time was staggered in terms of the other seven establishments in Bishop's Stortford and demands for taxis. The applicant's Licensing Consultant stated that no entry would be allowed after 2.00 am. He also stated that a dedicated member of staff would be on duty to identify those who had had too much to drink.

The applicant's Licensing Consultant referred to correspondence from the Residents' Association. He stated that while there might be problems in the area, there was no evidence to attribute this to Bacchus. He referred to ongoing discussions with residents to resolve issues and that no meetings had been convened since July 2013.

Councillor R Beeching referred to the negative impact on Bacchus if other drinking establishments applied to open later. The applicant's Licensing Consultant stated that there had been no complaints to the Police and Environmental Health and that every application needed to be decided on its merits. He reiterated that the building was purpose built and confirmed that smoking outside was supervised by door staff and the numbers were 'clicked in' and 'clicked out'. The applicant's Licensing Consultant explained how customers leaving the building were escorted away from the John Dyde area. The Director of Breeze Bars explained how litter was dealt with.

Councillor N Symonds spoke on behalf of residents. She stated that she was advised that she could not object to a temporary event notice. Councillor Symonds stated that she had, on three occasions, 'watched' Bacchus and that there was always more than 15 people smoking outside. Councillor Symonds said that she had also seen five men use a wall at Eider Court as a toilet. She confirmed that she did not see customers being escorted up Anchor Street.

Two residents were in attendance to put forward their objections to the proposals which centred on noise and disturbance, rowdy and loud behaviour, and the negative effects on the elderly and vulnerable. One of the residents stated that his health was being affected through lack of sleep. He felt that the opening hours were not compatible with the local area.

The other resident stated that the residents suffered from noise and bad behaviour and the constant drone of music. She felt that Bacchus was "oblivious" to the impact the bar had on their lives.

The applicant's Licensing Consultant provided a summary of their application adding that there had been no complaints to either Bacchus, the Police or Environmental Health. He stated that more than 15 smokers outside would be a breach of the licence which would be enforceable but there had not been a problem and there was no evidence to support the allegation. The applicant's Licensing Consultant referred to paragraphs of the Section 182 guidance published in June 2014 (8.70, 9.12, 10.13, 13.20 and 13.22), paragraphs of East Herts Licensing Policy (1.10, 1.11, 1.17, 2.7, 3.1 and 5.1) and the stated case of Thwaites to support their application concluding that a licensing decision should be reached on evidence and not on speculation.

At the conclusion of the final representations, the Sub-Committee withdrew with the Legal Services Manager and Democratic Services Officer to consider the evidence.

Following this they returned and the Chairman announced that the Sub-Committee had considered all the written submissions and listened carefully to the comments of the Senior Specialist Licensing Officer, the applicant and his representative, the residents in attendance and the local ward Member and had decided to approve the application, subject to the suggested amendments put forward by the Police (as detailed at page 37 of the report) and Environmental Health.

Having said that, the Sub-Committee wished to remind residents that concerns about nuisance, whether relating to a Temporary Event or not, should be reported to the Police and/or Environmental Health and this might result in a review of the licence.

RESOLVED – that, for the reasons now detailed and subject to the suggested amendments by the Police and Environmental Health, as detailed in the report submitted, the application for a new premises licence be approved.

The meeting closed at 4.00 pm

Chairman
Date