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Licensing Sub-Committee

Meeting held on Thursday, 1 September 2022 at 10.30 am. This meeting was held remotely.

MINUTES

Present: Councillors Karen Jewitt (Chair), Nina Degrads and Ian Parker

Also Present: Michael Goddard (Head of Environmental Health, Trading Standards and Licensing); Mark Turnbull (Solicitor and Legal Advisor to the Committee); Tariq Aniemeka-Bailey (Trainee Democratic Services Officer) and Jayde Watts (Trainee Democratic Services Officer)

PART A

124/22 **Appointment of Chair**

Councillor Nina Degrads nominated Councillor Karen Jewitt as Chair and Councillor Ian Parker seconded the motion.

The Sub-Committee **RESOLVED** to appoint Councillor Karen Jewitt as Chair for the duration of the meeting of the Sub Committee.

125/22 **Disclosure of Interests**

There were none.

126/22 **Urgent Business (if any)**

There were no items of urgent business.

127/22 **LICENSING ACT 2003 - Application For Variation To A Premises Licence at 6 The Parade, 258 Coulsdon Road, Old Coulsdon**

The Licensing Sub-Committee considered the Application for a Variation to a Premises Licence at **6 The Parade 258 Coulsdon Road, Coulsdon, CR5 1EH** and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery.

The Sub-Committee also considered the representations made by the Applicant, and an objector during the hearing, and the documents submitted by the Applicant in support of their application. The Sub-Committee noted that although some of the objectors were not present at the hearing, they had the benefit of their written representations as part of the report.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 the Statutory Guidance issued under S182 of the Licensing Act 2003 and the Council Statement of Licensing Policy, **RESOLVED to GRANT** the Application on the basis that the Sub-Committee were satisfied that it would be appropriate to promote the licensing objectives to do so.

The reasons of the Sub-Committee were as follows:

1. In respect of the prevention of crime and disorder objective, the Sub-Committee noted that there was no objection to the Application from the Police, and noted also that in accordance with the Statutory Guidance the Police should usually be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective.
2. In respect of prevention of public nuisance objective, the Sub-Committee noted the importance of focussing on the effects of the variation of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable, as is suggested by the Statutory Guidance. The Sub-Committee also noted this may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.
3. The Sub-Committee noted that there was no objection to the Application from Environmental Health, which is the main source of advice in relation to the public nuisance licensing objective.
4. In this regard the Sub-Committee considered concerns raised relating to an increase in noise nuisance to residents generally, from customers leaving the premises later in the evening and from recorded music and live music, and from customers sitting in outside areas at the premises. The Sub-Committee also considered concerns raised about an increase in the number of people on The Parade and in an alley next to the premises, and possible increases in anti-social behaviour, and littering.
5. The Sub-Committee also considered the specific concerns raised by a resident living above the premises relating to an increase in noise nuisance from recorded and live music, and from customers sitting in outside areas, and from customers leaving the premises later in the evening.

6. As regards possible increases in anti-social behaviour, and littering, the Sub-Committee were aware, and had reference to the Statutory Guidance which provides that, beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. The Sub-Committee was reassured by the Applicant's Noise Management Policy, including Dispersal Policy, and the commitment to clear litter from the front of the premises.
7. The Sub-Committee also noted that in the Statement of Licensing Policy, it is recognised that the diversity of premises selling alcohol covers a wide range of contrasting styles and characteristics and full regard will be had to those differences and the differing impact these will have on the local community. In this respect, the Sub-Committee noted what appeared to be a significant level of support from local residents as indicated in the document "The Aycorn Shoppe's History and Mission Statement" submitted by the Applicant.
8. The Sub-Committee was reassured by the Applicant's Noise Management Policy, including the intended timing and frequency of recorded and live music, and the use of small domestic speakers only and no dedicated bass speaker. The Sub-Committee was also reassured by the Applicant's commitment to try and address the concerns of the resident living above the premises, and to install sound dampening measures in the premises, and to explore the possibility of more substantial measures.
9. The Sub-Committee would like to thank all participants for the manner in which they engaged with and supported the hearing in providing information to allow the Sub-Committee's consideration.

128/22 **Exclusion of the Press and Public**

This item was not required.

The meeting ended at 11.30 am

Signed:

Date:

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