

LICENSING SUB-COMMITTEE HEARING

Members' Record of Determination



RE: 092889 The Plough, Wavendon, Milton Keynes

30 January 2007

<b>Constitution of the Sub-Committee:</b>	Councillors Carruthers, Latham and McKenzie
<b>Chair</b>	Councillor Carruthers
<b>Others Present:</b>	Councillor Snell (Observer)
<b>Legal Advisor:</b>	Philip McCourt
<b>Committee Manager:</b>	James Sloan
<b>Licensing Officer:</b>	Claire Affleck
<b>Applicant/ Applicants</b>	Woburn Inns Ltd
<b>Representative:</b>	Mr & Mrs Bridgeman
<b>Interested Parties</b>	Wavendon Parish Council
<b>Members of the Public:</b>	12
<b>Documentation:</b>	Report of Licensing Officer and annexed representations Supplementary Photographs of Premises
<b>Apologies:</b>	Councillor Eastman
<b>Disclosures of interest:</b>	None

Prior to the commencement of the hearing the Chair read an opening statement, which constituted the strict procedure to be followed at the hearing, the process for all parties giving evidence and the rights of persons attending the hearing.

At the close of the hearing the Chair informed all parties of their rights of appeal to the decision which had been made by the Sub-Committee.

Milton Keynes Council

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<b>Chairman:</b>	Councillor Carruthers
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**1. Findings of Fact**


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The Sub-Committee accepted the following findings of fact from the evidence available;

- (a) That the premises, prior to alternatives had the benefit of an existing licence
- (b) That the premises were located in a quiet village and in an exceptionally quiet location.
- (c) That the Premises were in close proximity to resident premises, particularly their gardens.
- (d) There was evidence of noise disturbance in the past, due to noise breakout from windows, doors and the kitchens.
- (e) That the forthcoming smoking ban legislation was a factor taken into account.
- (f) Increased parking provision raised the potential for noise nuisance.
- (g) On street parking was considered a problem at the moment.
- (h) That there was poor mobile telephone reception in the area
- (i) Representations from Thames Valley Police and Environmental Health had been withdrawn following agreement of conditions with applicant.
- (j) That the applicant made changes and offered agreed conditions in relation to prevention of noise nuisance.

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**2. Full text of unanimous decision on the application**

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RESOLVED

That the application be granted subject to the following conditions;

1. Those as agreed with Thames Valley Police and Environmental Health and listed on the operating schedule
2. No noise shall be heard from the licensed premises (built premises) at the boundary of the nearest residential premises after 23.00
3. That the outside CCTV system will not be a type that requires floodlighting (it would be an infrared system)
4. A telephone will be provided in the premises for customers to call for a taxi.
5. That signage shall be placed so as to request customers on leaving the premises to show consideration for the neighbourhood.
6. The times the licence authorises the carrying out of licensable activities:

Supply of alcohol:

Monday to Saturday 12.00 to 23.00

Sundays 12.00 to 22.30

Good Friday and Christmas Day 12.00 to 22.30

Terminal hour is extended until 00.30 on Christmas Eve and a total of no more than 12 other occasions a year on Friday and Saturdays (not including New Years Eve or Christmas Day)

New Year's Eve 12.00 midday until 12.00 midday New Years Day

Recorded Music

Mondays to Thursdays 11.00 to 23.00

Fridays and Saturdays 11.00 to 23.30

Sundays 12.00 to 22.30

Live Music

Fridays, Saturdays and Bank Holiday Mondays 20.00 to 23.30 on no more than 12 occasions per year and until end of permitted hours on New Years Eve to start of permitted hours on New Years Day

Late night refreshment

Sundays to Thursdays 23.00 to 23.30

Fridays to Saturdays 23.00 to 00.00 midnight

New Years Eve 23.00 to 5.00

The Opening Hours of the Premises

Sundays to Thursdays 12.00 to 23.30

Fridays to Saturdays 12.00 to 00.00 midnight

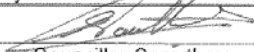
Terminal hour is extended until 01.00 on Christmas Eve (i.e. Christmas Day Morning) and a total of no more than 12 other occasions a year on Friday and Saturdays (not including New Years Eve or Christmas Day)

New Years Eve 12.00 until standard opening hours on New Years Day (12.00)

The licence document would also be subject to any mandatory conditions, embedded restrictions and operating schedule conditions as appropriate.

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### 3. Reasons for decision

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The Sub-Committee would support further consultation with neighbours over landscaping, parking provision and vehicle movements.

The reasoning provided for the decision by the Sub-Committee were, as appropriate:

1. That the application was for a minimal increase in hours.
2. That the noise conditions would prevent disturbance.
3. That the provision of a telephone within the premises for customers to contact taxi companies would alleviate problems related to attempts to use personal mobile telephones.
4. That the Infrared CCTV system would prevent public nuisance by way of light pollution

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