

Minutes of the LICENSING SUB-COMMITTEE held on TUESDAY 28 MARCH 2017 at 6.40 pm

Present: Councillor Morris (Chair)
Councillors Geaney and Wallis

Officers: J Hosker (Solicitor), E Fisher (Senior Practitioner), S Teesdale (Licensing and Business Team Leader) and J Crighton (Democratic Services)

Also Present: Mr J Hall (Partner [The Crauford Arms]), Mr M Harvey (Partner [The Crauford Arms]), Mr P Warne (Solicitor [TLT Solicitors]) and Mr J Searle (Partnership Development Manager [TLT Solcitors]).and 8 members of the public

LSC11 VARIATION OF PREMISES LICENSE - THE CRAUFORD ARMS, 59 STRATFORD ROAD, WOLVERTON

The Sub-Committee considered an application for a variation to a premises licence for The Crauford Arms, Wolverton.

The Senior Practitioner informed the Sub-Committee of the following:

- (a) the existing premises licence, held by Punch Taverns, had been granted in 2005,
- (b) the history of the premises was detailed as below:
 - (i) in 2005, the premises had been granted permission for alcohol and entertainment until 2.00 am;
 - (ii) in 2011, a number of restrictions, in terms of entertainment, were lifted following an application to vary the license;
 - (iii) in 2012, the premises had been subject to a review application following noise and compliance concerns and, as a result, the premises was issued with a Noise Abatement Order and entertainment was restricted to 11.00 pm and the sale of alcohol was restricted to midnight; and
 - (iv) in 2014, following a further application, the hours for the sale of alcohol was extended to those allowed by the original License.
- (c) The changes to the license applied for under this application are detailed below:
 - (i) Supply of Alcohol

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Current

Sunday 9.00 am to midnight

Application to Change to:

1.00 am on the night before a Bank Holiday Monday.

Additional Request

3.00 am on Christmas Eve (into Christmas Day)

(ii) Recorded Music

Current

Monday to Sunday, 9.00 am to 11.00 pm

Application to Change to:

Friday and Saturday, 9.00 am to 2.00 am

3.00 am on Christmas Eve (into Christmas Day)

5.00 am on New Year's Eve (into New Year's Day)

Midnight on the night before a Bank Holiday Monday.

(iii) Live Music

Current

Monday to Sunday, 9.00 am to 11.00 pm

Application to Change to:

3.00 am on Christmas Eve (into Christmas Day)

5.00 am on New Year's Eve (into New Year's Eve)

Midnight on the night before a Bank Holiday Monday

(iv) Films

Current

Monday to Thursday

9.00 am to midnight

Application to Change to:

3.00 am on Christmas Eve (into Christmas Day) unless on a Sunday

Current

Friday to Saturday

9.00 am to 2.00 am

Application to Change to:

5.00 am on New Year's Eve (into New Year's Day) unless on a Sunday

(v) Late Night Refreshment

Current

Monday to Thursday

11.00 pm to midnight

Application to Change to:

3.00 am on Christmas Eve (into Christmas Day)

Additional Request

11.00 pm to midnight on Sundays before a Bank Holiday Monday

(vi) Opening Hours

Current

Sunday

7.00 am to 12.30 am

Application to Change to:

1.30 am on Sundays before a Bank Holiday Monday

Additional activities applied for:

3.30 am on Christmas Day morning.

In addition to the above, an application had been made to include Boxing and Wrestling as a licensable activity on no more than twelve occasions a year, as follows:

Sunday to Thursday

9.00 am to 11.00 pm

Friday and Saturday

9.00 am to 11.30 pm

- (d) the premises was situated on the main road through Wolverton and was also in close proximity to residential dwellings;
- (e) a total of 25 representations had been received; with 24 in support of the application and one in objection to the application;
- (f) Members of the Sub-Committee had attended a site visit to familiarise themselves the location of the premises.

Mr Piers Warne, (Solicitor [TLT Solicitors]), informed the Sub-Committee of the following:

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- (a) the partners of The Crauford Arms had applied for an extension of recorded music until 2.00 am on Friday and Saturday nights;
- (b) with regard to Boxing / Wrestling activities, an external company would come in and establish a safe environment within the premises and set up the equipment accordingly;
- (c) the main door to the premises was to be closed at 9.00 pm;
- (d) the downstairs windows of the premises did not open;
- (e) patrons who smoke were directed to a particular area to the rear of the premises;
- (f) the premises was highly regarded as a music venue;
- (g) an engineer had been employed to manage sound checks prior to events but this was impractical for live music as bands did not practice beforehand;
- (h) a management plan had been successfully implemented;
- (i) a second sound report would be produced for recorded music and this would be sent to Council officers;
- (j) the staffing levels at the premises included two managers, five bar staff and four door staff; and
- (k) there had been an incident of foul language published on a Facebook account which had been submitted by the sole objector but this had not been connected to the applicants' premises Facebook page.

The Sub-Committee heard from a number of members of the public who made representations in favour of the application, which, in summary, included the following comments:

- (a) the premises was very well run;
- (b) there had been no complaints regarding noise disturbance;
- (c) the door staff were proactive; and
- (d) there was a problem with noise disturbance in the area from the Working Men's Club.

The Sub-Committee received a written submission from the sole objector to the application and noted the concerns relating to music being played in the early hours and the view that the customers may be noisier if leaving a premises playing music. It was also noted that the submission referred to disturbances by patrons leaving the licensed premises in the early hours at the weekend, which was stated to have to have occurred since the previous extension of hours had been granted.

In relation to particular representations against the application, the Sub-Committee found that:

- (a) officers were content in the way that record keeping, for instance regarding the complaints log, had been kept;
- (b) it was not proven at all that the sound of empty bottles being disposed of in the early hours was emanating from the premises; evidence was presented to indicate that this noise was caused by the local Working Men's Club;
- (c) the applicant undertakes sound checks and keep relevant logs - including pre-event sound checks (bands do not practice beforehand);
- (d) the windows downstairs at the premises cannot open (only windows upstairs);
- (e) the staff had carried out their duties correctly and efficiently; relevant records are kept;
- (f) evidence presented indicated that nuisance, when and if it did occur, was not caused by patrons of the premises or failings in the management of the premises; and
- (g) the foul language exhibited on a copy Facebook page submitted by the objectors was placed on a private account and was not connected to the applicant's premises Facebook page - and the words used and expressions made or implied were not condoned by the applicant.

RESOLVED -

1. That the application be approved, subject to the following conditions that the Sub-Committee considers, in all the circumstances, be appropriate for the promotion of the licensing objectives - in particular the prevention of public nuisance:
 - (a). the Police and Milton Keynes Council be notified a minimum of 14 days in advance of any boxing / wrestling (or similar) event;
 - (b). the door to the premises that opens onto Stratford Road is not to be used after 9.00 pm (except in emergency);
 - (c) wrestling or boxing (or any similar licensable activity) only to take place in the Function Room;
 - (d) the present condition 3.16 is to be reworded to include recorded music in addition to amplified live music; and
 - (e). the noise limiting device in the main bar to be set at levels approved by an Environmental Health Officer of the Authority.

2. The additional condition, (a) above, was worded by the Police. The wording of the further conditions (b) to (d) above be set by the Senior Practitioner (Licensing).
3. That officers investigate and take appropriate action whenever any possible breach of the premises licence conditions occurred (regardless of the time of day).

THE CHAIR CLOSED THE MEETING AT 9.00 PM

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