

ITEM 3(c)

Minutes of the LICENSING SUB-COMMITTEE held on WEDNESDAY 5 AUGUST 2015 at 7.00 pm

Present: Councillor Morris (Chair)
Councillors Alexander and P Williams

Officers: D Abel (Solicitor), S Teesdale (Licensing Team Leader), J Sloan (Licensing Officer) and J Crighton (Democratic Services)

Also Present: Mrs Onwuneme (Applicant), Councillor N Miles (Ward Councillor [Wolverton]), Councillor M Galloway (Wolverton and Greenleys Town Council) and two members of the public

LSC03 NEW PREMISES LICENCE (PURPLE SPICE, WOLVERTON)

The Sub-Committee considered a new premises licence for Purple Spice, The Agora, Wolverton.

The Licensing Officer informed the Sub-Committee that the application was for a number of licensable activities, as follows:

- (a) indoor recorded music between the hours of 8.00 pm and 1.30 am, Friday to Saturday;
- (b) late night refreshments between the hours of 11.00 pm and 2.00 am, Monday to Sunday;
- (c) the sale of alcohol (on and off sales) between the hours of:
 - (i) 12.00 noon and 1.00 am, Monday to Wednesday; and
 - (ii) 12.00 noon to 1.30 am, Thursday to Sunday.

In addition to the above, seasonal variations had also been requested in respect of New Year's Eve where the end time for licensable activities would be 5.00 am on New Year's Day

The Licensing Officer informed the Sub-Committee that the premises had had Temporary Event Notices (TENs) during the year, as follows:

- (a) 28 March to 3 April 2015 - music and alcohol until 1.30 am;
- (b) 6 to 2 April 2015 - music and alcohol until 1.30 am;
- (c) 24 to 25 April 2015 - music and alcohol until 2.00 am;
- (d) 1 to 2 May 2015 - music and alcohol until 2.00 am;
- (e) 8 to 9 May 2015 - music and alcohol until 2.00 am; and
- (f) 15 May 2015 - music and alcohol until 11.59 pm.

The Licensing Officer informed the Sub-Committee that out of hours' officers had visited the premises during May 2015 in relation to noise disturbance but the complaints could not be substantiated. Further visits had been carried out on three separate occasions and no issues had been reported.

The Sub-Committee noted that mandatory conditions would be attached to the licence as required by the Licensing Act 2003. The applicant had also provided an operating schedule which included further conditions, as follows:

- (a) the premises would join the local Bar Watch Scheme;
- (b) staff would be trained in respect of emergency procedures. This training would be tested and records of this kept;
- (c) a Challenge 25 policy would be in operation at the premises;
- (d) only photographic forms of identification would be accepted;
- (e) a refusals log would be maintained and signed by the Designated Premises Supervisor on a regular basis;
- (f) a CCTV system would be installed at the premises, coverage would include both outside and inside the premises;
- (g) signs would be installed requesting patrons to leave quietly and respect the neighbourhood;
- (h) no unaccompanied children would be permitted on site; and
- (i) staff would receive regular training on the promotion of the licensing objectives.

The Sub-Committee noted that the premises was previously occupied by Little Taste of Africa from December 2008 to January 2015 and had been licensed for the sale of alcohol and late night refreshments. It was noted that no complaints had been received against this premises.

The Sub-Committee also noted that this was the fourth application that had been received. The background to the rejected applications is set out below:

- (a) the initial application was submitted in February 2015 but the blue notice required to be displayed on the premises had not been done so in accordance with the requirements of the legislation;
- (b) the second application was submitted in April 2015 but the applicant had missed the required date by which a notice must be published in a local newspaper; and
- (c) the third application was submitted in May 2015 but, following advice from the Council's Legal Department, was rejected due to the wording of the blue notice.

It was also noted that upon the first application being submitted there were a large number of representations but this had reduced significantly following further applications being received.

Mrs Onwuneme (applicant) informed the Sub-Committee that she had removed live music from the application and the premises would not operate as a nightclub but that of a restaurant. The premises holds a capacity of 40 persons and staff have been adequately trained over the last five months. A DJ is present during the hours of business and the speakers are situated to the rear of the premises (the applicant presented a video demonstrating this).

Councillor Galloway (Wolverton and Greenleys Town Council) informed the Sub-Committee that the premises was in the heart of a residential area and asked that it consider reducing the licensable activities to 11.00 pm and the premises close at 11.30 pm. If the application was granted, the late opening hours would cause noise disturbance when customers leave the premises.

Councillor Miles (Ward Councillor [Wolverton]) informed the Sub-Committee that the applications were inappropriate in an essentially residential area.

The Sub-Committee heard from two local residents in objection to the application which related to noise disturbance.

The Sub-Committee noted that the Council's Environmental Health department could be contacted should any noise problems occur.

RESOLVED -

That the application be granted and should include the applicant's proposed conditions together with the mandatory condition.

THE CHAIR CLOSED THE MEETING AT 8.11 PM