

# LICENSING SUB-COMMITTEE HEARING

Members' Record of Determination



**RE: Pattern Maker, St John Street, Newport Pagnell**  
**Application for a Premises Licence**  
18 April 2011

<b>Constitution of the Sub-Committee:</b>	Councillors Barry, Box and Eastman
<b>Chair :</b>	Councillor Box
<b>Others Present:</b>	
<b>Legal Advisor:</b>	Mr J Setchell
<b>Committee Managers:</b>	Mr J Zammit
<b>Licensing Officers:</b>	Mr J Sloan
<b>Applicant/Applicants Representative:</b>	Mr N Connor – Solicitor Mr D Carvell – Area Manager Mr T Ball – Regional Manager
<b>Relevant Authority Officers:</b>	
<b>Interested Parties:</b>	Cllr J Smith – Newport Pagnell Town Council Mr D Allison – Resident Mrs D Allison - Resident
<b>Members of the Public:</b>	0
<b>Documentation:</b>	Report of Licensing Officer, correspondence between Environmental Health and applicant, photographs of the premises, menus and newsletter from Wetherspoons.
<b>Apologies:</b>	-
<b>Disclosure of interests:</b>	Cllr Eastman declared a personal interest as a member of Newport Pagnell Town Council but informed the Sub-Committee that he had deliberately precluded himself from any discussions of this application before this meeting.

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>Signature:</b>	<i>Cllr Amanda Box</i>
<b>Chairman:</b>	Councillor Box
<b>Date of Hearing:</b>	18 April 2011

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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 over and above what was in the agenda and the additional papers:

- The applicant made it clear that the principal focus of these premises was to be its food offer and that drink and other refreshment were an adjunct to that.
- The premises will not have any music or other entertainment and will restrict itself to occasional television viewing for customers of news or other significant events with the sound turned down after 7pm.
- In terms of addressing the licensing objectives the applicant essentially repeated what is in their very detailed code of conduct which is contained in the agenda.
- In response to the representations made both before and during this evening's hearing the applicant agreed to reduce the hours of both licensable activities and opening hours and also to withdraw all non standard timings that were originally applied for.
- The applicant resisted the suggestion of restriction on entry after a certain hour on the basis that it may have the opposite effect of what was intended namely to encourage a mass descent of customers before that hour rather than after it, if it was imposed.
- The applicant has also agreed conditions with environmental health and the police.
- Representations were heard in person from Cllr Smith of Newport Pagnell Town Council and also Mr and Mrs Allison who live adjacent to the premises.
- Cllr Smith expressed concern among other things about the potential use of parking spaces by those using the premises and the potential threat to local businesses. Mr and Mrs Allison were principally concerned that although Wetherspoons were not seeking greater hours by and large compared to other local premises (as can be seen by the comparison table in the agenda) they nonetheless felt that Wetherspoons would trade to the maximum extent of those hours whereas other local licensed premises did not.

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Milton Keynes Council

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Signature:

*Cllr Amanda Box*

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

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Resolved-

The application is granted with the amended hours for both licensable activities and opening hours as proposed by the applicant this evening to include the withdrawal of non standard timings.

The conditions agreed with both environmental health and police will be inserted into the operating schedule. The Wetherspoons code of conduct as it appears in the agenda is to be inserted as a condition into the operating schedule.

For the avoidance of doubt the opening hours, late night refreshment and hours for the sale and supply of alcohol are as follows:

**Sunday**

Sale and supply of alcohol	0900 to 2330
Late night refreshment	2300 to 2330
Opening hours	0800 to 0000

**Monday to Thursday**

Sale and supply of alcohol	0900 to 2330
Late night refreshment	2300 to 2330
Opening hours	0700 to 0000

**Friday**

Sale and supply of alcohol	0900 to 0030
Late night refreshment	2300 to 0030
Opening hours	0700 to 0100

**Saturday**

Sale and supply of alcohol	0900 to 0030
Late night refreshment	2300 to 0030
Opening hours	0800 to 0100

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## **3. Reasons for decision**

*An explanation of why:*

- No legal advice was given in closed session. The Sub-Committee took into account the report placed before it and all representations made. This evening's decision is a proportionate response to those representations. The Sub-Committee considered the law, its Council policy and DCMS Guidance.
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**Signature:**

*Cllr Amanda Box*

**Chairman:**

Councillor Box

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**4. Right of Appeal**

An appeal against the decision of the Sub-Committee may be made by:

- (a) the applicant.
- (b) any person who made relevant representations.

Applications to appeal the decision of the Sub-Committee must be made to the local Magistrates' Court within 21 days from the receipt of this notice.

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Milton Keynes Council

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Chairman:	Councillor Box
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