

BRIGHTON & HOVE CITY COUNCIL
LICENSING PANEL
2003 (Licensing Act 2003 Functions)

2.00PM – 7 JULY 2005

BRIGHTON TOWN HALL

MINUTES

Present: Councillors Lepper (Chair), Older and Mrs Simson

PART ONE

7. ELECTION OF CHAIR

7.1 **RESOLVED** – That Councillor Lepper be elected Chair for the meeting.

8. PROCEDURAL BUSINESS

8A. Declarations of Substitutes

8.1 There were no declarations of substitutes.

8B. Declarations of Interest

8.2 There were none.

8C. Exclusion of Press and Public

8.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

8.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of the following item.

9. MINUTES OF THE MEETINGS HELD ON 6 JUNE AND 16 JUNE 2005

9.1 **RESOLVED** - That the minutes of the meetings held on 6 June

and 16 June 2005 be approved and signed by the Chair

10. APPLICATION FOR A VARIATION TO A PREMISES LICENCE AT THE PRINCE OF WALES, 47 CLARENCE SQUARE, BRIGHTON

10.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence at the Prince of Wales, Clarence Square, Brighton (see Minute Book).

10.2 The applicants, Mr Barker, Business Development Manager for Shepherds Neame and Mr Barnes, Licensee of the Prince of Wales Public House attended the Panel. Mr Walker, representing the Chartwell Court Residents and the Regency Square Area Society and Mr Brown a resident of Chartwell Court attended the Panel as objectors to the application.

10.3 The Licensing Manager outlined the details of the application. There were three objections to the application. The Licensing Manager confirmed that licensing hours currently permitted the premises to open on New Years Eve to midnight and all day on New Years Day.

10.4 Mr Walker set out his objections to the application, particularly in relation to the many exceptions to the standard hours on occasions such as Halloween. He was concerned that the live music and karaoke would disturb people living nearby. He felt that there was no guarantee that the music would not be played outside.

10.5 Mr Brown objected to the application, as the public house was so near to Clarence Square. He stressed that noise travelled upwards and that it was not appropriate to have any form of music outside.

10.6 Mr Brown and Mr Walker both confirmed that they had not experienced any noise nuisance from the public house to date. They were worried that noise would be experienced if the public house were to remain open after midnight.

10.7 The applicants set out their case. It was stressed that the small public house was located in a city centre location. The application for live and recorded music related to indoors only. There had been no previous complaints about noise outside the pub. The applicants had written to the Regency Square Area Society to state that they were willing to stop live music at 11.30 pm. The application for karaoke was for special occasions such as weddings, and the application for dancing was purely to ensure the pub was

acting within the law if people decided to bob. There was no room in the pub for dancing.

10.8 The applicants confirmed that the outside seating area allowed for four round tables and sixteen chairs. The tables and chairs would be removed at 23.00 hours at the latest. The applicants now wished to apply for recorded music to 00.30 hours. Live music to 23.00 hours.

10.9 The Licensing Manager circulated a new table with amended hours agreed by the applicants.

10.10 The objectors welcomed the amended hours but were still concerned about special events.

10.11 The Licensing Manager stated that if there was a noise issue, complaints should be made to the pollution team. He suggested that the applicants should give seven days notice of special events to the Licensing Authority. This was agreed by the applicants.

10.12 **RESOLVED** – That the application for a variation for the premises licence already granted under “grandfather rights” be granted as amended in the table circulated by the Licensing Manager and agreed by the applicants. (see attached).

Reasons for granting licence: The amendments offered by the applicants adequately address the concerns expressed by the objectors.

11. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - ODEON CINEMA, WEST STREET, BRIGHTON

11.1 This application was withdrawn from the agenda.

The meeting concluded at 10.26 a.m.

Signed

Chair

Dated this

day of

2005