

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

9.30AM – 16 SEPTEMBER 2005

BRIGHTON TOWN HALL

MINUTES

Present: Councillors Hyde, Older and Pennington

PART ONE

168. ELECTION OF CHAIR

168.1 **RESOLVED** – That Councillor Hyde be elected Chair for this meeting.

169. PROCEDURAL BUSINESS

169A. Declarations of Substitutes

169.1 There were no declarations of substitutes.

169B. Declarations of Interest

169.2 There were no declarations of interest.

169C. Exclusion of Press and Public

169.3 The Panel 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.

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

170. MINUTES

170.1 **RESOLVED** – That the minutes of the meeting held on 25 August 2005 be approved and signed by the Chair as a correct record of the proceedings.

171. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 – ST GEORGE INN

171.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under “grandfather rights” at the St George Inn, High Street, Portslade (see Minute Book).

171.2 The applicant's representative Mr. Vincent attended the Panel. A residential objector, Mr. David Parfitt also attended.

171.3 The Licensing Manager summarised the application as set out in the report. There were fifteen objections to the application. There were no representations from the responsible authorities. Of the four complaints about noise submitted since 2000, none had been substantiated.

171.4 Mr. Parfitt set out his objections, which centred around loud music being played in the back garden.

171.5 The applicant presented their case.

171.6 **RESOLVED** - That the application for a variation for the premises licence already granted under “grandfather rights” be granted with the following conditions:-

- (1) That the speaker located in the rear garden be removed and that no music is played outside the premises at any time.
- (2) That doors and windows are closed at 23.00.
- (3) That the garden is closed at 23.00 and cleared by 23.20
- (4) That clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- (5) The licensee shall ensure that noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises.

Reasons for granting licence: It was considered that the above conditions would address the concerns expressed by local residents.

The Panel solicitor reminded the parties of their appeal rights to the Magistrates Court under the Licensing Act and that appeals must be

made within 21 days of written notification of the decision given at the hearing.

172. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 – KINGS ARMS

172.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under “grandfather rights” at the Kings Arms, 56 George Street, Brighton (see Minute Book).

172.2 The licensees, Colin and Julia Millham attended the Panel. There were no objectors present.

172.3 The Licensing Manager summarised the application as set out in the report. There were four objections to the application. The most recent complaint about noise had been made in 2001.

172.4 The applicant presented their case.

172.5 **RESOLVED** – That the application for a variation for the premises licence already granted under “grandfather rights” be granted.

173. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 – MILL HOUSE

173.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under “grandfather rights” at the Mill House, 131 Mill Lane, Portslade (see Minute Book).

173.2 There were no representatives attending to support or object to the application.

173.3 The Licensing Manager summarised the application as set out in the report. There was one objection to the application. A letter had been received from the licensee that suggested that the licensee had met with the objector to resolve any concerns.

173.4 **RESOLVED** – That the application for a variation for the premises licence already granted under “grandfather rights” be granted with the following conditions;

- (1) That the garden is closed at 23.00 and cleared by 23.20
- (2) That clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Reasons for granting licence: It was considered that the above conditions would address the concerns expressed by local residents.

The Panel solicitor reminded the parties of their appeal rights to the Magistrates Court under the Licensing Act and that appeals must be made within 21 days of written notification of the decision given at the hearing.

The meeting concluded at 10.25am

Signed

Chair

Dated this

day of

2005