

**EAST DORSET DISTRICT COUNCIL**

**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on Wednesday, 12 November 2014 at 10.30 am

Present:-

Cllr M C Birr – Chairman

Cllr Mrs L J Clark and Cllr D G L Packer

239. Election of Chairman for the Meeting

**RESOLVED that Councillor M C Birr be elected Chairman of the Sub-Committee for the duration of the meeting.**

240. Procedure of Hearing and Withdrawal of Representation

The Sub-Committee was informed of the hearing procedure rules for the determination of the application and that there were no withdrawals of representations.

241. Old Inn, Holt, Wimborne - Variation Application - Licensing Act 2003

A report was submitted, a copy of which had been circulated to Members and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Public Health and Protection Manager presented the report to the Sub-Committee which requested that Members consider an application from Hall and Woodhouse Ltd to vary a Premises Licence for the Old Inn, Holt, Wimborne under the Licensing Act 2003.

Interested parties and the applicant were invited to address the Sub-Committee.

Mr T Linnell, a local resident, spoke in objection to the application and stated that neighbours were not consulted, nor were the Parish Council. He raised concerns with road safety issues, noise nuisance from film, live music, recorded music, and traffic, and the affect this would have on the neighbouring Parish Hall. He felt the activities proposed were inappropriate in a quiet rural village.

Mr C Waring, a local resident, spoke in objection to the application and raised concerns with traffic safety issues, noise and disturbance running until 2am, and how the consultation process was managed. He stated that he accepted some noise from the pub, but felt that with this application, the balance was lost. He raised concerns with the films, which could be inappropriate for neighbouring children who can hear it, and felt that they should be limited to 8 a year and should exclude all Sundays. He felt that appropriate action needed to be taken now to avoid any problems in the future.

Mr P Day, the applicant's solicitor, spoke in support of the application and stated that the appropriate legal procedure was followed for notifying residents of the proposed application. He stated that the application would

allow for conditions to be attached that could not be attached with a temporary event notice, and highlighted that further conditions were proposed on film nights. He stated that the police and the Council's Environmental Health Officer raised no objections, and further stated that the pub will continue to operate as a dine-first village pub, but the Licence would allow for more flexibility on special occasions.

Following questions and comments by Members, it was stated that:-

- The notification procedure followed by the applicant was implemented in the appropriate legal manner.
- All interested parties were submitted all additional information including photographs.
- The Old Inn is considered as a destination pub due to its reputation for its food, and its small percentage of passing trade.
- Majority of the pubs in the area are licenced until 1.30am.
- There was only one complaint during the first film shown, which was responded to and resolved. The police and council had received no complaints from the public.

Members retired to make their decision.

**RESOLVED** that the Premises Licence be **GRANTED** as submitted, with the amended conditions proposed as follows:-

1. No more than 12 outside film performances shall take place in any calendar year.
2. Film performances outside the premises shall only take place on:
  - 2.1 Fridays and Saturdays
  - 2.2 Sundays, provided that the following day is a Bank Holiday Monday and
  - 2.3 On Boxing Day and New Year's Day
3. No more than 1 outside film performance shall be permitted in any period of 14 days, other than between 18<sup>th</sup> December and 1<sup>st</sup> January.

**Reasons for Decision:-**

The reasons for the decision were that after considering all the relevant issues, including the officer's report, and verbal submissions at the Hearing, the Licensing Sub-Committee considered that if all of the mandatory conditions and the applicant's operating schedule were complied with, along with the amended conditions, it would be possible to uphold the Licensing Objectives.

The meeting ended at 12.20 pm

CHAIRMAN