

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 4 MAY 2021

Present: Cllrs Mike Dyer, David Morgan and Emma Parker

Officers present (for all or part of the meeting):

Aileen Powell (Team Leader Licensing), Lara Altree (Senior Lawyer - Regulatory), Roy Keepax (Licensing Officer), George Dare (Democratic Services Officer), Jane Williams (Team Leader - Public Protection) and Steven Ireland (Environmental Health Officer)

95. Election of Chairman and Statement for the Procedure of the Meeting

Proposed by Cllr Dyer, seconded by Cllr Morgan.

Decision: That Cllr Parker be appointed Chairman for the duration of the meeting.

96. Declarations of Interest

For transparency, Cllr Parker informed the Sub-Committee that she had visited the premises and looked at it from the outside. She had not spoken to anyone at the premises.

97. Urgent items

There were no urgent items.

98. Variation for The Closet, Weymouth

The Licencing Team Leader outlined the application for the variation of a premises licence. The applicant ran two premises and wanted to connect them both as one venue. Two issues that needed to be addressed were noise and the impact on residential properties.

There were no questions of the Licencing Team Leader at this stage.

The applicant presented the case for the licence variation.

The Sub-Committee and all other parties were invited to ask questions of the applicant. Questions related to crowd management, safeguarding training, the capacity of the premises, noise management, and previous complaints relating to the premises. The applicant responded to the questions.

Representatives of Environmental Health explained that the Applicant had put several measures in place to reduce noise, however they wanted an enforceable noise condition to be added to the licence. Environmental Health wanted to see a noise consultant report, although this would be suspended for up to 12 months while ongoing noise monitoring takes place.

The Sub-Committee asked questions of the Environmental Health representatives. The questions concerned the noise consultant report, the ongoing noise monitoring over 12 months, and clarification on the measures that were put in place to reduce noise.

Cllr Hamilton, Chair of Weymouth Town Council's Planning and Licencing Committee, presented the views expressed by this committee. The views concerned noise, litter, the impact on local residents, and the impact on the Cumulative Impact Area (CIA).

There were no questions of Cllr Hamilton.

The representative on behalf of Respect Weymouth made their representation. He read a detailed statement which covered the topic of noise, the conditions already agreed with the applicant, and expressed the need for a 'cooling down' period.

There were no questions directed to the representative on behalf of Respect Weymouth.

All parties were given the opportunity to sum up their case.

99. **Exempt Business**

Proposed by Cllr Dyer, seconded by Cllr Morgan.

Decision: That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The Sub-committee retired to make their decision.

Decision: To GRANT the variation application to extend the Premises Licence to include the footprint of the Closet Bar at 23 St Edmund Street, Weymouth, and to remove conditions 3 and 4 in Annex 2 of the Premises Licence, with the addition of the new conditions as set out below.

New Additional Conditions:

Prevention of Crime and Disorder

A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (e.g. no ID, fake ID) and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of a Responsible Authority (Licensing Act 2003).

An additional CCTV camera will be mounted and trained towards Mitchell Street, Weymouth.

Public Nuisance

2 (two) x SIA Door Staff shall be on duty on FRIDAY from 23:00hrs (11pm) and to close and shall wear Hi Visibility jackets/covers when on duty at all times (colour of your choice).

2 (two) x SIA door staff shall be on duty on SATURDAY from 2300 hrs (11pm) and a further 1 (one) x SIA door staff from 00.00hrs (MIDNIGHT).

A Noise Management Plan (NMP) shall be produced and submitted to Environmental Protection (EP) before the 25 May 2021. Thereafter the NMP may only be amended after consultation with EP. The NMP will contain, but not be limited to, the method for monitoring the noise levels, any noise levels that are agreed with EP, any steps taken to mitigate noise escape, and details of a complaints procedure to receive any noise complaints and solutions to those complaints. Any agreed version of the NMP will be submitted to the Licensing Team.

Drinks, open bottles and glasses will not be taken from the premises except for takeaway sales between the hours of 11:00 and 20:00. Bar Customers will not be allowed to take drinks outside at any time.

Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of using tamper proof receptacles. Receptacles will be secured and not accessible to the customers.

The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives.

The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The PLH/DPS will ensure that staff receive training on the policy and a record of training shall be kept/made available to an authorised officer upon request.

Adequate procedures must be implemented to ensure overcrowding does not occur in any part of the premises.

The licence holder shall determine the occupant capacity of the premises on the basis of documented risk assessment(s):

(i) The risk assessment(s) must take into account all relevant factors including space, audience density, means of access and egress, toilet provision, load-bearing capacity of floors, ventilation, etc and must be reviewed regularly, and if circumstances change.

(ii) Where necessary separate occupancy levels must be set for different parts of the premises, and when necessary for different premises layouts and different types of events.

(iii) Measures must be put in place and documented to ensure that the capacity is not exceeded at any time.

(iv) All documentation pertaining to the proposed figure must be kept on the premises and must be available immediately on request to any authorised officer of the Licensing Authority or a constable.

(v) The premises licence holder shall regularly review, update and amend any risk assessments particularly following any changes to the layout or operation of the venue. Such reviews shall be fully documented and form an integral part of the risk assessment.

There will be no external speakers.

All windows and external doors shall be kept closed after 23.00 except for the immediate access and egress of persons. This includes inward opening doors when SIA staff are available to manage access, egress and emergencies, and if SIA staff are not present, when occupant numbers do not exceed inward opening door limits for emergency escape, for each separate part of the premises.

Bottles will not be placed in any external receptacle after 23.00 hours and before 07.00 hours to minimise noise disturbance to neighbouring properties.

No waste collections or deliveries to the premises shall be arranged between 23:00 hours and 07:00 hours.

Clear and legible notices will be displayed at exits, requesting patrons to leave the premises quietly having regard to the needs of local residents, to meet the requirements of the dispersal policy.

Last entry and re-entry to the Premises will be 30 mins before closure.

The PHL/DPS will adopt a 'cooling down' period in the Closet Bar area where music volume is reduced at 2am to background music only and the area closed at 3am.

Protection of Children from Harm

People under 18 years of age will be allowed on to the premises between 09.00hrs and 22.00hrs when accompanied by an adult.

Duration of meeting: 10.00 am - 12.11 pm

Chairman

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