

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 11 AUGUST 2021

Present: Cllrs Jon Andrews, Les Fry and Emma Parker

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

Lara Atree (Senior Lawyer - Regulatory), Aileen Powell (Team Leader Licensing) and Denise Hunt (Democratic Services Officer)

Also present: Mr Phillip Day – Solicitor and Mr Steve Matthews – Business Partner – Rising Sun; Ms Julia Herbert - objector

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

Proposed by Cllr Andrews, seconded by Cllr Parker.

Decision: That Cllr Fry be elected Chairman for the duration of the meeting.

47. Apologies

An apology for absence was received from Cllr Kate Wheller.

48. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

49. Urgent items

There were no urgent items.

50. Application to Vary the Premises Licence for the Rising Sun, Wimborne

The sub-committee considered an application to vary the premises licence for the Rising Sun in Wimborne which had attracted relevant representations following public consultation.

The Licensing Team Leader outlined the application to vary the licence in order to increase the size of the external area. No changes were proposed to the existing times or conditions.

The sub-committee asked whether there had been any complaints and she confirmed that the Environmental Health team were currently dealing with a complaint, but apart from this, there had been no complaints received since 2018.

Mr Phillip Day, Solicitor for the applicant, presented the application which had originated as a result of a routine police visit when it was noted that the servery in the Sunset Room was outside the area licensed for the sale of alcohol. Following consultation with the Dorset Council Licensing Team, a full rather than a minor variation application had been submitted.

Mr Day referred to some photographs that he had taken the previous day in response to photographs submitted by the objector. Both sets of photographs had been circulated to the sub-committee the day before the meeting.

He highlighted that some objections had been written under the misapprehension that the application related to a change to the licensing hours which was not a part of this application. He highlighted that the existing licence permitted longer hours than was understood by some objectors or used by the manager who had chosen not to trade beyond 11pm. He acknowledged that the premises had a poor reputation before the current manager, Mr Steve Matthews, took up position and began to make changes that included discontinuing the Friday and Saturday discos.

Mr Day explained that the effect of including all of the hatched area on the plan (contained in the report) within the licensed area meant that all of the conditions that applied to the license would also apply to the external area. This included a condition to prevent the external licensed area being used for the consumption of alcohol after midnight.

The car park was no longer open to the public apart from use of a disabled parking space which meant that neighbours would no longer suffer from people slamming car doors at night.

The sub-committee asked questions of Mr Day and Mr Matthews and in response were informed that there would be occasional live music, for example folk music on a Sunday afternoon, or noise from a large tv screen, but no discos.

Julia Herbert presented her objection to the application on behalf of a residents' group. She stated that there had been problems with the pub in the past and that residents living in its vicinity experienced noise and unreasonable behaviour. She felt that doubling the outside capacity would lead to increased noise nuisance and that as much as the landlord was trying to make improvements, it would remain difficult to control customers who left the premises, creating a mess or urinating in the street.

The sub-committee asked Ms Herbert whether there was regular noise disturbance at night and she advised that although not every day, Fridays and Saturdays were particularly noisy. She confirmed that the residents' group had raised complaints that were taken forward by people active on the group.

The sub-committee stressed the need for collaboration should the application be successful and that it would be beneficial for the residents' group to have regular meetings with Mr Matthews.

There were no further questions of the parties present.

The Sub-Committee retired to make its decision.

Decision: To GRANT the variation application to include within the Premises Licence the external area shown on the plan marked 'External Garden Scheme', submitted with the application and outlined and hatched in red with the addition of the new condition as set out below:

New Additional Condition:

A direct telephone number and an email address for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and email address are to be made available to residents in the vicinity.

51. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 - 11.30 am

Chairman

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