

LICENSING SUB-COMMITTEE

Minutes of the meeting held at 10.00 am on 1 February 2022

Present:

Councillor Nicholas Bennett MA J.P. (Chairman)
Councillors Robert Evans and Stephen Wells

Also Present:

1 APPOINTMENT OF CHAIRMAN FOR THE MEETING

Councillor Nicholas Bennett was appointed as Chairman

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 APPLICATION FOR THE VARIATION OF THE PREMISES LICENCE AT THE CROWN, 46 PLAISTOW LANE, BROMLEY BR1 3PA

The Application:

The application sought a variation of the premises licence to change the layout and design of the premises in accordance with the submitted plan. The changes would permit the use of a bar servery within the external area, but the internal licensable area of the premises would remain unchanged from the current licence. The external bar servery would operate for the sale and supply of alcohol from Monday to Saturday from 10.00 hours until 22.00 hours and on Sunday from 12.00 hours until 22.00 hours. During the application process, the applicant had agreed conditions with the Police which were shown at Appendix 4 of the agenda. The time allowed for drinking up would be increased from 20 minutes to 30 minutes, so that the premises will only be open to the public from 10.00 hours until 23.30 hours Mondays to Sundays. Conditions were proposed to be removed so that the permitted hours on Good Friday, Christmas Day and New Year's Eve would be as per the premises licence permission when these days fall. The hours for New Year's Eve to remain unchanged.

The Case for the Applicant:

The Committee was addressed by Mr McGregor, the applicant's solicitor, Mr Bone, the Operations Manager of the applicant Punch Taverns Limited and by Mr Brannon, who advised he might be appointed as the designated premises supervisor although the DPS had not been named at this stage. Mr Brannon was a partner of an operational company that would run the premises under a

management agreement with Punch Taverns. It was mentioned that the premises were undergoing an extensive refurbishment with the aim to provide a food led premium offer. Although the premises had more recently traded as a restaurant, the pub licence remained in force. Under the current licence the use of the outside area was already permitted.

The application sought the installation of an external bar servery. This would have one open side facing Plaistow Lane and face away from the residential properties in Plaistow Grove. The applicant would supervise the use of the external bar servery and had agreed a condition to carry out observations in the vicinity to identify if noise breakout did occur and take appropriate action if needed. The additional ten minutes drinking up time sought accorded with more modern licensing practice and would allow a more orderly dispersal of customers. In response to a question from the Sub-Committee concerning the description in the application of the proposed variation, it was clarified that once the external bar servery had closed at 22.00 hours, the external area would thereafter only remain open for customers until the terminal hour for licensable activities (i.e. 23.00 hours), with staff making regular checks during this time.

The Case for the Objectors:

In addition to the written representations, the Sub-Committee was addressed by one of the objectors. The proximity of the residential properties in Plaistow Grove was emphasised by her and a concern expressed about late night noise arising from the use of the garden and customers collecting their cars when leaving. The concerns were about noise resulting from the usual use of the garden, but also from specific events that may be held.

Reasons for Decision:

Members considered the amended application, the written and oral representations, the Council's Statement of Licensing Policy and statutory guidance. They concluded that with the conditions agreed with the police, the variation application could be permitted without harm to the licensing objectives. The use of the garden area was already authorised by the existing premises licence. The addition of the external bar servery was subject to conditions that it be closed at 22.00 hours, that the garden thereafter only remain open until 23.00 hours and that the business is to monitor the vicinity of the premises and for the manager to act if excessive noise were to occur. Those conditions were sufficient to protect residential amenity. Members noted that given the offer of conditions, the police and the environmental health officer had not raised an objection. The additional drinking up time and the amendments to the seasonal variations of the permitted hours was considered acceptable.

Decision:

That the application for a variation of the premises licence be granted as applied for, subject to the conditions outlined in the annex to this decision.

Note: Councillor Bennett mentioned that he lived about half a mile from the premises and had visited it about eight years ago but did not consider this to be an interest that would prevent him for taking part in the meeting.

4 APPLICATION FOR A PREMISES LICENCE AT THE CONVENIENCE FIRST, 32 CHISLEHURST ROAD, BR6 0DG

The Application:

The application as submitted sought a premises licence for the retail sale of alcohol for consumption off the premises during the hours of 08.00 to 23.00 Mondays to Sundays.

The Case for the Applicant:

The Committee was addressed by the applicant, Mr Thayaparan and by a Director of the company operating the premises. The application form detailed the steps the business would take to comply with the licensing objectives, including the installation of a CCTV system as required by the police. It was explained that Mr Thayaparan would be an employee of the company and would be the designated premises supervisor. The application form stated that the premises would be open from 07.00 hours to 23.00 hours. After some discussion at the hearing, the applicant asked that the licence permit the supply of alcohol from 07.00 hours until 23.00 hours.

The Case for the Objectors:

No person attended the hearing in objection to the application. The written representations referred to the residential nature of the area surrounding the premises and a potential for noise/anti-social behaviour to be generated by the supply of alcohol late at night. Concerns relating to parking issues were also raised.

Reasons for Decision:

Members considered the amended application, the written and oral representations, the Council's Statement of Licensing Policy and statutory guidance. They noted that the premises were in an established small parade of shops. Although Members noted the presence of nearby residential property, they did not consider the hours sought to be excessive. Were any problems to arise as to noise or anti-social behaviour, then residents could raise the concerns with the proprietors of the business and if necessary, seek a review from the Council. Members were satisfied that the application could be permitted without harm to the Licensing objectives.

They considered that practical difficulties in terms of compliance might result were the licence to specify a later time for alcohol sales to start than the opening hours. They therefore agreed to the request that the hours sought for the supply of alcohol be varied so as to permit sales from 07.00 hours.

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Decision:

That the application for the grant of a premises licence at the Convenience First, 32 Chislehurst Road BR6 0DG be permitted subject to the steps specified in section 18 of the application.

Chairman