

EAST STAFFORDSHIRE BOROUGH COUNCIL

LICENSING ACT SUB-COMMITTEE

Minutes of the Meeting of the Licensing Act Sub-Committee held in the Coltman VC Room at the Town Hall, Burton upon Trent on Wednesday 23rd August 2017.

Present:

Councillors B G Peters (Chairman), R J Clarke and L Milner.

Officers Present:

Mrs A Wakefield (Solicitor) and Mrs H Farman-McKenna (Licensing Officer).

79/17 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

80/17 **APPOINTMENT OF CHAIRMAN**

Resolved:

That Councillor B G Peters be appointed Chairman for this meeting.

81/17 **URGENT BUSINESS**

There was no urgent business brought forward to the Licensing Act Sub-Committee pursuant to Rule 12.

82/16 **APPLICATION TO CONSIDER OBJECTIONS TO A TEMPORARY EVENT NOTICE – THE BRANSTON ARMS, 115 – 116 BRANSTON ROAD, BURTON UPON TRENT, STAFFORDSHIRE DE14 3DD – 27th AUGUST 2017 - 01.00 HOURS TO 07.00 HOURS**

(CE) The report of Chief Executive, regarding objections to a temporary event notice was considered.

Mr Gavin John Watts, the Designated Premises Supervisor, did not attend the sub-committee meeting.

Sergeant Giles Harper and Police Constable David Evans – Staffordshire Police attended the sub- committee meeting.

The sub-committee heard oral evidence from the following witnesses:

Police Constable David Evans (Staffordshire Police)
Sergeant Giles Harper (Staffordshire Police)
Mr Kennedy Nwokolo (Environmental Health Officer)
Mr Martyn Manning (Senior Pollution Officer)
Mrs Helen Farman-McKenna (Licensing Officer)

Resolved:

The Chairman stated that the purpose of the hearing had been to enable the sub-committee to consider the objections of Staffordshire Police and East Staffordshire Environmental Health, both of which were objecting to the sale of alcohol at the premises during a live screening of a boxing match until 7.00am on 27th August 2017.

The sub-committee had heard detailed representations from PC Evans of Staffordshire Police, who had first of all pointed out to the sub-committee that the premises licence provided for the sale of alcohol until 2.00am in any event, which raised questions about the applicant's knowledge of the premises licence. In addition, PC Evans had expressed his disappointment that the Designated Premises Supervisor had not engaged in any dialogue with the Police, in stark contrast with the numerous other people running the same type of event in the area on the same date, all of whom had communicated with Staffordshire Police and in many cases had also provided an event management plan.

In the case of the Branston Arms, the Police had no confidence that the event would be well managed and to illustrate this, PC Evans had explained that while the temporary event notice spoke of a maximum of 150 people in attendance at the event, in fact the size of the premises made it unlikely that such a number could be accommodated and in the absence of SIA registered door staff, it was hard to see how numbers could properly controlled. Similarly, the sub-committee had heard that there was a likelihood that drinkers returning from an evening in the town centre may attempt to enter the Branston Arms to continue drinking, and again, there was no indication of how this would be managed.

The sub-committee had heard too about the instances of noise nuisance associated with the premises and the fact that the pub was situated in a predominantly residential area made it extremely likely that an event of that nature running throughout the night would create further noise nuisance.

That element of the Police objections had also been supported by Mr Nwokolo of the East Staffordshire Environmental Health team.

Having considered the papers and heard from the objectors, the sub-committee accepted that the objections raised were well-founded and that allowing the temporary event to proceed was likely to undermine the prevention of crime and disorder; public safety; and public nuisance licensing objectives. For that reason the sub-committee issued a Counter Notice.

Chairman