

Minutes of the **Licensing Sub-Committee**
of the **Test Valley Borough Council**
held in Council Chamber, Guildhall, Andover
on Wednesday 5th April 2006 at 9.30 a.m.

Attendance:

Councillor M.G. Cooper	(P)	Councillor A. Hope	(P)
Councillor Mrs P. Mutton	(P)		

Also in attendance:

Miss L. Harvey, Counsel for the Applicant
Mrs J. North, Licensee of the Red Lion

1 **Appointment of Chairman**

Resolved:

That Councillor Hope be appointed Chairman for the duration of the meeting.

2 **Minutes**

Resolved:

That the minutes of the meeting held on 20th March 2006 be confirmed and signed as a correct record.

3 **Variation of a Premises Licence – Red Lion Country Inn, Clanville, Andover SP11 9HN**

The Sub-Committee was requested to consider an application for a Variation of a Premises Licence for the Red Lion Country Inn, Clanville, Andover.

The Licensing Manager presented the facts of the case to the Sub-Committee and outlined details of the existing Premises Licence. As the application for a Variation had attracted representations, it was necessary for the application to be determined at a Hearing. The nature of the Variation is as follows:

- a) To vary the times for sale of alcohol and provision of regulated entertainment by way of live music, recorded music and provision of facilities for dancing from 1100 to 2300 hours Monday to Saturday and 1200 to 2300 hours Sunday or until 0030 hours in conjunction with

wedding receptions or parties (i.e. to bring forward the start time for live music and dancing and to extend the provision of all licensable activities by an extra 30 minutes on Sundays).

- b) To allow the provision of regulated entertainment as detailed in a) above outdoors as well as indoors.
- c) To vary the existing conditions attached to the licence to take account of the variations in a) above.
- d) To amend condition number 4 so as to allow 100 events in the year when regulated entertainment might be provided (i.e. an increase from the current 50 events).
- e) To remove the existing condition 9 and replace it with the previous voluntary agreement that the Designated Premises Supervisor will monitor music levels at the boundary of the premises to ensure that noise nuisance is kept to a minimum.

The Chairman invited Miss Harvey, Counsel for the applicant, to put her case to the Sub-Committee. Miss Harvey informed the Sub-Committee that the reason for the request for a Variation was to enable the Licensee to concentrate on the most profitable part of the business operation, namely functions such as weddings, birthday parties etc. The present conditions did not allow live music to be played until after 8.00 p.m. in the evening which was proving detrimental to the function trade. The Variation also requested that the number of events permitted be increased from 50 to 100 per year. However, a figure of 75 would also be considered acceptable.

Stephanie Shepherd, Environmental Health Officer, attended the meeting and answered questions from Members of the Sub-Committee in relation to the conditions requested by the Environment & Health Service, with particular reference to noise control measures. Her specific concerns related to outdoor music events which had a potential to cause a noise nuisance to the nearby residential property.

The Chairman adjourned the meeting to enable the Sub-Committee to consider the matter.

The Sub-Committee reconvened briefly to ask further questions of the Counsel for the Applicant and the Environmental Health Officer.

The Committee adjourned again to continue its deliberations.

Upon return, the Chairman informed the meeting that the Sub-Committee, in reaching its determination upon the matter, had had regard to the National Licensing Guidance issued under Section 182 of the Licensing Act 2003, Test Valley Borough Council's own Licensing Policy, together with the representations made and by the evidence heard at the Hearing.

Decision:

Resolved:

That the application for a Variation to a Premises Licence for the Red Lion Country Inn, Clanville, Andover be granted subject to the following conditions:

- (i) The maximum number of events involving regulated entertainment to be limited to 75 in number in any one calendar year.**
- (ii) In substitution for existing condition 6, the following condition:
“Live or recorded musical performances within tents or marquees or similar structures, including events to be held in the open air, shall be restricted to not more than 12 per calendar year and to not more than 3 per calendar month, and shall not continue after 23:00 p.m. on any day.**

REASON : To minimise public disturbance from regulated entertainment noise.”

- (iii) In substitution for condition 9, the following condition:
“No amplified music or amplified speech shall be audible at the boundary of the nearest residential property between 23:00 hours on any day and 08:00 hours the following day.**

REASON : To minimise public disturbance from regulated entertainment noise.”

- (iv) Consequential amendments to existing conditions.**

(Meeting terminated at 11.17 a.m.)