

Minutes of the **Licensing Sub-Committee**
of the **Test Valley Borough Council**
held in Council Chamber, Guildhall, Andover
on Friday 5th October 2007 at 9.30 a.m.

Attendance:

Councillor L.M. Gates (P) Councillor B. Page (P)
Councillor C.D. Lynn (P)

1 **Appointment of Chairman**

Resolved:

That Councillor B Page be appointed Chairman for the duration of the meeting.

2 **Minutes**

Resolved:

That the minutes of the meeting held on 2nd August 2007 be confirmed and signed as a correct record.

3 **Application for variation of a Premises Licence –
The Swallow, Pilgrims Way, Andover SP10 5HY**

The Sub-Committee considered an application for a variation to the existing licence for The Swallow, Pilgrims Way, Andover. The variation was to remove the existing condition number 6 attached to the licence which limited the number of occasions upon which regulated entertainment could be provided on no more than 30 times per annum.

The Licensing Manager informed the Sub-Committee that the application had attracted representations from the Environment and Health Service and an interested party as referred to in the report. Due to these representations the matter was required to be determined by a hearing.

The Chairman invited the applicant, Mrs Rosemary Glasscoe to address the Sub-Committee. Mrs Glasscoe informed the Sub-Committee that she wished to extend the number of events held at The Swallow to 53 functions and 30 karaoke events per annum. The Sub-Committee were then given the opportunity to ask questions.

The Sub-Committee then received representations from Mr Baxter who outlined his and close residents' objections to the application. The Sub-Committee then asked questions of Mr Baxter. The Environment and Health Service made representation and the Sub-Committee were again afforded the opportunity to ask questions.

Mrs Glasscoe was given the opportunity to respond to Mr Baxter's comments and also to those from the Environment and Health Service.

The Licensing Manager referred the Committee to the Government's Guidance relating to the prevention of public nuisance and the Councils Licensing Policy dealing with noise from regulated entertainment.

The Chairman addressed the applicant and the objector and reminded them that condition 6 (set out below) impressed the responsibility upon the Landlady to control the number of events. If problems with noise pollution persisted the Chairman suggested that a meeting involving all parties be held to try to resolve these issues. Ultimately there are review provisions in place to review the license at any time.

Decision

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 at the Hearing and in writing.

The Licensing Sub-Committee, having listened to all parties, resolved to grant the application subject to conditions.

Resolved:

That the variation to the licence be granted subject to the conditions as set out by the Environment and Health Service.

For reasons of preventing public nuisance, the following conditions to be applied.

Live Music

- 1. Live music shall only take place within the function room, and only between the hours of 1000-2300 hrs.**

Recorded Music

- 2. Recorded music events (including karaoke) shall take place within the function room, and only between the hours of 1000-2300 hrs Monday to Thursday, 1000-0100 hrs Friday – Saturday and 1000-2230 hours on Sundays**

Performance of dance and provision of facilities for dance

- 3. Dancing and the provisions for dancing to accompany a musical performance shall only take place within the function room and between the hours of 1000-2300 hrs Monday to Thursday, 1000-0100 hrs Friday – Saturday and 1000-2230 hrs on Sunday.**

Anything of a similar description to the above

- 4. Quiz nights, etc. shall only take place indoors and between the hours of 1000 and 2300 hrs Monday to Thursday, 1000-0100 hrs Friday – Saturday and 1000-2230 hrs on Sundays.**

General Matters

- 5. During events involving live or amplified music and speech (other than low level background music), all windows and external doors to the function room shall be kept closed. In addition, the connecting doors between the function room and the main bar shall also be kept closed during events, except where necessary for access and egress.**
- 6. Regulated entertainment (other than low level background music) will not take place more frequently than**
 - (a) 82 events per year in total**
 - (b) of the 82 events, no more than 30 shall extend beyond 2300 hrs.**

Records of the dates, finish times and type of each event (live, recorded music etc) shall be kept by the applicant and made available for inspection by the Licensing Authority on request.

- 7. Regulated entertainment (other than low level background music) will not take place more frequently than two events per week, except for the period between 24 December and 1 January.**
- 8. At each exit point a prominent and clear notice will be displayed to the effect that customers should be considerate to local residents by leaving the premises and the area quietly.**
- 9. No amplified music or amplified speech shall be audible at the boundary of the premises after 2300 hours. For events continuing after 2300 hrs, regular checks shall be made by the applicant or a responsible person nominated by the applicant.**

(Meeting terminated at 11.10 am)