

# MINUTES OF A PATTINGHAM AND PATSHULL PARISH COUNCIL EXTRA ORDINARY MEETING HELD ON MONDAY 15<sup>TH</sup> APRIL 2019 AT PATTINGHAM VILLAGE HALL

---

Present: Councillors: R Lines (Chairman), D Billson (Vice Chairman), T Mason, M Finch, J Dyas, J Tomlinson, Mrs S Hughes

Members of the public present: Ms L Neal, Mr G Tritton, Mr & Mrs Cowl, Mr & Mrs Lowe, and Mr & Mrs Jones.

## 1. Apologies for Absence

Apologies of absence were received from Councilors Mrs A Davies, W Hurford and G Deane

## 2. To discuss the Variation of Premises License application for the Crown Inn, Pattingham

District Councillor T Mason updated members with the current position on this application as licensing applications are dealt with by the District Council:-

The application as submitted was to serve alcohol, have live and recorded music until 2.00am 365 days per year. This application has been submitted so as the Licensee does not have to apply for temporary licenses to cover special events, it's a blanket license to cover all. It is understood a Bistro restaurant will form part of the establishment. After receiving notice of this application he contacted the Officer dealing with the case, and immediately lodged an objection. He was informed that each licence application is treated individually and previous licences for the premises are not relevant. No other licenses issued for other local establishments may be used as a comparison for a new licence application. Mr Pearce, Licensing Officer at the District Council has contacted the applicants and they have agreed to amend the application to opening times 9.00am each day, closing at 1.00am, 12.00am stop time for for live music, 12.30am stop time for serving drinks and recorded music.

The Chairman reported that all representations made with respect to licensing applications must relate to one of the four licensing objectives.

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The representation must be relevant and should not be frivolous or vexatious. Representations can be both in opposition and support of an application and can be made by any individual, body or business that has grounds to do so.

### **The Prevention of Public Nuisance**

- the prevention of irresponsible promotions,
- methods of preventing and managing noise and light pollution; and
- ways of managing litter (eg cigarette butts)

- a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (eg glasses and opened bottles) and restrictions on drinking areas (eg not outside in the High Street)

## **Noise and vibration**

In determining which conditions are appropriate and appropriate, licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter the holding of events that

are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

The following conditions may be considered:

- Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties.

This might be achieved by one or more of the following conditions:

- a simple requirement to keep doors and windows at the premises closed;
- limiting live music to a particular area of the building;
- moving the location and direction of speakers away from external walls or walls that abut private premises;
- installation of acoustic curtains;
- fitting of rubber seals to doorways;
- installation of rubber speaker mounts;
- requiring the licensee to take measure to ensure that music will not be audible above background level at the nearest noise sensitive location;
- require licensee to undertake routine monitoring to ensure external levels of music are not excessive and take appropriate action where appropriate;
- noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful).
- prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- the use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted.
- the placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

## **Noxious smells**

Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

## **Light pollution**

Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

Members felt that the main objection should be made on the grounds of Prevention of public nuisance.

It was agreed to **Recommend** to the Licensing Committee that this application for the variance of the existing licence should be refused.

The reasons for rejecting this variance are:-

This is a Rural Village Location – not Wolverhampton City Centre

Pub is located in a residential area and part of Terraced properties in a Conservation Area

The pub does not have its own car park and customers need to Street Park.

A later closing time is completely unreasonable for members of the public living in neighbouring properties, working and engaging in normal activities in the area concerned.

Members of the Council have no objection to the proposed earlier opening times.

3. Date of next meeting – Monday 13<sup>th</sup> May 2019 (AGM)