

G's Bar

The Panel have listened carefully to all the representations made at today's hearing, and have also considered the written representations made in respect of this application. The Panel have also considered the video evidence provided by Mrs Gifford.

The Panel have had regard to the provisions of the Licensing Act 2003, the guidance issued under section 182 of that Act and the Council's own Licensing Policy.

The Panel have seen and heard evidence today that the operation of G's Bar has been the cause of public nuisance over the past few years. The Panel have seen video evidence, and received written evidence from neighbouring residents, that this nuisance continued whilst the current applicant was in control of the premises.

The fact that there have been problems with public nuisance caused by the premises has been conceded by the applicant, although it has been submitted on her behalf that she is now aware of the problems and will have measures in place which, along with the proposed conditions, will prevent similar problems in the future.

However, the Panel is not satisfied that the conditions proposed will be sufficient to prevent the premises causing public nuisance. This is because much of the nuisance is caused by people standing outside the front of the premises. Whilst a condition preventing re-entry may help to alleviate this late at night, the Panel take the view that there is still a likelihood that nuisance would be caused by people leaving the premises, and at earlier times of night when the re-entry condition wouldn't apply.

As well as public nuisance caused by people outside the premises, the Panel take the view that there is a likelihood of disturbance caused by sound escaping from inside the structure. It has been provided with no detailed evidence as to how this could be prevented by sound insulation and so cannot be satisfied on the evidence before it that this is achievable. Whilst Environmental Health withdrew their application on the basis of agreed conditions, they have raised doubts at the hearing about how much appropriate sound insulation would cost, and the Panel have not seen any detailed evidence of how this would be implemented.

This is a new application inside the Cumulative Impact Area, and as such the Panel have had regard to the Council's Cumulative Impact Policy. Whilst the Panel have considered the application on its individual merits, on the evidence before them, they consider that the grant of this licence would be likely to add to the cumulative effect of premises in the area on local residents, particularly in terms of public nuisance.

In summary then, this application is refused on the grounds that the Panel consider that the evidence before them shows that to grant it would have

an adverse effect on the licensing objective relating to the prevention of public nuisance.

All parties were reminded that they have the right to appeal this decision to the Magistrates Court within 21 days.