

TO: **REGULATORY COMMITTEE – 20 APRIL 2005**

SUBJECT: **RENEWAL OF PUBLIC ENTERTAINMENTS LICENCE – THE  
WILLOUGHBY, AUGUSTA PLACE, LEAMINGTON SPA**

FROM: **MEMBERS' SERVICES**

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**1. PURPOSE OF REPORT**

- 1.1 To consider an application for the renewal of the public entertainments licence for the above premises which expired on the 4 April 2005.

**2 BACKGROUND**

- 2.1 At its meeting held on the 21 March 2005, the Committee considered the renewal of all public entertainment licences which expired on the 4 April 2005.
- 2.2 A letter of objection to the renewal of the public entertainments licence for the above premises was submitted to that meeting and in the circumstances the Committee agreed to hold a hearing.
- 2.3 Doctor Cave, one of the objectors, has submitted an amended letter with appendices and a copy of this is attached. (See page 3).
- 2.4 The other objector, Mrs Cave, submitted an e-mail to the meeting on the 21 March and a copy of this e-mail is attached. (See page 17).
- 2.5 Richard Hall submitted a report on the renewal of public entertainment licenses generally and on the renewal of the public entertainments licence for the Willoughby in particular to the meeting on the 21 March and a copy of the report is attached. (See page 18).
- 2.7 A submission from the applicant's solicitor is attached. (See page 21)
- 2.6 The expiring licence is subject to the Council's standard conditions with permitted hours of 6.00 pm to 11.00 pm each evening, excluding Sundays and subject to the following additional conditions:-
- (1) Noise mitigation measures be adopted to the satisfaction of the Environmental Health Officer. These should include the insulation of extractor fan openings and the closure of doors and windows whilst music is being played if this is likely to allow the emission of noise into the street.
  - (2) Securing lighting at the rear of the premises be only operated whilst access is required to fire escape routes in emergency situations and
  - (3) Activity in the rear yard (e.g. emptying of bins, bottle storage etc) shall not take place after the premises are closed at 11.00 pm and not before 8.00 am Monday to Saturday or 9.00 am on Sundays.

- 2.7 Doctor Cave will be attending the meeting to address members in support of his objection.
- 2.8 Mrs Cave will not be attending the meeting.
- 2.9 Richard Hall Divisional Environmental Health Officer will be attending the meeting.
- 2.10 The applicants Messrs Liddington and Moreby will be attending together with their legal representative.
3. **PUBLIC AND PRESS**
- 3.1 After hearing all the submissions, the Committee is asked to resolve that, under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting by reason of the likely disclosure of exempt information (legal advice) within paragraph 12 of Part I of Schedule 12A of the Act.
4. **DECISION REQUIRED**
- 4.1 Members are asked to consider all the information presented at the meeting and decide whether the application for the renewal of the licence should be approved and, if so, whether it should be subject to any additional conditions.

Colin Tubbs  
Senior Committee Services and Licensing Officer

**BACKGROUND PAPERS**  
NIL

**For further information about this report please contact:**

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