

# LICENSING PANEL HEARING

A record of a Licensing Panel hearing held on Thursday 18 November 2010, at the Town Hall, Royal Leamington Spa at 2.00pm.

**PANEL MEMBERS:** Councillors Coker, Guest and Mrs Higgins.

**ALSO PRESENT:** David Davies (Licensing Services Manager) and Graham Leach (Senior Committee Services Officer).

## 1. APPOINTMENT OF CHAIRMAN

**RESOLVED** that Councillor Mrs Higgins be appointed as Chairman for the meeting.

## 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 3. APPLICATION FOR A VARIATION TO A PREMISES UNDER THE LICENSING ACT 2003 FOR THE REDHOUSE, 113 RADFORD ROAD, ROYAL LEAMINGTON SPA

The Panel considered a report from Community Protection that sought a decision on an application for a variation to the premises licence for The Redhouse, 113 Radford Road, Royal Leamington Spa.

The Licensing Services Manager outlined the report and asked the panel to consider all the information contained within the report and determine if the application for a premises licence should be approved. Following the publication of the agenda the applicant had agreed conditions to remove the objection from Environmental Health.

The report referred to those matters to which the Panel had to give consideration, the statutory guidance issued by the Secretary of State, the Council's Licensing Policy Statement and the Licensing objectives.

The current premises licence permitted the live music (subject to a maximum of two entertainers) and recorded music (indoors) between 11:00 and 23:00 everyday. It also permitted the sale of alcohol between 11:00 and 00:00 Sunday to Thursday and 11:00 to 01:00 on Friday and Saturday. It also included appropriate conditions for this which were proposed to be retained.

The report from Community Protection, along with the amendments from the applicant to resolve the objection from Environmental Services, presented an application:

- (1) To remove the restriction on a maximum number of two performers of live music;
- (2) To permit recorded music (indoors) between 11:00 and 23:00 everyday;

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- (3) To permit for making music and similar activities including karaoke (indoors) between 11:00 and 23:00 everyday; and
- (4) The addition of conditions to restrict these activities and a condition "Any live or recorded music, including karaoke must not cause a nuisance in adjoining premises at the nearest elevation of any neighbouring residential premises".

In addition an operating schedule had been submitted that would also form part of any license granted.

The Council's Licensing Policy Statement provided that the authority would take an objective view on all applications and would seek to attach appropriate and proportionate conditions to licences, where necessary, in order to ensure compliance with the four licensing objectives. Each application would be judged on its individual merits.

After considering the information contained within the report, the application and the revisions to it to remove the objections to it by Environmental Health the Panel were of the opinion that the application should be granted.

**RESOLVED** that the license be granted as follows to permit the following additional facilities:

- (1) the provision of live music between 11:00 and 23:00 (indoors) everyday;
- (2) the provision of recorded music (indoors) between 11:00 and 23:00 everyday;
- (3) the provision of facilities for making music and similar to include karaoke (indoors) between 11:00 and 23:00 everyday; and
- (4) subject to the following conditions
  - No live or recorded music (save background music) be provided on any night after 23:00;
  - No facilities for making music or karaoke after 23:00;
  - Any live or recorded music, including karaoke must not cause a nuisance in adjoining premises or at the nearest elevation of any neighbouring residential premises;
  - the necessary amendments to the operating schedule of the licence.

All parties were informed of the decision and reminded of their right to appeal the decision to the magistrates court within 21 days of written notification of this decision.

(The meeting ended at 2.03pm)