

RUNNYMEDE BOROUGH COUNCIL
LICENSING SUB-COMMITTEE HEARING

10.00am THURSDAY 26 APRIL 2007

HEARING DECISION NOTICE

Premises: The Pelican, 9 Hamm Moor Lane, Addlestone, Surrey, KT15 2SA

Members present: Councillors Mrs J Norman, Mrs L Gill and Mr C Knight.

This was an application made by Eldridge Pope Limited, premises licence holder in respect of premises at The Pelican, 9 Hamm Moor Lane, Addlestone Surrey, KT15 2SA. The application was to vary the existing premises licence under the terms of Schedule 8, Section 34 of the Licensing Act 2003.

The application was to vary the times for the supply of alcohol, to provide for regulated entertainment and late night refreshment and to increase the size of the licensed area to include an additional external service area.

The applicant was represented by Mr Kevin Baumber of Counsel and Amanda Brierly, the Designated Premises Supervisor and manager of the premises.

Representations had been received from Mr Neil Mayes of 33 Shakespear Road, Addlestone, Surrey who attended, and also from Mr & Mrs Snow of 1 The Terrace, Shakespear Road, Addlestone who did not attend. There were no objections from any of the responsible authorities.

The Licensing Sub-Committee heard from Mr Baumber and Mr Derek Seekings, the Senior Licensing Officer. In summary, the objections amounted to noise on dispersal, litter and anti-social behaviour on the part of patrons leaving the premises and passing by or close to the objectors' properties. There was no objection to noise from the premises and no representations made as to the use of the outside area. Mr Baumber made plain that the purpose of the additional area was for the service of drinks and the provision of food in the garden area.

Mr Baumber queried why there should be any reason for anyone to walk past either of the objectors' properties and suggested that if people were walking past, then they could be coming from premises other than from The Pelican. He submitted that there was no existing problem and asked why, if the application was granted, should people behave differently. In his submission it was difficult to identify any reason why the application should be refused.

The Sub-Committee then heard from Mr Mayes, whose concern was from the dispersal of patrons from the public house using a nearby alleyway to take them past his property. He had lived in the area for some two years and had experienced an incident last year when a group leaving the public house just before him had been walking home singing. He witnessed urination in the alleyway and litter and bottles. He did not know if people would be allowed to take alcohol away. He had no objection to live music and confirmed he could not hear anything from the public house.

The Sub-Committee was concerned that there was some potential for public nuisance but was of the view that the application would not make this any worse. The problems of litter and dispersal of some patrons through the alleyway could be addressed by the applicant placing signs requesting patrons to have regard to the interests of neighbours, not to take bottles away and to make use of the lavatories before leaving. However, if Mr Mayes had cause for further concern or complaint, then the designated premises supervisor made clear

she was only too happy to talk with him and to try and accommodate his concerns as best she could. This was of reassurance to him.

The Sub-Committee was also concerned as to the security of the outside service area and was re-assured to know that all alcohol would be removed from it at the end of trading and that it would be locked.

The Sub-Committee was also concerned that the regulated entertainment could give rise to nuisance if music was played outdoors. Therefore the Sub-Committee thought it appropriate to impose a condition limiting the use of outside speakers.

The decision of the Sub-Committee was, therefore, to grant the application as sought but to impose the following conditions:

1. All alcohol to be removed from the outside service area at the end of trading.
2. Signs requesting customers to respect neighbours, not to litter and to make use of the facilities, particularly the lavatories provided by the public house before departing to be placed on the premises where they would be seen by dispersing patrons.
3. The designated premises supervisor to be a member of Pub Watch.
4. No outside speakers to be in use after 11.00pm.
5. The additional licensed premises area be as outlined in red on the plan attached.

Appeal

If the applicant, or any person having made a relevant representation, is unhappy with this decision, then there is a right of appeal to the Magistrates Court to be exercised within 21 days of the date of receipt of this Decision Letter.

Dated: 10 May 2007