

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Licensing and Regulatory Sub Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 20th
August, 2015 at 10.00 am**

PRESENT: County Councillor L. Guppy (Chairman)

County Councillors: D. Evans and J. Higginson

OFFICERS IN ATTENDANCE:

Linda O'Gorman	Principal Licensing Officer
Sam Winn	Senior Licensing Officer
Joanne Chase	Assistant Solicitor

1 Apologies for absence

There were apologies from the objector (objector did not wish to attend the hearing but happy for it to continue.)

2 Declarations of Interest

There were no declarations of interest.

3 To consider an application for a Premises Licence for Premier Inn (Proposed) Portal Road, Monmouth (report attached)

We received an application for a Premises License under the Licensing Act 2003 for Premier Inn (Proposed), Portal Road, Monmouth by Whitbread Group plc, Whitbread Court, Porz Avenue, Dunstable, Bedfordshire LU5 5XE.

The Chairman welcomed all to the meeting and introduced Members of the Sub Committee, Officers and representatives present.

The Principal Licensing Officer presented the key issues, which summarised:

- The application is for the sale of alcohol Monday – Sunday 10.00hrs -00.30hrs, and Late Night Refreshment Monday – Sunday 23.00hrs – 00.30hrs
- The Live Music Act 2012 came into force in October 2012 which permits live music in on licensed and workplace premises for 200 persons, which was later amended to 500 persons under the Legislative Reform (Entertainment Licensing) Order 2014.
- It further allows live music between 08.00hrs – 23.00hrs without the need for a licence.
- The Legislative Reform (Entertainment Licensing) Order 2014 also permits recorded music for 500 persons between the 08.00hrs – 23.00hrs in on licensed premises without the requirement of a licence.
- The applicant has not indicated they intend to have live or recorded music but this is an option they are allowed to take if they so wish without the need of a licence

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- The applicant within the operating schedule has stated the following under the four licensing objectives, The Prevention of Crime & Disorder, Public Safety, Prevention of Public Nuisance and The Protection Children from Harm.

No objection had been received from Police or Environmental Health. Representation had been received from one resident, main concerns from the representation were:-

- Potential to cause a nuisance from its customers during the early hours of the night for every night of the week
- Increase in disturbance and calls to the police
- Fear of reprisals from offenders of disturbance

Chair informed the meeting that the objector did not wish to attend the hearing. However, the representation was presented.

Chair invited applicant to address the Sub Committee and we were presented with information that had been provided to the objector. The Solicitor for the applicant responded as follows:

- This is an application for a Premier Inn, principally a hotel operation of which there are some 700 around the country, many in noise sensitive locations and all of which – without material exception – operate without difficulty or negative impact on their immediate vicinity.
- Even if, which is not accepted, these premises were to be a source of noise or disturbance, those most affected would be the hotel residents themselves whose amenity is our clients' paramount consideration and concern.
- In any event our clients operating statement offers a condition that noise or disturbance shall not emanate from the premises so as to cause a nuisance to neighbouring property
- Most materially there is only one representation to this application. It is particularly significant that the police who have a responsibility for preventing possible crime and disorder and general nuisance and Environmental Health (ditto in respect of noise nuisance) have raised no concerns.

The Members were invited to ask questions based on the evidence provided. During discussion we noted:

- Clarification regarding off-sales.
- Hours
- Planning and local area
- Security and site access
- Safety

The committee was advised that guests would not be permitted to take drinks off site, however the licence would enable drinks to be taken to rooms by guests. The ground floor area would

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include a seated restaurant (60 covers) where drinks would be available with or without food. The Committee were reassured that there would not be a bar area as this would not be in keeping with The Premier Inn brand.

In terms of hours, a query was raised why the Premises required a license till 00.30 and extended hours on New Year's Eve. In response we were advised that the application contained generic Premier Inn hours.

A question was asked regarding the security and site access. It was advised that there was no intention to employ door staff. The building could will only be accessible via one entrance with a 24 hour manned reception. The main doors would also be locked during the night.

Concerns were expressed regarding safety of residents, children and staff. We were reassured that staff would be fully trained in all topical issues.

Following questioning Officers and the applicant left the meeting to allow the Committee the opportunity to deliberate and discuss the findings.

Upon re-commencement, The Chair advised that the Committee had considered the application under the Licensing Act 2003 and resolved to grant a license. In advising the applicant of reasons, the Assistant Solicitor highlighted:

In reaching the decision we have had regard to:

- the Licensing Act 2003
- the licensing objectives,
- the Council's licensing policy,
- the Guidance issued by the Home Office

Taking into account all of the above matters, any other relevant legislation, for example, the Human Rights Act 1998 and all the relevant circumstances of the application we have decided to:

Grant the application for a premises licence for the licensable activity applied for

Reasons:

The sub committee has received 1 written objection which they have considered but found no evidence that would suggest that those in charge of the Premier Inn would not act responsibly in running this hotel.

Considering the location of the hotel, we do not believe it will be frequented by passer-bys or those who are not already guests of the hotel.

The hotel has a reputation to uphold and prides itself on offering a guaranteed good night's sleep and therefore any anti-social behaviour, noise nuisance would have a direct effect on the hotel.

The objector may appeal to a magistrates' court against this decision within 21 days of being notified of the decision.

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**The applicant and objector will receive written confirmation of this decision within 5
working days.**

The meeting ended at 11.05 am