

**LICENSING PANEL
15 OCTOBER 2012
2.23 - 3.53 PM**



Present:

Councillors Brunel-Walker (Chairman), Allen and Kensall

In attendance:

Simon Bull, Legal Adviser to the Panel
Maria Dillon, Environmental Health Officer
Laura Driscoll, Licensing Team Leader
Amanda Roden, Democratic Services Officer

5. Declarations of Interest

There were no declarations of interest.

6. The Procedure for Hearings at Licensing Panels

The Chairman confirmed that all parties understood the procedure to be followed for the hearing.

7. Application to Vary a Premises Licence - Rose and Crown, High Street, Sandhurst, Berkshire. GU47 8HA

The Panel carefully considered all the information presented, both written and oral, from:

- the Licensing Team Leader who outlined the issues;
- the applicant's representatives, Mr Evans and Mr Fisher, and Mr Smith from Smith Coldham Design Limited.
- the interested parties (2) who submitted oral and written representations. There had been four other written representations, but these had been withdrawn after mediation.

together with reference to the appropriate Licensing Objective: The Prevention of Public Nuisance, particularly noise nuisance, the Council's own Licensing Policy and the Secretary of State's guidance. At the conclusion of the proceedings all participants present confirmed that they had been given the opportunity to say all they wished to say.

The Panel noted that there had been no representations made by the Police or the Fire Authority. A representation had been made by Environmental Protection at Bracknell Forest Council. The application initially included a proposal to remove a condition from the licence but this proposal was removed and the condition was subsequently retained. This amendment had addressed the concern raised by Environmental Protection and this representation was withdrawn.

There had been eight complaints regarding the Rose and Crown in the last two years and eight months but Bracknell Forest Council had no record of receiving any noise complaints since January 2011.

The Panel noted that Punch Taverns were planning to change the use of the Rose and Crown to a mid market premises and include more seating along with a more varied food menu. Tenants had been sought to run the premises to this remit. The live entertainment would be more acoustic in future, rather than rock music and the premises was being refurbished to incorporate this new image.

The Panel decided that granting the variation to the licence would promote the four licensing objectives, and agreed to grant the variation to the Licence subject to the four additional conditions, 34 to 37, suggested during mediation, and the two extra voluntary conditions, 38 to 39, proposed at the hearing, as follows:

Additional Conditions:

34) The licensee shall ensure that comfort cooling is installed and maintained in the form of one cooling unit.

35) The licensee shall ensure that the external walls along the green line marked on the plan were soundproofed.

36) The licensee shall ensure that secondary glazing is installed and maintained to all external windows on the red line marked on the plan with a gap between interior and exterior glass of minimum 25mm.

37) The licensee shall ensure that the interior panel of the secondary glazing is closed when regulated entertainment is taking place within the premises.

38) A notice shall be displayed in the rear decking area asking customers to respect the neighbours and keep noise to a reasonable level.

39) A complaint book shall be implemented and maintained containing details of any complaint received, including date and times, and the details of any remedial actions taken. This book shall be available for inspection at all times by all responsible authorities.

In summary, the Panel decided to agree the variation of the premises licence subject to the additional licensing conditions above.

CHAIRMAN