

GENERAL LICENSING SUB-COMMITTEE
15 January 2024

Present: Councillors A Holmes (Chair) J Wright & Chambers

Officers: Manju Girn (Legal Services)
Zoey Mayes (Senior Licensing Officer – Licensing)

Applicant Brendan Donahue – Tenant/DPS at the White Swan
Sarah Adams – Business Development Manager for Greene King

Applicant's representative - Mr Ewan MacGregor, Solicitor with TLT

Responsible Authority – Derby City Council Environmental Protection Team - Noise
Kennedy Nwokolo – Specialist Technical Officer
Arron Kirkham – Environmental Health Officer

70/23 Appointment of Chair

The Sub-Committee resolved to appoint Councillor A Holmes as Chair

71/23 Apologies

No apologies were received.

72/23 Late Items to be Introduced by the Chair

There were no late items.

73/23 Declarations of Interest

There were no declarations of interest.

**74/23 Application for a variation of a premises licence at:
White Swan, Shepherd Street, Littleover, Derby**

The Sub-Committee considered a report from the Director of Public Protection and Streetpride asking them to consider an application for a variation of a premises licence at the White Swan, Shepherd Street, Littleover, Derby. The Sub-Committee were asked to consider the licensing of an additional bar servery in the rear garden as well as new beer garden and patio areas.

The Sub-Committee considered all the written evidence before them and took account of verbal submissions made by Zoey Mayes (Licensing Team, Derby City Council), Ewan MacGregor (Applicant's representative) and Kennedy Nwokolo – Specialist

Technical Officer within the Environmental Health Team. No other representations had been received.

Mr Nwokolo informed the sub-Committee of his concerns in that granting the licence variations he felt this would cause a noise nuisance, which is contrary to the licensing objectives. Mr Nwokolo informed the Sub-Committee that there have been three complaints of noise nuisance to Environmental Protection by local residents during the period 2022 - 2023, however, there was no evidence to confirm that the noise was caused by customers of the White Swan and so Environmental Protection had not pursued these complaints further.

Mr McGregor informed the Sub-Committee that the garden and patio area had been in use since April 2023 and under the Live Music Act 2012 permission was not needed for music to be played. The only variation sought was for customers to be able to purchase alcohol and other beverages from the outside bar area, rather than having to come back into the indoor bar. The sole motivation of applying for the variation is to help with customer flow and to prevent queuing.

Mr Donahue informed the Sub-Committee that the outside bar area would be supervised at all times by at least one member of staff, raised voices/ swearing would not be tolerated, and that he was willing to erect signage in the outdoor area to remind customers to keep noise to a minimum. Mr Donahue further confirmed that he gives local residents notice, by post, of any upcoming live music events.

The Sub-Committee were informed that although a notice of the application was displayed on the premises between the dates 17 November 2023 to 15 December 2023, and there had also been an advert in the Derby Evening Telegraph. No objections had been received from any residents or any other Responsible Authority, other than the Environmental Protection Team who attended the Sub-Committee to make representations.

Resolved to GRANT the variation to the licence for White Swan (PL10550748).

In granting the variation, the Sub-Committee recommended that the Landlord continues to give local residents notice by post of any live music events and erected signage in the garden/ patio area to remind customers to keep noise to a minimum.

MINUTES END