

LICENSING COMMITTEE held at 7.00 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 22 JUNE 2005

Present:- Councillor V J Lelliott
Councillors H D Baker and J P Murphy.

Officers in attendance:- M Cox, M Hardy, C Nicholson and A Turner.

LC16 APPLICATION TO CONVERT THE EXISTING PREMISES LICENCE OF THE "BLACK HORSE" PUBLIC HOUSE AT WHITE RODING AND SIMULTANEOUSLY TO VARY THE LICENCE

Members considered the report of the Licensing Officer on an application to convert the existing premises licence under the Licensing Act 2003 and simultaneously vary the licence. The variations related to the extension of hours for the sale of alcohol, the inclusion of late night refreshment and the addition of various forms of regulated entertainment as follows:-

- a. film exhibitions to take place indoors (TV screens and video entertainment) are from 11:00hrs to 00:30hrs Monday to Wednesday and 11:00hrs to 01:30hrs Thursday to Saturday, and 12:00hrs to 23:30hrs on Sundays. When hours for the sale of alcohol are extended on Bank holidays these hours are also extended.
- b. indoor sporting events (pub games that attract an audience between 11:00hrs to 00:30hrs Monday to Wednesdays, 11:00hrs to 01:30hrs Thursdays to Saturday's and 12:00hrs to 23:30hrs on Sundays.
- c. Live music indoors from 11:00hrs to 23:30hrs Monday to Wednesday, 11:00hrs to 00:00hrs Thursday to Saturday, 12:00hrs to 23:30hrs on Sundays, limited to a maximum of 30 events per annum and a record maintained for inspection at the premises. New years eve will start as shown and finish at 01:00hrs New Years Day.
- d. Recorded music (indoors) from 11:00hrs to 23:30hrs Monday to Wednesday and 11:00hrs to 00:00hrs Thursday to Saturday, 12:00hrs to 23:30hrs on Sundays. This includes Karaoke with or without a DJ. New Years Eve to start as shown and finish at 01:00hrs New Years Day.
- e. For events of a similar description including Quiz nights, performance with voice amplification and comedians the hours will be 11:00hrs to 00:30hrs Monday to Wednesday, 11:00hrs to 01:30hrs Thursdays to Saturdays, and 12:00hrs to 23:00hrs in Sunday. Hours also to be extended to match bank holidays.
- f. Provision of facilities for making music (microphone with amplifier) hours are 11:00hrs to 00:30hrs Mondays to Wednesdays, 11:00hrs to 01:30hrs Thursdays to Saturdays 12:00hrs to 23:30hrs on Sundays with hours extended on bank holidays.

The hours that the premises would be open to the public would be 11:00hrs to 00:30hrs Mondays to Wednesdays, 11:00hrs to 01:30am Thursday to Saturdays and 12:00hrs to 23:30hrs Sunday. Bank holiday extension until 01:30hrs with the consumption in the garden to cease at 23:00hrs.

A representation had been received from the Essex Fire and Rescue Service to the provision of the regulated entertainment only.

The Chairman of the Committee described the procedure to be adopted and guidance notes were circulated at the meeting.

The applicant T D Ridleys and Sons, was represented by Jonathan Smith from Poppleston Allen, Solicitors and Area Managers, Colin Summers, Jeremy Veitch and Chris Hulliday.

The objectors, Bill Secombe, Steve Nichol and Roy Carter from Essex Fire and Rescue Service were also present.

The Licensing Officer presented his report and explained the details of the application

The Chairman then invited Mr Secombe to speak. He explained that the objection was on the grounds of public safety. The Fire Service was concerned that the applicant's operating schedule failed to demonstrate that suitable and sufficient measures had been identified and would be implemented and maintained to ensure public safety in the case of fire, in relation to the proposed entertainment.

Councillor Murphy asked for a copy of the fire risk assessment and this was read by Members of the Committee. Members then asked questions of the objector.

Mr Smith then asked the objector a number of questions

Mr Smith then presented the case for the applicant. He detailed the variations and explained that these did not represent a significant change to current activities at the premises. A risk assessment had been carried out for the new activities and had taken into account the character of premises. The public house could hold accommodate a maximum of 80 people and the applicant was willing to have a condition limiting the use to this number.

The Members and the objectors then asked questions of Mr Smith.

LC17

EXCLUSION OF THE PUBLIC

RESOLVED that under regulation 14(2) Licensing Act 2003 (Hearings) Regulations 2005 the press and public be excluded from the meeting whilst the Committee considered their decision on the ground that it was in the public interest so to do to permit a free and frank exchange of views between Members.

The applicant and representatives, the objectors and the Licensing Officers then left the meeting.

LC18

APPLICATION TO CONVERT THE EXISTING PREMISES LICENCE OF THE "BLACK HORSE" PUBLIC HOUSE AT WHITE RODING AND SIMULTANEOUSLY TO VARY THE LICENCE

The public was readmitted to the meeting

RESOLVED that the application for the variation be granted subject to the imposition of the additional condition of an occupancy capacity of 80 people on the premises on the occasions that the regulated entertainment took place (this figure to include staff members and performers)

This condition was imposed in order to fulfill the public safety licensing objective and was in accordance with the Licensing Authority's own licensing policy (para 2.7) and was considered to be necessary and proportionate in all the circumstances of the particular premises.

The applicant and the objector were advised of the right to appeal by lodging a notice with the Clerk to Justices, Osprey House, Hedgerows business Park, Colchester Road, Springfield, Chelmsford CM2 5PF within 21 days.

The meeting ended at 8.50pm.