

LICENSING COMMITTEE held at 6.30pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 27 SEPTEMBER 2005

Present:- Councillor J I Loughlin –Chairman

Councillors K R Artus, H D Baker and A R Row

Officers in attendance:- M Hardy, M J Perry, P Snow and A Turner

L115 SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE

The Executive Manager (Corporate Governance) requested that consideration of a breach of the conditions attached to a Private Hire Driver's Licence be adjourned because the driver concerned (Mr Simon Miller) was unable to attend this meeting. Mr Miller was currently disqualified from driving until December this year and had sent an electronic communication requesting a deferment of the consideration of his case. Members noted that another date for consideration of this matter would be fixed in due course.

L116 SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE

The Committee considered the circumstances relating to Mr Russell Higgins who had failed to meet the Council's licensing standards and failed to comply with the conditions attached to his Private Hire Driver's Licence. Mr Higgins had breached a condition requiring the licence holder to notify the Council of Road Traffic Act convictions within seven days of the date of each conviction. In this case the licensing standards were no longer being met because Mr Higgins had been convicted of more than three minor motoring offences during the previous three years. All of the convictions concerned related to speeding offences which had resulted in the driver accumulating 12 penalty points.

In June this year, Mr Higgins appeared before Harlow Magistrates Court when it was decided not to disqualify him on the grounds of exceptional hardship, but to impose a fine of £60 and order that three penalty points be endorsed on his licence.

The Executive Manager (Corporate Governance) explained to the Committee the substantial body of law involved in this case and advised Members that the principle consideration was that Mr Higgins no longer met the licensing standards agreed by the Council as applicable to the granting of Private Hire Driver's Licences. He said that case law indicated that it was not for Members to consider the personal circumstances of the driver concerned but whether he met the licensing standards and was considered to be a fit and proper person to hold the licence.

It was noted that Mr Higgins' current licence was due to expire on 30 September 2005 and the Licensing Officer was asked to confirm whether an application to renew the licence had yet been received. It was not presently known whether such an application had been submitted.

The licence holder was then asked to state his case. He said that at the time his previous application had been submitted he was not aware that he had committed an offence because the notification of the conviction was not

received by him until some weeks later. He had been a professional driver for 15 years and had worked at Stansted Airport for five years. Prior to his employment as a driver at the Airport he had regularly undertaken in the region of 110,000 business miles per year. He explained that he was required to work permanent night shifts because of his family circumstances. He understood that he was in breach of the licence conditions and said that he had not been advised by his union, who had represented him at the court hearings, that he should have appealed against the first two convictions.

Mr Clive Still spoke on behalf of Mr Higgins as a representative of Checker Cars who currently employed him. He said that Mr Higgins had always acted in a courteous and professional manner and was of good character. He considered that Mr Higgins had been misadvised by the GMB Union who had represented him in court.

The Executive Manager (Corporate Governance) summed up the case against Mr Higgins and the Licensing Officer confirmed that the Council had become aware of the circumstances relating to these convictions as a result of a recent report in the Saffron Walden Weekly News.

Mr Higgins said he had nothing further to add to his earlier comments and the Committee then adjourned to consider their decision.

L117 EXCLUSION OF THE PUBLIC

RESOLVED that the press and public be excluded from the meeting for consideration of this item on the grounds that the business to be transacted involved the likely disclosure of exempt information under Section 100A (4) and (7) of the Local Government Act 1972.

L118 SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE

Members then returned to the meeting to announce their decision.

RESOLVED that, having heard the representations made, there were no grounds for deviating from the licensing standards adopted as policy and the licence was therefore revoked.

Councillor Artus was nominated to deal with any appeal submitted against the Council's decision.

The Executive Manager (Corporate Governance) explained to the applicant his right of appeal to the magistrates court, and subsequently to the Crown Court. He explained that once the first conviction was spent in terms of the Council's licensing policy in February next year then Mr Higgins would be able to submit a further application for a Private Hire Driver's Licence.

L119 SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE

The Licensing Officer reported on the circumstances relating to the failure of Mr Roy Moring to meet the Council's licensing standards and failure to comply with the conditions attached to his Private Hire Driver's Licence. He had breached a condition requiring notification to the Council of three separate

Road Traffic Act convictions within seven days of the conviction being imposed. At the time of the offence Mr Moring had 12 points on his licence and as a result the Council's licence standards had not been met. Mr Moring had appeared before Harlow magistrates who had not disqualified him on the grounds of exceptional hardship. However, two of the endorsements had now expired and if Mr Moring were to apply for a licence today he would meet the licensing standards. He said that the licence was due to expire on 31 March 2006 and the Committee should consider and decide this matter on its merits.

The Executive Manager (Corporate Governance) reiterated that his advice in relation to the previous item was applicable to this case as well.

Mr Moring said that he had committed two offences within a period of a few days during September 2002 because he had not realised that static speed cameras located at road works on the M11 were still in place. Mr Moring had not appreciated that he needed to report his conviction to the Council.

Mr Still spoke on behalf of Mr Moring and said that he had always acted in a courteous and professional manner and was a valuable member of the driving team at Checker Cars.

In making his final statement Mr Moring said that his job had become a way of life and, if his licence was revoked, he would find it difficult to adjust to the loss of his employment.

L120

EXCLUSION OF THE PUBLIC

RESOLVED that under Section 100A (4) & (7) of the Local Government Act 1972, the press and public be excluded from the meeting for consideration of this item on the grounds that the business to be transacted involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

Members then left the room to consider their decision.

L121

SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE

Members then returned to the meeting to announce their decision.

RESOLVED that:

- 1 As Mr Moring now met the licensing standards due to the age of two of the endorsements, little purpose would be served in revoking his licence although had those endorsements not expired the Committee would have been minded to revoke it;
- 2 The Committee took a dim view of Mr Moring's failure to notify officers of his conviction as required by conditions and felt that a sanction needed to be imposed;
- 3 A loss of three days income was considered to be a proportionate response and the licence was therefore suspended for a period of three days.

The Executive Manager (Corporate Governance) explained the appeal opportunities available to Mr Moring and said that the suspension of his licence would commence on 19 October 2005 and run for a period of three days, unless he had lodged an appeal before that date.

The meeting was then adjourned for a short period before the next item was considered.

L123

**APPLICATION TO CONVERT EXISTING LICENCE AND
SIMULTANEOUSLY VARY THE LICENCE FOR THE SALE OF ALCOHOL
AT THE DOWN HALL HOTEL HATFIELD HEATH**

Members considered the report of the Licensing Officer for an application to convert the existing premises licence under the Licensing Act 2003 and simultaneously vary the licence. The variations listed in the application were as follows:

- a) Plays for both inside and outside the premises

Mondays – Sundays 9am – 2am

This facility may only be used on an odd occasion if requested by a prospective client.

- b) Films for both inside and outside the premises

This facility may only be used on an odd occasion if requested by a prospective client.

Mondays – Sundays 9am – 2am

- c) Indoor sporting events

Mondays – Sundays 9am – 4am

This facility may only be used on an odd occasion if requested by a prospective client.

- d) Live music of all descriptions for both inside and outside the premises

Mondays – Sundays 11am – 2am

- e) Recorded music for both inside and outside the premises

Mondays – Sundays for 24 hours

- f) Performance of dance for both inside and outside the premises

Mondays – Sundays 9am – 2am

This facility may only be used on an odd occasion if requested by a prospective client.

- g) Anything of a similar description to that falling in (d), (e) or (f) above for both inside and outside the premises

Mondays – Sundays for 24 hours

This facility may only be used on an odd occasion if requested by a prospective client.

- h) The provision of facilities for making music for both inside and outside the premises

Mondays – Sundays 11am – 2am

- i) The provision of facilities for dancing for both inside and outside the premises

Mondays – Sundays 11am – 2am

- j) The provision of facilities for entertainment of a similar description to that following within (h) or (i) above for both inside and outside the premises

Mondays – Sundays 11am – 2am

- k) Late night refreshment for both inside and outside the premises

Mondays – Sundays 24 hours

This is to cover for room service in addition to the restaurant service at any time of the day or night.

- l) The supply of alcohol for both on and off the premises

Mondays – Sundays for 24 hours

For the non-standard timings the bars will normally close at 1am but the extra hours will allow for 24 hour room service and any additional functions that the premises may hold

- m) The hours the premises are open to the public

Mondays – Sundays for 24 hours

He referred to representations from the Principal Environmental Health Officer requesting the following conditions to be included in any licence that may be granted:

- 1 No live or recorded music or amplified speech shall be played or relayed via external speakers to the hotel grounds (including temporary structures such as marquees and tents) other than for events of which prior notice had been given to the Licensing Authority.

- 2 No other licensable activities shall be carried on within the grounds of the hotel between 23.00 hours and 07.00 hours for the following day.
- 3 Amplified sound from the licensed premises shall be controlled to avoid any nuisance to neighbouring residents.
- 4 When events take place in the hotel grounds in temporary structures such as marquees and tents, notices shall be displayed within such temporary structures to remind persons attending such events to leave the hotel grounds quietly and to avoid any nuisance to neighbouring residents.

One written representation had been received from Mr D Wielebnowski who was present at the meeting and indicated that he wished to speak.

He said that he had moved to the country for a quiet life but that his way of life was often disrupted by noise from Down Hall. When events took place no notice was given and he often had to catch and restrain horses in the dark which put his wife and himself in danger. Distress was caused to the horses by firework displays which had become a regular occurrence at the hall.

Councillor Artus asked Mr Wielebnowski to confirm that the basis of his complaint was purely the firework displays at Down Hall and he confirmed that this was the case.

The Executive Manager (Corporate Governance) said that firework displays were not a licensable activity and did not therefore lie within the remit of this Committee.

Sean Quinney spoke on behalf of the applicant, Veladail Hotels Limited, as he had recently taken over as manager. He said that it was his wish to operate the business professionally and live in harmony with surrounding residents as much as possible. He was aware that a number of complaints had been made regarding activities at Down Hall and he had been contacted by environmental health officers at Epping Forest District Council concerning these complaints. He agreed with the four conditions suggested by the Principal Environmental Health Officer at Uttlesford.

As far as firework displays were concerned, Mr Quinney said that he worked with a specialist company which provided fireworks which were described as "silent". He tried to ensure that firework displays lasted for no longer than 10-15 minutes and finished by no later than 11pm. At the beginning of the summer he had written to neighbouring residents about the forthcoming wedding season. He had been asked by Epping Forest District Council to call neighbouring properties prior to each wedding function but had said that this was not practicable.

Councillor Artus asked Mr Wielebnowski to clarify whether he was complaining about nuisance other than that caused by firework displays, contrary to what he had indicated earlier in the meeting. Mr Wielebnowski said that he stood by his letter of objection which mentioned corporate entertainment and wedding functions. He also mentioned noise nuisance

from helicopters, clay pigeon shooting and quad bikes as well as music both inside and outside the building.

Mr Atkins, an Environmental Health Officer, said he understood a complaint had been submitted about activities at Down Hall a number of years ago but nothing had been received recently.

Mr Quinney referred to the various activities mentioned by Mr Wielebnowski and said that he was investigating the most suitable places to hold particular forms of activity such as clay pigeon shooting and quad biking. However, wedding functions were a major part of Down Hall's business and he failed to see how weddings held in the function suite within Down Hall could cause a nuisance to surrounding residents. He was aware of only one event that had been held in a marquee. This had generated a number of complaints and he had concluded that no further wedding functions would be held in a marquee within the grounds.

L124 **EXCLUSION OF THE PRESS AND 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 grounds that it was in the public interest so to do to permit a free and frank exchange of views between Members.

Members then left the room to consider their decision.

L125 **APPLICATION TO CONVERT EXISTING LICENCE AND SIMULTANEOUSLY VARY THE LICENCE FOR THE SALE OF ALCOHOL AT THE DOWN HALL HOTEL HATFIELD HEATH**

Members then returned to the meeting to announce their decision.

RESOLVED that:

- 1 The Committee, having considered those representations made, are satisfied that the objective of the prevention of public nuisance is met by the conditions contained in the operating schedule varied in agreement with the Principal Environmental Health Officer as referred to in the text of this Minute with the deletion of the word "for" from condition 2;
- 2 The Committee therefore grants the licence subject to those conditions.

Councillor Row was nominated to represent the Council in the event of any appeal. The Council's Legal Officer explained the appeal procedures to the interested parties.

L126 **APPLICATION TO CONVERT THE EXISTING LICENCE AND SIMULTANEOUSLY VARY THE LICENCE FOR THE SALE OF ALCOHOL AT THE OLD BELL HOTEL PINES HILL STANSTED**

Members considered the report of the Licensing Officer for an application to convert the existing premises licence under the Licensing Act 2003 and simultaneously vary the licence to remove the restrictions relating to permitted hours as set out in Section 60 of the Licensing Act 1964 so that the hours that the premises would be open to the public would be amended as follows:

- (a) Live music described as being amplified for both inside and outside the premises. The hours sought are:-
Sundays – Thursdays 4.00pm to 12 midnight
Fridays – Saturdays 4.00pm to 2.00am

- (b) For recorded music described as background music or a discothèque then the hours sought are:-

Sundays – Thursdays 7.00am to 12 midnight
Fridays – Saturdays 7.00am to 2.00am

- (c) For the performance of dance which will take place indoors only then the hours sought are:-

Sundays – Thursdays 5.00pm to 12 midnight
Fridays – Saturdays 5.00pm to 2.00am

For the non-standard timings then the application is for the whole of December until 2.00am each night.

- (d) For anything of a similar description to live music, recorded music and performance of dance both inside and outside the premises the hours sought are:-

Sundays – Thursdays 5.00pm to 12 midnight
Fridays – Saturdays 5.00pm to 2.00am

This form of entertainment would comprise of cabaret nights in the restaurant involving comedians and magicians.

- (e) For the provision of facilities for making music consisting of live bands both inside and outside the premises then hours sought are:-

Sundays – Thursdays 5.00pm to 12 midnight
Fridays – Saturdays 5.00pm to 2.00am

- (f) For the provision of facilities for dancing both inside and outside the premises the hours sought are:-

Sundays – Thursdays 5.00pm to 12 midnight
Fridays – Saturdays 5.00pm to 2.00am

For the non-standard timings then the application is for most of December until 2.00 am.

(g) For the supply of alcohol for consumption either on the premises then the hours sought are:-

Sundays – Thursdays	7.00am – 12 midnight
Fridays – Saturdays	7.00am – 3.00am

For the non-standard timings the application is for the whole of December to be extended to 2.00 am and on Christmas and New Years Eve to 3.00am

The Council's Legal Officer explained the procedure to be followed in determining the licence application and explained the appeal opportunity to the applicant and other interested parties.

A number of representations had been received from interested parties on the grounds of extended hours and noise nuisance.

Mr S A Mynard was present to speak on behalf of the applicants, one of whom, Mr I Goodall, was also present. In addition, the following interested parties indicated that they wished to speak:

Mr J D Patrick
Mrs J Sherwood
Mrs A Broomfield
Mrs K Maginn
Mr N Atkins (an Environmental Health Officer present to speak on behalf of Mr and Mrs Maginn)

In addition, the Licensing Officer said that he had received a letter from Mr L Groome who was unable to be present at this meeting.

Mr Patrick said that he wanted to ask the applicant if it was intended to play music outside the premises every evening. It was his view that the Old Bell was turning into a karaoke establishment.

Mrs Sherwood said that she was particularly concerned at the prospect of live music being played until 2 o'clock in the morning at weekends especially if this was throughout the summer months. She felt that live music until 12 midnight was late for surrounding residents and pointed out that the car park at The Old Bell backed on to the adjoining residential area at Old Bell Close. She was concerned about the prospect of extra traffic attracted by live bands performing at the premises and that some vehicles might park in Old Bell Close. She also mentioned drunken behaviour by youngsters in the vicinity of her house.

Mrs Broomfield said that, in the event of live music being played outside the premises, it would not be possible for her windows to be opened even in warm weather as it would disturb the sleep of their children. She felt that music being performed until 2 o'clock in the morning was too late in a residential area. She also mentioned drunks walking past her house and using abusive language and felt that the additional hours applied for could lead to more vandalism.

Mrs Maginn said that she agreed with all of the previous comments. The problems caused by live music would not just occur during the summer months as it was still possible to hear music playing in the colder weather. She said that she was happy to live in the vicinity of a pub but not a nightclub with extended hours.

Mr Atkins then spoke on behalf of Mr and Mrs Maginn. He said that the premises were in close proximity to residential properties and the use of the garden area would be likely to cause problems to adjoining residents. He suggested a number of possible conditions which might mitigate these problems. These included the closure of external windows and doors, the prevention of live amplified music outside the premises, and a standard audibility condition. In response to a question from Councillor Artus, Mr Atkins confirmed that the Principal Environmental Health Officer had missed the deadline for lodging an objection and suggesting conditions to be imposed. He also confirmed that he had received no complaints from nearby residents about noise nuisance at The Old Bell.

In response to a question from Councillor Row, the Executive Manager (Corporate Governance) confirmed that the map included in the report was incorrect and indicated another public house in Stansted. A map showing The Old Bell Hotel was then produced for Members' information.

Mr Mynard then spoke on behalf of the applicant. He sought to clarify what was intended by the application.

He said that in paragraph E of the application relating to live music the box "both" had been ticked in error. This should have referred to live music indoors only as the only music played in the patio area was background jazz music for dining in the summer months. The intention was that this would finish by 11pm. The application for live music was intended for private functions taking place inside the premises.

In relation to paragraph F, he confirmed that disco music was intended only to be played inside the premises and that the operating schedule should be amended accordingly.

The reference in paragraph G to timings for the performance of dance should not have been included at all and should be deleted.

In relation to paragraphs H and I, the box "both" had again been ticked in error. As the ability to play background music outside the premises was already covered, it was intended that live music should be played wholly inside the premises and this would occur only during specific functions and not on a regular basis. It was likely that live music would be played inside the premises only during wedding functions and functions arranged in December in the lead up period to Christmas.

In paragraph J of the operating schedule the reference to the provision of facilities for dancing should be amended to refer to indoors only.

All references in paragraph L should be deleted entirely as all provision for the supply of alcohol had been covered in paragraph M.

In paragraph O, the hours that the premises would be open to the public on Fridays and Saturdays should be amended from 3.00am to 2.00am.

Mr Mynard also referred to paragraph Q (e) of the operating schedule referring to the protection of children from harm. He said that the reference to “omitting under 18’s from special evenings i.e. cabaret night” should not be intended to exclude children under the age of 18 from attending functions such as weddings and this should be amended accordingly.

He apologised to the Committee for the bad drafting in the application and hoped that the amendments made would enable the Committee to consider the application favourably. He said that the operation of The Old Bell Hotel would not be substantially different from the way it had always operated and he drew the Committee’s attention to the earlier confirmation that no complaints had been received about noise nuisance.

Mr Mynard said that other legislation was available to deal with matters relating to noise nuisance and he also drew attention to the provisions under the new legislation for a right of review of the licence operation. He said that the greatest restraint on the operation of the premises was that it operated primarily as a hotel and it would not be in the applicant’s interest to keep the hotel’s residents awake at night. The applicant would ensure that all windows and doors were kept shut during live entertainment and he said that it was not the intention of the legislation to regulate the behaviour of people outside the premises, whether they were customers of The Old Bell Hotel or not. He commended the Committee to approve the application as it was intended to have been made.

Councillor Artus sought to clarify that paragraphs E, F, H, I and J of the operating schedule referred to activities inside the premises only and that the premises would be open to the public until 3am only on Christmas Eve and New Years Eve.

In response, Mr Mynard reiterated that background music only would be played outside the premises and offered to conduct a boundary check in the car park area to determine whether the level of noise was likely to cause a nuisance to the surrounding residents.

Councillor Artus referred also to the conditions suggested by Mr Atkins and Mr Mynard questioned whether these were still applicable. In response, Mr Atkins confirmed that he felt that the performance of music inside the premises should be controlled and that restrictions should be placed on the performance of live or recorded music, as well as speech, via external speakers. There should also be restrictions on live or amplified music in the open air, including performances made from structures erected outside the premises, and that the outside seating area should not be used for the consumption of alcohol after 11.30pm. He suggested that an inaudibility cause should be incorporated in the licence conditions.

Mr Mynard commented that no live music would be played at all beyond 11.30pm. He felt that it was not necessary to repeat in the application all the normal obligations inherent in operating a licensed premises.

Interested parties were then given the opportunity to ask questions of the applicant's representative. Mrs Maginn asked whether it was the intention to have live bands performing every Friday evening or only on specific occasions. She asked whether it was the intention to have karaoke evenings every Sunday. She also asked for a definition of what constituted the summer period as referred to in the application.

Mr Mynard said that it was intended to have wedding functions and cabaret events during the extended hours requested but whether this would operate on a regular basis or not would be determined by how successful the events were. He could not offer any specific definition of the summer period as he said that this was dependent on weather conditions at the time.

Mrs Broomfield also referred to the prospect of live music every Friday and asked Mr Mynard to confirm whether an outdoor staging area had been built in the car park.

Mr Mynard confirmed that the staging area was intended for the performance of background jazz music. He confirmed that live music would be played every Friday until 11pm.

Mrs Broomfield was concerned that live music would be played until 2am on Friday night.

Mr Mynard confirmed that this was not intended to occur every Friday and Saturday but only on special occasions.

Mrs Sherwood also questioned the applicant's policy on live music. Mr Mynard replied that there were three separate categories of live music. The first was the background jazz music referred to earlier. The second was the regular performance of live music at weekends until 11pm. The final category was the performance of live music until 2am on special occasions such as weddings.

Mrs Broomfield asked how it was intended to police the performance of live music and the behaviour of individuals outside the premises.

Mr Mynard said that the Act provided punishments and regulation and this application was not intended to regulate behaviour taking place outside the premises.

L127

EXCLUSION OF THE PRESS AND 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 grounds that it was in the public interest so to do to permit a free and frank exchange of views between Members.

Members then left the room to consider their decision.

**APPLICATION TO CONVERT THE EXISTING LICENCE AND
SIMULTANEOUSLY VARY THE LICENCE FOR THE SALE OF ALCOHOL
AT THE OLD BELL HOTEL PINES HILL STANSTED**

Members then returned to the meeting to announce their decision.

RESOLVED that:

- 1 The Committee, having considered the written representations and having heard representations by interested parties and the applicant, are not satisfied that the objective of preventing public nuisance is met by the application as drawn.
- 2 The Committee has had regard to its licensing policy, and in particular paragraph 5, and takes note of the fact that the premises are situate in a residential area.
- 3 The applicant's solicitor drew the Committee's attention to inconsistencies in certain parts of the application. With regard to paragraph (e) it was explained that the hours stated related to indoor entertainment only and that outdoor entertainment would cease at 23.00. Outdoor entertainment was described as background music for diners. If it is truly background music it is not regulated entertainment and does not require a licence.
- 4 The Committee takes a view that anything more than background music until 23.00, seven nights a week outside the premises would cause an unacceptable public nuisance. The Committee therefore impose a condition that there shall be no outside live or amplified music between Sundays and Thursdays inclusive and that live and amplified music may only be performed outside the premises on Fridays and Saturdays between the hours of 16.00 and 22.00.
- 5 With regard to paragraphs (f), (h), (i) and (j), the applicant's solicitor explained that this should refer to the activities being carried out indoors only and the operating schedule will be amended accordingly. The applicant's solicitor further said that paragraphs (g) and (l) should not have appeared in the application and these will be deleted. Under paragraph (o) the standard finish times for Fridays and Saturdays should be 02.00 and this amendment will also be made.
- 6 In addition the following conditions will be imposed:
 - The beer garden and patio area shall not be used by patrons between the hours of 23.30 and 07.00 and the area shall be cleared of all glasses etc by 00.00.
 - A responsible employee shall monitor external noise levels and shall take steps to reduce noise levels where necessary. A log shall be kept of such monitoring including any remedial action taken.

- Amplified sound from the licensed premises shall not be clearly audible at the boundary of any noise sensitive premises so as to cause a nuisance.
 - No live or recorded music or amplified speech shall be relayed via external speakers save for on Fridays and Saturdays between the hours of 16.00 and 22.00.
- 7 The Committee grants the application subject to these conditions.

In the event of an appeal being lodged, Councillor Artus was appointed to represent the Council.

The Council's Legal Officer explained the procedure relating to the opportunities available to interested parties to appeal against the decision made.

For clarification, Mrs Broomfield asked why it had been felt necessary to add the provisions relating to the performance of live music outside the premises on Fridays and Saturdays as she thought the application had been amended to exclude provision for live music outside the premises.

The Council's Legal Officer responded by explaining the effect of the provisions relating to the performance of music outside the premises.

The meeting ended at 10.50pm.