

Committee: Licensing
Date: 28 September 2005
Agenda Item No: 3
Title: The Reid Rooms, Margaret Roding
Author: Murray Hardy (01799) 510598

Summary

- 1 This report sets out an application to convert the existing premises licence under the Licensing Act 2003 and simultaneously vary the licence. Representations have been made to the Licensing Authority regarding the proposed operating schedule therefore this application has been referred to the Committee for deliberation.

Background

- 2 The Reid Rooms is situated in Margaret Roding and currently has a Justices Licence with conditions to sell intoxicating liquor of all descriptions by retail for consumption both on and off the premises. This area is mainly isolated with the premises set back from the A1060.
- 3 The applicant is Martin Reid Ritchie who currently holds the Justices Licence with Andrew William Clark and Jane Lesley Ritchie.
- 4 The existing Justices Licence permits the sale of intoxicating liquor between the following permitted hours:

Mondays – Saturdays	11am to 11pm
Sundays	12 midday to 10.30pm

These hours are subject to the condition that intoxicating liquor may only be sold to persons/organisations attending a function organised through Mr and Mrs Ritchie. The general public are not admitted to the premises at any time.

- 5 The applicants are applying for a conversion with simultaneous variation. They are seeking to remove the restrictions relating to permitted hours as set out in Section 60 Licensing Act 1964 so as to extend the hours for the sale of alcohol and to include licensable activities which have not been previously license.

- 6 The operating schedule indicates that they have applied for the following activities.
- a) Live music which will consist of bands, musicians and signers engaged for function the music of which may be amplified or un-amplified. This will be confined to inside the premises only
- Mondays – Sundays 11am – 12.30am
- b) For recorded music inside the premises only
- Monday – Sundays 11am – 12.30am
- This may take the form of a discothèque which generally be amplified
- c) For the provision of facilities for dancing
- Mondays – Sundays 11am – 12.30am
- This activity is required when functions are taking place on the premises
- d) For the supply of alcohol both on and off the premises the hours sought are
- Mondays – Sundays 11am – 12.30am
- This activity may not occur on every day but it does give the flexibility for when functions do take place
- e) The hours that the premises are to remain open to the public
- Mondays – Sundays 11am – 1am
- This activity may not occur on every day but it is envisaged that it would be most practicable during the summer months.

7 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the prevention of crime and disorder.

- Effective and responsible management of the premises
- The premises will be adequately staffed at all times
- Effective training and supervision of staff

8 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding public safety

- The occupancy capacity to be no more than 200

- Regular testing of procedures, appliances and systems
 - Updated risk assessments
- 9 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the prevention of public nuisance
- Noise from the premises will be monitored
- 10 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding the protection of children from harm
- Proof of age scheme in operation
- 11 Copies of this application have been served on the statutory bodies with no representations being received.
- 12 Representations have been received from interested parties based on the licensing objective which relate to the prevention of a public nuisance. It is feared that excessive noise may be the result of if the current licensing house are extended and the noise would also occur when live or recorded music is in progress.
- 13 In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003, i.e:
- Grant the application
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 14 The decision which the Committee can make for this application is to:
- Grant the application
 - Modify the application by inserting conditions
 - Remove the licensable activity from the licence
 - Reject the application
- 15 When determining an application then due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.

- 16 If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relative to the representations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

RECOMMENDED that

- 1 The application is determined.
- 2 In the event of an appeal against the decision of the Licensing Authority, then a member is nominated to give evidence on behalf of the authority.

Background papers: Operating Schedule
 Plan of Premises
 Location of Premises
 Letters from interested parties