

Committee: Licensing
Date: 22 December 2005
Agenda Item No: 2
Title: Audley End House and Grounds
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Summary

- 1 This report sets out an application for a premises licence post 6 August 2005. Representations have been made to the Licensing Authority concerning this application therefore this has been referred to the Committee for deliberation.

Background

- 2 Audley End House and Grounds are situated in the parish of Littlebury and can be described as a large Jacobean House surrounded with beautiful gardens and landscape. It is widely regarded as a tourist attraction within the District which receives large numbers of visitors throughout the year.
- 3 The applicants are English Heritage who are making a first time application for a premises licence in accordance with the Licensing Act 2003. Under previous legislation they have held other events at this location.
- 4 The operating schedule that has been submitted indicates that the following licensable activities are requested:

- a) Plays which would relate to historical re-enactments and theatre performances both inside the house and in the grounds the times sought are:

Monday – Sundays 10am – 12 midnight

- b) Films which will be shown both inside the house and in the grounds the times sought are:

Monday – Sundays 10am – midnight

- c) Live music used in connection with historical re-enactments, theatre, plays, weddings, private functions and other events for both inside the house and in the grounds, the times sought are:

Mondays – Sundays 10am – 12 midnight

For the non-standard timings permission is being sought to extend the hours until 1.30am when weddings, private functions and other unspecified events take place.

- d) For recorded music that is to be played both inside the house and in the grounds then the standard and non-standard timings are identical to those contained in paragraph (c) above.
- e) For performance of dance both inside the house and in the grounds then the standard and non-standard timings are identical to those contained in paragraph (c) above.
- f) For anything of a similar description to that falling within live music, recorded music or performance of dance used in connection with any event or activity relevant to the promotion of the historical site then the standard and non-standard timings are identical to those contained in paragraph (c) above. This would take place either inside the house or within the grounds.
- g) For the provision of facilities for making music for both inside the house and in the grounds used in connection with musical workshops attended by the local community, schools and visitors then the standard and non-standard timings are identical to those contained in paragraph (c) above.
- h) For the provision of facilities for dancing both inside the house and in the grounds then the standard and non-standard timings are identical to those contained in paragraph (c) above.
- i) For the provision of facilities for entertainment of a similar description to the provision of facilities for making music or dancing either in the house or grounds and used in connection with an unspecified event or activity relevant to the promotion of the historical site the standard and non-standard timings are identical to paragraph (c) above.
- j) For late night refreshment both inside the house and in the grounds then the standard and non-standard timings are identical to those contained in paragraph (c) above.
- k) For the supply of alcohol both on and off the premises then the standard and non-standard timings are identical as those contained in paragraph (c) above.
- l) The hours that the premises are to remain open to the public are the same as the standard and non-standard timings contained in paragraph (c) above. The hours of opening correspond to the hours for the supply of alcohol.

5 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.

- All events will be adequately staffed and monitored by English Heritage

- During summer theatre events, front of house staff will be supplied by the relevant theatre company.
 - Should large numbers attend, the local police will be informed.
 - In the event of black powder/pyrotechnics being used the local police will be informed.
- 6 The applicants in their operating schedule have indicated that the following measures will be taken to promote the licensing objective regarding public safety.
- All events are covered by written risk assessments
 - Any additional staff used will be adequately briefed.
 - At least one qualified first aider to be on duty during all events.
 - Additional first aid cover will be provided by St John's Ambulance or Red Cross.
 - All electrical equipment must have current PAT Test certification.
- 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 public nuisance.
- Most events will take place during normal daylight hours.
 - In cases where events take place in the evening which include live or recorded music then noise levels will be monitored so as not to cause disturbance to local residents.
- 8 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.
- All children must be accompanied by an adult when on site.
 - Staff to be aware of the English Heritage written policy on child welfare.
- 9 Copies of this application have been served on the statutory bodies with representations being received from the Principal Environmental Health Officer and the Principle Health and Safety Officer. These are based on the licensing objectives regarding the prevention of a public nuisance and public safety.
- 10 Representations have been received from interested parties based on the licensing objective that relates to the prevention of a public nuisance. It is feared that excessive noise would result from the live or recorded music coming from the premises.

- 11 In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 12 The decision that the Committee can make for this application is to:
- Grant the application
 - Modify the application by inserting conditions
 - Remove the licensable activity from the licensee
 - Reject the application
- 13 When determining an application then due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.
- 14 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 from applicants
 Representations from the Principal
 Environmental Health Officer.
 Representations from the Principle Health
 and Safety Officer
 Plan of Premises
 Location of Premises
 Letters from interested parties