

Committee: Licensing
Date: 21 June 2006
Agenda Item No: 2
Title: Audley End House and Grounds
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Summary

- 1 This report sets out details of an application for a new premises licence under the Licensing Act 2003. 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 Saffron Walden 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 IMG UK Ltd are applying on behalf of English Heritage 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 on a Friday, Saturday or Sunday in July and August between the hours of 7.30 pm and 10.30 pm with a maximum of 8 events held per year:
 - a) Plays – outdoors only.
 - b) Films – outdoors only
 - c) Live music –outdoors only.
 - d) Recorded music – outdoors only.
 - e) Performance of dance - outdoors only
 - f) For the supply of alcohol - both on and off the premises.

For information: No plays or films to be performed in 2006. Any proposed plays/films in future years will be detailed in that years concerts event management plan but will fall within the same hours as the entertainments in 2006.i.e 7.30pm to 10.30pm.

- 5 The applicants in their operating schedule have undertaken a full risk assessment and have provided full details of their proposals to meet the licensing objective regarding the prevention of crime and disorder. These proposals can be found in the attached schedule 1 on pages 27 to 32.
- 6 The applicants in their operating schedule have undertaken a full risk assessment and have provided full details of their proposals to meet the licensing objective regarding public safety. These proposals can be found in the attached schedule 1 on pages 33 to 40.
- 7 The applicants in their operating schedule have undertaken a full risk assessment and have provided full details of their proposals to meet the licensing objective regarding the prevention of noise nuisance. These proposals can be found in the attached schedule 1 on pages 41 to 45.
- 8 The applicants in their operating schedule have undertaken a full risk assessment and have provided full details of their proposals to meet the licensing objective regarding the protection of children from harm. These proposals can be found in the attached schedule 1 on pages 46 to 48.
- 9 The applicant has since making the application agreed to the imposition of the following condition suggested by the Health and Safety Officer in respect of the licensing objective of the promotion of public safety :-

“that the arrangements for health and safety be fully implemented in accordance with the Operating Schedule event Safety Plan and any other supplementary documentation to the satisfaction of the statutory consultees including Environmental Services”.
- 10 In addition, the applicant has also since agreed to the imposition of conditions suggested by Environmental Health Noise Nuisance Officer in respect of the prevention of public nuisance and these are attached as Schedule 2.
- 11 Representations have been received from interested parties based on the licensing objective that relates to the prevention of a public nuisance. Their main concerns are the events numbers being increased from five to eight, afternoon rehearsals and both noise and traffic disturbance to residents.
- 12 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
- 13 The decision that the Committee can make for this application is to:
 - Grant the application
 - Modify the application by imposing conditions

- Remove the licensable activity from the licensee
- Reject the application

14 When determining an application then due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.

15 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
 Plan of Premises
 Location of Premises
 Letters from interested parties
 Documents submitted by Health & Safety and
 Noise nuisance representatives