

**EXTRAORDINARY LICENCING COMMITTEE held at 2.30pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 5 JULY 2006**

Present: - Councillor J I Loughlin (Chairman)  
Councillors H D Baker, E W Hicks and D J Morson.

Officers in attendance: - M Hardy, V Harvey, C Nicholson and J Jones.

LC13

**APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 AT THE GROUNDS OF LITTLE BARDFIELD HALL, LITTLE BARDFIELD**

Members considered the report of the Licensing Officer on the application for a new premises licence under the Licensing Act 2003 at the Grounds of Little Bardfield Hall, Little Bardfield.

The Council's Legal Officer explained the procedure to be adopted for the hearing.

The applicant Alan Goldsmith was present. Mr Head, a neighbour of the project who had made a written representation was also present to make his comments on the application.

The Licensing Officer then outlined key areas of the report. The grounds of Little Bardfield Hall were situated in the parish of Little Bardfield and could be described as a large house surrounded by landscaped gardens with a lake.

The applicant was applying for a premises licence in accordance with the Licensing Act 2003. The type of events intended to be held at the premises would be picnic concerts with live entertainment, plays or wedding receptions.

The operating schedule that had been submitted indicated that the following licensable activities were requested to take place on a Saturday or Sunday evening only between the hours of 5.00pm and 11.00pm:

- Plays – outdoor only – maximum of 3 per year
- Live music – outdoors only – maximum of 12 events per year
- Recorded music – outdoors only – maximum of 6 events per year
- Performance of dance – outdoors only – maximum of 12 events per year
- Provision of facilities for dancing – outdoors only – maximum of 12 per year
- For the supply of alcohol – on the premises for up to 12 occasions per year.

The applicant in its operating schedule had indicated that he would take the following steps to promote the crime and disorder objective:

- To employ a security company to attend all events

The applicant in its operating schedule had indicated that he would take the following steps to promote the public safety objective:

- Employment of Stewards to supervise public safety
- St John Ambulance employed at all events.

The applicant in its operating schedule had indicated that he would take the following steps to promote the noise nuisance objective:

- Professional sound engineers to be on duty to monitor and control sound.

The applicant in its operating schedule had indicated that he would take the following steps to promote the protection of children from harm objective:

- Employment of stewards and St John Ambulance
- Security fencing
- Only adult priced tickets on sale

A representation had been received from an interested party based on the licensing objective relating to both the prevention of public nuisance and public safety. His main concerns were:

- Number of functions being held during the year.
- Size of the functions and type of events
- Resident safety due to vehicle access to the site
- Concerns involving goods vehicles when contractors deliver equipment
- Coffin Lane by church unsuitable for increased traffic
- Noise pollution associated with the event.
- The potential for rowdy behaviour as a result of alcohol being freely available

The decision the Committee could make for this application would be to:

- Grant the application
- Modify the application by inserting conditions
- Remove the licensable activity from the licensee
- Reject the application

The Chairman then invited Mr Head, a neighbour of Little Bardfield Hall to make his representation. Mr Head said he understood the statutory requirements and the nature of the proposed events. The events would place a strain on the environment of the village and he drew specific attention to the heavy use of vehicles on Coffin Lane which leads up to the Church; he held particular concern over Heavy Goods Vehicles using the road. He held further concern over children attending events and purchasing alcohol. When large events would take place Mr Head asked that any marquees be placed furthest from his house and that car parking was not in the field next to his house. He said that 12 events on 12 consecutive weekends would be too much, but should the Committee approve this licence he asked that the number of events, whether it be live concerts, plays or weddings be limited in size and number. He also did not want to see the grounds start to hold commercial events.

The applicant, Mr Goldsmith was then invited to address the Committee. He stated his application was broad to cover a possible spectrum of events, whether it be live music, concerts plays, or weddings and he did not have in mind specific events. He was making this application to allow for flexibility in future events.

Members then asked for clarity regarding the days on which the events would be held as there was a discrepancy between the report and operating schedule. The schedule indicated the standard days would be Saturday or Sunday and the report stated the licensable activities were requested to take place on a Friday or Saturday. Mr Goldsmith confirmed that the days applied for were Saturday and Sunday.

Further clarification was sought regarding the events. Members understood the applicant to be applying for a licence to grant 12 events per year, however the licensable activities requested totalled 57 events a year. The Licensing Officer explained that the permutations of the licensable activities would equal no more than 12 events per year. It was also explained that there was no need for the application to specify certain events, as this would not provide flexibility for the applicant.

Mr Goldsmith made a response to some of the concerns held by Mr Head. He said that no event would be held in the field neighbouring Mr Head's property. Mr Goldsmith stated he owned Coffin Road and did not want to see heavy traffic on the road either; any Heavy Goods Vehicles would use the entrance to his property at the other end of the road. He said no event would hold more than 500 people. The level of sound and number of people at an event would be determined by the Health and Safety Officer and any rehearsals would take place in the afternoon, around 4pm.

Councillor Loughlin made reference to the licensable objective regarding the protection of children from harm and asked for clarification. Mr Goldsmith said at an event where tickets were purchased only full price adult tickets went on sale to deter children from attending. He also said that full identification checks would be taken out by bar staff serving alcohol. He would not hold any events aimed at under 18s.

Councillor Hicks asked whether it would be more suitable for Mr Goldsmith to apply for a temporary licence for each event he wished to hold. He was told it would be more financially viable and time effective for the one application to grant a premises licence under the Licensing Act 2003.

Councillor Morson asked how often the events could take place. The Licensing Officer said there was a restriction in that events could only be held on the specified days of Saturday and Sunday and if required the applicant could hold events on consecutive weekends until 12 events had been held. There was however a condition in the operating schedule that stated the applicant must give 28 days notice to Uttlesford District Council before the first event of the year.

LC14      **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 its 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 Committee Room to consider their decision at 3.20pm.

LC15      **APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 AT THE GROUNDS OF LITTLE BARDFIELD HALL, LITTLE BARDFIELD**

Members returned to the room to announce their decision at 4.00pm

RESOLVED that the Committee having carefully considered everything it had heard and had also taken account of the written representation that had been made by Mr Head, and they considered that they would grant the licence subject to the imposition of the following conditions:

1. that there be a maximum of 12 events carried out per year;
2. that of that 12 events, no more than 2 events to be concerts;
3. that staff were trained in the requirements of the Licensing Act 2003 including the sale of alcohol to children;
4. to ensure that a Suitable Identification Scheme was implemented to ensure alcohol was only sold to persons over 18 years.
5. the premises to be closed by 23.30.

The Committee considered that these Conditions were necessary to meet the Licensing objectives of the prevention of public nuisance and the protection of children from harm.

The decision was also in accordance with the Council's own policy and the Secretary of State's guidance; the applicant was reminded that there was a right of appeal against the decision and needed to submit an appeal in writing to the Magistrates Court within 21 days of written notification of the decision.

The applicant was also reminded of the right to request a review of the decision if once the licence was in force it was felt that the licensing objectives were being breached and the Committee would then reconsider the Licence.

The meeting ended at 4.05pm.