

**EXTRAORDINARY LICENSING COMMITTEE held at 2.30 pm at the  
COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 11 JUNE  
2007**

Present: - Councillor E Hicks – Chairman  
Councillors J E Hudson, R M Lemon and D G Perry

Officers in attendance: - M Hardy, H Joy, C Nicholson, E O'Malley and J  
Schiller

Also Present: - Councillor H J Mason

**LC1 APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE  
LICENSING ACT 2003 FOR THE COMMUNITY CENTRE, SOUTH ROAD,  
TAKELEY**

The Chairman of the Committee introduced Members and Officers.

The application was to grant a premises licence under the Licensing Act 2003 for the community centre, Takeley. The applicant and Uttlesford District Council officers Helen Joy and Jenny Schiller were present at the meeting, as the community day centre is owned by Uttlesford District Council, but run by a management committee separate to the Council.

The Uttlesford District Council's Legal Officer, Catherine Nicholson, outlined the procedure for the hearing and drew attention to the opportunity for everyone concerned to have their say. She then asked who would be speaking for and against the application. Reverend Bond replied that he would be presenting the application and the Licensing Officer; Murray Hardy told the committee that the person who had made a representation against the granting of the licence was not in attendance.

The Licensing Officer then outlined the application as set out in the report, explaining that it concerned a premises licence granted in accordance with the Licensing Act 2003 for the community centre. He explained that the premises licence would be granted in respect of regulated entertainment. It should be noted that no application is being made for the sale of alcohol by retail.

The application includes an operating schedule, which detailed the activities the applicants wish to undertake. In respect of those premises the following is sought: -

- a) Films – Indoors Only  
Monday – Sunday inclusive  
10 am – 10 pm
- b) Live Music – Indoors Only  
Monday – Sunday inclusive

10 am – 10 pm

The seasonal variation for New Years Eve the times sought are from: -

10 am to 12 midnight.

- c) Recorded Music – Indoors only  
Monday to Sunday inclusive  
10 am – 10 pm  
The seasonal variation for New Years Eve the times sought are 10 am – 12 midnight.
- d) The performance of dance – Indoors Only  
Monday – Sunday inclusive  
10 am – 10 pm  
The seasonal variation for New Years Eve the times sought are 10 am – 12 midnight.
- e) Provision of Facilities for making music – Indoors Only  
Monday – Sunday inclusive  
The seasonal variation for New Years Eve the times sought are 10 am – 12 midnight
- f) The provision of facilities for dancing – Indoors Only  
Monday – Sunday inclusive  
10 am – 10 pm  
The seasonal variation for New Years Eve the times sought are 10 am – 12 midnight.
- g) The provision of facilities for entertainment of a similar description to that of making music or dance – Indoors Only.  
Monday – Sunday inclusive  
10 am – 12 midnight
- h) The hours that the premises are open to the public  
Monday – Sunday inclusive  
9 am – 10 pm

The new operating schedule indicated the following measures would be taken to promote the licensing objectives: -

#### Prevention of Crime and Disorder

- Lettings to recognised organisations with the power to refuse such applications.

#### Public Safety

- The premises have adequate insurance notice displayed for fire procedures. Risk assessments are in place. Compliance with all safety regulations.

Prevention of Public Nuisance

- Hirers will be aware of responsibilities

Protection of children from harm

- Leaders responsible for own children
- Child minders in regular attendance.

The decisions available were to: -

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

He added that due regard should be given to the Council's licensing policy and the secretary of states guidance. Any conditions to be imposed must be necessary and proportionate to promote the licensing objective relative to the representations received. Equally, the committee could not impose conditions that duplicated the effect of existing legislation.

The Licensing officer asked if there were any questions.

Councillor Hicks asked whether the proximity of the objector to the day centre could have been placed on a map.

The Licensing officer explained that it was shown on the map but did apologise for not having visited the premises himself, and explained that this was due to a heavy work schedule at present, and he had expected that the objector would be present to explain proximities.

Reverend Bond was invited to make his statement.

Reverend Bond explained that the Takeley Day centre had decided to make an application for premises licence to coincide with the other day centres across the district.

Reverend Bond explained that at the moment the day centre was not regularly used and the activities that took place mostly involved pensioner's lunches and children's activities, which meant that the day centres usage rarely, exceeded six hours per day. Reverend Bond explained that he felt the objector was far more concerned with the Sunday opening hours rather than the public nuisance of the noise.

Reverend Bond went on to explain that if the premises licence was granted it would not create a huge influx of interest and that the main reason behind the application was that Uttlesford DC wished to comply with legal requirements. He asked Members to note that all similar applications from Uttlesford day centres had been granted.

Councillor Lemon asked whether the day centre had air conditioning and suggested that they insist windows are kept shut whilst music is being played. Reverend Bond agreed that this could be a requirement.

Councillor Hicks questioned the wording of the application that read 'hirers will be aware of responsibilities'. He explained that it should be the responsibility of the licensee. Reverend Bond agreed, and apologised for the mistake and explained that they would be using a standard letting form which would set out to hirers what they could do, but they as the licensee would be ultimately responsible.

## **LC2 EXCLUSION OF THE PUBLIC**

RESOLVED that under Regulation 14 (2) Licensing Act 2003 (Hearings) Regulations 2005, the press and the 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.

The public left the room to allow Members to consider their decision at 2.50 pm

Councillor Mason was also excluded from the discussions.

## **LC3 APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR THE COMMUNITY CENTRE, SOUTH ROAD, TAKELEY**

Members returned to announce their decision at 3.00 pm

RESOLVED that having carefully considered the report of the licensing officer and having considered the representations made by Reverend Bond and Helen Joy in person today and subject to the imposition of the condition that had already received the agreement of the applicant, in order to promote the prevention of public nuisance to residential neighbours, that windows are kept shut when live or recorded music is played, the application should be granted.

The meeting ended at 3.05 pm.