

# **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Licensing Sub Committee      **Date:** 2 August 2022

**Place:** Council Chamber - Civic Offices      **Time:** 10.15 am - 3.27 pm

**Members Present:** R Morgan (Chairman), S Heather, A Lion and J M Whitehouse

**Other Councillors:** P Stalker

**Apologies:** I Hadley

**Officers Present:** R Ferreira (Assistant Solicitor), J Leither (Democratic Services Officer), D Houghton (Licensing Compliance Officer), H Gould (Licensing Compliance Officer), C Levy (Licensing Support Officer), D King (Licensing Manager) and R Moreton (Corporate Communications Officer)

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## **11. WEBCASTING INTRODUCTION**

The Chairman made a short address to remind everyone present that the meeting would be broadcast to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

## **12. DECLARATIONS OF INTEREST**

There were no declarations of interest made pursuant to the Council's Code of Member Conduct.

## **13. PROCEDURE FOR THE CONDUCT OF BUSINESS**

The Sub-Committee noted the procedure for the conduct of business for this meeting.

## **14. EXCLUSION OF PUBLIC AND PRESS**

### **Resolved:**

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that it would involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or were confidential under Section 100(A)(2):

| <b>Agenda Item No</b> | <b>Subject</b>  | <b>Exempt Information Paragraph Number</b> |
|-----------------------|---|--|
| 6                     | Application for a Hackney Carriage Driver's Licence<br>Mr A W Leggett | 1  |

**15. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR A W LEGGETT**

The Sub-Committee considered an application for a Hackney Carriage Driver's Licence from Mr A W Leggett. The three Councillors which presided over this item were Councillors: R Morgan (Chairman); A Lion; and J M Whitehouse. The Sub-Committee noted that Officers did not have the necessary delegated authority and, as a result, this application had to be considered by the Sub-Committee.

The Chairman informed the Sub-Committee that Mr Leggett had phoned this morning to say he could not attend and that this was the third Sub-Committee that he had not attended and it was decided to proceed without Mr Leggett being in attendance. The Chairman requested that everyone, except the Licensing Sub-Committee members and advising officers left the Chamber whilst they considered the application.

The Chairman invited Officers and Members back into the meeting. The Chairman advised the participants of the Sub-Committee's decision. The Chairman also advised that the Sub-Committee had received no additional advice from Officers during their deliberations in private session.

**RESOLVED:**

That the decision of this Sub-Committee was that the Licence shall not be granted.

In the absence of the applicant and despite being given three opportunities to attend, this Licensing Sub-Committee felt that they did not have an opportunity to seek clarification on a number of points and therefore could not be satisfied that the applicant met the required test.

The applicant is reminded of his/her right of appeal to the Magistrates' Court within 21 days of the date of the written notification of this decision.

**16. INCLUSION OF PUBLIC AND PRESS****RESOLVED:**

That the public and press be invited back into the meeting for the remaining items of business.

**17. NEW PREMISES LICENCE - UNIT K, THE MALTINGS, STATION ROAD, SAWBRIDGEWORTH**

The three Councillors that presided over this application were Councillors R Morgan (Chairman), A Lion and J M Whitehouse. The Chairman welcomed the participants and requested that they introduced themselves to the Sub-Committee.

In attendance for the application was the applicant Mr Daniel Potter.

There were no objectors present.

The Chairman then introduced the Members and Officers present and outlined the procedure that would be followed for the determination of the application.

**(a) Application before the Sub-Committee**

An application was made by Daniel Potter for a new premises licence at The Gallery, Unit K, The Maltings, Station Road, Sawbridgeworth, Essex CM21 9JX. The application was for the following activities.

- **Provision of Live Music**

|                    |                |
|--------------------|----------------|
| Friday to Saturday | 18:00 to 23:00 |
| Sunday             | 12:00 to 22:00 |

- **Provision of Recorded Music**

|                      |                |
|----------------------|----------------|
| Monday to Tuesday    | 10:00 to 17:00 |
| Wednesday and Sunday | 10:00 to 22:00 |
| Thursday to Saturday | 10:00 to 23:00 |

- **Sale by Retail of Alcohol (on and off sales)**

|                      |                |
|----------------------|----------------|
| Monday to Tuesday    | 12:00 to 17:00 |
| Wednesday and Sunday | 12:00 to 22:00 |
| Thursday to Saturday | 12:00 to 23:00 |

- **Non-standard timings**

Summer Bank Holiday in August where there was a possibility that live music will take place.

Easter Monday and May Bank Holiday 12:00 to 23:00.

Live Music Christmas Eve and New Year's Eve until 00.30am.

Recorded Music may be extended on Christmas Eve and New Year's Eve with the use of a DJ.

Sale by Retail of Alcohol may be extended on Christmas Eve and New Year's Eve to 00.30am.

Opening Times may be extended on Christmas Eve and New Year's Eve to 01.00am.

Opening Times requested, Monday to Tuesday 10.00 – 17.00 Wednesday and Sunday 10.00 – 22.00 Thursday to Saturday 10.00 – 23.00.

The application was received on 22 July 2022. The Operating Schedule set out conditions that would be attached to the licence if this application was granted.

The Responsible Authorities had all received a copy of the application. It was also advertised at the premises and in a local newspaper. The public notice and newspaper advert were attached in the agenda report. All residences and businesses within 150 metre radius of the premises were individually consulted.

The authority had received seven representations of objection from two residents and five nearby businesses, which were detailed in the agenda report. The objections related to public safety and the prevention of public nuisance. Also included in the agenda report were conditions that were agreed with Essex Police. Essex Fire and Rescue responded and advised that they did not propose to carry out an inspection at this present time.

**(b) Presentation of the Applicant's case**

The applicant, Mr D Potter outlined his application and advised that The Maltings was essentially an antiques hub and he had been occupying a unit in there for the last two years. An opportunity arose where Unit K became available and he consulted with local residents and businesses who offered him encouragement and support for his new business venture.

**(c) Questions for the Applicant from the Sub-Committee**

The Sub-Committee asked the applicant what experience he had with the licensing trade. Mr Potter advised that he had worked in a public house for the last twelve months to get some experience as it had always been a passion of his to run a much smaller establishment. He clarified that this was not going to be a pub bar, one half would be an antiques shop where people would walk in look at art and antiques for sale and there would be a provision to sit and have a craft beer or a glass of wine with some live music. There would be no beer on tap it would be high end bottled craft beers and wine.

The Sub-Committee asked if the licensed activities were enclosed in the unit with no outside activity? Mr Potter advised that was applying for a license to cover outside seating for 6 tables.

The Sub-Committee asked if Mr Potter would be the designated premises supervisor? Mr Potter advised that he would and that he had just obtained his personal licence.

The Sub-Committee stated that the main objection was parking and asked if could he explain how the parking would work? Mr Potter stated that there were 7/8 parking spaces outside unit K and unit L which was immediately next door, where his father would be running a separate antiques business. The other businesses usually close at 5pm and there was some parking in the access road.

The Sub-Committee noted that it was a small venue with only 7 inside tables and asked how many people were expected to be at the venue at any one time? Mr Potter advised that when there was a live music event, he thought around 50 people but was happy to be guided by the Sub-Committee.

The Sub-Committee asked if there were 50 people attending an event where would they park? Mr Potter stated that he had an agreement with the antiques business next door who have approximately 30 parking spaces and that they could be used after 5pm. There was also the station car park a few minutes away. He added that he would never encourage anyone to drink and drive and hoped that patrons would come on the train as the station was only a few minutes away, also that people who lived in Sawbridgeworth would be able to walk down to the venue.

The Sub-Committee asked how the live music would be controlled to minimise the impact on local residents? Mr Potter advised that Unit K was presently a gym which had been there for 7 years, they opened at 6.30am and they play very loud pumping music, he knew this because he lived above. The landlord has said he would be putting a new soundproof ceiling into Unit K which will be put in before he took the premises over. Although the application was for live music all week Mr Potter stated that he envisaged that it would only be twice a week, which would be on either a Friday or Saturday night and Sunday lunchtime, which would only be chill out music in the form of a guitarist or a pianist. The rest of the week would be recorded background music.

The Sub-Committee noted that Mr Potter had accepted the police conditions and one of these conditions being a dispersal policy and asked what dispersal policy was in place? Mr Potter advised that he did have a dispersal policy in place to which he understood to be making sure the local community was not disturbed and encouraged people to leave the premises quietly.

The Sub-Committee noted that the applicant had applied for off sales and the applicant why? Mr Potter said he had researched other similar premises who sold craft beers and noted that people liked to buy craft beers to take home to drink where they may not be able to find it for sale in a supermarket or off licence.

**(d) Closing Statement from the Applicant**

The Applicant had nothing further to add.

**(e) Consideration of the Application by the Sub-Committee**

The Chairman advised that the Licensing Sub-Committee would go into private session to consider the application and asked everyone, apart from the Sub-Committee Members and advisory officers, to leave the Council Chamber.

The Licensing Sub-Committee considered that the application satisfied the necessary requirements in order to be considered, as it was on the prescribed form, it had been advertised and the relevant notifications given.

During its deliberations in private session the Sub-Committee received no further advice from the officers present.

**RESOLVED:**

That the application for a premises licence for The Gallery, Unit K The Maltings, Station Road, Sawbridgeworth CM21 9JX, be granted subject to the following conditions which were considered reasonable and proportionate for the promotion of the licensing objectives:

- **Provision of Live Music**  
Friday to Saturday -18:00 to 23:00  
Sunday -12:00 to 22:00
- **Provision of Recorded Music**  
Monday to Tuesday - 10:00 to 17:00  
Wednesday – 10:00 to 22:00  
Thursday to Saturday – 10:00 to 23:00  
Sunday - 10:00 to 22:00
- **Supply of Alcohol**  
Monday to Tuesday – 12:00 to 17:00.  
Wednesday – 12:00 to 22:00  
Thursday to Saturday 12:00 to 23:00.  
Sunday – 12:00 to 22:00.  
Sale of alcohol for consumption - On and Off Sales.
- **Hours Premises are Open to the Public (Opening Times)**  
Monday to Tuesday – 10:00 to 17:00.  
Wednesday and Sunday 10:00 to 22:00.  
Thursday to Saturday 10:00 to 23:00.
- **Non-standard timings**  
Summer Bank Holidays in August where there was a possibility that live music will take place.

This would also include Easter Monday and May bank holiday. The same timings would be in place for Sunday session.

Live Music Christmas Eve and New Year's Eve until 00:30am.

Recorded Music maybe extended on Christmas Eve and New Year's Eve with the use of a DJ.

Supply of alcohol maybe extended on Christmas Eve and New Year's Eve to 00:30am.

Opening Times maybe extended on Christmas Eve and New Year's Eve to 01.00am.

**Subject to:**

- the conditions as submitted by the applicant within their application,
- the representations which were previously agreed with the Applicant and Essex Police on page 65 of the agenda in so far as they add to or supersede the applicant's conditions,

**And in addition, for the prevention of crime and disorder and public safety, the following conditions:**

- posters shall be displayed in the toilets to advertise specialist support services for those who feel that they need assistance with any addictions that they may have,
- staff must regularly check the toilets, to ensure that there was no drug paraphernalia and any such paraphernalia including any controlled drugs recovered must be reported to the police and arrangements must be made for same to be collected, which were mentioned on page 65 of the Agenda,

which we consider are reasonable and proportionate and will not undermine the licensing objectives.

The applicants and the objectors are reminded of their right of appeal to the Magistrates Court within 21 days of date of the written notification of this decision and of the review mechanism under the Licensing Act 2003 because of any matters arising in the future at the Premise in connection with any of the four licensing objectives.

**18. NEW PREMISES LICENCE - CROOKED BILLETT, MIDDLE STREET, NAZEING**

The three Councillors that presided over this application were Councillors R Morgan (Chairman), S Heather and J M Whitehouse. The Chairman welcomed the participants and requested that they introduced themselves to the Sub-Committee.

In attendance for Essex Police was Kelsey Dott.

In attendance on behalf of the application was Raymond Bell. the Applicant, Andy Newman, Consultant, Kerry Feelan, DPS. There were also supporters present Duncan Kenworthy, Leslie Burrows, Michael Cooper-Bland, Peter Sandel and Councillor Rhonda Pugsley representing Councillor Richard Bassett.

In attendance objecting to the application was Jeff Power, Cheryl Power, Ann Allan, Alex Kiriakou, Katherine Picknell, Claire Chivers and Susan May speaking on behalf of Senara Hussain, Kerry May, Nellie Patterson and Russell May.

The Chairman then introduced the Members and Officers present and outlined the procedure that would be followed for the determination of the application.

#### (a) Application before the Sub-Committee

An application was made by White Bear Taverns Limited for a new premises licence in respect of the Crooked Billet, Middle Street, Nazeing, Essex EN9 2LD. The previous licence had lapsed owing to the death of the licence holder and an application to transfer the licence was not utilised in time, hence this new application. The application was for the following licensing activities:

- The performance of **live music** to take place indoors & outdoors:  
Friday to Saturday 23:00 to 23:59
- The playing of **recorded music** to take place indoors & outdoors:  
Monday to Thursday 23:00 to 23:59  
Friday to Saturday 23:00 to 00:30  
Sunday 23:00 to 23:30
- The provision of **late-night refreshment** to take place indoors & outdoors:  
Monday to Thursday 23:00 to 23:59  
Friday to Saturday 23:00 to 1:00  
Sunday 23:00 to 23:59
- The **supply of alcohol** for consumption both on and off the premises:  
Monday to Thursday 11:00 to 23:59  
Friday to Saturday 11:00 to 01:00  
Sunday 12:00 to 23:59
- The **opening hours** being:  
Monday to Thursday 11:00 to 00:30  
Friday to Saturday 11:00 to 01:30  
Sunday 12:00 to 00:30
- An additional hour Friday, Saturday, Sunday and Monday of every bank holiday, Christmas eve and boxing day.

During the consultation period Essex Police proposed some additional conditions (see exhibit) and the following operational changes which were agreed by the applicant:

- Outside area to close by 23:30
- Licensable activities will cease at 23:00 on Sundays
- The pub will close at 00:00 on Sundays
- Outside music (live/recorded) will cease at 23:00
- Except when being used for entry or egress by a patron, all external windows and doors shall be kept shut at all times when music was being played.

Anonymised versions of representations received from residents were shared with the applicant. In response to the concerns raised within those representations, the applicant informed us of his willingness to work with residents to address those concerns.

In the hope to achieve an amicable resolution, the applicant subsequently offered the following changes, in addition to those agreed with Essex Police:

- The pub will close at 00:30 on Fridays and Saturdays

Whilst some representations were withdrawn following the changes, some remained.

Please note that as per the Live Music Act no licence was required for:

**Amplified** live or recorded music - in licensed premises where alcohol was supplied, for audiences up to 500 between the hours of 08:00 and 23:00 hours. This includes beer gardens and terraces. Or:

**Unamplified** live music anywhere and with no audience limited between the hours of 08:00 and 23:00 hours.

On the 29 July 2022, the applicant now sought a licence for the following licensable activities after agreeing conditions with Essex Police:

- The performance of **live and recorded music** to take place indoors  
Monday to Thursday 23:00 to 00:00  
Friday to Saturday 23:00 to 00:30
- The provision of **late-night refreshment** to take place indoors  
Monday to Thursday 23:00 to 00:00  
Friday to Saturday 23:00 to 00:30
- The provision of **late-night refreshment** to take place outdoors  
Monday to Saturday 23.00 to 23:30
- The **supply of alcohol** for consumption both on and off the premises  
Monday to Thursday 11:00 to 00:00  
Friday to Saturday 11:00 to 00:30  
Sunday 12:00 to 23:00
- The **opening hours** being:  
Monday to Thursday 11:00 to 00:30  
Friday to Saturday 11:00 to 01:00  
Sunday 12:00 to 23:30
- An additional hour Friday, Saturday, Sunday and Monday of every bank holiday, Christmas Eve and Boxing Day.

The application was received on the 16 June 2022. The Operating Schedule set out conditions that would be attached to the licence if this application was granted. The Responsible Authorities had all received a copy of the application. It was also advertised at the premises and in a local newspaper. The public notice and newspaper advert were attached in the agenda report. All residences and businesses within 150 meters radius of the premises were individually consulted.

The authority had received nine representations of objection from residents, one objection from the Council's Communities Resilience Department and 140 emails of support. The objections related to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

After the Applicant had agreed conditions with Essex Police one resident and the Council's Communities Resilience Department withdrew their objections.

**(b) Presentation of the Applicant's Case**

Mr A Newman advised that the Crooked Billet had been in existence in that location since 1830 and for the last 30 years it had been under the stewardship of Brian Murphy who sadly passed away. The Applicant had been running public houses for 20 years and before that he was a chartered accountant. The applicant has never had any of the public houses he has been involved with been brought to a review. When Mr Murphy passed away the licence lapsed. For the previous three year the applicants had helped Mr Murphy run his public house as he had failing health.

Out of the ten responsible authorities only the Police and the Council's Community Resilience Department had concerns and they were happy with the conditions that we have agreed with them.

The Crooked Billet was a local Public House situated in Nazeing; it was one of two local pubs the other being the King Harold which now trades as a restaurant, therefore leaving the Crooked Billet as the only local community pub. We have much support for the Crooked Billet gaining its licence from a District Councillor, ex-policeman and 140 emails in support of this application being granted who all agree that it was a well run welcoming pub.

Mr Newman stated that he had offered his personal details to any resident that had any concerns to try and allay their fears. He had spoken to some who had withdrawn their representations, but he could not allay the fears of one objector, Claire Chivers, who was here today to object to the application.

To sum up Mr Newman stated that the Crooked Billet was a vital community hub and would be run in the same way as Mr Murphy ran it. We therefore would respectfully ask that this licence be granted.

**(C) Questions for the Applicant from the Sub-Committee**

The Sub-Committee stated that there were various conditions raised as part of this process and one of the main issues was noise emanating from the premises and the affect that it had on local residents? They noted the conditions which had been agreed with the Council's Community Resilience Department and asked how the noise limiter would work. Mr Newman advised that for any live or recorded music that would have to be routed through the noise limiter and the Council's Community Resilience team would set the decibel reading to a reasonable degree. He went on to state that any breach of any condition was an offence and could result in an unlimited fine or 6 months in prison, this was all about balance. The noise limiter would be situated behind the bar so that customers would be able to access or tamper with.

The Sub-Committee sought clarification regarding live music and asked if live music was only limited to indoors? The Licensing Manager advised that under the Live Music Act, if the licence were to be granted and the premises had an on licence to sell alcohol on the premises, they would automatically have an entitlement to play live and recorded music in the outdoor area until 23:00 hours.

The Sub-Committee asked who White Bear Taverns Limited were? Raymond Bell, the Applicant advised that it was a company that operated another Public House close to Nazeing called the White Bear and had the same directors, Mark Buckley and himself and was a very small limited company.

**(d) Support for the Application**

Mr D Kenworthy stated that he was a retired Police Officer rising to the rank of Acting Chief Inspector and had been involved in many licensing activities and visits during his career. He advised that his postcode was the same as the pub and that gave an indication of how close he lived to the pub and had done so for 35 years. He personally knew one of the applicants, Mr Buckley for over 20 years and that Mr Buckley had helped the deceased publican Mr Murphy in the pub for the last few years, during his illness.

In his opinion if the Crooked Billet were to close permanently the crime and disorder in Nazeing will increase. Nazeing was one of the biggest villages in the district and the closure of the Crooked Billet would leave the village without a focal point for people to meet. Since the regulations around covid have ceased a lot of the younger people have been frequenting the pub and mingling with the older generation and there have been no issues.

The main objections to the Crooked Billet seem to be noise disturbances, when the Euros were on some covid regulations were still in place and although you could buy alcohol, you had to drink it outside.

Mr P Sandel stated that he was a retired Bank Manager and lived in Nazeing for 44 years he advised that he had used the Crooked Billet regularly. He had over the last 10-15 years gone to the organised quiz nights which were held on a Thursday night and thoroughly enjoyed those evenings. I have no objections to the reopening of the Crooked Billet and strongly support the application.

Councillor R Pugsley speaking on behalf of Councillor R Bassett who was currently away, read out his statement to the Sub-Committee. Councillor Bassett lived approximately 150 yards from the Crooked Billet and had lived there for the last 20 years. He totally supported the application, it was a very old premises, a beautiful building and was the main focal point of the village and a community meeting place, there wasn't another meeting place in the village. The licence wasn't changing it was the same as it had always been, the circumstances and reason this has come to committee were unfortunate. He had spoken with the applicant and received assurance that the premises would be run as a community hub for the village very similar to how the pub has always been run.

He realised there were some objections and completely understood some of the residents' fears with the noise levels and times of the music but with the conditions being put in place he felt this would not be a problem and he fully supported the application.

Mr L Burrows stated that he was a retired Police Officer rising to the rank of Acting Inspector and throughout his career he had been involved in numerous licensing enquiries and visits. He advised that he had lived in Nazeing since July 1986 and had regularly used the Crooked Billet over that period of time and he could personally see no reason of any incident which would prevent the applicant from obtaining a new licence. He stated that he fully supported the application.

**(e) Questions for the Applicant from the Objectors**

Susan May asked for clarity that Mr Buckley had been assisting Mr Murphy over the last few years. Mr Newman stated that Mr Buckley had been assisting Mr Murphy, the deceased, along with the team before he tragically passed away

Catherine Picknall asked for a point of clarification that the supplementary evidence mentioned the music outside which said, "it was not to be audible past the boundaries of the premises when played outside" and asked if Mr Newman could advise how that would be managed because when music was played outside it naturally flowed over a boundary. Mr Newman advised that the licensees demonstrate due diligence by checking around the perimeter as best they can and would take advice from the Council's Environmental Protection Officers.

Catherine Picknall asked about environmental impacts where it had been stated that people walked to the pub, but what a lot of the local community have witnessed are cars parking on the pavements therefore what was the environmental impact for the pub being open for longer, had there been any study done on this as she did not see anything in the evidence. Therefore, what measures have been brought in to help the environmental impact? The Council's Legal Officer advised that this question was not part of the licensing act and there need not be answered. Mr Newman stated that he was happy to answer and stated that there was a car park that should address those concerns and passed this question over to Mr D Kenworthy to answer. Mr Kenworthy asked the objector if she was referring to an incident that happened 6/7 weeks ago and stated that it did happen on that occasion but that it was a very rare occurrence of cars parking on the street when the pub was open. He did advise that 6/7 weeks ago the pub held a MacMillan Cancer Fundraiser and that was the only occasion that he could recall when cars were parked on the street.

Mr A Kiriakou stated that he lived very close to the Crooked Billet, his garden was approximately 10 metres from the gazebo, at the back of the beer garden, that had recently been installed and the PA sound system was in the gazebo. He asked how many public houses did the applicant own and did they own the Sultan pub in Waltham Abbey? Mr Bell advised they he did run the Sultan pub and that he lived on the premises he also owned the Hertford Bell which was in Hertford town centre and also a pub in Chingford called the Dove.

Mr A Kiriakou asked why all the pubs owned by Mr Bell, in busier areas but were open for shorter times, so why open the Crooked Billet, in a much quieter area for longer? Mr Bell advised that his other public houses were open for longer hours and since the times had been amended the Crooked Billet would now be open shorter hours than the other premises. He also stated that if the applicants and the residents did not work together then there would be no community pub.

#### **(f) Presentation of the Objectors**

Susan May advised that she had taken the opportunity to read the emails in support of the Crooked Billet and stated that it was never the intention of the people challenging the licence to get the pub closed down, we agree it has been the hub of the community and many of the residents have memories of spending time in the pub with family and friends. Many have also enjoyed the quiz nights, the darts team and other events which are put on by the pub. It has also been stated that many of the older population of Nazeing use the pub as a place to meet old and new friends and she was sure that closing the Crooked Billet would be a loss to the residents of the local care home who are able to walk to the historic village pub. The main points raised in the email related to how the Crooked Billet was run by Mr Murphy, the previous landlord. The Concerns of the residents that she was speaking on behalf of was solely concerning the music being played in the small garden which was something that had not happened in many years.

The previous landlord only played music inside the pub and at 11pm it was switched off and all doors and windows were shut apart from entry and exit. Our objections are for the music being played outside in the garden area until 11pm because there are no doors and windows that you can shut therefore the outdoor sound will carry outside of the boundary of the pub.

The recent events at the Crooked Billet, playing live music in the garden area have caused a public nuisance to the residents living in the area with the outside music and noise emanating from those events late into the evening, it was an interference with people's enjoyment of their own homes.

Therefore, I respectfully request that the music in the outdoor area be at a respectful level as not to intrude into the resident's homes that live near the Crooked Billet and ask if Mr Bell would give a formal statement today and put it in writing to the residents that he will uphold this request.

**(g) Questions for the Objectors from the Sub-Committee**

The Sub-Committee had no questions for the Objectors.

**(h) Questions for the Objectors from the Applicant**

The Applicant had no questions for the Objectors.

**(i) Closing Statement from the Objectors**

The Objectors had nothing further to add.

**(j) Closing Statement from the Applicant**

Mr Newman stated that the control measures have been put into place and he believed that there was no evidence to support this licence application from being granted.

**(k) Consideration of the Application by the Sub-Committee**

The Chairman advised that the Sub-Committee would now leave the Chamber and go into private session to consider the application.

The Licensing Sub-Committee considered that the application satisfied the necessary requirements in order to be considered, as it was on the prescribed form, it had been advertised and the relevant notifications given.

During its deliberations in private session the Sub-Committee received no further advice from the officers present.

**RESOLVED:**

That the application for a premises licence for the Crooked Billet, Middle Street, Nazeing, EN9 2LD be granted subject to the following conditions which were considered reasonable and proportionate for the promotion of the licensing objectives:

- Live and Recorded Music inside:  
From 23:00 to 00:00 Monday to Thursday  
From 23:00 to 00:30 Friday & Saturday.

- Live and Recorded Music to cease at 23:00 outside Monday to Sunday.
- Late Night Refreshment inside:  
From 23:00 to 00:00 Monday to Thursday  
From 23:00 to 00:30 Friday & Saturday.
- Supply of Alcohol:  
From 11:00 to 00:00 Monday to Thursday  
From 11:00 to 00:30 Friday & Saturday  
From 12:00 to 23:00 Sunday.
- Premises opening hours:  
From 11:00 to 00:30 Monday – Thursday  
From 11:00 to 01:00 Friday & Saturday  
From 12:00 to 23:30 Sunday.
- An additional hour Friday, Saturday, Sunday and Monday of every bank holiday, Christmas Eve and Boxing Day. Closing time 30 minutes after seasonal variation ends.
- The conditions as submitted by the applicant within their application,
- The representations agreed with the Environmental Enforcement Officer relating to music outside and the fitting of a noise limiter under the heading of Prevention of Public Nuisance, as mentioned on page 119 to 120 of the agenda in so far as they add to or supersede the applicant's conditions,
- Bullet points 1, 2, 4, 5, 6 and 7 of the representations of Essex Police under the heading of the protection of children from harm, the prevention of public nuisance and the prevention of crime and disorder on page 100 of the agenda in so far as they add to or supersede the applicant's conditions, and
- That in consideration of the condition for the prevention of public nuisance: contact numbers of the Licence Holder and DPS are to be provided to the residents if requested, which we consider are reasonable and proportionate and will not undermine the licensing objectives.
- We also believe that our decision takes account of the licensing objectives relating to public nuisance.

The applicants and the objectors are reminded of their right of appeal to the Magistrates Court within 21 days of date of the written notification of this decision and of the review mechanism under the Licensing Act 2003 because of any matters arising in the future at the Premise in connection with any of the four licensing objectives.

**CHAIRMAN**