

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 19 February 2015

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 10.00 - 11.35 am

Members Present: Mrs M Sartin (Chairman), K Adams, R Morgan and Ms G Shiell

Other Councillors: P Keska and B Surtees

Apologies:

Officers Present: N Clarke (Licensing Officer), A Mitchell (Assistant Director (Legal Services)) and A Hendry (Democratic Services Officer)

81. DECLARATIONS OF INTEREST

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

82. PROCEDURE FOR THE CONDUCT OF BUSINESS

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

83. PREMISES LICENCE - JUBILEE PARK PAVILION, LOVE LANE, ONGAR

The three Councillors that presided over this item were Councillors Sartin, Adams and Morgan.

The Chairman introduced the Members and Officers present and outlined the procedure that would be followed for the determination of the application. The Chairman welcomed the participants and requested that they introduced themselves to the Sub-Committee. In attendance on behalf of the applicant were Aimi Middlehurst, the Clerk of Ongar Town Council and Angus Mckenzie the designated premises supervisor and manager for the Jubilee Park Pavilion. On behalf of the objectors was District Councillor P Keska who was representing local residents Mr and Mrs Poulter. Also in attendance were five other interested parties.

(a) The Application before the Sub-Committee

The Licensing Compliance Officer Mrs Clark introduced the application. This application had been made by Ongar Town Council for a new premises licence for the Jubilee Park Pavilion, Love Lane, Ongar. The licence was for the following licensable activities:

- Provision of indoor sporting events;
- Live music;
- Recorded music;
- Provision of regulated entertainment;
- Late night refreshment; and

- Sale of alcohol.

The operating schedule in the report outlined the conditions which would be attached to the licence.

The application was received on 12 January 2015. Responsible authorities had received a copy of the application; it was properly advertised at the premises and in a local newspaper. A 150 metre radius consultation was also undertaken. No objections were received from Essex Police, the Fire Service. The Child Protection Service advised that it had no objections providing that Challenge 25 was promoted.

5 separate representations from individual local residents and 1 petition signed by 11 residents from Onslow gardens were received.

The Chairman asked if the noise Compliance section had been consulted. She was told that they had, but had no comment to make.

(b) Presentation of the Applicant's Case

Mr McKenzie made the case for the application. They would have a normal closing time of 11pm and only occasionally close at midnight. The live music asked for would not occur on a regular basis. They would offer other facilities for the daytime, such as tea dances. The late night times asked for would be for the service of tea and coffee.

They would introduce proactive measures such as 'Challenge 25', sound inhibitors and additional CCTV cameras. Neighbours would be notified in advance of any event and notices put up asking patrons to leave quietly. The doors facing the houses at the back would not be opened. They would encourage people to use the front entrance and not the side entrances.

(c) Questions for the Applicants from the Sub-Committee

Councillor Sartin asked where the main entrance was located on the map printed in the agenda. Mr McKenzie pointed this out on his map and the rear fire doors which were to be kept closed.

Councillor Morgan asked if Mr McKenzie held a personal licence, he replied that he did. Councillor Morgan then asked about sound insulation of the premises. He was told that they would be looking at this as they gained experience of the building. They noted that noise could travel to the neighbour's houses and they would look into this in consultation with them.

Councillor Adams asked if they had double glazing installed. He was told that there was double glazing installed but there had been problems with the noise inhibitor and people propping open the fire exit doors (experienced by the previous licensees).

Councillor Adams then asked about the use of staff for preventing and dealing with violence etc.; he was told that they would have some appropriately trained staff especially for the end of the evening.

Councillor Adams then asked what would be the maximum number of people likely to attend any one event. Mr McKenzie said it would be between 100 and 110. These would mostly be local residents who would not drive there.

Councillor Adams asked how he would notify neighbours. He was told by Mr McKenzie that some neighbours had already been invited to observe what work had

been carried out to the premises so far. He would also hold regular meetings with them before any issues arose.

Councillor Sartin asked how many outdoor events he anticipated holding that would have a marquee. Mr Mckenzie replied that they held an annual summer ball and would have occasional events such as family fun days or prize giving occasions.

Councillor Sartin noted that part of the licence they were asking for was for dancing when they would hold tea dances and the like; would that also include things like Salsa classes? The Licensing Compliance Officer said that a licence was not necessary for those types of classes.

Councillor Morgan asked what sort of outside sports did they have or planned to have? Mr Mckenzie said that they had football, rugby, tennis and cricket; and were looking to have netball and rounders.

Councillor Sartin queried if this would no longer be a member's only club, but open to the general public? She was told that that it would be used as a community asset available for everyone to use, but mainly for the sports clubs. Councillor Sartin said that if there was nothing to stop members of the public coming in and using the facilities, what would be the opening hours? Mr Mckenzie agreed it was open to the public and the opening hours would be the same as the licensing hours. The building to open at 9am and the bar from 11am.

Councillor Adams asked how their prices for alcohol compared to outside places. He was told that they did not discount but were competitively priced; currently set at the same prices as the old club.

(d) Questions for the Applicant from the Objector

There were no questions for the applicant.

(e) Presentation of the Objector's Case

Councillor Keska opened by saying that he was not there to oppose the granting of the licence. This had been a sports club and was now turning into a commercial venture. The objections were mainly based around the prevention of crime and disorder, public safety and public nuisance. There were perceived problems with the playing of recorded music both indoors and outdoors, the late closing times asked for, dances being held until midnight and the request for a late night refreshment (until 1am) licence, both indoors and outdoors.

The problem was the midnight finish, the public would leave the premises at 12.30 or later, the same thing would apply for a 1am finish. It should be noted that there was no police presence in the town so any call to them would take some time for them to respond. There was also limited access to the premises and this would cause congestion and parking problems. Because of this he was asking for an 11pm finish, the use of a noise limiter at all times, the back and side doors to be kept shut at all times and fully soundproofed.

This was a sport club and now it would be run as a business, which raised the spectre of disorder for the future. He was asking the sub-committee to vary the conditions asked for.

(f) Questions for the Objector from the Sub-committee

Councillor Adams asked if he was asking to vary the conditions to finish at 11pm. Councillor Keska said yes it was to 11pm except for special events (to be limited in number) for a later end time.

(g) Questions for the Objector from the Applicant

There were no questions for the objector from the applicant.

Councillor Sartin asked the Licensing Compliance Officer how many temporary events could the premises have in a year and was told they could have 12.

Councillor Adams asked Mr Mckenzie if an 11pm finish would be suitable. Mr Mckenzie said that they would finish at 11pm anyway. They only asked for a midnight finish time for special events. However, if they were only restricted to 12 per year it would affect them. They were a responsible Town Council and should be trusted. They have 5 functions booked at present until midnight and that would leave them with only 7 other events to have for the year.

Councillor Sartin asked if a temporary event notice could be had only for outdoor events. The Licensing Compliance Officer replied that there was no separate application for outdoor events.

(h) Closing Statement from the Applicant

The Applicant had nothing to add to his statement.

(i) Closing Statement from the Objector

Councillor Keska said that there had been successful events held during the day and he did not want to stop that; but he was concerned about what would happen at night.

(j) Consideration of the Application by the Sub-Committee

The Sub-Committee withdrew from the meeting to consider the application in private. During their deliberations the Sub-Committee received no further advice from the officers present.

RESOLVED:

That the application for a premises licence for the Jubilee Park Pavilion, Love Lane, Ongar, Essex CM5 9BL be granted subject to the following amendments to the conditions, which the Sub-Committee considered necessary for the promotion of the licensing objectives:

- (1) Provision of live music, both indoors and outdoors to be changed to:
 - Monday to Thursday – 10.00 to 23.00;
 - Friday to Saturday – 10.00 to 24.00
 - Sundays – 10.00 to 22.00
- (2) Provision of Recorded music – to be the same as live music.
- (3) Provision of performance of Dance – to be the same as live music.
- (4) Provision of late night refreshment to be change to:
 - Monday to Saturday – 23.00 to 00.00

- Sunday – nil (no late night refreshment licence for Sundays).
- (5) Supply of Alcohol to be changed to:
- Sunday to Thursday – 11.00 to 23.00
 - Friday and Saturday – 11.00 to 24.00
- (6) Challenge 21 to be changed to Challenge 25.
- (7) CCTV recordings to be kept for 30 days and to be made available to Police and Council officers on demand.

CHAIRMAN