

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON TUESDAY, 20 DECEMBER 2011

PRESENT: Mr P J Holbrook - Chairman

Mr R W Thake

Mr A J Ward

The following were present at the meeting to make representations:-

Mr L Carvell (Licensing Officer) to present Paper L118

Mr F Lawrenson – Applicant
Mr M Barker – Interested Party
Mr M Kiely – Interested Party
Mrs C Newsum – Interested Party
Mr J Forward – Interested Party
Mrs M Barker – Interested Party
Mr M Stone – Interested Party

Various others of the persons listed as Interested Parties in paragraph 8.11 of Paper L118 were present at the meeting, but did not speak.

The following were in attendance at the meeting:-

Mrs K Saward – Solicitor to the Council and Monitoring Officer (Legal Advisor to the Sub-Committee)
Mr J Buckingham (Principal Environmental Protection Officer) who responded to questions relating to Environmental Protection (noise) matters.
Mrs L Sheppard – Senior Democratic Services Officer (Committee Clerk)

1 DECLARATION OF INTERESTS

None declared.

2 LICENSING ACT 2003 – HEARING REPORT – NEW (SECTION 17) OLD RECTORY COUNTRY HOUSE GREAT WALDINGFIELD

Mr Holbrook, the Chairman of the Licensing and Appeals Committee, chaired the hearing meeting. He referred to the procedure to be followed, a copy of which had been circulated with the Agenda, and introduced the Members and officers present. He stated that there had been no lobbying of Members of the Sub-Committee or communication with them by the Applicant, a Babergh District Councillor, about this matter.

The Chairman then asked whether the interested parties had appointed spokespersons, and Mr M Barker and Mr M Stone were identified as such. It was agreed by the parties that the spokespersons and the Applicant would be asked to restrict their initial remarks to the Sub-Committee to five minutes each. Mr Holbrook also referred to spokespersons being able to expand upon the written objections made, but not to introduce new or additional representations.

The Licensing Officer submitted a report ([Paper L118](#)) requesting the Sub-Committee to determine an Application under the 2003 Licensing Act by Mr F R Lawrenson. He also made reference to a letter received from the Great Waldingfield Parish Council in support of the interested parties' representations but advised the meeting that a Parish Council does not have the same rights as residents and businesses in the vicinity of the premises to submit formal licensing representations. He then responded to questions.

Mr Barker addressed the Sub-Committee. The Solicitor advised that reference to the length of time the Applicant had occupied Old Rectory Country House was not relevant to the Sub-Committee's consideration or to the licensing objectives. Mr Stone addressed the Committee and responded to questions.

The Applicant, Mr Lawrenson, then addressed the Sub-Committee and responded to questions put by, or on behalf of, the interested parties and from Members. The Licensing Officer and the Applicant were offered the opportunity to make any closing comments. Mr Lawrenson did so, following which the parties withdrew to allow Members to deliberate the application. The parties were then invited back into the meeting and the Council's decision was notified as follows:-

In reaching its decision, the Sub-Committee had regard to the representations and concerns expressed about the hours of operation, protection of children from harm particularly in relation to the proposed honesty bar, noise and the numbers of persons permitted to be on the premises. Members were also aware that the Applicant had already made voluntary reductions to the original application and indicated his willingness to accept further reductions to the timings applied for together with modified conditions.

RESOLVED

That the application for a new Premises Licence for Old Rectory Country House Great Waldingfield be granted, subject to mandatory conditions, conditions consistent with the operating schedule submitted, and those conditions modified during the application and hearing process. The modification to conditions included imposition of additional controls and reduced timings in respect of the licensed activities authorised by the new premises licence. These steps are considered as reasonably necessary and proportionate in this instance, in view of the representations and submissions made at the hearing, to further promote the licensing objectives and specifically the objectives for the prevention of public nuisance and the protection of children from harm. The additional conditions and restrictions imposed in respect of Premises Licence Number BPL0387 Old Rectory Country House issued under section 17 of the Licensing Act 2003 are:

1. Reduction in timings for licensed activities as below:

STANDARD TIMINGS:

- (a) Supply of alcohol (for consumption ON and OFF the premises):**
Hours authorised: 10:00hrs until 00:00hrs (Monday to Saturday)
11:00hrs until 00:00hrs (Sunday)

Note: No OFF sales authorised for non-residential guests. Supply for residents via in-room mini-bars (only) is not time restricted.

- (b) Live music (indoors);
Recorded music (indoors):**
Hours authorised: 10:00hrs until 00:00hrs (Monday to Saturday)
11:00hrs until 00:00hrs (Sunday)
- (c) Films (indoors):**
Hours authorised: 10:00hrs until 00:00hrs (Monday to Sunday)
- (d) Late night refreshment (indoors):**
Hours authorised: 23:00hrs until 00:30hrs (Monday to Saturday)
23:00hrs until 00:00hrs (Sunday)

Note: Provision of hot food and hot drink for residents is not time restricted.

SEASONAL VARIATIONS / NON-STANDARD TIMINGS:

Christmas Day and New Year's Eve:

Supply of alcohol (11:00hrs until 01:00hrs) and late night refreshment (23:00hrs until 01:00hrs)

2. **The honesty bar shall be kept locked and alcohol secured outside of the hours authorised by premises licence BPL0387 for the supply of alcohol. For the avoidance of doubt the supply of alcohol to residential guests over the age of 18 via in-room mini-bar facilities is not restricted.**
3. **Children shall be supervised by a responsible adult at all times whilst they are in the room in which the honesty bar is located and whilst the bar is available for the sale and supply of alcohol.**
4. **Whilst the premises are being used for licensed activities under the authority of premises licence BPL0387, the number of guests, (whether residential or non-residential) permitted on the licensed premises shall not exceed 30 (thirty) persons.**
5. **All doors and windows of the licensed premises shall be kept closed, save for access or egress, during any playing of live or recorded music.**

The business of the meeting was concluded at 12.55 p.m.

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Chairman