

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON MONDAY 3 SEPTEMBER 2012

PRESENT: Mr P J Holbrook – Chairman  
Mr A J Ward Mr L H Young

Also in attendance at the meeting to make representations were:-

Mr L Carvell (Licensing Officer)  
Mr J Haggar (Premises User)  
Mr J Buckingham (Corporate Manager – Environmental Protection)  
Ms J Hart (Senior Environmental Protection Officer)  
Mr J Reed (Corporate Legal Adviser)

1 DECLARATION OF INTERESTS

None declared.

2 LICENSING ACT 2003 – HEARING REPORT (TEMPORARY EVENT NOTICES) TEN 12/0374 – ANCHOR INN NAYLAND

The Chairman of the Sub-Committee referred to the procedure to be followed at the Hearing, a copy of which had been circulated with the Agenda.

The Head of Environment submitted a report ([Paper M67](#)) requesting the Sub-Committee to consider an Objection Notice given by the Corporate Manager – Environmental Protection under Section 104 of the Licensing Act 2003 in respect of a Temporary Event Notice (TEN). Members were aware that the Police and the local Environmental Health Authority (Babergh District Council) can object where they are satisfied that allowing the premises to be used in accordance with the TEN would undermine the Licensing Objectives, and that in this case, the Notice was served because the Corporate Manager – Environmental Protection was satisfied from the information supplied with the application, that allowing the premises to be used in accordance with the TEN would give rise to a public nuisance from noise.

The Licensing Officer presented Paper M67. The Premises User then addressed the hearing and responded to questions.

It was noted from Mr Haggar's presentation that his acknowledged difficulties in completing the application form on-line had contributed to the lack of sufficient detail on the event being available. Both Mr Haggar and Mr Buckingham also recognised the short time-scale which had been available to the parties to clarify some matters and which meant that the Notice had to be served. Mr Buckingham then offered the Sub-Committee some suggestions on possible arrangements for monitoring the conduct of the event, if Members were minded to accept the verbal assurances given by the Premises User and decide not to serve a Counter Notice under Section 105 of the Act.

The parties withdrew to allow Members to deliberate the matter following which they were invited back into the meeting and the Council's decision was notified as follows:-

The Licensing Sub-Committee agreed that the event could proceed, having taken into account

(a) The assurances given by the Premises User for the TEN

- that the subject of the TEN is a family friendly, community event
- regarding live music (acoustic/duos/solo/instrumental 3/4-piece (amplified) one live music set per day), all outdoor music to cease by 22:00hrs
- that the outdoor supply of alcohol under the TEN shall cease by 23:00hrs and be properly managed by the breweries involved, personal licence holders and the Premises User
- regarding the engagement of the Premises User with neighbouring occupiers and the Environmental Protection Team together with his commitment to submit future TENs well in advance of the statutory deadline

(b) The comments of the Corporate Manager – Environmental Protection accepting the additional information supplied by the Premises User and suggesting specific reporting arrangements for any concerns arising from the event.

The application was therefore determined as set out below.

**RESOLVED**

- (1) That no Counter Notice be issued under Section 105 of the Licensing Act 2003 in respect of TEN 12/0374.**
- (2) That no statement of conditions be attached to TEN 12/0374 under the Licensing Authority's powers under Section 106A of the Act.**
- (3) That the assurances given by the Premises User, as summarised above, be incorporated into the Confirmation of Hearing Decision Notice to be issued by the Corporate Manager – Licensing.**

The business of the meeting was concluded at 12.45pm.

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Chairman