

Licensing Sub-Committee

Minutes of a Meeting of the Licensing Sub-Committee held in Committee Room No. 3, Civic Centre, Tannery Lane, Ashford on the **6th June 2011**

Present:

Cllr. Goddard (Chairman);

Cllrs. Mrs Bell, Feacey

Also Present:

Licensing Support Officer, Legal Advisor, Member Services & Scrutiny Support Officer.

Mr Harmsworth, Mrs Miller-Thomas – Applicant.

20 Election of Chairman

Resolved:

That Councillor Goddard be elected as Chairman for this Meeting of the Licensing Sub-Committee.

21 Minutes

Resolved:

That the Minutes of the Meeting of this Sub-Committee held on the 29th March 2011 be approved and confirmed as a correct record.

22 Beech Court Gardens, Beech Court, Canterbury Road, Challock, Ashford, Kent, TN25 4DJ – Application for a premises licence

The Chairman opened the meeting and welcomed all those present. Members confirmed that they had read the papers relating to the application. The Chairman explained the procedure to be followed at the meeting.

The Licensing Support Officer then gave a brief summary of her report. The application was for a premises licence. The application for a premises licence, along with a plan of the internal layout of the tea room and a plan of the gardens was contained at Appendix A of the agenda papers.

The application proposed to permit the sale of alcohol 11:30 – 23:00, the performance of plays 14:00 – 23:00, live music, dancing, facilities for making music

& dancing 12:00 – 23:00 and recorded music 10:30 – 23:00. There was no premises licence granted for the premises at the present time.

The Senior Environmental Health Officer had requested that two conditions be added under the Public Safety objective, these had been agreed by the applicant.

Two parties had made representations. Copies of the letters were contained in Appendix B of the agenda papers. All of the representations were from parties living in the area. The representations had a number of common themes in terms of the licensing objectives and they could be summarised as follows:

- The potential for noise from the premises (i.e. music) as a result of more events being held.
- The associated noise from an increased amount of people attending events at the premises.
- Concerns about how the premises would be used in the future, if the licence was granted, allowing licensable activities 7 days a week.

In response to questions from Members the Licensing Support Officer advised that Mrs Miller-Thomas would be the Designated Premises Supervisor, she was in the process of applying for her personal licence.

Mr Harmsworth spoke in support of the application. The premises consisted of eight acres of gardens with rare trees and shrubs that had been open for 17 years. The tearoom could cater for a maximum of 50 people. The average age of visitors was 35+ and included gardening clubs and the Women's Institute. There had only been four weddings held at the premises, however there was no intention to host another one due to the delicate nature of the gardens. The aim of the application was to enable the serving of an alcoholic drink with food.

The entertainment licence would enable the annual classic car show to be held without the process of applying for a Temporary Event Notice (TEN). It would also allow for flexibility for the showing of a Shakespearean play which occurred biannually. The village fete was usually held on behalf of the Church and often a jazz band would play. TENs did not allow for flexibility or short notice events, a licence would enable them to rearrange events should there be inclement weather.

There had been two objections to the application which had originated from the notice that had been displayed at the premises. The reasons for objection appeared to be around future ambitions for the playing of music, he wanted to reassure Members that there was no intention to hold music events. The grounds did not lend themselves to such events. The premises were of a quiet, peaceful nature with nesting owls and songbirds; they had no ambitions to create a disturbance. Whilst there had been two objections, there had also been a lot of support from people in the village.

In response to questions from Members Mr Harmsworth clarified the parking area and advised that there were no plans to hold a major event involving dancing. The usual opening hours were 10:30 to 17:30, unless groups wished to visit the gardens in which case they opened later to allow for this. He informed Members that he had

written to all neighbouring properties advising them of the application for the licence. The playing of music would usually be outdoors unless a marquee was erected. He finished by thanking the Licensing Support Officer for her advice and patience throughout the process.

The Licensing Support Officer then summed up the nature of the application and the issues for the Sub-Committee to consider. She reminded the Sub-Committee that they may grant the licence with no modifications, modify the conditions of the licence or reject whole or part of the application.

The Sub-Committee then retired to make their decision.

On return the Legal Advisor read out the decision.

Resolved:

That the premises licence be granted and the sale of alcohol be permitted from:

Monday to Sunday: 11:30 to 23:00

Performance of Plays:

Monday to Sunday: 14:00 to 23:00

Live music, dancing, facilities for making music and dancing:

Monday to Sunday: 12:00 to 23:00

Recorded music:

Monday to Sunday: 10:30 to 23:00

Subject to the following conditions:

- i) The Licence Holder will ensure that a risk assessment is undertaken in respect to all events that have the potential to attract more than 500 people.**
- ii) The Licence Holder will in the case of such events notify the Licensing Authority 6 weeks in advance and ensure that the safety requirements of the Licensing Authority and other relevant authorities are implemented.**

The Licensing Manager be given delegated authority to amend the wording of the conditions as appropriate.

Queries concerning these minutes? Please contact Kirsty Liddell:
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