

**LICENSING SUBCOMMITTEE
(2003 ACT)**1 September 2008
10am – 11.45am**Present:** Councillors Boyce (Chair), Hart and Smith**08/lic/35 Declarations of Interest**

None.

08/lic/36 Procedure to be Followed

The procedure for hearings of the subcommittee set out on the agenda was noted

08/lic/37 Application for a new Premises Licence: Anstey Hall Limited, Maris Lane, Trumpington, Cambridge**Present for this application:****For the Applicant:** Abigail de Bruyne (applicant and Events Manager); John de Bruyne (Director), Murray Grant (Counsel); Rev Dr Thomas Ambrose (interested party)**Responsible authorities:** Alan Pilsworth, Cambridgeshire Fire & Rescue;**Interested Parties:** Marion Hobson Jeanneret representing herself and K M Benton, Michael Jeanneret, and John and Grace Stalham; Mabel Seeby.

The hearing was adjourned until 10.15am to allow Murray Grant (who had been delayed on a train) to be present for the applicant.

The hearing: The Licensing Officer presented her report and outlined the application being made.

Alan Pilsworth said that so long as the applicant complied with the requirements of the Fire and Rescue Service that a fire alarm be installed and the numbers at any one event be restricted to 75 then their objection was met.

Murray Grant clarified that 120 guests would be acceptable for weddings but that the limit for any other kind of event was to be 75.

Murray Grant then presented the applicant's case. The applicant had purchased the seventeenth century property in 1997 to put on private functions such as weddings and private corporate events which meant invited guests only. No members of the public were admitted. Up to now, Temporary Event Notices (TENs) had been used and the number of these was limited by the licensing authority. When the TENs were used up, guests had provided their own alcohol. The current application was to enable the applicant to have more control over the consumption of alcohol and of the provision of entertainment. There had been no complaints received in the past from local residents about problems to do with parking or drunken behaviour. These had only emerged when the application was made. The only means of control of guests was provided by the contract signed between the applicant and the customer; a licence would provide more sure control. The application for a 2am finish time was to allow flexibility for events over the whole year. Doors and windows would be kept closed and any music in the marquee would end at midnight. There would be the same number of events per annum as now, namely 50. The Licensing

objectives would be met by the operating schedule including the additional conditions required by the Environmental Protection Manager.

Members asked questions of clarification about what was being applied for and the Chair asked whether the applicant would be willing to accept an overall limit on the number of events per annum.

Murray Grant said that the applicant would prefer a limit on hours rather than on the number of events.

Members said that there were two sources of noise – one from the venue and the other once people had left the venue. In addition, some events produced more noise than others eg wrestling was noisy.

John de Bruyne emphasised that they were committed to controlling noise and did everything in their power to control the leaving of cars from the venue. If necessary they would limit numbers for events that had the potential to be too noisy.

The Licensing Officer said that the word “outdoors” was missing in condition 2 on page 2 of the agenda papers. The condition should read:

“Amplified music, either recorded or live, may be provided outdoors on not more than 24 days in any year and on not more than 3 occasions in any calendar month. Amplified music outdoors shall cease by midnight on any day.”

Thomas Ambrose referred to the petition that he had been asked to sign and which he had found factually incorrect and had refused to sign. He had been surprised that the petitioners had not spoken to the applicant to ask what was proposed. He had spoken to the applicant and there was no intention to put on more events than currently. The licence was to cover all events. This seemed to him a good way to regulate events responsibly. He lived at the vicarage which was near to the Hall and he had never been disturbed; there was more disturbance from the High Street and outdoor events at the Unicorn public house there. Fireworks at 10pm for 10 minutes had been noted.

The Chair explained that fireworks were covered by separate legislation and the committee could not regulate their use.

Marion Jeanneret said she was glad the Hall was a going concern and that the limit of 24 days on music for outdoor events made her feel much happier. She still had concerns about noise from cars leaving after midnight and on road car parking although she knew that the latter was covered by different legislation.

Mabel Seely was concerned about amplified music at night and that it could be heard in Church Lane where she lived.

Murray Grant said the applicant would like residents to contact them directly if there were problems of noise so that these could be addressed immediately. The applicant offered to give local residents a mobile telephone number on which they could be contacted about any problems as they occurred.

Members of the Sub-Committee retired at 11.10am to consider the application and returned at 11.42am with a verdict.

The Decision: In reaching the decision on the application, the Sub-Committee considered the material presented orally and in writing, the representations made by and on behalf of the applicant, the responsible authority and the interested parties, the Council's Statement of Licensing Policy and the statutory guidance under the Licensing Act 2003.

In this case, the Sub-Committee had to balance the interests of the applicant with those of the wider community. The decision was reached on its individual merits noting that the premises are in a residential area.

It was decided:

To grant the application, as applied for, subject to the following:

- 1) The conditions translated from the applicant's Operating Schedule and
- 2) those conditions the applicant has agreed with the Environmental Protection Manager which seek to promote the prevention of public nuisance and which are set out below as amended in the hearing;
 - (a) At all times when regulated entertainment is taking place indoors, the doors and windows facing Maris Lane shall be closed, with the exception of the main entrance doors, used for access and egress, which shall be kept closed so far as practicable.
 - (b) Amplified music, either recorded or live, may be provided outdoors on not more than 24 days in any year and on not more than 3 occasions in any calendar month. Amplified music outdoors shall cease by midnight.
 - (c) When music is played outdoors, the licence holder or a suitable person appointed by the licence holder, shall monitor the volume of the volume of the music, to ensure that it does not cause unreasonable disturbance to local residents.
- 3) All licensable activities shall cease at midnight except for 50 occasions per year and on not more than 2 days in any 7, when they may continue until 02:00. (N.B. this condition excludes amplified music outdoors which is addressed in condition 2(b) above)
- 4) The capacity of the ballroom shall not exceed 75 persons

Details of application: -

Sale/supply of alcohol (on and off the premises) and hours premises are open

Mon – Sun 09:00 to 02:00

Plays, Films, Indoor Sporting Events, Boxing or wrestling entertainments, live music, recorded music, performances of dance, anything of similar description to live music, recorded music or dance, provision of facilities for making music, provision of facilities for dancing, provision of facilities for entertainment of a similar description to making music or dancing (indoors and outdoors)

Mon – Sun 09.00 to 02.00

Late night refreshment (indoors and outdoors)

Mon – Sun 23:00 to 02:00

The variations of the licence to have effect from the 1st September 2008.

The Meeting concluded at 11.45am

Chair