

Licensing and Regulatory Sub-Committee

Minutes of a meeting of the **Licensing and Regulatory Sub-Committee** held virtually via **MS TeamsLive** remote meeting platform on **Thursday 20 August 2020** at **4.00 pm**

Present **Councillors**

Carol Bull
Pat Hanlon
Clive Springett

20. **Election of Chair**

It was proposed, seconded and

RESOLVED:

That Councillor Clive Springett be elected Chair for this Sub-Committee meeting.

21. **Apologies for Absence**

No apologies for absence were received.

22. **Substitutes**

No substitutions were declared.

23. **Declarations of Interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

24. **Application for the Grant of a Premises Licence - Tuddenham Meadow, Tuddenham Mill, High Street, Tuddenham, IP28 6SQ (Report No: LSC/WS/20/002)**

The Chair welcomed all present to the Hearing, reported that no declarations of interest had been received and introductions to the Panel were made.

The following parties were present at the Hearing:

(a) Applicant

(i) Lisa Glover, Business Manager, Agellus Tuddenham Ltd

(b) Interested Parties

- (i) Councillor Karen Soons, Tuddenham Parish Councillor and local resident (and speaking on representation made in objection to the application)

The Licensing Officer presented the report which explained that an application had been made by Agellus Tuddenham Ltd, for the grant of a premises licence to an area of land at the rear of the main building to facilitate wedding functions and events. It was also proposing for the designation of one part of the licenced area as a tented bar servery, if not always covered by a marquee. A copy of the application was attached at Appendix 1 to Report No: LSC/WS/20/002, together with plans at Appendix 2.

The licensable activities being proposed under the licence were:

- **Supply of Alcohol (On sales only)**
Monday to Sunday 00:00 - 00:00
- **Provision of Recorded Music**
Monday to Sunday 00:00 - 00:00
- **Provision of Live Music**
Monday to Sunday 00:00 - 00:00

The Officer advised that the application had been served on all Responsible Authorities. No comments had been received. However, the Officer reported that discussions had been held between the Council's Environmental Health Officer and the Applicant, earlier that afternoon, where the Applicant had since requested that the following amendment be made to their submitted application:

- **Provision of recorded music (Monday to Sunday 00.00-00.00)**
The applicant had requested for this to now be excluded from the licence. Ambient background music would be played, but it was not a licensable activity

Two representations (which represented a total of five persons) had been made objecting to the application and the detail of these representations were attached at Appendix 3. This related to the environmental impact on the local area and the potential for 24 hour/seven days a week holding of licensable activities (ie the provision of live and recorded music and the supply of alcohol).

In making their decision, Members were advised that they should seek to focus on the steps considered appropriate to promote the particular licence objectives or objectives that had given rise to the specific representations. Members should also strongly consider the adopted Cumulative Impact Assessment held within the Council's Statement of Licensing Policy.

The Sub-Committee then heard the individual submissions from each of the parties present.

In presenting her case as the Applicant, Lisa Glover explained that when COVID-19 took effect and the Tuddenham Mill had to close, they turned to the future of the business, options, opportunities and available assets that could be brought into action to service their guests safely. The Meadow was the obvious choice for this and hired a stretch tent and set up The Secret Garden as their dining option for residents and non-residents. Following the reopening of the Mill in early July 2020, they served a limited drink offer and played light background music within The Secret Garden. The popularity of the offer, along with the potential longevity as both a dining and wedding option was in the best interest of the business, which was why they had applied to licence the Meadow on a permanent basis. This was to allow the outdoor restaurant to continue for the foreseeable future and, in time, as the COVID-19 restrictions allowed, to be able to facilitate weddings and events in a manner that was appropriate for Tuddenham Mill and its surroundings, but also to ensure that the business had the opportunity to continue to survive at a challenging time.

Lisa also acknowledged and addressed the objections which had been raised to the application in respect of noise and environmental impact. The music would be in the form of background music in the outdoor dining area where it could not be heard outside of the immediate area. It was not the intention to damage the natural environment of the Meadow by this operation and groups would not be allowed to congregate in different areas of the Meadow.

In summary, Lisa stated that the application to serve alcoholic beverages and play music within the Meadow, was made with the intention of being a 'COVID safe' arm to an established business which took its environmental credentials seriously.

Councillor Karen Soons, then addressed the meeting, in respect of her representation which was in objection to the application (as set out in Appendix 3). She clarified to the meeting that she had been asked to speak on the application in her role as a Tuddenham Parish Councillor by the Parish Council Chair and she was also representing the views of the adults within her own household. Councillor Soons opened her remarks by stating that she was very supportive of Tuddenham Mill as a venue and the way in which it also supported the village. She explained that most of the surrounding land was protected by a SSSI and the habitat of very rare butterflies and the protected Stone Curlew. The objections were to the 24 hours/seven days a week holding of licensable activities and was concerned of the disruptive effect that this may have on the village and its residents and that this type of application was not appropriate in a rural setting.

Objections to the application which had been made by Bryan Musk, a local resident (as set out in Appendix 3) which related to the noise disruption of loud outside music and the environmental impact of the application, were also acknowledged by the Sub-Committee. Mr Musk had been unable to attend the meeting.

All parties present were then given the opportunity to sum up their individual representations.

Councillor Soons summed up by stating that she would prefer to see the supply of alcohol in line with the times which had been recently agreed with regard to the provision of music, but would accept for this to be extended by an hour at the latter end. However, she could not support the 24 hour/seven days a week holding of licensable activities.

Lisa Glover summed up by stating that Tuddenham Mill wanted to work with the Council and the community in a responsible way and that they would be prepared to compromise on the hours for the supply of alcohol.

The Sub-Committee then moved into a private meeting to have discussions to give further consideration to the matter.

Following all parties' return to the meeting, the Business Partner (Litigation/Licensing) advised on the Sub-Committee's decision.

With the vote being unanimous, it was

RESOLVED:

That, having taken into account all representations received, both in writing and orally, the Sub-Committee was satisfied for the application to be **GRANTED** as follows:

1. **Supply of Alcohol** (For consumption on the premises)

Hours modified to:

Sunday – Thursday 11.00 – 00.00

Friday and Saturday 11.00 - 02.00

2. **Provision of Recorded Music**

This was excluded at the Applicant's request. Ambient background music to be played, as not a licensable activity.

3. **Provision of Live Music**

Friday and Saturday 23.00 – 01.00 (unamplified only)

Live music between 08.00 – 23.00 is deregulated.

4. **Hours Premises are Open to the Public**

Monday – Sunday 00.00 – 00.00

The Sub-Committee also imposed the following additional conditions:

1. No more than 80 persons to be permitted at any event.
2. Before any event, the Applicant to carry out a risk assessment in consultation with the Licensing Authority and employ door supervisors/security staff when considered appropriate.

The Business Partner (Litigation/Licensing) concluded the Hearing by advising on the Right of Appeal against the determination of the Authority.

The meeting concluded at 5.20 pm

Signed by:

Chair
