

Covent Garden, London, for a new premises licence at Blakes Golf Club, Epping Road, North Weald Bassett, Epping, Essex CM16 6RZ.

The application had been received by the Licensing Authority on 29 July 2020. A copy of the new premises licence application and the operating schedule setting out conditions, which would be attached to the licence application if this application was granted, were attached to the agenda.

The new premise licence application was for the following amended licensing activities:

Provision of Live Music

Monday to Sunday 11.00 – 00.00 (midnight)

Provision of Recorded Music

Monday to Sunday 11.00 – 00.00 (midnight)

Provision of the Performance of Dance

Monday to Sunday 11.00 – 00.00 (midnight)

Provision of Late Night Refreshment

Monday to Sunday 11.00 – 00.00 (midnight)

Sale by Retail of Alcohol

Monday to Sunday 11.00-00.00 (midnight) on sales only

Opening Times of the premises

Monday to Sunday 07.00 – 00.00 (midnight)

The application had been properly advertised at the premises, in a local newspaper and the public notice was attached to the agenda. All residences and businesses within a 150-metre radius of the premises had been individually consulted.

The Council had received one letter of objection from Moreton, Bobbingworth and the Lavers Parish Council that had related to one of the four licensing objectives, the prevention of public nuisance, which was detailed in the agenda.

The applicant had also agreed recommended conditions with Essex Police, as detailed in the agenda. Responses from Essex County Fire and Rescue and the Council's Public Health and Environmental Health teams did not have any comments to make. A response received from the Council's Planning department advised that no planning permission had been given for the use of the premises as a party/wedding venue. It was for this reason that Planning would not support this licence. All the responses were detailed in the agenda.

There had been a licence at this venue previously, but Blakes Leisure had gone into administration in November 2019. Therefore, the licence for the premises had lapsed, but the Licensing Authority had not been informed. The report from Companies House and a copy of the previous licence were also detailed in the agenda.

The plan submitted with the application was for the premises only and did not include an outside area. However, it was noted that under the provisions of live music, recorded music, performance of dance and late night refreshment, the applicant had asked for indoor and outdoor areas to be covered. Unfortunately, the plan that had been submitted was for the inside of the premises only. If the Sub-Committee was

mindful to grant this licence there was scope for the applicant to submit a full variation of the licence to use the outside area for all the licensable activities as well.

The Council's Senior Legal Executive, G Oakley, advised members that the applicant had submitted a plan yesterday to cover the outdoor area they wanted. However, with regards to the responses received, there were no representations made by Environmental Health because they had only considered the indoor plan of the premises provided in this agenda. The Senior Legal Executive had spoken informally with the Environmental Health officer but confirmed that Environmental Health would have made representations if the original plan had included an area outside the premises. Therefore, he advised members to only consider the indoor plan that was originally submitted and before the Sub-Committee today.

b) Presentation of the Applicant's Case

The applicant, Mr Khan, said that the premises licence was needed for the business to survive. The inclusion of the external areas was for golfers when they were drinking. There were some benches at the front and in the rear garden where they could sit outside and drink, which was especially important with social distancing because of the Covid-19 guidelines. There would not be music played externally. They wanted to use the golf club as a wedding venue. They had held a successful meeting with Moreton Bobbingworth and the Lavers Parish Council about alleviating noise by using noise limiters.

Councillor R Morgan asked the Licensing Compliance Officer if the Sub-Committee could consider outside areas or was it what was in the application before them today and therefore, only inside the premises? The Licensing Compliance Officer replied that members would have to amend the decision under each of the licensable activities to what it was being amended to, if they were in agreement.

c) Questions for the Applicant from the Sub-Committee

Councillor R Morgan asked if the actual licence would be to 12.00 midnight, to which the applicant replied, yes and this was also confirmed by the Licensing Compliance Officer.

Councillor R Morgan asked if the previous licence had finished at 2.00 am, which was also confirmed by the Licensing Compliance Officer.

Councillor R Morgan asked who would be the Designated Premises Supervisor? Ms L O'Reilly said that she would be the DPS and had been working at Woolston Manor for the last four to five years in a number of roles. She had undergone training as a DPS and knew what should and shouldn't happen in these kinds of environments.

d) Questions for the Applicant from the Objectors

Ms J Milovanovic, Parish Clerk, said that Moreton, Bobbingworth and the Lavers Parish Council would like to see the licenced time reduced to 23.00 as this would be more in keeping with normal licensing hours. It was under new management, but residents had experienced noise difficulties in the past from loud music. The applicant had offered to install inhibitors to alleviate noise nuisance and asked if this could possibly be incorporated into the licence application. The Licensing Compliance Officer replied that she was not an expert on noise limiters, as this was under the remit of the Environmental Health officers. However, the Licensing Sub-Committee could choose to grant the licence as applied for subject to the conditions

mentioned in the Operating Schedule modified as the Sub-Committee considered necessary for the promotion of the licensing objectives, and the mandatory conditions specified in the Licensing Act 2003; or exclude from the scope of the licence any licensable activities to which the application related; or refuse to specify a person as the premises supervisor; or reject the application.

e) Presentation of the Objectors

Ms J Milovanovic, Parish Clerk, said the Parish Council's main concerns were around noise nuisance to residents but wanted the business to succeed. The Parish Council appreciated this business was under new management but unfortunately the previous owners had allowed events to become very noisy, such that the noise could even be heard by residents in Pedlars End. Until 23.00 was considered acceptable particularly as under the Live Music Act, music was only allowed up until 23.00 but did not apply to recorded music. Thus, reducing the licensing hours to 23.00 would help. Also, as the applicant had offered to install noise limiters, if it could be a condition that these were used, this would help the application go forwards.

f) Questions for the Objectors from the Sub-Committee

Councillor R Morgan commented that the previous licence had been until 2.00am while this application was for licensed hours until 12 midnight, which was quite different.

g) Questions for the Objectors from the Applicant

The applicant remarked that having the licensing hours until 12.00 midnight was essential for weddings, but this was late enough. However, 23.00 was satisfactory for 99 per cent of their business. He would consent to installing noise limiters.

The Council's Senior Legal Executive asked if the applicants could confirm their agreement with Essex Police's recommended conditions? Ms O'Reilly said that one of the conditions had been that the DPS gave written consent to all the staff serving alcohol, which she was fine with. Councillor R Morgan asked the applicants directly if they had read the Police's recommended conditions and if they agreed to these, which they confirmed.

h) Closing Statement from the Objectors

The objector had nothing further to add.

i) Closing Statement from the Applicant

The applicant had nothing further to add.

j) Consideration of the Application by the Sub-Committee

The Chairman advised that the Sub-Committee would now proceed into private deliberations to consider the application. Therefore, the webcast was stopped and would resume when the private session was completed.

During their deliberations the Sub-Committee received no further advice from the Legal Officer present. The Sub-Committee considered what was appropriate to promote the four licensing objectives and the relevant parts of the Council's Licensing Policy and the Home Office's guidance.

RESOLVED:

That the application for a premises licence in respect of Blakes Golf Club, Epping Road, North Weald Bassett, Epping, Essex CM16 6RZ, be **granted** for the ground floor area shown on page 38 of the agenda together with the golfers and members bar on the first floor referred to in the Operating Schedule Section 5 of 21 on page 20 of the agenda, subject to:

- (1A) the conditions as submitted in the Operating Schedule by the applicant on 29 July 2020 save that all licensable activity timings shall be from 11.00 hours until 24.00 hours;
- (1B) the conditions which have previously been agreed between the applicant and Essex Police as set out on page 47 of the agenda relating to the licensing objectives;
- (1C) for the prevention of public nuisance a noise limiter shall be used to control the volume of live and recorded music so that it cannot be heard from outside of the building; and

which the Sub-Committee considered were reasonable and proportionate and would not undermine the licensing objectives; and

- (2) the mandatory conditions contained in Sections 19 - 21 of the Licensing Act 2003.

The applicants and the objectors were reminded of their right of appeal to the Magistrates Court within 21 days of date of the written notification of this decision.

Blakes Golf Club — (Recommended) Conditions (agreed with Essex Police)**Prevention of Crime and Disorder**

The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

- i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
- ii. CCTV cameras shall cover all entrances and exits and the areas where alcohol sales take place;
- iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
- iv. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

An individual may not supply alcohol unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder. A written record of this consent will be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.

Prevention of Public Nuisance

Essex Police shall be provided with 21 days' notice where an event is to be held which is organised by an external promoter or is promoted/advertised to the public by an external promoter. This notice shall include full details of the nature of the event

and the promoter and be e-mailed to the central police licensing team (the address of which appears on the Essex Police website).

Protection of Children from Harm

A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request. The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

32. APPLICATION FOR A NEW PREMISES LICENCE - ROSEMARY HOUSE (OFF LICENCE), DOBBS WEIR ROAD, HODDESDON EN11 OAZ

The Sub-Committee was advised that the application for this premises licence had been invalid as it had not been advertised correctly, as was required under the Licensing Act 2003. The responsible Licensing Compliance Officer, H Gould, had therefore had to withdraw the application and the consultation had been started again.

CHAIRMAN