

## Licensing Sub-Committee – 24 August 2018

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Minutes of the meeting of the **Licensing Sub-Committee** held on **22 May 2018**  
when there were present:-

Cllr Mrs J E McPherson  
Cllr D J Sperring

Cllr A L Williams

### **OFFICERS PRESENT**

S Greener	- Licensing Officer
C Irwin	- Solicitor
S Worthington	- Democratic Services Officer

### **7 APPOINTMENT OF CHAIRMAN**

Cllr A L Williams was appointed Chairman of the Sub-Committee.

### **8 PROCEDURE FOR LICENSING HEARING**

The Sub-Committee noted the procedure to be followed during the hearing.

### **9 LICENSING APPLICATION – LICENSING ACT 2003**

#### **Premises Licence Application: Apton Hall, Rochford**

The Sub-Committee considered an application for a Premises Licence made under section 17 of the Licensing Act 2003 in respect of Apton Hall, Apton Hall Road, Rochford, SS4 3RH. Members had before them the report of the Assistant Director, Legal Services setting out the details of the application and the representation received from a local resident.

The applicant emphasised that Apton Hall was a family run business and that he had 25 years' experience of events management in the UK and Europe. He would maintain high standards, quality of service and ensure the necessary training was undertaken by the team.

It had taken 3-4 years to build/develop Apton Hall as a high end venue. Considerable investment had been made in respect of the venue. The applicant had held discussions with local residents and had addressed issues relating to noise by investment in, for example, sound proofing; no representation had been made against the application by the Environmental Protection Unit. There had been up to eleven temporary event notices in operation at the premises, which had not resulted in any need for the Environmental Protection Unit to visit the venue.

Two of the local neighbours had originally objected to the planning application; however, they now endorsed the venue as their initial concerns relating to the potential for noise had been addressed. Taxi companies had strict instructions to only pick up passengers in the courtyard, to not flash vehicle lights or sound the horn. In addition, the venue operated an IVR

system with Andrews Taxis, which resulted in their customers automatically going to the top of the taxi queue, which meant that customers were able to leave promptly at the end of an event. In conclusion, the applicant emphasised that the venue was a wedding venue, not a night club.

The following responses to Member questions were noted:-

- There was clear signage at the venue advising customers that the taxi pickup point was in the courtyard; in addition, the bride and groom were also advised of this requirement in the forward planning for their wedding. The venue also worked in partnership with the Holiday Inn, operating mini bus shuttles to and from the hotel.
- Staff directed vehicles on site, as necessary. The venue operated a scoring matrix for the numbers of staff needed for different events to ensure that there were sufficient staff to direct traffic, as well as managers also regularly checking the road outside.
- The venue had three different mobile phones used to order taxis via Andrews Taxis; the numbers of these were recognised by the taxi company's IVR system and resulted in the venue's customers going to the top of the Andrews Taxis' queue.
- The two lodges in the vicinity of Apton Hall were both occupied by tenants, Ms Hill and Mr Saints; the former supported the venue and the latter was objecting to this application.
- The majority of events run from the venue would be weddings, which would end at midnight; there would be no need to extend late night refreshments to 0300 hours during seasonal events.
- No complaints had been received in respect of the venue from residents, Environmental Protection Unit or the Police. The venue was intended primarily for wedding events or for meal-oriented events, for example, a 3-course dinner with entertainment. There would be no raves or birthday parties held at the venue.
- The venue occasionally catered for funeral wakes, but was limited by space and could therefore not cater for events such as classic car shows. The venue's wedding sales were so buoyant that there was no need to diversify its operations or to run events that could result in any damage to the landscaping that was essential for its wedding business.
- The venue had budgeted to bring the entrance forward to the lodges, with CCTV and intercoms installed.

A local resident who lived approximately 10 metres away from the entrance to the venue, confirmed that she had initially objected to the planning application relating to the development of Apton Hall. However, the venue management

had listened to her concerns, held regular meetings with her and discussed issues relating to noise. They invited her to attend a sound check, starting at the end of The Chase, up to the venue and including the courtyard at which no noise could be heard, even when the doors to the venue were opened. She had not suffered any disturbance as a result of events held at the venue, including noise, car movements, and customers loitering in the vicinity. In addition, venue management had checked with her after events that she had not suffered any disturbance.

Another local resident who had written in to object to the application, advised that he lived in close proximity to the venue, in the gatehouse at the bottom of the driveway. There had, he claimed, been no discussion with him in advance of the renovation that commenced in 2015/16. He stated that he was constantly disturbed as a result of events being run at the venue and said that he had witnessed drug-related behaviour and exposure. He claimed that signage had only recently been erected and that he had been disturbed by people knocking on his door asking for directions to the venue. Until recently, traffic had, he stated, been queuing up outside the driveway, as the gate had only recently been fitted with an entry code.

He commented that the exit from the venue onto Apton Hall Road was dangerous as there was a 60 mph speed limit in that location. He stated that he was being hounded out of the gate house so that this could be converted into an office. He claimed that granting a premises licence until 0200 hours would be detrimental to his health, which was already poor. He emphasised that he had no objection to the grant of temporary event notices; however, asked that a permanent premises licence not be granted.

The following responses to Member questions were noted:-

- The issue of the exit onto a 60 mph highway was not relevant to the Licensing Act 2003.
- Issues relating to drug-oriented behaviour and public exposure had not been reported to the Police.
- The resident was a tenant of the owners of the venue.

In conclusion, the applicant emphasised that as a result of over 25 years' experience of events management he always followed a process to gain the approval of neighbours. Several attempts had been made to contact the resident who was objecting to the application, who had never answered his door. He was surprised by the evidence submitted by the resident, given that no other residents have reported anything similar; residents have been supportive of the application. He stressed that if the situation was as bad as was claimed by the resident, other residents would have submitted objections to the application.

The resident who had objected to the application emphasised in conclusion

that he lived directly on site, yet had not received any communication from the venue about this application; the venue could have left messages through his letter box for him but had not done so.

The Council's Licensing Officer advised that the venue had bed and breakfast accommodation on site and had applied for the licence to include late night refreshment until 0200 hours as this was needed for tea and coffee to be provided in those rooms for wedding party guests.

The Sub-Committee retired from the Chamber with the Legal and Member Services officers to consider the decision, returning for its announcement.

The Sub-Committee had given careful consideration to the application and all written and verbal evidence presented, including the verbal evidence given by the applicant and two local residents at the hearing. The Sub-Committee was mindful of verbal evidence received from a local resident objecting to the application relating to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance, but were mindful that no representations had been received from Essex Police or Environmental Health in respect of this application. Furthermore, the interested party had not provided any evidence to support his submissions regarding crime and disorder and public nuisance. The Sub-Committee was aware from the evidence submitted that 11 Temporary Event Notices had taken place at the venue and that no reported concerns had been made in respect of those Notices to Essex Police or Environmental Health.

The Sub-Committee, taking all this into account, considered it appropriate to grant the application, subject to the agreed conditions contained within the application, along with the mandatory conditions.

### **Resolved**

That the application for a premises licence be granted, subject to the agreed conditions contained within the application, along with the mandatory conditions. (ADLS)

The meeting commenced at 10.00 am and closed at 11.25 am.

Chairman .....

Date .....

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