

## LICENSING SUB-COMMITTEE

A record of proceedings of the Licensing Sub-Committee held at Bodicote House, Bodicote, Banbury on 1 February 2006 at 10.00 am.

Membership of the Sub-Committee (all Members present) – Councillors Mrs Stratford (Chairman), Mrs Milne, and O’Sullivan.

Officers:	G Bennett (Solicitor)	}	Advising the Sub-
	S Lodge (Democratic Services Officer)	}	Committee
	Mrs T Poke (Central Services Manager)	}	Representing the Licensing Authority

### 1. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 2. LICENSING HEARINGS PROCEDURE

The hearing was undertaken in accordance with the agreed Licensing Hearings Procedure.

### 3. APPEAL HEARING – WROXTON VILLAGE HALL, WROXTON

Present at hearing:	R Lowther	-	Environmental Protection Manager, Cherwell District Council – Responsible Authority
	Mrs K Cuffley	}	Applicants – Wroxton Village Hall
	Ms R Waters	}	

The Central Services Manager stated that an application had been received on 6 December 2005 from Wroxton Village Hall Management Committee for the grant of a Premises Licence issued under the Licensing Act 2003.

The report set out:-

- (1) details submitted by the applicant which set out support for the promotion of the licensing objective relating to the prevention of public nuisance;
- (2) that the Head of Environmental Services had no objection to the grant of the application subject to standard condition PN12;
- (3) the representations received from Mr T Pollock as an interested party;

The application set out the requested grant for a Premises Licence which was summarised as follows:-

- provision for plays, films, indoor sporting events, live music, recorded music and performances of dance and anything of a similar description;
- facilities for making music and dancing and anything of a similar description;

- provision of late night refreshment;
- standard days and timing for all activities Monday to Sunday 08.00 to 00.30;
- all activities indoors;
- seasonal variation of non-standard timings apply to provision of live and recorded music and provision of facilities for making music as follows:-

Christmas Eve, Christmas Day, Boxing Day, New Year's Eve, Valentines Day and Bank Holidays to close at 01.30.

Mrs Cuffley and Ms Waters, on behalf of the applicants, Wroxton Village Hall, stated that the village hall was only used infrequently and had only been hired to local villages or people who were known to the Management Committee. During the previous year the hall had been hired on only 22 occasions and anyone who hired the hall would be required to sign the Oxfordshire Rural Community Council application form, which also produced guidance to assist Village Hall Management Committees in the County, when they hired out village halls.

They were surprised at the objection received from a resident, who lived opposite the premises and who had objected on grounds of disturbance from vehicles leaving the premises and that the Village Hall Car Park was not large enough to accommodate vehicles who wished to use the premises. The applicants indicated the Village Hall had parking space for 25 cars, which was adequate to accommodate local events. Furthermore cars could not park outside the Village Hall which was on a dangerous bend on the main road.

Mr R Lowther, on behalf of the Head of Environmental Services indicated that he had no objection to the application subject to the following condition:-

PN.12 – all external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.

The Committee noted the objection of Mr T Pollock relating to disturbance from vehicles leaving the premises and that the car park was not large enough to host functions late in the evening.

The Sub-Committee then retired to consider the application in accordance with Regulation 14(2) of the Licensing Act 2003 Hearings Regulations 2005. On the return of the Sub-Committee the decision was announced and it was:

**RESOLVED** that the licence is granted as applied for subject to the following conditions:-

- (1) PN.12 – all external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place
- (2) M.3 - where a programme includes a film in the 12A, 15 or 18 Category no person appearing to be under the age of 12 (and unaccompanied in that case) 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms –

PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained;

- (3) The Management Committee to notify residents within 50 metres of the premises of a telephone number to which complaints regarding the operation of the premises can be made.

REASONS that – (1) the grant of the license in accordance with and subject to the conditions is consistent with the promotion of the licensing objectives; and (2) that the conditions are necessary to ensure that nearby residential properties and their occupiers are not unreasonably disturbed by noise and other nuisance and they are proportionate to the risk of nuisance to be prevented.

#### 4. **END OF PROCEEDINGS**

The proceedings ended at 10.35 am.