

Minutes

Licensing Committee

5th March 2014



Present:

Councillors	Present	Councillors	Present
J S Allen	Yes	C Gibson	Yes
M J Banthorpe (Chairman)	Yes	M Green	No
J Baugh	Yes	S A Howell	Apologies
T G Cunningham	Yes	H D Johnson	No
J G J Elliott	Yes	J A Pell	Apologies
J H G Finbow	Yes	L S Walters	No
M J Fincken	Apologies	S A Wilson	Yes
M E Galione	Apologies	B Wright	Yes

28 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

29 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 22nd January 2014 be approved as a correct record and signed by the Chairman.

30 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made during Question Time.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

31 **PAVEMENT PERMIT APPLICATION – PREZZO, 70 NEWLAND STREET, WITHAM**

INFORMATION: Consideration was given to an application submitted by Prezzo Plc for a Pavement Permit in respect of Prezzo, 70 Newland Street, Witham for Monday to Sunday between the hours of 9.00am and 10.00pm.

Members were advised that the Council's Pavement Permit policy stated that normal hours of operation were 9.00am to 6.00pm Monday to Sunday and that applications for a permit beyond 6.00pm and up to 10.00pm had to be referred to the Licensing Committee for determination.

Representations had also been submitted by Witham Town Council and The Rotary Club of Witham expressing concern about the effect of the proposal on the pedestrian area adjacent to Prezzo when the town's Christmas tree is in place. Following discussion regarding these representations, the applicant had agreed to reduce the seating area during the time that the Christmas tree is erected as indicated on the revised plan attached at Appendix 4 to the Agenda report. Witham Town Council and The Rotary Club of Witham had agreed to the revised plan.

It was noted that planning permission had been granted for the change of use of the area to allow the placing of tables and chairs on it. One of the conditions of the permission restricted the use to Monday to Sunday between the hours of 10.00am and 11.00pm. All means of enclosure, chairs and tables were to be removed from the area outside of these times. Members were advised that if a Pavement Permit was granted, the applicant would be able to operate between the hours of 10.00am and 10.00pm Monday to Sunday in order to comply with both the planning permission and the Pavement Permit. If the applicant wished to operate beyond these times, another planning application, or Pavement Permit application would have to be submitted.

As part of the consultation process, Essex Highways had issued consent to Braintree District Council authorising the Council to grant a Pavement Permit, subject to conditions.

DECISION: That a Pavement Permit be granted in respect of Prezzo, 70 Newland Street, Witham for a period of one year from Monday to Sunday between the hours of 9.00am and 10.00pm, subject to the standard Pavement Permit conditions; the conditions required by Essex Highways; and to the seating area being reduced in size during the time that the town's Christmas tree is erected (as shown on the revised plan attached at Appendix 4 to the Agenda report).

The meeting closed at 7.25pm.

M J Banthorpe
(Chairman)