

Minutes

Licensing Committee



10th May 2017

Present:

Councillors	Present	Councillors	Present
Mrs J Allen	Apologies	H Johnson	Yes
M Banthorpe (Chairman)	Yes	Mrs J Pell	Apologies
P Barlow	Apologies	B Rose	Apologies
J Baugh (Vice-Chairman)	Yes	R van Dulken	Yes
J Elliott	Yes	Mrs L Walters	Yes
J Goodman	Yes	Mrs S Wilson	Yes
A Hensman	Yes		

1 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

2 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 24th January 2017 be approved as a correct record and signed by the Chairman.

3 **QUESTION TIME**

INFORMATION: There was one statement made. Details of the person who submitted a statement at the meeting are contained in the Appendix to these Minutes.

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

4 **PAVEMENT PERMIT APPLICATION – THE SWAN, 22-24 BANK STREET, BRAINTREE**

(Mr Morter, the tenant of The Swan, 22-24 Bank Street, Braintree attended the meeting on behalf of the applicant and he answered questions put to him by Members of the Committee during the consideration of this Item. A written statement submitted by Mr Morter was read by Mr D Mellini, Environmental Health Manager, during Question Time).

INFORMATION: Consideration was given to an application submitted by Admiral Taverns Limited for a Pavement Permit in respect of The Swan, 22-24 Bank Street, Braintree for Monday, Tuesday, Thursday, Friday and Sunday between the hours of 10.00am and 6.00pm. The application proposed that three tables, nine chairs and a barrier should be placed on the pavement.

Members were advised that during the consultation period, a representation had been submitted by the occupier of premises likely to be materially affected by the application in which concern had been expressed about the obstruction of the public footpath/highway; the effect of alcohol related anti-social behaviour on the attractiveness of Bank Street as a retail area; and the availability of an alternative area to the rear the Public House for alfresco drinking. The representation was attached as an Appendix to the report. The Council's Pavement Permit Policy specified that if representations were submitted, the application had to be referred to the Licensing Committee for determination. As part of the consultation process, Essex Highways had issued its consent.

In considering this application, Members of the Committee and the applicant's representative were advised that Braintree District Council's standard conditions would be attached to the Pavement Permit if granted. These conditions required that glasses used within the area of the Pavement Permit were made of a toughened material.

DECISION: That a Pavement Permit be granted in respect of The Swan, 22-24 Bank Street, Braintree for a period of one year, on Monday, Tuesday, Thursday, Friday and Sunday between the hours of 10.00am and 6.00pm, subject to the standard Pavement Permit conditions and conditions required by Essex Highways.

5 **PAVEMENT PERMIT APPLICATION – PICTURE PALACE, FAIRFIELD ROAD, BRAINTREE**

INFORMATION: Consideration was given to an application submitted by J D Wetherspoon plc for a Pavement Permit in respect of the Picture Palace, Fairfield Road, Braintree for Monday to Sunday between the hours of 9.00am and 8.00pm. The application proposed that six tables, twelve chairs and a post and canvas barrier should be placed on the pavement. The application sought the continuation of the existing Pavement Permit for the premises and no changes were proposed.

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. As part of the consultation process, Essex Highways had issued its consent.

DECISION: That a Pavement Permit be granted in respect of the Picture Palace, Fairfield Road, Braintree for a period of one year, from Monday to Sunday between the hours of 9.00am and 8.00pm, subject to the standard Pavement Permit conditions and conditions required by Essex Highways.

6 **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. The application proposed that three tables, twelve chairs and a post and canvas barrier should be placed on the pavement. The application sought the continuation of the existing Pavement Permit for the premises and no changes were proposed.

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. As part of the consultation process, Essex Highways had issued its consent.

Members were advised that if a permit was granted, the applicant would be required to reduce the seating area when Witham Town Council/The Rotary Club of Witham erected their Christmas tree at the site. This was in accordance with the requirements of previous permits.

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, 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.

The meeting closed at 7.53pm.

Councillor M Banthorpe
(Chairman)

APPENDIX

LICENSING COMMITTEE

10TH MAY 2017

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1 Statement Relating to Agenda Item No. 5 - Application for a Pavement Permit –
The Swan, 22-24 Bank Street, Braintree

Statement by Mr Dean Morter, tenant of The Swan, 22-24 Bank Street, Braintree
(for Applicant) (statement read by Mr D Mellini, Environmental Health Manager)