

COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

10 April 2019

MINUTES OF PROCEEDINGS

At a meeting of the Licensing Sub-Committee held on 10 April at 10.00am in the Council Chamber, Colchester Borough Council, Town Hall, High Street, Colchester

Present: - Councillor Cope
 Councillor Dundas
 Councillor Hogg

1. Membership

RESOLVED that Councillor Dundas be appointed Chairman.

2. Minutes of Previous Meeting

RESOLVED that the minutes of the hearings held on 30 November and 7 December 2018 be approved as a correct record.

3. Licensing Application

The Assistant Director, Communities, submitted a report in relation to the following premises.

- **Charter Hall, Cowdray Avenue, Colchester**

In Attendance

James Young, Events Manager for Amphora Trading Ltd - Applicant
Georgia Tamblyn, Colchester Civic Society - Objector
Rebekah Straughan, Legal Services
Jon Ruder, Licensing, Food & Safety Manager
Zoe Gentry, Democratic Services Officer

Mr Ruder outlined the application to which an objection had been lodged by Mrs Tamblyn, on behalf of the Colchester Civic Society. The application sought a licence in the name of Colchester Amphora Trading Ltd for Charter Hall, Colchester. The premises already had the benefit of a licence held by Colchester Borough Council. There had been no responsible authority representations to the application.

Mr Young gave a brief introduction to the application explaining that the application had been made to enable events to be operated under the banner of Amphora Trading but it was not anticipated that there would be a substantial change in the type of events that were offered to those that had been run under the existing Charter Hall Leisure World licence, for which Mr Young was the Designated Premises Supervisor.

The application had sought a slight increase in the hours for the sale of alcohol, late night refreshment and overall opening relative to the licence currently in place. Mr Young also requested off sales to enable alcohol to be purchased at events such as Gin Fayres, and taken home for consumption.

Mrs Tamblyn then addressed the Sub-Committee explaining that she was there to represent the Colchester Civic Society and to speak on behalf of its members. Mrs Tamblyn gave further details in relation to her objection which centred on the Council's current Statement of Licensing Policy.

RESOLVED - to grant the application as follows and subject to the conditions as set out in the operating schedule of the application -

- A) The sale of alcohol on the premises Mondays to Thursdays from 06.00 to 02.00, Friday and Saturdays from 06.00 to 03.00 and Sundays from 06.00 to 02.00; and the sale of alcohol off the premises from 09.00 to 20.00 Mondays to Sundays inclusive.
- B) The performance of plays, provision of films, indoor sporting events, live and recorded music and performances of dance indoors Mondays to Thursdays from 06.00 to 02.00, Friday and Saturdays from 06.00 to 03.00 and Sundays from 06.00 to 02.00
- C) The provision of late night refreshments Mondays to Thursdays from 23.00 to 02.00, Friday and Saturdays from 23.00 to 03.00 and Sundays from 23.00 to 02.00

Reasons for the determination

In arriving at the decision the Sub-Committee considered each point very carefully. It noted the representations and the evidence presented by the applicant and Mrs Tamblyn from the Colchester Civic Society.

The Sub-Committee carefully considered the representation made by Mrs Tamblyn regarding its 2016 statement of licensing policy and that it should take precedence. the Sub-Committee noted that none of the responsible authorities had made any representations regarding this application. Furthermore the existing premises licence had not been the subject of a call for a review by any of the responsible authorities or members of the public and it noted that the existing premises licence has been operating satisfactorily.

With regard to sale of alcohol off the premises the Sub-Committee did not consider that the case was proved sufficiently to justify granting off sales as applied for in the application and therefore determined to restrict the hours for off sales to 09.00 to 20.00 Mondays to Sundays.