

MINUTES

of the

**LICENSING COMMITTEE
HEARING**

held on 19 August 2019 at 2pm

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, A.E. Davidson. D.G. Jones. and I.C. Roberts

1. **Apologies for Absence**

There were no apologies for absence.

2. **Declarations of Interests**

All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda, none were made.

3. **Minutes**

The minutes of the hearing held on 24 July 2019 were agreed as a correct record and signed by the Chair.

4. **Licensing Act 2003 - Application for a Variation of a Premises Licence – Maison Bleu, 10 Meon Close, Chelmsford, CM1 7QQ**

The Committee considered an application for a variation of a premises licence in respect of Maison Bleu, 10 Meon Close, Chelmsford, CM1 7QQ.

Sale or supply of alcohol – On premises Sales:

Monday to Saturday 10:00 – 18:00
Sunday 11:00 – 17:00

Opening hours:

Monday to Saturday 10:00 – 18:00
Sunday 11:00 – 17:00

It was noted by the Committee that there were three options namely;

1. Grant the application, on the terms and conditions applied for.
2. Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the Licensing Objectives.
3. Refuse the application in whole or in part.

The following parties attended this hearing and took part in it:

The Applicant

The Chair advised that the written representations had been read and considered by the members of the Committee in advance of the meeting. The Chair invited the applicant to introduce their application.

The applicant provided some background information on himself and the other owner of the business. He stated that the café had been a strong asset to the local community and currently held an alcohol licence for between 10am to 6pm Monday to Saturday and 11am to 5pm on Sundays. He informed the Committee that the café was used regularly by local groups and that they supported various charity initiatives. The Committee heard that the licence was and would continue to be used for prosecco and gin style drinks with afternoon teas and would not become a pub style venue. The applicant stated that alcohol currently accounted for around 5% of sales and that it was anticipated this would rise to around 10% if the extended hours were granted.

At this point in the hearing the applicant addressed the concerns in the written representation from a local resident. He stated that they had discussed the plan with local residents and considered the impact, the majority of local residents had been in support. He stated that the music played at the venue was quiet and that local residents would not be affected by noise. The applicant informed the Committee that the premises would not be open until 10pm every night and the application had been designed to allow flexibility for events when required. The applicant also addressed concerns over parking and stated that this was covered under separate legislation. He also stated that many customers walk or are dropped off at the premises and that the longer hours would not cause further parking issues. In response to a question from the Committee the applicant stated that they worked with the other nearby businesses regarding parking and they did not have any issues.

The Committee retired at 2.21pm to deliberate on the matter and returned at 2.26pm.

RESOLVED that the Director of Public Places be authorised to grant the application on the terms applied for.

The Chair provided a summary of the reasons for the Committee's decision and advised that a formal decision notice would be sent out in due course to the relevant parties.

In reaching its decision the Committee has taken into account all representations and is satisfied with the steps that the Applicant proposes to promote the Licensing objectives.

The Committee had carefully considered the concerns expressed by the objector but considered that there was no evidence to indicate prospective harm at this stage. The Committee was mindful of the fact that none of the responsible authorities were objecting to the application.

The Committee would remind the parties that if, subsequently, there is evidence of public nuisance (e.g. unacceptable levels of noise), or Crime and Disorder, or other problems relating to one or more of the licensing objectives arising from the use of the premises during the operation of the licensable activities. Then it is open to people to request a review of the licence, in which case the matter would come back to the Committee.

(2pm to 2.27pm)

The meeting closed at 2.27pm.

Chair