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MID DEVON DISTRICT COUNCIL

LICENSING SUB-COMMITTEE A

A MEETING of the **LICENSING SUB-COMMITTEE A** will be held in the Mayoralty Room, Tiverton Town Hall on Thursday, 14 May 2015 at 2.00 pm

KEVIN FINAN

Chief Executive
28 April 2015

This meeting will be audio recorded

Councillors: To be confirmed

A G E N D A

MEMBES ARE REMINDED OF THE NEED TO MAKE DECLARATIONS OF INTEREST PRIOR TO ANY DISCUSSION WHICH MAY TAKE PLACE

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notices of Substitution (if any).
- 2 **Chairman - Election**
To elect a Chairman for the Hearing.
- 3 **Determination of a premises licence application for Knightshayes, Tiverton (Pages 3 - 16)**
To receive a report from the Head of Human Resources and Development. An application has been received for a new premises licence for Knightshayes, Tiverton, Devon, EX16 7RQ. Relevant representations have been received. Accordingly, Mid Devon District Council as the licensing authority is obliged to hold a hearing to determine the application.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any

member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access to the Mayoralty Room on the first floor of the Town Hall or the Exe Room in Phoenix House is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or if you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on:

Tel: 01884 234310

E-Mail: slees@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

REPORT OF THE HEAD OF HUMAN RESOURCES AND DEVELOPMENT

DETERMINATION OF A PREMISES LICENCE APPLICATION FOR KNIGHTSHAYES, TIVERTON, DEVON, EX16 7RQ

REASON FOR REPORT

1. An application has been received for a new premises licence for Knightshayes, Tiverton, Devon, EX16 7RQ. Relevant representations have been received. Accordingly, Mid Devon District Council as the licensing authority is obliged to hold a hearing to determine the application.

RECOMMENDATIONS

1. That this application is decided in accordance with the licensing objectives

RELATIONSHIP TO CORPORATE PLAN

1. None

FINANCIAL, LEGAL AND RISK ASSESSMENT IMPLICATIONS

Any financial, legal and/or risk assessment implications are set out below:

Financial	If there is an appeal against the decision the Council could find itself bearing the costs
Legal	If the decision is not lawful the Council could find itself subject to appeal or judicial review
Risk Assessment	If the decision is not reasonably and lawfully made it could be overturned on appeal to the Magistrates' Court

CONSULTATION CARRIED OUT WITH:

1. The process of applying for these licences is prescribed by regulations made under the Licensing Act 2003. The applicant must copy their applications to the “Responsible Authorities” consisting of the Police, Fire Service, Weights and Measures, body responsible for Health and Safety (Environmental Health), Environmental Health for nuisance, the Planning Authority, the Licensing Authority, the local Director of Public Health and the body responsible for Child Protection. If the application is submitted online the Licensing Authority must forward it to all Responsible Authorities.
- 2 This Council notifies the relevant town or parish council for where the premises is.
- 3 Applicants are also obliged to advertise their applications in two ways – on the premises so as to be visible to passers-by and in a local newspaper.

1.0 PREMISES

- 1.1 The premises are described in the application as a ‘prestigious venue of national historic value, which is owned by the National Trust. The property is comprised of a main Victorian country house and ancillary buildings, with gardens and other open land. The property is some distance from any other property in different ownership’.
- 1.2 The application goes on to state that ‘the premises already holds a licence for part of the estate and it is anticipated that if the current application is granted as requested, the existing licence will be surrendered. This application seeks to extend the areas which are licensed, which are too large to be dealt with by way of a minor variation’.

2.0 APPLICATION

- 2.1 The application was submitted by Horsey Lightly Fynn on behalf of National Trust (Enterprises) Ltd.
- 2.2 In summary, the following licensable activities have been applied for:
 - Plays (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
 - Films (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
 - Indoor sporting events from 09:00 until 00:00, Monday to Sunday.
 - Live music (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
 - Recorded music (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
 - Performance of dance (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
 - Anything of a similar description to live music, recorded music and dance (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
 - Late night refreshment (indoors and outdoors) from 23:00 until 00:00, Monday to Sunday.
 - Supply of alcohol (on and off the premises) from 09:00 until 00:00, Monday to Sunday.
- 2.3 The application also includes further details for some of these activities and also some Non-standard timings (i.e. extension to 01:00 for Christmas and New Year). These can be seen on the application itself which is attached as Annex 1. The plans submitted with the application are attached as Annex 2.

3.0 LICENSING OBJECTIVES

3.1 All applicants are required to set out in their application the steps they intend to take to promote the four licensing objectives. These are:

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance; and**
- **The protection of children from harm.**

3.2 The applicant has provided information and proposals on this which can be seen within section M of the application (attached as Annex 1).

4.0 RESPONSIBLE AUTHORITIES

4.1 Responsible Authorities under the Licensing Act are notified of all new premises licence applications. The onus is on each Responsible Authority to determine when they have appropriate grounds to make a representation.

4.2 The Responsible Authorities are:

- Police
- Fire service
- Environmental Health (nuisance and health and safety)
- Planning Authority
- Licensing Authority
- Health and Safety Executive
- Weights and Measures
- the body responsible for Child Protection
- the local Director of Public Health

4.3 The Police provided a response to the application and agreed the following condition with the applicant:

Where an event with a planned attendance of over 1999 people is intended, at least eight calendar weeks' notice of the event be given to the Police and the Licensing Authority.

4.4 No further comments or representations were received from Responsible Authorities.

5.0 OTHER PERSONS

5.1 The Licensing Act allows 'other persons' to make representations provided they are relevant. To be relevant, a representation must relate to the likely effect of the grant of a licence on the promotion of one or more of the licensing objectives. The licensing authority will not accept representations considered to be frivolous or vexatious.

5.2 In this case the licensing authority has received two representations. These were submitted by Mrs Helen Mead and Ms Frances Thomson and are attached as Annex 3 and Annex 4 respectively.

5.3 In brief, Mrs Helen Mead has raised the following points:

- The proximity of residential properties to the proposed licensed site

- The potential to hear noise from licensable activities being held on the premises, as experienced last year when a 'Soup Stock' event was held
- The lack of information included in the application on the events to be held and their frequency
- The potential behaviour of people who have consumed alcohol and the potential for litter

5.4 Ms Frances Thomson has raised the following:

- The proximity of residential properties to the proposed licensed site
- The potential to hear noise from licensable activities being held outdoors on the premises
- The potential for unsocial behaviour and litter problems

5.5 A map showing the location of the residents who have made representations in relation to the premises will be made available at the hearing to assist members.

6.0 LICENSING POLICY

6.1 The Licensing Act requires the Council as the Licensing Authority to formally adopt a policy setting out how it will deal with its duties under the Act. That policy must be reviewed every five years and this Council formally adopted the current policy on 18 December 2013 and it came into effect 7 January 2014. It includes the following:

6.2 The Licensing Authority has a duty to carry out its licensing functions with the aim of promoting the four licensing objectives. (Paragraph 3.1)

6.3 The Authority will expect applicants and licence holders to demonstrate that they have given thought to and have in place adequate measures to ensure that the operation of their premises will not have an adverse effect on the quality of life of persons living and/or working in the vicinity of the premises. (Paragraph 4.1.4)

6.4 In determining a licensing application, the overriding principle adopted by this Authority will be that each application will be determined on its own merits. (Paragraph 5.3.1)

6.5 Conditions are crucial in setting the parameters within which premises can lawfully operate. Any contravention of a condition on a premises licence or club premises certificate is a criminal offence so it is essential that conditions are worded clearly, precisely and unambiguously. In addition, conditions must:

- be appropriate, reasonable and proportionate
- be enforceable
- not duplicate other statutory requirements
- be relevant to the particular type, location and character of the premises concerned
- not be standardised
- should be justifiable and capable of being met
- not replicate offences set out in the Act or in other legislation
- be written in a prescriptive format (Paragraph 7.2)

6.6 Members must have regard to the policy when making their decision and are requested to bring their own copy to the hearing.

7.0 GOVERNMENT GUIDANCE

- 7.1 Members are also obliged to have regard to the Guidance produced under S.182 of the Licensing Act 2003. The relevant version for this application was published in October 2014. It includes the following:
- 7.2 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case. (Paragraph 1.17)
- 7.3 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation. (Paragraph 9.36)
- 7.4 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy. (Paragraph 9.37)

8.0 DETERMINATION

- 8.1 The Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. This may include:
- Granting the licence as applied for
 - Granting the licence subject to appropriate modifications necessary for the promotion of the licensing objectives
 - Excluding from the scope of the licence any of the licensable activities to which the application relates
 - Refusing to specify a Designated Premises Supervisor
 - Rejecting the application
- 8.2 Reasons should be given for the decision which set out the matters taken into consideration and why such a decision was arrived at.
- 8.3 Members have five working days from the conclusion of the hearing to make a decision.

8.4 An adopted procedure for Hearings is available as Annexe 5. This should help guide all parties through the hearing process.

9.0 APPEAL

9.1 If any party (i.e. applicant or 'other person') is dissatisfied with the decision made then they have the right of appeal to the Magistrates' Court within 21 days of formal notification of the decision.

LIST OF ANNEXES TO THIS REPORT

Annex 1: Premises licence application

Annex 2: Plans submitted with the premises licence application

Annex 3: Representation from Mrs Helen Mead

Annex 4: Representation from Ms Frances Thomson

Annex 5: Hearing Procedure

Contact for any more information	Thomas Keating (01884 244618) Lead Licensing Officer
Background Papers	S.182 Guidance to Licensing Act 2003 & MDDC Statement of Licensing Policy
File Reference	Licensing/Hearings/Knightshayes
Circulation of the Report	Applicant / 'Other Persons'

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We National Trust (Enterprises) Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Knightshayes Bolham			
Post town	Tiverton	Postcode	EX16 7RQ

Telephone number at premises (if any)	01884 254665
Non-domestic rateable value of premises	£0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name National Trust (Enterprises) Ltd	
Address Heelis Kemble Drive Swindon SN1 2AA NB : Communication regarding the application should be sent to the agents or the premises and not to Heelis	
Registered number (where applicable) 01083105	
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company. This company is the trading arm of the National Trust, which a registered charity and has its constitution set by the National Trusts Acts 1907-1970	
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start? **As soon as possible**

DD		MM		YYYY			
┐	┐	┐	┐	┐	┐	┐	┐

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			
┐	┐	┐	┐	┐	┐	┐	┐

Please give a general description of the premises (please read guidance note 1)

The property is a prestigious venue of national historic value, which is owned by the National Trust. The property is comprised of a main Victorian country house and ancillary buildings, with gardens and other open land. The property is some distance from any other property in different ownership.

The premises already holds a licence for part of the estate and it is anticipated that if the current application is granted as requested, the existing licence will be surrendered. This application seeks to extend the areas which are licensed, which are too large to be dealt with by way of a minor variation.



If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that
apply

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
		Outdoors			<input type="checkbox"/>	
		Both			<input checked="" type="checkbox"/>	
Day	Start	Finish				
Mon	09:00	00:00	<u>Please give further details here</u> (please read guidance note 3) Occasional indoor and outdoor theatre and low-key performances by local Mumpers group.			
Tue	09:00	00:00				
Wed	09:00	00:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4)			
Thur	09:00	00:00				
Fri	09:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Christmas & New Year to 01:00			
Sat	09:00	00:00				
Sun	09:00	00:00				

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
		Outdoors			<input type="checkbox"/>	
		Both			<input checked="" type="checkbox"/>	
Day	Start	Finish				
Mon	09:00	00:00	<u>Please give further details here</u> (please read guidance note 3) Whilst the attached plan shows the extent of the areas to be licensed, in practice any events will be limited to certain areas of the property for reasons of conservation and control. Likewise, whilst additional times have been requested, events are not planned to take place on every night of the week, the intention being only to provide additional flexibility on the occasions when it is required.			
Tue	09:00	00:00				
Wed	09:00	00:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)			
Thur	09:00	00:00				
Fri	09:00	00:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Christmas & New Year to 01:00			
Sat	09:00	00:00				
Sun	09:00	00:00				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3) Possible future use of the stické tennis court for matches/demonstration events.
Day	Start	Finish	
Mon	09:00	00:00	
Tue	09:00	00:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	09:00	00:00	
			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur	09:00	00:00	
Fri	09:00	00:00	
Sat	09:00	00:00	
Sun	09:00	00:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish				
Mon	09:00	00:00	Please give further details here (please read guidance note 3)			
Tue	09:00	00:00				
Wed	09:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4) Christmas & New Year to 01:00 (Indoors only after 21:00)			
Thur	09:00	00:00				
Fri	09:00	00:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	09:00	00:00				
Sun	09:00	00:00				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish				
Mon	09:00	00:00	Please give further details here (please read guidance note 3)			
Tue	09:00	00:00				
Wed	09:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Thur	09:00	00:00				
Fri	09:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) Christmas & New Year to 01:00 (Indoors only after 21:00)			
Sat	09:00	00:00				
Sun	09:00	00:00				

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish				
Mon	09:00	00:00	<u>Please give further details here</u> (please read guidance note 3)			
Tue	09:00	00:00				
Wed	09:00	00:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
Thur	09:00	00:00				
Fri	09:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat	09:00	00:00	Christmas & New Year to 01:00 (Indoors only after 21:00)			
Sun	09:00	00:00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	09:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	09:00	00:00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	09:00	00:00			
Thur	09:00	00:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	09:00	00:00			
Sat	09:00	00:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	09:00	00:00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish				
Mon	23:00	00:00	<u>Please give further details here</u> (please read guidance note 3)			
Tue	23:00	00:00				
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur	23:00	00:00				
Fri	23:00	00:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat	23:00	00:00	Christmas & New Year to 01:00			
Sun	23:00	00:00				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) Christmas & New Year to 01:00		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	09:00	00:00			
Sat	09:00	00:00			
Sun	09:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name LEWIS PATERSON	
Address Front Lodge, Knightshayes, Bolham, Tiverton, Devon	
Postcode	EX16 7RQ
Personal licence number (if known) 2007/00281/06PEN	
Issuing licensing authority (if known) EASTLEIGH BOROUGH COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
			NB: The premises includes areas of land where the public have right of access at any time. It is therefore not possible to restrict the hours that the public may be on the premises

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Staff shall be provided with training in relation to the Licensing Act 2003 as are commensurate with their duties. Where staff are involved in the sale of alcohol, this shall include proof of age, recognition of identification and the offences that are listed in the Licensing Act 2003. This training shall be repeated at regular intervals and a log shall be kept at the premises that shows what training has been provided in the previous 12 months.

A log will be maintained of all refusals to sell alcohol, which will contain the date, time, description of individual refused, staff member name and any notes. This log shall be retained for a period of 12 months from the date of last entry.

When organising events, regard shall be had as appropriate to the following documents :

- The Event Safety Guide ISBN 0 7176 2453 6
- Managing Crowds Safely ISBN 0 7175 1834 X
- Guide to Fire Precautions in Existing Places of Entertainment and Like Premises ISBN 0 11 340907 9

b) The prevention of crime and disorder

Given the location of the premises, the demographic of customers, the nature of operation and the good history of the premises, it is not considered that issues of Crime and Disorder will occur from the conduct of licensable activities. Whilst control measures are nevertheless in force, they do not need to be included as conditions on the licence.

c) Public safety

All safety matters are considered to be met by virtue of other legislation and therefore conditions are not required in this respect. In particular, the Health & Safety at Work etc Act 1974 and the Regulatory Reform (Fire Safety) Order 2005 apply.

d) The prevention of public nuisance

Given the location of the premises, the demographic of customers, the nature of operation and the past conduct of activities, it is not considered that issues of public nuisance will occur through the conduct of the licensable activities to the extent that significant conditions are required.

Noise from licensable activities will be controlled so as not to cause a public nuisance at any premises in separate ownership and occupation to the licence holder. (NB: Control measures may include keeping doors and windows closed, monitoring sound levels and use of sound limiters if appropriate.)

e) The protection of children from harm

In compliance with the mandatory condition on proof of age, "Challenge 21" will be adopted.

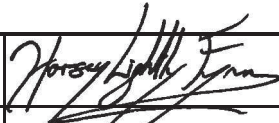
Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	18/3/2015
Capacity	Solicitors and agents for the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Horsey Lightly Fynn
 3 Poole Road

REF : 93274/JP

Post town	Bournemouth	Postcode	BH2 5QJ
Telephone number (if any)	0844 556 1191		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) jpayne@hlf-law.co.uk			

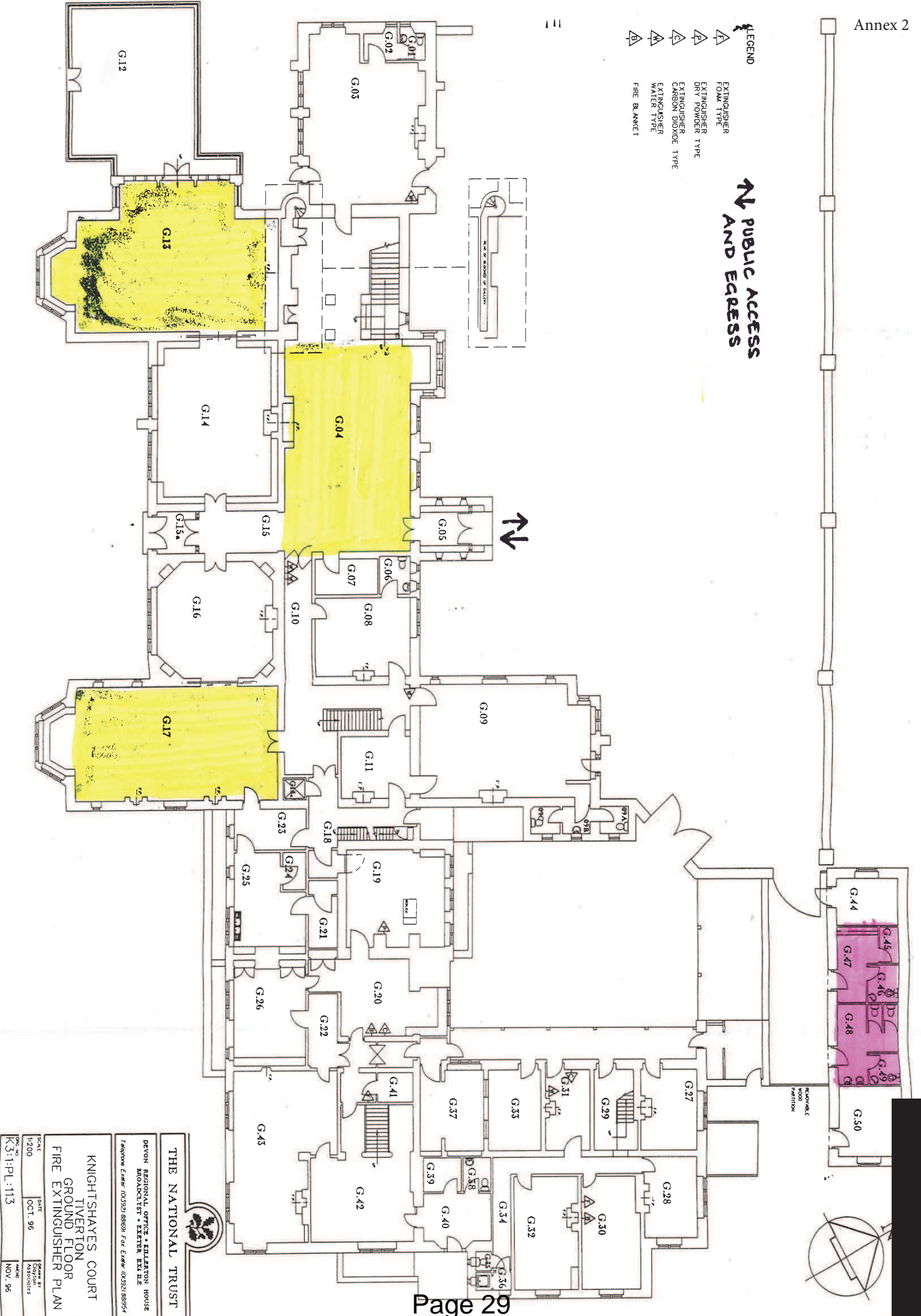
Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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↗ PUBLIC ACCESS
AND EGRESS

- LEGEND
- EXTINGUISHER FOAM TYPE
 - EXTINGUISHER DRY POWDER TYPE
 - EXTINGUISHER CARBON DIOXIDE TYPE
 - EXTINGUISHER WATER TYPE
 - FIRE BLANKET



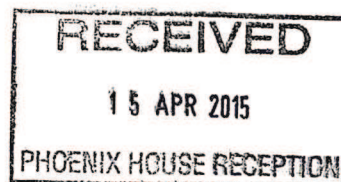
THE NATIONAL TRUST			
DEVON REGIONAL OFFICE • ELLERTON HOUSE			
BROADCLIFF • EXETER EX4 3LE			
Telephone Enquiry 03322 88659 Fax Enquiry 03322 88554			
KNIGHTSHAYES COURT			
TIVERTON			
GROUND FLOOR			
FIRE EXTINGUISHER PLAN			
SCALE	DATE	DRAWN BY	CHECKED BY
1:200	OCT. 96	ASPHOLDERS	NOV. 96
K3:1 PL:113			



Countess Mead House,
Chettiscombe,
Tiverton,
Devon EX16 7PP

15 April 2015

The Licensing Authority
Mid Devon District Council
Phoenix Lane
Tiverton
Devon EX16 6PP



Dear Sirs

Premises Licence Application (Full) - The National Trust, Knightshayes Court - Comments and Objections

I have lived at Countess Mead House for over 32 years. Together with my family, I am a long-term supporter and admirer of the National Trust and the conservation work that it carries out.

However, please will you take the following comments and objections into consideration when deliberating on the recent application for a full licence for Knightshayes Court ('the Trust').

**1 Part 3 Operating Schedule
Description of the property.**

Paragraph 1 is misleading.

The property is widely described as including gardens and other open land and as being 'some distance' from any other property in different ownership'. 'Some distance' gives the impression that other property in separate ownership will not be affected by the proposed activities covered by the licence.

If one knows the property, looks at the map attached to the application, or views the property on Google Maps it can be seen that the property actually has a long boundary with farmland in different ownership and more importantly, the property is only a matter of a few metres from seven residential properties, literally just over the road in Chettiscombe.

The Knightshayes Plantation indicated on the map as opposite the residential properties is certainly not the densely wooded area that it was many years ago and there is a very large expanse over the road from, particularly my own property, that is completely open land, right up close to the Trust buildings.

Knightshayes Court itself is visible from my upstairs windows. Many more trees have disappeared in this whole area in more recent years.

This openness and the fact that the prevailing wind is westerly – blowing from the Trust in the direction of the Countess Mead properties means that noise is clearly audible.

2 Parts A and B – Films and plays

Flexibility may occasionally be needed, but the overall problem is that to grant this application (for all the entertainment/activities envisaged) gives the Trust complete discretion to change and expand their offering in style and size and timing without having to apply on occasions for the additional flexibility that is needed.

While the local Mummers group is given here as an example, the temptation will surely be to expand little by little, or possibly to a much larger extent, without controls being exercised along the way. The wording ‘...on the occasions when it is required’ is a little vague. The words ‘low key’ may not be applicable to anything in the application other than the performances by the local Mummers group. If flexibility is only occasionally needed, why is a full licence needed?

3 Parts E, F and G Playing of live and recorded music; the performance of dance

Last summer, the Trust ran a ‘Soup Stock’ event. I was able to hear the music and general noise quite clearly from my property. The event ran for five hours. I did not complain as I hoped that this would be of limited duration and not repeated.

Please see <http://www.middevongazette.co.uk/Local-bands-sought-perform-Knightshayes-Soupstock/story-21200557-detail/story.html> and <https://www.facebook.com/events/900003886682819/> for information on ‘Soup Stock’.

I was not aware of/did not hear the noise in 2013 when, I believe the Soup Stock event was commenced, but it was clearly audible in 2014. You will note that the 2014 dates advertised were all Sundays.

Many would consider that it is quite objectionable that people trying to enjoy peace and quiet in their own properties on a Sunday afternoon are obliged to listen to noise emanating from a National Trust property. If I wished to listen to rock or other music on a Sunday afternoon, or indeed at any other time, I would

do so in such a manner that no one else were disturbed. I would not enforce it upon my neighbours. May I suggest that amplification could be amply reduced?

Details in accordance with the guidance note - No details are given of the proposed Live Music in accordance with the guidance note. Of course one appreciates that it may not be possible to give details of events not yet planned in the long-term, but surely some clear and detailed examples should be provided, particularly as it is intended that the performance of live music is to take place outdoors and can finish at midnight. The wording 'low-key' is not used in this or subsequent sections of the application.

The Trust must have at least an idea of likely events scheduled for the next year or two. Details of one or two events will give the responsible authorities reference points when considering the application, and markers against which to compare future complaints (if any).

It is of concern that as the Soup Stock music was audible from the lawn outside the stable block (last year's location), then how much louder would it be if the location of the event were moved closer to Moorhayes, Bolham or Chettiscombe. There is nothing in the application that would prevent the event being moved closer to Moorhayes, Bolham or Chettiscombe. There is ample open Trust land upon which it, or other live or recorded music events could take place.

As with Live Music, there are no details given for the playing of Recorded Music. This is a serious omission and the Trust should be providing proper examples.

If the Trust is concerned that objections will be made, or that their activities will be restricted if they provide details, then that is of concern in itself.

The performance of dance would, in most cases, be accompanied by music. Again, there are no details supplied except that it is intended that it shall take place both indoors and outdoors up until midnight. My comments as to the playing of music are applicable here with regard to exact location of the event in the property and the volume of the music.

It is not inconceivable that large outdoor and very noisy events will take place. There appears to be no restriction on the times of operation of the events, the numbers of events, the numbers of people attending, the consequent noise of vehicles arriving and departing and the actual location.

Although it is stated that in practice any events will be limited to certain areas of the property for reasons of conservation and control, the National Trust wishes to have total power to locate events anywhere within the boundaries shown on the plan.

Why, in accordance with their assertion as to location, cannot there be a specifically defined area in which such events are allowed to take place?

4 H - Anything of a similar description

Again, no further details are given as required by the form except that the events are to take place both outdoors and indoors up until midnight. Again, total discretion in the hands of the Trust.

5 I - Late night refreshment

Indoors and outdoors, and presumably including alcohol. Again, no details given, but total discretion applied for.

6 J - Supply of alcohol

There have been a number of instances of anti-social behaviour by people accessing the Trust's woodlands, which is difficult and time-consuming for the Trust to control. This has included the consumption of alcohol and the spread of litter.

Would the Responsible Authorities consider that the Trust should not be permitted to supply alcohol for consumption outside of the perimeter of the particular event?

See also 8 below as to M(b).

7 L - Opening Hours

The plan does not show the areas of land to which the Trust suggests that the public has unrestricted right of access. The licensing authority should know exactly to which areas this relates. Can it not be clearly marked on the map?

8 M - The licensing objectives

b) The prevention of crime and disorder

Please see J and L above. Given the size of the property, the parameters of the licence applied for, the possible numbers of customers and lack of information in key areas of the application, the Responsible Authorities may well consider that control measures should be included as conditions on any licence granted.

c) Public Safety requirement

Does this include members of the public on or off the premises who are not attending any event who can be affected by actions, events or behaviour in connection with any licenced event? If so then conditions should be applied.

d) Prevention of public nuisance

The premises are located on the very edge of a town that has had a reputation of being somewhat 'rough'. It is within easy walking distance of the town.

The demographic of customers: – the offering of the Trust appears to be

changing to a more populist one. Many of the perceived 'traditional demographic' may not attend late night live and recorded music sessions.

The behaviour of many people is affected by the consumption of alcohol.

Past performance is no guide or guarantee as to future performance. In fact there is no 'past performance' on what appears to be a totally unrestricted licence.

Noise concerns have been mentioned above.

With the inclusion of Trust land within the perimeters of the proposed Mid Devon Show, possibly for many years to come, then it is highly likely that there will be instances of public nuisance occurring to the detriment, particularly, of the residents of Moorhayes, Bolham and Chettiscombe.

The Responsible Authorities may consider that an unrestricted licence should not be granted until at least several years of the Mid Devon Show at this location have taken place in order that they can take an objective overview.

Conclusion and Request

Is there actually a real and present need to grant a 'blanket' licence? If not, then why grant one? It is better to grant full discretion in stages, rather than try to limit a complete discretion granted in the first place.

The Trust is applying for the total freedom of a full licence. I respectfully request that the responsible authorities take into account the size of the property and that they be concerned about a distinct lack of information in the application, which runs alongside the request for complete discretion.

The application is drafted in such a way, apart from Part 3 Operating Schedule, that it could apply to any number of National Trust properties, with clauses simply lifted from precedents. Perhaps more particular reference to specific areas of the property and much more detail with respect to the intentions relating to the operations should be provided even before the application is considered.

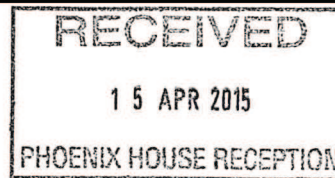
In a recent radio programme (<http://www.bbc.co.uk/programmes/b04f9q7k>) entitled 'What's the Point of...?', Quentin Letts came to the conclusion that 'For most of its visitors and four million members the real point of the National Trust is escapism with a lovely view, a nice afternoon out, a nice cup of tea...Nice.'. Please let us keep it that way.

In sum, I request that the application is refused.

Helen Mead (Mrs)



Mr Tom Keating
Local Authority Licensing Department
Mid Devon District Council
Phoenix House
Phoenix Lane
Tiverton Ex16 6PP



**OBJECTIONS to the application for an unlimited FULL LICENCE
by The National Trust (Enterprises) Ltd for Knightshayes Court**

Location that an extended Licence would cover: ref to Part 3 Operating Schedule

The National Trust have recently held musical activities, outdoors, on land between the Coach House and the Country House. These musical events can be heard from some distance, and in particular the properties in the hamlet of Chettiscombe.

With the National Trust now offering some of their land for use for the Mid Devon Show in July 2015, it can only be assumed that the intention of applying for a Full Licence to extend the areas of use would be to hold events on other parts of the estate - for example the 'lower fields' east of Knightshayes Lodge.

The applicant states in the *description of premises*, that *the property is some distance from any other property in different ownership*. It may be fair to say that this is correct when referring to the Country House and Coach House. But if fields in other parts of the estate were used, these could not be classed as *some distance* from the properties of Countess Mead, nos 1 to 6 Countess Mead, the hamlet of Chettiscombe and Bolham village.

If the noise from activities near the Country House can already be heard 'load and clear' in the surrounding area, noise from other parts of the estate would increase the nuisance to local residents only a short distance away.

Licensed activities:

Although all Licensed activities can pose a risk, my objection is particularly concerned with the provision of *alcohol and late night refreshments* for outdoor activities such as *plays, dance, live music and recorded music*.

Indoor activities within the premises can be more easily monitored, particularly with regards to noise levels.

Outdoor activities could result in unsocial behaviour in other parts of the estate, also creating a problem with litter e.g. glass and plastic on the land, causing a hazard to the abundant Wildlife in the area.

Unregulated gatherings of young people (overnight) have already taken place in the woods opposite the Countess Mead properties, in the summer months. This has caused late night disturbances to residents, and has resulted in - fires left unextinguished, large amounts of litter being left, including glass and plastic bottles and broken glass, in the woodland.

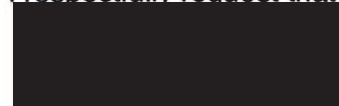
Tranquil setting:

The National Trust property at Knightshayes has long been known for its beautiful grounds, gardens and woodlands, and in particular for its tranquil setting. Increased activities on the estate could have a detrimental effect on the surrounding land, flora and to Wildlife on the estate.

Increased numbers of visitors:

If the applicant is intending to increase the areas of use, it can also be assumed that this would involve activities likely to attract an increased number of visitors to *musical events* for example. This would severely affect the tranquil setting of land around Knightshayes Court.

I respectfully request that this application, to extend the areas which are Licensed, be refused.



Frances Thomson
1 Countess Mead
Chettiscombe
EX16 7PP

MID DEVON DISTRICT COUNCIL

Licensing Committee

Procedure for Hearings

1. Introduction

The hearing will be conducted in accordance with The Licensing Act 2003 (Hearings) Regulations (2005). The Sub-Committee will follow the procedure set out below at all hearings under the Licensing Act (2003)

2 The Officers

- 2.1 Each Sub-Committee will comprise of three Councillors of Mid Devon District Council who will hear applications made under the Licensing Act (2003)
- 2.2 The Committee will be attended by a:
 - (a) A Licensing Officer
 - (b) Representative of Legal Services
 - (c) Representative of Member Services
- 2.3 The role of the Licensing Officer will be to introduce the application, outline the relevant facts and any issues involved through the presentation of their report
- 2.4 The role of the representative of Legal Services will be to deal with any questions of law, matters of practice and procedure and where appropriate assist the Sub-Committee in formulating the reasons for its decision. They may ask questions of parties and witnesses in order to clarify the evidence and any issues in the case.
- 2.5 The role of the representative of Member Services will be to make a record of the proceedings both by way of notes of the evidence given and a minute of the decision reached, inclusive of the reasons for the decision.

3. Procedures at the hearing

- 3.1 The Chair of the hearing will introduce the members of the Sub-Committee and the Officers present at the hearing.
- 3.2 The Chair will introduce the matter to be resolved, and will ask the parties present at the hearing to introduce themselves.
- 3.3 The Chair will outline the procedure to be followed at the hearing.
- 3.4 Upon the failure of a party to attend the hearing, the Sub-Committee will decide whether to adjourn the matter, or proceed in the party's absence. If the decision is taken to proceed, the party's written application or representation will be taken into account.
- 3.5 The Sub-Committee will consider whether the hearing should be held in public or private session. The hearing will usually be heard in public except where the Sub-

Committee decide that it is in the public interest for the public to be excluded from a particular hearing, or part thereof or where the Sub-Committee make a resolution that the public and the press be excluded from the hearing, on the basis that either confidential or exempt information is likely to be disclosed.

- 3.6 The Sub-Committee will decide whether to grant any written request made by a party for permission to call a witness at the hearing. Any request may not be unreasonably withheld.
- 3.7 The Sub-Committee will consider any requests to present any new evidence or information that has not already been disclosed to all the parties and the Sub-Committee. The general rule is that the Sub-Committee must not consider information or evidence that was not disclosed to it or to the other parties prior to the hearing taking place, although all parties at the hearing can agree to that extra information being considered on the day of the hearing.
- 3.8 The Sub-Committee will consider any requests to call witnesses and will make a decision on such requests.
- 3.9 The Sub-Committee will consider any requests for permission to ask questions of other parties. The Sub-Committee will consider whether asking questions is required in order for it to consider the case properly. If permission is given to one party to ask questions, it will usually be given to all other parties at the hearing.
- 3.10 The Sub-Committee will decide the length of time that each party will be allowed to present their case.
- 3.11 The hearing will take the form of a discussion to be led by the Sub-committee
- 3.12 The Chair will ask the Licensing Officer to outline the matter before the Sub-Committee.
- 3.13 Where the written evidence or information provided by the applicant, responsible authorities and/or interested parties have raised legal issues or submissions, the Chair may request that any legal representatives present at the hearing and the legal representative of Legal Services address the Sub-Committee on the legal points raised.
- 3.14 The Applicant will make their case first either personally or through a representative. The Applicant may give further information in support of the application, but only in response to a point upon which the authority has given notice that it will want clarification.
- 3.15 Documentary evidence or other information produced by the Applicant may be considered, provided this has been produced prior to the hearing, or if not, with the consent of all the other parties. It may be necessary in some circumstances for the hearing to be put back until later in the day so that parties may consider additional information which is produced at the hearing.
- 3.16 The Applicant may then be questioned by members of the Sub-Committee. Questions will either be directed through the Chairman, or put directly by members with the agreement of the Chairman.

- 3.17 The Applicant may call any witnesses in support of his application, if this has been permitted by the Sub-Committee. The witnesses will address the Sub-Committee, which may then ask any question of the witnesses.
- 3.18 When the Applicant has completed the presentation of their case, the representatives of any responsible authorities who have made relevant representations address the Sub-Committee, and may be questioned by members of the Sub-Committee.
- 3.19 Witnesses may be called by the responsible authorities where permitted by the Sub-Committee. Documentary or other information produced on behalf of the responsible authority may be considered
- 3.20 Thereafter, other persons address the hearing, and they may be questioned by members of the Sub-Committee.
- 3.21 Witnesses who are permitted to be called in support of the submissions of the interested parties are then questioned by members of the Sub-Committee. Documentary or other information produced on behalf of an interested party may be considered
- 3.22 Where the Applicant is a responsible authority or an interested party the licence holder will present their case after the applicant followed by any responsible authorities and then interested parties.
- 3.23 After the conclusion of the evidence, each party may sum up their case, by addressing the sub-committee in the order in which they presented their case.
- 3.24 The Sub-Committee will either leave the hearing room to deliberate or ask all parties to leave the room.
- 3.25 Depending on the nature of the application, a determination of the case may be made either at the conclusion of the hearing or within 5 working days.
- 3.26 Where the case is determined at the end of the hearing the Chairman will read the Sub-Committee's determination aloud together with the terms of the decision made and the reasons for such decision.
- 3.27 The Chairman will thank everyone for their contributions, and closes the meeting, or moves on to the next item on the agenda.

4. After the Hearing

- 4.1 Once the meeting of the Sub-Committee has been concluded, Member Services will prepare minutes of the hearings.
- 4.2 The Licensing Officer will issue a notice to all of the parties involved (whether present at the hearing or not), outlining the decision of the Sub-Committee.