

APPLICATION BY: DAIR HOUSE SCHOOL TRUST LTD

FOR A PREMISES LICENCE

DECISION OF THE LICENSING SUB-COMMITTEE SITTING ON 21ST DECEMBER 2009.

The Licensing Sub-Committee has before it an application from Dair House School Trust Ltd for the Dair House School, Beaconsfield Road, Farnham Royal, Bucks SL2 3BY.

The details of the licence applied for are as set out in the Application form appended to the Licensing Officer's report at Appendix 2 a copy of which all the Sub-Committee Members and Relevant Parties have received but amended by the Applicant prior to the Hearing regarding two suggested Special Conditions relating to noise monitoring and control measures in the Operating Schedule.

The Sub-Committee has listened to all the evidence, submissions and responses thereto and has read all the material before it.

The objections and representations received are listed in the Officer's report at paragraph 5 - copies of which were attached to the officer report at Appendices 3 to 7 - these consist of letters of representation from the Chief Officer of Police, the Local Authority (Head of Environment - Environmental Health Officer) and the District Planning Authority (Director of Services - Development Control - Planning Officer), a letter of objection from the Fire Authority, 20 individual letters of objection from local residents and a letter of objection from the Farnham Royal Parish Council. (It is noted that the Local Authority did initially object but withdrew the objection subject to special conditions previously agreed with the applicant being attached to the Licence if granted).

Regarding the objection from a local resident (pages 81 to 83 inclusive of the Agenda) this was disregarded by the Licensing Sub-Committee in so far as it refers to fireworks as this does not relate to this application.

The Licensing Sub-Committee is satisfied on the balance of probability that in all the circumstances this Application **as amended** by the Applicant prior to the Hearing should be:

Allowed in part as follows -

Plays - Drama festivals, schools plays and nativities and also open-air theatre during the summer months only - Monday to Saturday - 9am - 10pm and Sunday 9am - 9pm - Indoors and Outdoors.

Films - Showing of DVDs and videos to children, films, race nights, corporate events - Monday - Saturday - 9am to 10pm and Sunday 9am - 9pm - Indoors.

Indoor Sporting Events - Demonstrations and competitions such as kick boxing, gymnastics, judo and fencing - Monday to Sunday - 9am - 6pm - Indoors.

Live Music - End of term performances by children, orchestra & choir, speech days, PTA events, birthday and wedding parties - Monday to Saturdays - 9am - 11pm and Sundays - 9am - 10pm - Indoors and limited to 10 occasions per annum Outdoors.

Recorded Music - at children's parties, fundraising events, parties and weddings - Monday to Saturday - 9am - 11pm and Sunday - 9am - 10pm - Indoors and limited to 10 occasions per annum Outdoors.

Performances of dance - ballet shows and strictly come dancing evenings - Monday to Sunday - 9am to 10pm - Indoors.

Anything of a similar description to live music, recorded music and performance of dance - quiz nights, race nights, auctions, barn dances, bingo, sports days, football tournaments and amplified voices - Monday to Sunday - 9am - 10pm - Indoors and Outdoors.

Provision of Facilities for making music - Microphones, amplifier, speakers, karaoke machine, Instruments all provided for use at sports day, football tournaments, quiz nights, bingo nights, and race nights - Monday to Saturday - 9am - 11pm and Sunday 9am - 10pm - Indoors and Outdoors.

Provision of Facilities for dancing - Dance floor area within the main hall or marquee in grounds for events, May Pole dancing - Mondays to Saturdays - 9am - 11pm and Sundays - 9am - 10pm - Indoors and limited to 10 occasions per annum Outdoors.

Supply of Alcohol - Monday to Saturday - 10am - 11pm and Sunday - 10am - 10pm - On the Premises only.

Opening Hours - Mondays to Saturdays - 8am to 12 midnight and Sunday 8am - 11pm.

No other part of the application is permitted.

subject to the Conditions set out in the Schedule to the Licensing Officer's report and the additional Special Condition 20 handed out by the Licensing Officer at the Hearing - as **deleted** by the Sub-Committee - I will not read out the unamended Special Conditions - **numbered 1 to 16 inclusive and 18 to 20 inclusive (but to be re-numbered) and the Mandatory Conditions 1, 2 and 3**. I would confirm however the Sub-Committee has considered each Special Condition individually and considers them necessary and relevant in terms of promoting the Licensing Objectives.

We modify the Special Conditions by **deleting** Special Condition 17 as it is a duplication of Special Condition 8

All Special Conditions stated are considered necessary and proportionate in order to promote the following Licensing Objectives

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of children from harm

and are imposed in consideration of representations made, the operating schedule submitted and matters heard today.

The following **Informatives** will also be added to the Premises Licence -

Informative 1 - The Licence Holder shall notify local residents via email (if provided to the Licence Holder) of details of the events, the event organiser, the Premises Licensee and/or nominated deputy including their immediate contact telephone numbers when Regulated Entertainment and/or the sale of alcohol is being offered at the Licensed Premises.

Informative 2 - The Licence Holder is advised that a representative of the School should be present whenever Regulated Entertainment and/or the sale of alcohol is being offered at the Licensed Premises.

I also confirm that the Licensing Sub-Committee has had regard to

National Guidance;

The Council's Licensing Policy;

The Human Rights Act 1998;

All papers submitted and evidence heard

The additional Special Condition 20 and the plan with the location of the objectors in relation to the Licensed premises marked thereon handed out at the hearing by the Licensing Officer and

Also the individual merits of this case before reaching this decision.

The Rights of Appeal will be sent out with the Decision Notice.

I would also draw your attention to the possibility of a review of the licence in the future.

DATED 21ST DECEMBER 2009

Cllr MISS N. C. ARNOLD - CHAIR.

Cllr R. VIGOR-HEDDERLY.

Cllr J. WILSON.