

**PREMISES/PERSONAL LICENCES SUB-COMMITTEE 'A'**

**8 DECEMBER 2011**

**REPORT OF HEAD OF CUSTOMER SERVICES**

**A.1 LICENSING ACT 2003 – APPLICATION NO: 11/00840/PREMGR  
APPLICATION FOR THE GRANT OF A PREMISES LICENCE  
- THE HOY BAR AND RESTAURANT, 4 CLACTON ROAD, ST OSYTH, ESSEX**

**1.0 APPLICATION DETAILS**

**1.1 Applicants**

Mr Neil Young

**1.2 Premises**

The Hoy Bar and Restaurant, 4 Clacton Road, St Osyth, Essex CO16 9PA

**1.3 Agents**

None

**1.4 Ward**

St Osyth & Point Clear

**1.5 Reason for Application**

The application has been made under the Licensing Act 2003 for the grant of a Premises Licence.

**2.0 GENERAL DESCRIPTION OF PREMISES**

**2.1** Family orientated restaurant and bar with the option of a home delivery service on the sale of alcohol. With live music from time to time.

**2.2 Opening Hours**

Monday to Thursday	08.00 – 00.30
Friday to Saturday	08.00 – 01.30
Sunday	08.00 – 00.00

**3.0 CURRENT LICENSABLE ACTIVITIES**

None

**4.0 DETAILS OF ACTIVITY APPLIED FOR**

**4.1 Performance of Live Music**

Monday to Sunday	18.00 – 23.00
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**4.2 Performance of Recorded Music**

Monday to Thursday	10.00 – 00.00
Friday and Saturday	10.00 – 01.00
Sunday	10.00 – 23.30

**4.3 Late Night Refreshment**

Monday to Thursday	23.00 – 00.00
Friday and Saturday	23.00 – 01.00
Sunday	23.00 – 23.30

**4.4 Sale of Alcohol on and off the premises**

Monday to Thursday	10.00 – 00.00
Friday to Saturday	10.00 – 01.00

Sunday 10.00 – 23.30

Non Standard Timings

Sale of Alcohol Off the Premises

Sunday 10.00 – 00.00

**5.0 STEPS THAT APPLICANTS PROPOSE TO TAKE TO PROMOTE THE LICENSING OBJECTIVES**

The Applicant has detailed the following measures:-

**5.1 Crime and Disorder**

Because we are already a fish and chip shop we have CCTV inside and outside the building facing 3 directions. The building is always well lit outside due to our lighting and standard street lighting. We adopt a sensible drinking policy and all staff and managers have training to be able to deal with any problems which may occur. Drugs and violence will not be tolerated.

**5.2 Public Safety**

People will see that this business is family orientated and will attract similar people. We have CCTV inside and outside to monitor any problems. All around the building is well lit to deter any criminal activity. We hope to start up our own pubwatch in St Osyth to hopefully eradicate any known or potential trouble makers, making the pub a safer place.

**5.3 Prevention of Public Nuisance**

We plan to start up a pubwatch scheme with the other pubs in St Osyth. We will not allow any drinking outside the premises, thus keeping patrons inside, so as not to become a public nuisance. Any live music should be finished at 11.00 p.m. and only recorded music will be played. Doors and windows will be closed during live performances. We are not a noisy bar and are primarily concerned with the supply of our quality food and are proud of our family style atmosphere.

**5.4 Protection of Children from Harm**

We are a family orientated business. So do wish to allow young people into our establishment but this should be terminated by 2300 hours and children should not be allowed into the bar area. A proof of age scheme is known to all staff and the relevant training to be given to anyone dealing with a patron not being able to prove this. Thus resulting in no sale of alcohol. Also a proof of age will be adopted when delivering alcohol if seem to look under 25 years old ID must be seen. If not, no sale. All refusals must be documented appropriately.

**5.5 General Information in Support of the Application**

The majority of our clientele will be mature and discerning. Any customers who prove to be a problem with regards to drugs or violence will be dealt with promptly and appropriately. Bar staff and management will all be made aware of this and have the appropriate training in all areas i.e. refusal of sale of alcohol due to age and whether or not they should be refused any more alcohol due to drunkenness. We also have a good relationship with the other publicans in St Osyth and are a member of St Osyth Business Association. We hope to speak to all other pub landlords to start up our own pubwatch. All staff will be trained as how to record all details of anyone wishing to be delivered alcohol and proof of age to be seen if anyone looks under 25 years of age.

**6.0 RELEVANT REPRESENTATIONS**

**6.1 Responsible Authorities**

A representation was received from the Department of Public Experience (Food, Health & Safety), on the grounds that the Licensing Objectives in respect of Public Nuisance had not been satisfied. However, following discussions with the Applicant, this representation has been withdrawn, subject to the following conditions being attached to the Licence:-

The holder of the premises licence or the designated premises supervisor or any other person who at the time is in charge of the premises shall undertake routine monitoring to ensure that external levels of music are not excessive and take appropriate action where necessary.

## **6.2 Interested Parties**

One letter of representation has been received from St Osyth Parish Council and two letters of representations have been received from local residents on the grounds of public nuisance. One letter of support from a local resident has been received.

## **7.0 POLICY CONSIDERATIONS**

The Licensing Authority's Statement of Licensing Policy expects applicants to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance relevant to the individual style and characteristics of their premises.

## **8.0 ASSOCIATED PAPERS**

The following papers are attached for Members of this Sub-Committee only:-

- (i) Application form and any supporting documentation.
- (ii) Location Plan.
- (iii) Representation from Responsible Authority - Letter dated 11 November 2011
- (iv) Representations from Interested Parties:-
  - St Osyth Parish Council - Letter dated 9 November 2011
  - Mr and Mrs Wright - Letter dated 31 October 2011
  - Mr K G Maxwell-Whale - E-mail dated 31 October 2011
- (v) Letter of Support from Interested Party:-
  - Mrs P Wells - E-mail dated 10 November 2011

Copies of all documentation concerning this application are available from the Licensing Section upon request.

**MEMBERS ARE ASKED TO DETERMINE THIS APPLICATION**

**JILL COLESHAW**  
**HEAD OF CUSTOMER SERVICES**