

## **PREMISES/PERSONAL LICENCES SUB-COMMITTEE 'C'**

**20 JUNE 2016**

### **REPORT OF CORPORATE DIRECTOR [OPERATIONAL SERVICES]**

#### **LICENSING ACT 2003**

Members are respectfully reminded that, in determining the matters listed under item A.1, they are exercising an administrative function but should determine each matter adopting the civil burden of proof, i.e. 'on the balance of probabilities'. The matters will be determined on the facts before the Sub-Committee and the rules of natural justice will apply. Each application must be considered in its own right and on its own merits.

#### **Premises Licence Applications**

The Licensing Act 2003 established a single integrated scheme for licensing premises that are used for the supply of alcohol, regulated entertainment or provision of late night refreshment. This system of licensing incorporates the sale of alcohol both on and off licensed premises; public entertainment such as music, dancing, indoor sporting events, boxing or wrestling, theatres, cinemas; and late night refreshment houses and take-aways.

The purpose of the licensing system is to positively promote the four 'licensing objectives'.

These are:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm.

The options open to the Sub-Committee when considering this application are:

1. To grant the application for a premises licence subject to such conditions that are consistent with the operating schedule accompanying the application and any mandatory conditions applicable.
2. To grant the application for the premises licence subject to such conditions as are consistent with the operating schedule accompanying the application and which are modified to such an extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions applicable.
3. To grant the licence as above, but to exclude from the scope of the premises licence any of the licensable activities to which the application relates.
4. To reject the application

When determining the application with a view to promoting the licensing objectives in the overall interests of the local community the Licensing Authority in the form of the Licensing Sub-Committee must have regard and give appropriate weight to the following:

- Full Hearing Procedure for Applications for Premises Licences/Club Premises Certificates where representations have been received.
- Tendring District Council's Statement of Licensing Policy.
- The Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- The steps appropriate to positively promote the four 'Licensing Objectives'.
- Representations (including supporting information) presented by all the parties.

## **Human Rights Implications**

A Licence is to be regarded as the property of the applicant; however their right to the use of the property must be balanced against all other public interests or representations in this matter that the Premises/Personal Licences Sub-Committee may wish to consider as appropriate, reasonable and proportionate in relation to the application that has been submitted and also the representation/s that has/have been received against it.

In making their decision as to whether to grant this application, Members of the Premises/Personal Licences Sub-Committee should also take into consideration Article 1 of the First Protocol of the Human Rights Act 1998, that individuals are entitled to the peaceful enjoyment of their property, and also Article 8 that everyone has the right to respect for his private and family life and his correspondence.

## **Crime and Disorder Implications**

Section 17 of the Crime and Disorder Act 1998 imposes a duty on local authorities when exercising any of their functions to have due regard to the likely effect of the exercise of those functions on, and the need to do all it possibly can to prevent, crime and disorder in its area.

Members are requested to consider the information shown below where the Licensing Authority has received a representation about an application which is relevant to one or more of the four licensing objectives, and which suggests that the application may have a negative impact on one or more of the licensing objectives.

### **A.1 LICENSING ACT 2003 – APPLICATION NO: 16/00249/PREMGR APPLICATION FOR THE GRANT OF A PREMISES LICENCE - GOSSIP COFFEE LOUNGE, 78 STATION ROAD, CLACTON ON SEA, ESSEX**

#### **1.0 APPLICATION DETAILS**

##### **1.1 Applicants**

Mr Radek Pompa trading as Radek Contractor Ltd

##### **1.2 Premises**

Gossip Coffee Lounge, 78 Station Road, Clacton on Sea, Essex CO15 1SP

##### **1.3 Agents**

None

##### **1.4 Ward**

Pier

##### **1.5 Reason for Application**

The application is made under the Licensing Act 2003 for a Premises Licence to include the performance of plays, films, live music, recorded music, performance of dance as regulated entertainment, and the provision of late night refreshments.

#### **2.0 GENERAL DESCRIPTION OF PREMISES**

2.1 The applicants have described the premises as a coffee shop.

##### **2.2 Proposed Opening Hours**

The applicants are proposing to open to the public Mondays to Sundays 0800 hours to 0100 hours.

##### **2.3 Revised Opening Hours**

Essex Police being a Responsible Authority and Mr Pompa the applicant have agreed that they would have no objections to the application if the opening hours to the public were amended to Mondays to Sunday 0600 to 2300 hours.

### **3.0 PROPOSED LICENSABLE ACTIVITIES**

#### **3.1 Provision of regulated entertainment – Plays**

Monday to Sunday 08.00 – 17.00

#### **3.2 Provision of regulated entertainment – Films**

Monday to Sunday 08.00 – 17.00

#### **3.3 Provision of regulated entertainment – Live [both indoors and outdoors]**

Monday to Sunday 12.00 – 23.00

#### **3.4 Provision of regulated entertainment – Recorded Music [both indoors and outdoors]**

Monday to Sunday 08.00 – 17.00

#### **3.5 Provision of regulated entertainment – Performance of Dance**

Monday to Sunday 17.00 – 23.00

#### **3.6 Late night refreshment**

Monday to Sunday 23.00 – 01.00

***Note: Following revised opening times Late Night refreshment will no longer be required as the premises will not be open after 2300 hours as agreed with Essex Police.***

### **4.0 STEPS THAT APPLICANTS PROPOSE TO TAKE TO PROMOTE THE LICENSING OBJECTIVES WITHIN THEIR OPERATING SCHEDULE**

The applicant has stated the following steps in the application to promote the licensing objectives. These measures are reproduced as shown in the application form and are detailed below in italics for ease of reference. These are:

#### **4.1 Crime and Disorder**

*We are not selling alcohol on the premises.*

#### **4.2 Public Safety**

*Fire exits to be kept clear. All staff fully trained on use of fire safety equipment.*

#### **4.3 Prevention of Public Nuisance**

*We are not selling alcohol on the premises.*

#### **4.4 Protection of Children from Harm**

*No unaccompanied children on premises after 2000 hours*

#### **4.5 General Information in support of the application in relation to all of the licensing objectives.**

*None*

## **5.0 RELEVANT REPRESENTATIONS**

### **5.1 Interested Parties/Other Persons**

- 5.2** The Police Reform and Social Responsibility Act 2011 (PRSR Act 2011) removed from the Licensing Act 2003 the specific reference for representations to be made by 'interested parties' and also removed the requirement that representations could only be accepted from persons living in the 'vicinity' of the premises concerned, or who had for example, a business in the 'vicinity' of the premises.
- 5.3** There was no guidance or definition of 'vicinity' within the Licensing Act 2003 which effectively had a limiting effect on those that could make relevant representations.
- 5.4** The PRSR Act 2011 replaced the references to 'interested parties' and 'vicinity' and substituted that representations can be made and accepted by the Licensing Authority from 'other persons' which means that those persons do not necessarily have to live or run a business for example in the proximity of the premises to be able to submit a valid and relevant representation.
- 5.5** The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to 'other persons'. They are shown in italics for ease of reference.

*8.12 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises.*

- 5.6** Representations can be made either against or in support of an application. The relevant extracts from the Section 182 Guidance that accompanies the Licensing Act 2003 advises the following in relation to this point.

*9.3 Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.*

- 5.7** No representations have been received from residents in relation to this application.

## **6.0 RESPONSIBLE AUTHORITIES**

- 6.1** Essex Police submitted representations on the grounds that the application is likely to undermine the crime and disorder objective contained within the Licensing Act 2003.

In order to progress the application they suggested the applicant agree to one of the following:-

Amendment to opening hours to members of the public to 0600 to 2300.

Or;

Condition added to the operating schedule as below:

*Any time the premises is open to the public and operating after 2300 a risk assessment and event management plan shall be drawn up by the premises licence holder in conjunction with Essex Police. The risk assessment will include identifying whether the event requires door staff.*

Essex Police confirmed via e-mail dated 9 June 2016 that Mr Radek Pompa agreed to amend the opening hours to members of the public to Mondays to Sunday 0600 to 2300 hours and have therefore withdrawn their objection to this application.

- 6.2 Tendring District Council Environmental Services have submitted representations on the grounds that the application is likely to undermine the Public Nuisance objective contained within the Licensing Act 2003 on the grounds of the applicant has not indicated any measures they propose to prevent a noise nuisance from the playing of amplified sounds and the proposed recorded and live music.

## 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.

- 7.1 The relevant extracts from the Council's Statement of Licensing Policy in respect of Planning considerations (shown in italics) and also the 'Prevention of Public Nuisance' licensing objective are as follows:

- 1.20 *When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from the Authority's functions as the local planning authority. However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary.)*

### 5.0 PREVENTION OF PUBLIC NUISANCE

- 5.1 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.
- 5.2 The Licensing Authority intends to interpret "public nuisance" in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.
- 5.3 Applicants need to be clear that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.
- 5.4 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons relating to disturbance or disorder.
- 5.5 Applicants will be expected 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 and events.

## **8.0 RELEVANT SECTION 182 GUIDANCE – PREVENTION OF PUBLIC NUISANCE**

**8.1** The following sections shown below in italics are taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and are included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing. They do not however form the totality of the guidance in relation to this licensing objective which should also be considered in its entirety. These are:

*2.18 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.*

*2.19 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.*

## **9.0 RELEVANT SECTION 182 GUIDANCE- PREVENTION OF CRIME AND DISORDER**

**9.1** The following section shown below in italics is taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and is included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing. They do not however form the totality of the guidance in relation to this licensing objective which should also be considered in its entirety. This is:

*2.1 Licensing Authorities should look to the police as the main source of advice on crime and disorder.*

## **10.0 RELEVANT SECTION 182 GUIDANCE –PLANNING AND BUILDING CONTROL**

**10.1** The following section shown below in italics is taken from the Home Office Section 182 Guidance that accompanies the Licensing Act 2003 and is included for the assistance of the Licensing Sub Committee, the applicant, responsible authorities, residents and any other interested parties to this hearing.

*13.56 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.*

*13.57 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time.*

*Premises operating in breach of their planning permission would be liable to prosecution under planning law.*

## **11.0 ASSOCIATED PAPERS**

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

- (i) Application form and any supporting documentation.
- (ii) Location Plan.
- (iii) Representations from Responsible Authorities:-
  - Essex Police – Letter dated 03/06/2016 and e-mail dated 09/06/2016
  - Tendring District Council Environmental Services e-mail dated 17/05/2016

Copies of all documentation concerning this application are also available from Public Experience upon request.

## **12.0 DECISION**

- 12.1 Each application must be considered in its own right and on its own merits only as to how it might impact on the four licensing objectives which are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.
- 12.2 The Licensing Sub Committee is therefore asked to determine this application taking into consideration the application in its own right and on its own merits and also all of the relevant information that has been submitted as part of this report and at the hearing itself.

**PAUL PRICE**  
**CORPORATE DIRECTOR [OPERATIONAL SERVICES]**

1/Rel  
Exp.ry 4/6/16

16/00249/PLMGR

TENDRING DISTRICT COUNCIL

LICENSING SECTION

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

PROCESSED DATE 4 MAY 2016  
FEE PAID: £190 - CASH  
RECEIPT NO: 00616  
REF:

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 RADEK CONTRACTOR LTD apply for a  
(Insert name(s) of applicant)

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, if none, ordinance survey map reference or description <u>GOSSIP COFFEE LOUNGE</u> <u>78 STATION RD. EA</u>	
Post Town <u>CLACTON</u>	Post Code <u>CO15 1SP</u>

Telephone number at premises (if any) 01255 434101

Non-domestic rateable value of premises £ 14,000

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  Please complete section (B)
- d) a charity  please complete section (B)



- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  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  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  Mrs  Miss  Ms  Other Title   
 (for example, Rev) .....

**Surname**

**First Names**

I am 18 years old or over Yes

**Current postal address if different from premises address**

**Post Town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

Mr  Mrs  Miss  Ms  Other Title   
(for example, Rev)

Surname

First Names

I am 18 years old or over

Yes

Current address  
If different from  
premises address

Post Town

Post Code

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	RADEK <del>POMPA</del> POMPA
Address	376 <sup>A</sup> OLD RD CLACTON ON SEA CO15 3RW
Registered Number (where applicable)	09076709
Description of applicant (for example partnership, company, unincorporated association etc)	
Telephone number (if any)	079 199 0989 1
Email address (optional)	radekcontractor.ltd@gmail.com

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year			
		A	S	A	P		

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

Day		Month		Year			

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

--

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

COFFEE SHOP

What licensable activities do you intend to carry on from the premises?  
(please see section 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the  
Licensing Act 2003)

Please tick  yes

**Provision of regulated entertainment**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performance of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

**Provision of entertainment facilities**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)  
(if ticking yes, fill in box K)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O, and P**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	8am	5pm			
	1		<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Tue	8am	5pm			
			<b>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</b> (please read guidance note 5)		
Wed	8am	5pm			
Thur	8am	5pm			
Fri	8am	5pm			
Sat	8am	5pm			
Sun	8am	5pm			

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [✓] (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	8am	5pm			
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Tue	8am	5pm			
			<b>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</b> (please read guidance note 5)		
Wed	8am	5pm			
Thur	8am	5pm			
Fri	8am	5pm			
Sat	8am	5pm			
Sun	8am	5pm			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details here</u></b> (please read guidance note 3)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><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></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			Will boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 2).	Indoors	
				Outdoors	
			Both		
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue			<b><u>State any seasonal variations for the boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Wed					
Thur			<b><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></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> 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	
				Outdoors	
			Both	<input checked="" type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	12 pm <del>12</del>	11 pm <i>[Signature]</i>			
Tue	12 pm	11 pm <i>[Signature]</i>	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed	12 pm	11 pm <i>[Signature]</i>			
Thur	12 pm	11 pm <i>[Signature]</i>	<b>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</b> (please read guidance note 5)		
Fri	12 pm	11 pm <i>[Signature]</i>			
Sat	12 pm	11 pm <i>[Signature]</i>			
Sun	12 pm	11 pm <i>[Signature]</i>			

**F**

<b>Recorded music</b> 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	
				Outdoors	
			Both	<input checked="" type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	8 am	5 pm			
Tue	8 am	5 pm	<b>State any seasonal variations for playing music</b> (please read guidance note 4)		
Wed	8 am	5 pm			
Thur	8 am	5 pm	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	8 am	5 pm			
Sat	8 am	5 pm			
Sun	8 am	5 pm			

**G**

<b>Performance of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 2).	Indoors <input checked="" type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	5pm	11pm			
Tue	5pm	11pm	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Wed	5pm	11pm			
Thur	5pm	11pm	<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	5pm	11pm			
Sat	5pm	11pm			
Sun	5pm	11pm			

**H**

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



I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for making music you will be providing</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Will the facilities for making music be indoors or outdoors or both – please tick [✓] (please read guidance note 2).	Indoor	
Mon				Outdoor	
			Both		
			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed					
Thur					
			<b>State any seasonal variations for the provision of facilities for making music</b> (please read guidance note 4)		
Fri					
Sat					
Sun					
			<b>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [✓] (please read guidance note 2).	Indoors	✓
				Outdoors	
			Both		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give a description of the facilities for dancing you will be providing</b>		
Mon	5pm	11pm	<b>Please give further details here</b> (please read guidance note 3)		
Tue	5pm	11pm			
Wed	5pm	11pm			
Thur	5pm	11pm			
			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)		
Fri	5pm	11pm			
Sat	5pm	11pm			
Sun	5pm	11pm			
			<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing facilities</u></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Will the entertainment facility be indoors or outdoors or both – please tick [✓] (please read guidance note 2).	Indoor	
				Outdoor	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	
Tue					
Wed					
			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling with I or J</u></b> (please read guidance note 4)		
Thur					
Fri					
			<b><u>Non standard timings. Where you intend to use the premises for provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**L**

<b>Late night refreshment</b> 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	
					Outdoors	
					Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon	11 pm	1 am				
Tue	11 pm	1 am				
Wed	11 pm	1 am	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)			
Thur	11 pm	1 am				
Fri	11 pm	1 am	<b><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></b> (please read guidance note 5)			
Sat	11 pm	1 am				
Sun	11 pm	1 am				

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the sale of alcohol be for consumption</b> (please tick [✓] box) (please read guidance note 7)	On the premises <input type="checkbox"/>	<input type="checkbox"/>
				Off the premises <input type="checkbox"/>	<input type="checkbox"/>
				Both <input type="checkbox"/>	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Tue					
Wed					
Thur			<b><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></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

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

Name: .....

Address: .....

.....

Post Code: .....

Personal Licence Number: (if known).....

Issuing Licensing Authority: (if known).....

**N**

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

**O**

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	8am	1am	<p><b>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>
Tue	8am	1am	
Wed	8am	1am	
Thur	8am	1am	
Fri	8am	1am	
Sat	8am	1am	
Sun	8am	1am	

**P**

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

a) **General – all four licensing objectives (b,c,d,e)** (see guidance note 9)

AS BELOW

b) **The prevention of crime and disorder**

WE ARE NOT SELLING ALCOHOL  
ON THE PREMISES

c) **Public safety**

FIRE EXITS TO BE KEPT CLEAR.  
ALL STAFF FULLY TRAINED ON USE  
OF FIRE SAFETY EQUIPMENT.

d) **The prevention of public nuisance**

WE ARE NOT SELLING ALCOHOL ON  
THE PREMISES

e) **The protection of children from harm**

NO UNACCOMPANIED CHILDREN ON PREMISES  
AFTER 8PM.

Please tick ✓ yes

- 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 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 CONVICTION TO A FINE UP TO 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)

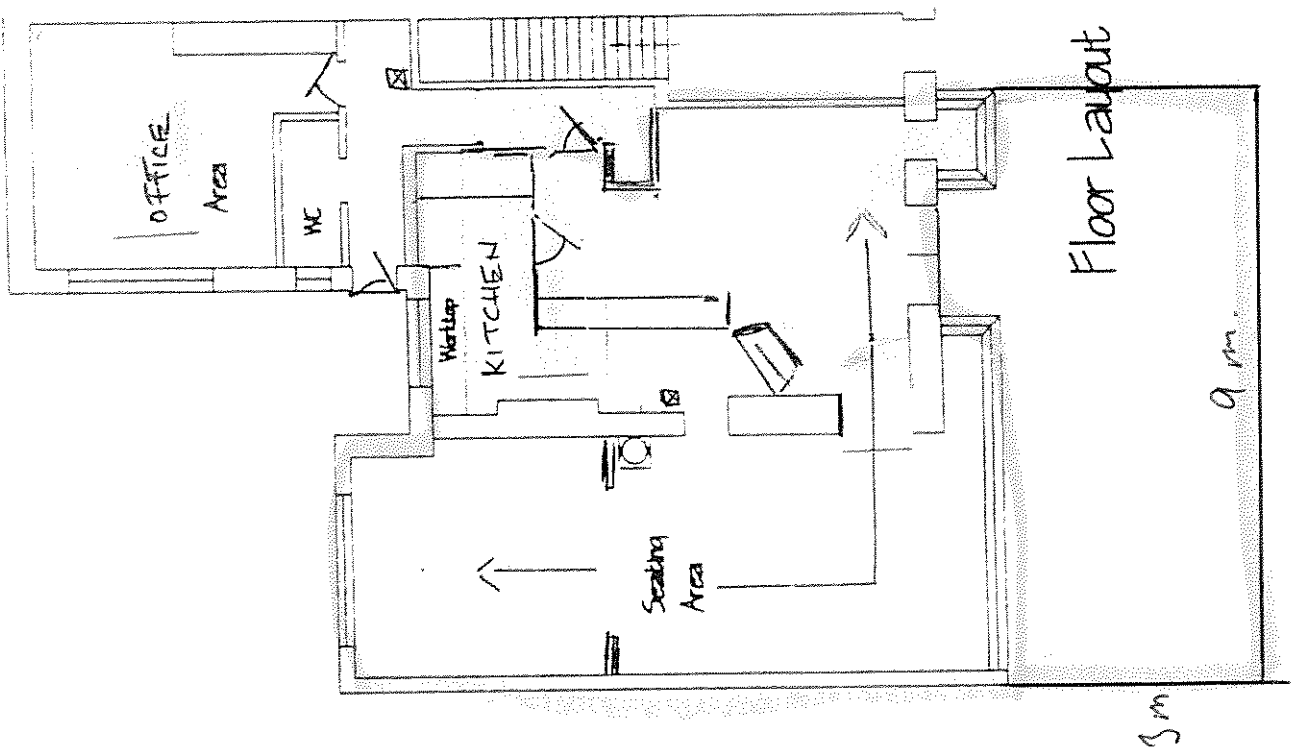
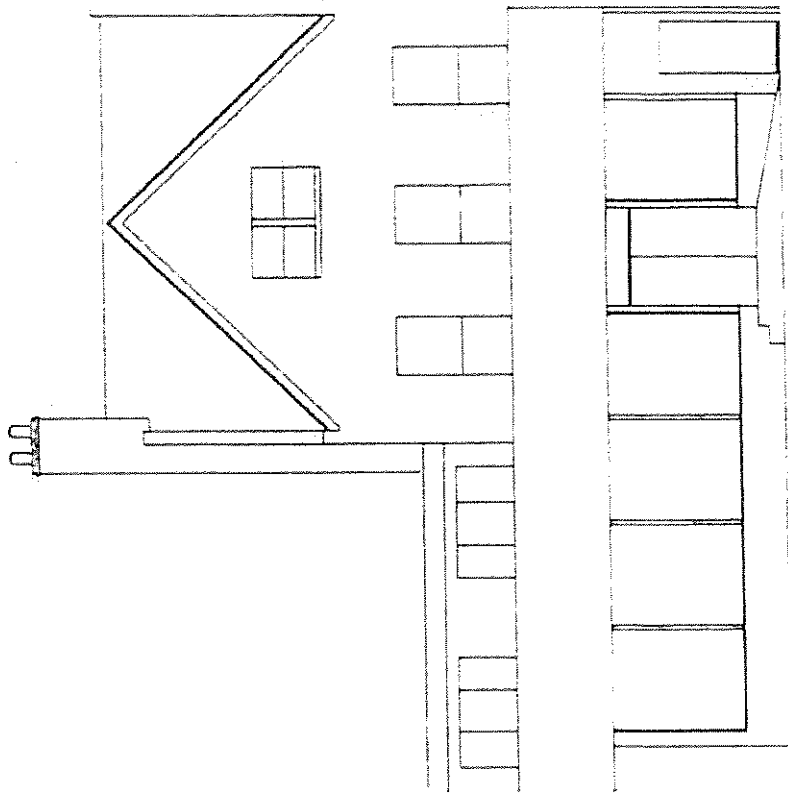
**Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.**

Signature: *Paul G*  
Date: 29/04/16  
Capacity: OWNER

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

Signature: .....  
Date: .....  
Capacity: .....

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b>			
<b>Post Town</b>		<b>Post Code</b>	
<b>Telephone number (if any)</b>			
<b>Email address - If you would prefer us to correspond with you by email (optional)</b>			



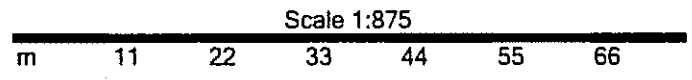
# Gossips Coffee Lounge

16/00249/PREMGR



**Legend**

[Empty legend box]



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<b>Organisation</b>	Tendring District Council
<b>Department</b>	Licensing Section
<b>Comments</b>	Not Set
<b>Date</b>	13 June 2016
<b>SLA Number</b>	100018684



## Emma King

---

**From:** James Bates on behalf of Licensing Section  
**Sent:** 17 May 2016 16:25  
**To:** Emma King; Michael Cook  
**Cc:** Steve Mahoney  
**Subject:** FW: Comments for Licensing Application 16/00249/PREMGR

Representation regarding Gossip Coffee Application.

James Bates  
Enforcement Officer  
Licensing Department  
Tendring District Council  
Tel: 01255 686595  
Email: [jbates@tendringdc.gov.uk](mailto:jbates@tendringdc.gov.uk)

**From:** Planning Services  
**Sent:** 17 May 2016 10:40  
**To:** Licensing Section  
**Subject:** Comments for Licensing Application 16/00249/PREMGR

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:40 AM on 17 May 2016 from Mrs Sarah Townes.

### Application Summary

**Address:** 78 Station Road Clacton On Sea Essex CO15 1SP  
**Proposal:** Premises Licence Grant  
**Case Officer:** Mr Michael Cook

[Click for further information](#)

### Customer Details

**Name:** Mrs Sarah Townes  
**Email:** [stownes@tendringdc.gov.uk](mailto:stownes@tendringdc.gov.uk)  
**Address:** Tendring District Council, Weeley Council Offices Thorpe Road, Weeley Clacton On Sea, Essex CO16 9AJ

### Comments Details

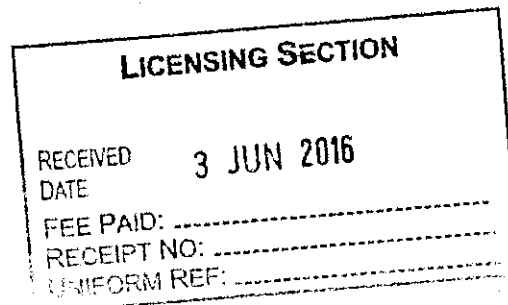
**Commenter Type:** Consultee  
**Stance:** Customer objects to the Licensing Application  
**Reasons for comment:** - Public Nuisance  
**Comments:** 10:40 AM on 17 May 2016 Environmental Protection Act 1990 Gossip Coffee Lounge, 78 Station Road, Clacton on Sea, Essex, CO15 1SP I refer to your application for the above premises. I note from your application that your licencing objective to prevent public nuisance is not to

sell alcohol on the premises. You have not indicated any measures you propose to prevent a noise nuisance from the playing of amplified sounds of the proposed recorded and live music. As there are residential properties in the immediate vicinity, you need to provide details of the measures you propose. I would recommend that you employ an acoustic consultant. For your information, the World Health Organisation suggests that the noise level to be attained in all living room areas of the existing dwellings arising from external noise sources, during the daytime and evening is 35dBLAeq. You should also consider the Code of Practice on the Control of Noise from Pubs and Clubs. This states that: • The L10 entertainment noise should not exceed the representative background noise level L90 (without entertainment noise) in any 1/3 octave band between 40Hz and 160Hz. • The LAeq of the entertainment noise should not exceed the representative background noise level LA90 (without external noise) The above applies both externally and internally at noise sensitive properties and was intended to apply to venues where entertainment takes place more than once a week. Further guidance can be obtained from the Institute of Acoustics ([www.ioa.org.uk](http://www.ioa.org.uk)) and the Association of Noise Consultants (<http://www.association-of-noise-consultants.co.uk>)



Micheal Cook  
Tendering Divisional Licensing  
Officer  
Weeley Council Office  
Thorpe Road  
Weeley, Essex.

3<sup>rd</sup> June 2016



Dear Michael

On 04/05/2016 Essex Police, received from Applicant a Premises Licence application – New Premises Licence application. Essex Police are satisfied this is likely to undermine the crime and disorder objective contained within the Licensing Act 2003 and wish to raise representation subject to the conditions as outlined below being included as part of the operating schedule in order to minimise potential for crime and disorder associated with the premises to arise.

In order to progress the application we would like the applicant to agree to one of the following:

Amendment to opening hours to members of the public to 0600-2300.

OR


Condition added to the operating schedule as below;

Any time the premises is open to the public and operating after 2300 a risk assessment and event management plan shall be drawn up by the PLH in conjunction with Essex Police. The risk assessment will include identifying whether the event requires door staff.

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In an emergency always dial **999**. For non emergencies dial **101**.

[www.essex.police.co.uk](http://www.essex.police.co.uk)



Subject to the application being amended to include the above we will no longer deem a hearing necessary.

You are invited to discuss this matter with Joanne Nash, County Licensing Officer, Essex Police

Joanne Nash

Essex Police County Licensing Officer

Internal Extn:406363

Direct Dial: 01245 452035

Email: [licensing.applications@essex.pnn.police.uk](mailto:licensing.applications@essex.pnn.police.uk)

Essex Police Licensing Team (Alcohol)

P.O. Box 12306

Witham Police Station.

Newland Street

Witham

CM8 2AS.

Signature

Date

Name

Jo Nash

---

In an emergency always dial **999**. For non emergencies dial **101**.

[www.essex.police.co.uk](http://www.essex.police.co.uk)

## Michael Cook

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**From:** Licensing Applications Essex <licensing.applications@essex.pnn.police.uk>  
**Sent:** 09 June 2016 12:47  
**To:** Michael Cook  
**Cc:** radekpompa43@gmail.com; Julia Finch T/INSP 42000812  
**Subject:** FW: Goosip Coffee Lounge - premise Licence  
**Attachments:** ATT00001.txt

Good Afternoon Michael

I have met with Radek Pompa of the above premise and have agreed the following condition:

Amendment to opening hours to members of the public will be 0600hrs to 2300hrs Monday to Sunday.

I forwarded to you good self Radek's confirmation and therefore withdraw Essex Police objection to this application

Kind regards

Jo

Joanne Nash  
Essex Police County Licensing Officer  
Internal Extn:406363  
Direct Dial: 01245 452035  
Email: [licensing.applications@essex.pnn.police.uk](mailto:licensing.applications@essex.pnn.police.uk)  
Essex Police Licensing Team (Alcohol)  
P.O. Box 12306  
Witham Police Station.  
Newland Street  
Witham  
CM8 2AS

**From:** radek pompa [<mailto:radekpompa43@gmail.com>]  
**Sent:** 09 June 2016 11:08  
**To:** Licensing Applications Essex  
**Cc:** Licensing Section  
**Subject:** Goosip Coffee Lounge - premise Licence

Good Morning Michael

I have just had a meeting with Joanne Nash Essex Police County Licensing Officer and have agreed the following:

Amendment of hours to 0600hrs - 2300hrs

Kind regards

Radek

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be