



PREMISES / PERSONAL LICENCES SUB-COMMITTEE

DATE:	Friday, 1 February 2019
TIME:	10.00 am
VENUE:	Council Offices, Thorpe Road, Weeley, CO16 9AJ

MEMBERSHIP:

Councillor R Callender
Councillor C Winfield

Councillor K Watson
**Councillor A Davis (Stand by
Member)**

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For further details and general enquiries about this meeting, contact Debbie Bunce on 01255 686573.

DATE OF PUBLICATION: Tuesday, 22 January 2019

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 5 - 10)

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on 14 December 2018.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 Questions on Notice pursuant to Council Procedure Rule 37

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District and which falls within the terms of reference of the Committee.

5 A.1 Report - Report of the Corporate Director (Operational Services) - Wine Boutique Frinton Ltd, 14 Old Road, Frinton-on-Sea, Essex (Pages 11 - 40)

The Sub-Committee is invited to consider an application for the grant of a Premises Licence in respect of the above premises.

Information for Visitors

FIRE EVACUATION PROCEDURE

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**MINUTES OF THE MEETING OF THE PREMISES / PERSONAL LICENCES SUB-COMMITTEE,
HELD ON FRIDAY, 14TH DECEMBER, 2018 AT 10.00 AM
IN THE COUNCIL CHAMBER - COUNCIL CHAMBER**

Present:	Councillors Cossens, Watson, White and Davis
Also Present:	Mr Craig Newnes (Franchisee for McDonalds), Mr Freddie Humphries (Barrister, Shoosmiths)
In Attendance:	Karen Townshend (Licensing Manager), Linda Trembath (Senior Solicitor (Litigation and Governance) & Deputy Monitoring Officer), Emma King (Licensing Officer) and Debbie Bunce (Legal and Governance Administration Officer)

21. CHAIRMAN FOR THE MEETING

It was moved by Councillor White, seconded by Councillor Watson and:-

RESOLVED – That Councillor Cossens be elected Chairman for the meeting.

22. MINUTES OF THE LAST MEETING

The minutes of the meeting of the Premises/Licences Sub-Committee held on 14 September 2018 were approved as a correct record and signed by the Chairman.

23. DECLARATIONS OF INTEREST

Councillor Davis declared a Personal Interest in the item in that she had been a Management Trainee for McDonalds many years ago.

24. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 37

There were none.

25. A.1 REPORT OF THE CORPORATE DIRECTOR (OPERATIONAL SERVICES) - APPLICATION FOR THE GRANT OF A PREMISES LICENCE - TEARDROP SITE, WILLIAMSBURG AVENUE, HARWICH, ESSEX CO12 4GA

The Chairman (Councillor Cossens) welcomed everyone to the meeting and made introductory remarks.

The Council's Licensing Manager (Karen Townshend) then gave a verbal summary of the written report and advised that the Sub-Committee had before it, for its consideration, as set out in item A.1 of the Report of the Corporate Director (Operational Services), an application for the Grant of a Premises Licence at the Teardrop Site, Williamsburg Avenue, Harwich.

Section 2.2 of the written report set out the proposed opening hours for the premises which were:

Mondays to Sunday 0000 hours to 2359 hours.

The Licensing Manager reported that the proposed licensable activities applied for by the applicant were before Members in Sections 3.1 to 3.4 of the written report.

The applicant had stated the steps that they proposed to take to promote the statutory Licensing Objectives within the Operating Schedule and those were detailed in Sections 4.1 to 4.5 inclusive.

Members were further informed that two e-mails and one letter of representation/objection had been received in relation to this application.

It was reported that no Responsible Authorities had made representations on the application.

The Sub-Committee had before it for its information the relevant extracts from the Council's Statement of Licensing Policy in respect of planning considerations and the statutory 'Prevention of Public Nuisance' Licensing Objective.

Members also had before them for their assistance the relevant paragraphs from the Home Office's Section 182 Guidance that accompanied the Licensing Act 2003 in respect of the following –

- (1) Prevention of Public Nuisance;
- (2) Prevention of Crime and Disorder; and
- (3) Planning and Building Control.

The Chairman stated that he wished to give an equal amount of time to both the applicant and the objectors to make their cases. He proposed 15 minutes for each side.

Mr Craig Newnes, Franchisee for McDonalds gave a brief summary of his employment with McDonalds, with whom he had begun employment in 1990. He had been an Operations Manager for 16 years, responsible for 50 restaurants across Essex and East London. He had been a franchisee for a number of McDonalds' restaurants including some that were open 24 hours. He was now a franchisee for several McDonalds in the area including Clacton, Weeley and Colchester and also owned the Sudbury Restaurant. In 2017 Colchester Borough Council had asked him to be one of 6 Ambassadors for the town, and he was now a Colchester Ambassador as well as being part of Colbac, the Colchester against Crime group. He had joined Sudbury Chamber of Commerce from day one, and he was also involved in Sudbury in Bloom and Weeley in Bloom. He had recently been involved in a "community litter event" where, over 6 hours in the rain, he and others had collected 50 bags of rubbish. He was also involved with the Clacton Town Partnership and he had recently been approached to sit on the Town Centre Working Party. He was proud that Harwich would now have a McDonald's restaurant: they had hired 100 new staff to work there. He stated that Mr Daryl Burley who was also in attendance at the meeting would be the Manager of the Harwich Restaurant.

Mr Freddie Humphries, Barrister at Shoosmiths who were representing McDonalds then gave representations to the Sub-Committee.

He stated that Mr Newnes was already operating five restaurants with 24 hour opening, with two of those located in the Tendring area. Mr Newnes had heavy experience in dealing with issues but there had been no complaints about those restaurants since Mr Newnes had taken them over in March.

He stated that Mr Daryl Burley had 2 years' experience as manager at the Weeley restaurant, and so had experience for the Harwich restaurant.

He stated that he thought that there had been some confusion over the planning permission and the operating times for the site. The site comprised of a Costa Coffee at one end of the site and McDonalds at the other end of the site – the overhead plan, at page 31 of the Officers' report, did not show the position of the Costa Coffee building, and he then proceeded to show everyone present where on the plan Costa Coffee was. The planning permission had made a condition in respect of the Costa Coffee that they were only allowed to open until 11.00 p.m. in the evening, whereas the McDonalds site had no such restrictions. The Costa Coffee shop was nearer to the residential area of Williamsburg Avenue. He stated that there was no need for the users of McDonalds to travel into the residential area in order to gain access to McDonalds. He said that it was not likely there would be an issue with the noise of cars etc. as the roundabout already took the area's traffic and he did not think vehicles using McDonald's would add any further noise.

He reiterated the comments made on the application form in respect of CCTV in that the CCTV was of evidential quality if it was needed to show evidence of any incidents in the area. Whilst 12 cameras would be acceptable for premises of this size and layout, there were 24 cameras on-site in the interests of staff and customers' safety. The cameras were 24 hour cameras at the site. The restaurant also operated the Staffsafe system which had audio and visual monitoring capabilities which could be activated by either fixed or mobile panic buttons. This system linked to a CCTV operator and they could then send outside help if there were any incidents at the Restaurant.

He stated that staff also had appropriate training to deal with any situations including the manager who had security and conflict resolution training.

He spoke about the issues of littering which had been raised by objectors. He said that the Restaurant did a litter pick every day. All litter regardless of where it originated from would be picked up on a daily basis from The Avenue. There were six bins in the car park and also 'target' bins at the entrances to the car park and that they aimed to keep the local area tidy and free from litter as much as possible. The Company were only responsible for what it could control, and kept its own areas as clean and tidy as it could.

The Chairman then asked the Sub-Committee whether they had any questions for Mr Newnes and Mr Humphries.

Councillor Watson asked whether you had to drive from McDonalds to Costas and Mr Humphries stated that the car park was a shared car park with McDonalds at one end and Costas at the other.

Councillor Cossens said that he was concerned about cars coming into the car park late at night, and particularly “hot hatches”. Mr Newnes stated that the majority of customers drove in and that during the night time hours it was mainly the Police/Ambulance Service that used the Restaurant.

Councillor White asked whether any boats came in during those hours. Mr Newnes said that no boats were coming into Harwich overnight, the last came in at midnight and the next boat was after 5 am so this would not increase the amount of cars coming and going in the car park.

Mr Newnes stated that there had only been one complaint at the Colchester Restaurant about 3 years ago about a noisy driver and this had been dealt with by the Police and the offender had been prosecuted. Any issues with the late night opening were addressed by the restaurant as far as possible.

Councillor White asked whether there was a need for late night refreshment and it was stated that Drive-Thru’s tended to have less noise and had so far not been a problem for them.

Councillor Cossens said that he was concerned about the litter as he had noticed a lot of litter in connection with the Weeley restaurant although this had been better of late and asked how the Restaurant dealt with litter further away from the restaurant.

Mr Newnes said that in the past he had been approached by a resident regarding litter from the restaurant in Great Bentley and he accompanied the gentleman, Councillor Zoe Fairley’s father, to see where the problem was. A litter pick was undertaken. Mr Newnes stated that if a problem of littering was brought to his attention then he would always do his best to try and resolve the problem. He said that additional signage had been put up at the Weeley Restaurant to try and stop any littering issues. Mr Newnes said that if he was in Harwich and learned that there was a “hot spot” they would go and address the issue and also said that Moses was doing a great job at Weeley walking around the site in a yellow jacket.

The Chairman then asked the objector, Terry Rogers if he had any questions for Mr Newnes or Mr Humphries. Mr Rogers stated that Harwich Town Council had recently passed a resolution to employ two PCSO’s for the area to deal with problems in the area. He said that he felt that McDonalds would only exacerbate the problems there with low level crime and asked how they related their statements to Harwich appointing two PCSO’s. It was pointed out that neither the Committee nor the Applicant knew the basis upon which Harwich Town Council had decided to appoint two PCSO’s.

Ms Thompson, who was also objecting to this application asked how many of the Restaurants that Mr Newnes ran were on the edge of residential housing estates.

Mr Newnes said that he operated five drive-thru restaurants. Colchester McDonalds in Cowdray Avenue was opposite a housing estate, and that near the stadium was also close to a residential area, and the new Clacton restaurant had housing nearby. With this newly opened restaurant he had had a complaint regarding an illuminated sign and his solution had been to switch the sign off during the night

The Chairman then asked the objector, Ms Thompson to present her representations to the Sub-Committee.

Ms Thompson said that she welcomed business to the area and it brought many good things, and would do the right things on its own site but any problems from the restaurant would be a nuisance for the residents nearby particularly if cars visiting the restaurant went into the nearby residential areas which were mostly a lot of small roads.

The Chairman then asked the objector, Mr Rogers to present his representations to the Sub-Committee.

Mr Rogers said that although an applicant did not have to provide a basis for their application or set out any benefits, any objectors must meet the criteria set down in the Licensing Objectives. He felt that his objections came under the licensing objective of preventing public nuisance. He stated that the planning application decision stated that the restaurants could not open outside of the hours 02300-0500 hrs for noise and disturbance reasons and keeping them to a minimum. He felt that the Planning Authority had considered this and decided that residential amenity took priority. He said that although McDonalds was not yet operational it was hard to know what the issues would be, and it was impossible to extrapolate evidence from elsewhere. He felt that the Sub-Committee should reject the application and McDonalds make another application in twelve months' time to gauge if there were any issues during that time.

Mr Humphries stated that the condition on the planning permission in respect of operating times was only in respect of the Costa Coffee site and not the McDonalds site. There were no restrictions on operating times on the McDonalds site. The only requirement was for them to apply for a Late Night Refreshment Licence to serve hot food after 11.00 p.m.

Mr Rogers stated that the planning conditions were not at all clear and asked should the Planning Decision Notice relate to both sites given the proximity of Costa and McDonalds to each other.

The Sub-Committee, the Council's Solicitor and the Legal and Governance Administration Officer then withdrew from the meeting for the Sub-Committee to consider the application and reach a decision.

After a period of time the Sub-Committee, the Council's Solicitor and the Legal and Governance Administration Officer then returned to the meeting and the Council's Solicitor confirmed that she had not provided any specific legal advice to the Sub-Committee whilst it was making its decision.

The Chairman of the Sub-Committee then read out the following decision:

Application No: 18/00615/PREMGR – Application for the Grant of a Premises Licence in respect of McDonald's Restaurants Ltd, Teardrop Site, Williamsburg Avenue, Harwich, Essex CO12 4GA.

1. The Sub-Committee has given careful consideration to this application. In reaching our decision, we have taken into account the views expressed by the Applicant, the representations received from residents along with the

Guidance issued by the Secretary of State and other matters set out in the Licensing Authority's own Statement of Licensing Policy.

2. The decision of the Sub-Committee is to **GRANT** this application in full.

Finally, I must mention that all parties who are aggrieved at the decision of the Sub-Committee have a right of appeal to the Magistrates' Court.

This Decision was made today, 14 December 2018 and will be confirmed in writing to all parties."

The meeting was declared closed at 11.29 am

Chairman

PREMISES/PERSONAL LICENCES SUB-COMMITTEE

01 FEBRUARY 2019

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: 18/00693/PREMGR APPLICATION FOR THE GRANT OF A PREMISES LICENCE - WINE BOUTIQUE FRINTON LTD, 14 OLD ROAD, FRINTON ON SEA, ESSEX

1.0 APPLICATION DETAILS

1.1 Applicants

Wine Boutique Frinton Ltd

1.2 Premises

14 Old Road, Frinton on Sea, Essex

1.3 Agents

None

1.4 Ward

Frinton

1.5 Reason for Application

The application is made under the Licensing Act 2003 for a Premises Licence to include the sale of alcohol on and off the premises.

2.0 GENERAL DESCRIPTION OF PREMISES

2.1 To create a wine shop selling 300 high quality wines from small producers, displayed on open shelving where customers can purchase to take home or drink on the premises.
Opening 11am until 9pm, Wednesday-Saturday, with occasional Tuesdays for wine tasting evenings or private bookings 5pm-9.30pm.

2.2 Proposed Opening Hours

The applicants are proposing to open to the public Tuesdays to Saturdays 1100 hours to 2130 hours.

3.0 PROPOSED LICENSABLE ACTIVITIES

3.1 Sale of Alcohol [on and off the premises]

Tuesday to Saturday 1100 – 2130

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 for ease of reference. These are:

4.1 Crime and Disorder

CCTV

Staff trained to prevent the sale of alcohol to underage persons.

Zero tolerance of high intoxication.

Counterfeit note detector pens.

4.2 Public Safety

Recommended fire fighting equipment.

First aid kit.

Checks made before opening to ensure no risks to customers.

Free drinking water available.

4.3 Prevention of Public Nuisance

Zero tolerance of high intoxication.

Background music to talking level only.

Closing at 21:00 on the days we are open.

Notice to customers to leave quietly and to respect our neighbours.

Snacks served free with first drink.

4.4 Protection of Children from Harm

No unaccompanied children allowed.

Follow restrictions set out in Licensing Act 2003.

The Wine-Boutique model and the products sold do not encourage children to want to visit.

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

To ensure that all licensing objectives as listed below are followed, along with implementing any appropriate changes and improvements.

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 3 letters of representations/objections have been received from residents in relation to this application.

6.0 **RESPONSIBLE AUTHORITIES**

No representations have been received from any other Responsible Authorities.

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) Representation/objection letters

Copies of all documentation concerning this application are also available from Licensing Section 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]

Wine Boutique

14 Old Road, Frinton on Sea



Legend

Scale: 0 0.01 0.02 0.04 KM

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Organisation	Tendring District Council
Department	Licensing Section
Comments	18/00693/PREMGR
Date	18/01/2019
MSA Number	100018684

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08 JAN 2019

Mr. P. F. Freedman

12 Old Road

Frinton On Sea

Essex

CO13 9DB

Tendring District Council Licensing Section

88-90 Pier Avenue

Clacton on Sea

Essex

CO15 1TN

6/1/2019

Dear Sir/Madam,

I live next door to 14 Old Road Frinton On Sea and have seen that an application for a Premises Licence is being made to allow alcohol to be sold on and off premises until 9pm.

This is something that I would like to object to in the strongest possible terms. I feel that if this licence is to be granted, then I and the neighbourhood would suffer from disturbance and noise from customers arriving/leaving or smoking on the pavement.

Customers who smoke will do so outside of our property whilst drinking alcohol as it is illegal to do so inside the wine bar.

There is bus stop directly outside No.14. This will hinder parking, deliveries & collections. This may cause a problem for buses & you should aware that this part of Old Road has yellow bands until 6pm.

There will also be increased noise from glass/bottle recycling/deliveries and collections.

There will be extra refuse. I have suffered with vermin problems in the local in the past and have no desire to have more.

I am also concerned that if you grant a licence and should the business become successful, they will apply for later opening hours and Sundays.

Living adjacent, I am concerned of litter & cigarette ends in my front garden, up my side path and general evening noise in a quiet part of a residential street.

Lastly, I fear of loss of privacy in my front garden whilst relaxing, barbecuing, dining etc. especially during evenings & weekends.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. F. Freedman', with a stylized, cursive script.

Paul F Freedman

By HAND

2 Baytree Place
12 Old Road
Frinton on Sea
CO13 9DB

6th January 2019

Tendring District Council
Licensing Section
88-90 Pier Avenue
Clacton on Sea
CO15 15N

10 JAN 2019 JNT

Dear Sirs

Re: Licensing Application by Wine Boutique Frinton Ltd
at 14 Old Road, Frinton on Sea, CO13 9DB

I was shocked to see a notice for a License Application on the window of the vacant hairdressers next to my home at 12 Old Road as we had received no prior notice of a change of use for this property and must object most strongly for the following reasons,

1. There is no car parking at the address which in any event has a single yellow line outside.
2. The entrance door to the premises is only some 1ft from a BUS STOP which is directly outside number 14.
3. The pavement outside is only 6ft wide and has to accommodate a queue of passengers waiting for the bus and passing pedestrians in addition to any customers at number 14 drinking or smoking whilst collecting bottles of wine.
4. There is no provision for a SMOKING AREA at the premises and customers wishing to smoke will have to stand with the BUS PASSENGERS increasing the congestion on the pavement and is in my opinion an accident waiting to happen.
5. The small yard between 12 and 14 Old Road is a FIRE ESCAPE for the rear of Café 19 Restaurant in Connaught Avenue and the private flats above and is congested already with the restaurant waste bins.
6. There are already a large number of Licensed Premises in Connaught Avenue plus two large retail shops where wine can be purchased in bulk.

In view of the above I trust that sense will prevail and you will refuse this Licence Application for what is essentially a residential road in Frinton on Sea.

Yours faithfully


Derek J Harrington

2 Baytree Place
12 Old Road
Frinton on Sea
CO13 9DB

3rd January 2019

Tendring District Council
Licensing Section
88-90 Pier Avenue
Clacton on Sea
CO15 15N

10 JAN 2019 *WST*

BY HAND

Dear Sirs,

Re: Objection to Licensing Application – 14 Old Road, Frinton on Sea, CO13 9DB
by the Wine Boutique Frinton Ltd

My home is situated next door to this application for a License to sell alcohol on and off the premises. The basis for my objections which I set out below are that granting a License will not promote the Licensing Objectives as I understand them.

1. Immediately outside the door of the premises in question is a **Bus Stop** and the pavement on which the public queue to await the arrival of the bus is only 6ft wide. This will cause unnecessary congestion especially when patrons of the proposed Wine Bar come outside to smoke bearing in mind that the plan shows seating alone to be up to 13 people. This will also affect the exit from my own property where the door to No 14 is only about 4 feet away.

2. **Smoking** amongst people waiting for their transport (which can include children) even within the entrance of my home plus the litter which smoking attracts is unacceptable. Additionally as this part of Old Road has a **Single Yellow Line** lorries delivering wine will present additional congestion in this end of the road as will people taking away their purchases.

3. There narrow passageway to the side of the premises is largely utilised by waste bins from the rear of Café 19 Restaurant in Connaught Avenue and is also their **fire escape** and that of the flats above. There is very limited space for additional waste bins at the side of the building which may prove a safety hazard.

4. Granting a License would provide a further source of alcohol within an area **already heavily populated with licensed premises** only yards away in Connaught Avenue. There are already numerous restaurants, two wine bars, a public house and three retailers selling wine. The **noise volume** outside my home and that of other nearby residents will increase if this licence is permitted. It is a fact that customers leaving such premises do not realise the level of their conversation which increases in relation to their alcohol intake. I do not want my windows permanently shut.

In view of these points I would urge the licensing Authority to refuse this application.

Yours faithfully


Mrs J E Harrington



* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

14 Old Road, Frinton, CO13 9BX

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Susanna

* Family name

Roberts

* E-mail

sueminder@hotmail.co.uk

Main telephone number

4407462370303

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

11727557

Business name

Wine-Boutique Frinton Ltd

If your business is registered, use its registered name.

VAT number

- none

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
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

Provide a general description of 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.

To create a wine shop selling 300 high quality wines from small producers, displayed on open shelving where customers can purchase to take home or drink on the premises.
Opening 11am until 9pm Wednesday-Saturday, with occasional Tuesdays for wine tasting evenings or private bookings 5pm-9.30pm.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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

Name

First name

Susanna

Family name

Roberts

Date of birth

dd

mm

yyyy

Continued from previous page...

Enter the contact's address

Issuing licensing authority
(if known)

TBA

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☒ Electronically, by the proposed designated premises supervisor
- ☐ As an attachment to this application

Reference number for consent
form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Private Bookings or wine tasting evenings on occasional Tuesdays 11:00-21.30

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

To ensure that all licensing objectives as listed below are followed, along with implementing any appropriate changes and improvements.

b) The prevention of crime and disorder

CCTV
Staff trained to prevent the sale of alcohol to underage persons.
Zero tolerance of high intoxication.
Counterfeit note detector pens.

c) Public safety

Recommended fire fighting equipment.
First aid kit.
Checks made before opening to ensure no risks to customers.
Free drinking water available.

d) The prevention of public nuisance

Zero tolerance of high intoxication.
Background music to talking level only.
Closing at 21:00 on the days we are open.
Notice to customers to leave quietly and to respect our neighbours.
Snacks served free with first drink.

e) The protection of children from harm

No unaccompanied children allowed.
Follow restrictions set out in Licensing Act 2003.
The Wine-Boutique model and the products sold do not encourage children to want to visit.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fees are calculated on the rateable value of the premises to be licensed:- £0-£4300 Band A £100 £4300-£33000 Band B £190 £33001-£87000 Band C £315 £87001-£125000 Band D £450 £125001 and above Band E £635 Additional fees apply for events where 5000 or more people may attend.

* Fee amount (£)

190.00

DECLARATION

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read section 19).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please read section 19)

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Susanna Roberts

* Capacity

Company Director

* Date

18 / 12 / 2018
dd mm yyyy

Full name

John Greenwold

Capacity

Company Director

* Date

18 / 12 / 2018
dd mm yyyy

Continued from previous page...

Remove this signatory

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tendering/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

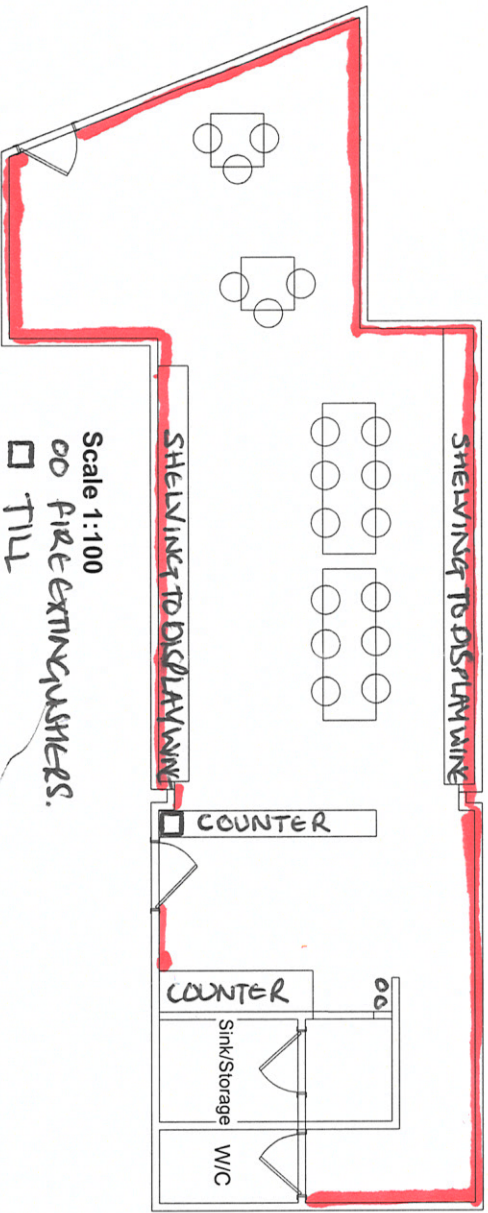
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	14 Old Road, Frinton, CO13 9BX
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >



<div><div>HOWDENS <small>CONCRETE CO.</small></div></div>		Please consult the quotation for a list of items to be supplied. The drawing is a computer representation of layout and dimension, details should be checked by the installer/builder. Please also ensure a Gas Safe registered engineer is engaged with regards to any gas appliances. Check with your installer/builder for more information.	
Cad Plan No : D0514260475	Customer : Instore	WINE BOUTIQUE REINFORCED 109 OLD RD CO3 9DB	
Designed By : SAFFRON	Phone :		
Designed On : 12/12/18	Range Designed : Clerkenwell Gloss White		

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