



PREMISES / PERSONAL LICENCES SUB-COMMITTEE

DATE:	Friday, 8 April 2022
TIME:	1.00 pm
VENUE:	Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor Casey
Councillor McWilliams

Councillor Turner

Most Council meetings are open to the public and press. The space for the public and press will be made available on a first come first served basis.

The meeting will normally be live streamed and the link to this is available at www.tendringdc.gov.uk/livemeetings Those attending the meeting may therefore be filmed. After the meeting the recording of the live stream will normally be available using the same link. Agendas and Minutes are published on the Council's website www.tendringdc.gov.uk Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.

Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

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

DATE OF PUBLICATION: Wednesday 30 March 2022

AGENDA

1 Chairman for the Meeting

The Sub-Committee will elect its Chairman for the meeting.

2 Apologies for Absence and Substitutions

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

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 Report of Assistant Director, Partnerships - A.1 - Application for the Variation of a Premises Licence - Naze Armada, Naze Marine Caravan Park, Hall Lane, Walton-on-the-Naze, Essex (Pages 1 - 78)

The Sub-Committee will determine an application for the variation of a Premises Licence in respect of the above premises.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the room and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

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TENDRING DISTRICT COUNCIL

Procedure for hearings – Premises/Personal Licences Sub-Committee

Licensing Act 2003 and Hearing Regulations 2005

The Licensing Committee officers and their roles

- The Committee Clerk (Democratic Services Officer) records the proceedings;
- The Legal Advisor provides independent advice to the Committee Members on legal matters; and
- The Licensing Officer introduces the matter, outlines the application or review as set out in the Report, and answers any questions Members may have.

Committee Members (Councillors):

Members have a responsibility to declare interests, those who declare **Discloseable Pecuniary Interest (DPI)** as defined by The Relevant Authorities (DPI) Regulations 2012 must not take part in the hearing of the application.

If a Member declares a **Pecuniary or Non-Pecuniary Interests**, as defined by Tendring District Council's Members' Code of Conduct (paragraphs 5 and 6), they must consider the impact of that interest on participation and the public perception;

- **Matters for Members to consider would cover, but not exclusively:**
 - o they know the applicant or any of the objectors; or
 - o they wish either to support or oppose the granting or continuation of a licence either personally or on behalf of their constituents.
 - o whether they have expressed a view on the application site especially, if situated either in their ward or an adjacent ward;

Other Persons or Interested Parties:

This is the term given to an individual, body or business or a representative acting on their behalf-that raises an objection or make a representation to an application for a premises/personal licence. It should be noted that only the Police can make a representation against a Personal Licence application however. These other persons or interested parties are separate to Responsible Authorities, who may also be a party to the hearing.

PROCEDURE

THESE SUB-COMMITTEES MEETINGS & THE HEARING ARE HELD IN PUBLIC, UNLESS THERE IS A LEGAL REASON NOT TO DO SO, HOWEVER THESE ARE IN LIMITED CIRCUMSTANCES.

Note: if the Sub-committee does not have an elected Chairman already, the election of one Member as Chairman will be the first item of business.

HEARING

Step	By whom	
1	Chairman	<p>The Chairman will welcome everyone to the meeting then:</p> <ul style="list-style-type: none"> a. introduce themselves and the other 2 members and explain that the 4th member (substitute) will not take any part in the hearing or decision making process unless there is a valid objection to one of the other members sitting, if any interest declared debars a member or a member falls ill; b. announce the item to be considered; c. confirm that this procedure will be followed at the hearing, including any maximum periods of time for each side to put their case or objections (*); d. ask all parties, including any "Responsible Authority", to introduce themselves indicating whether or not they are represented, if they are calling any witnesses and if so to identify the witnesses they will be calling. Where there are a number of objectors they will be asked to confirm who their spokesperson is if it is relevant or appropriate for them to do so. e. if a party or Responsible Authority who has made relevant representations is not present, the Sub-Committee will decide whether they consider it in the public interest to (a) continue with the hearing or (b) defer it to enable the party or authority to attend. In reaching a decision on this point, the Sub-Committee will consider any information received from the party either directly or via the Licensing Officer or any other interested person/party where relevant or appropriate; f. remind all present that the Sub-Committee can only make its decision based on the four licensing objectives, namely: <ul style="list-style-type: none"> (1) prevention of crime and disorder, (2) public safety, (3) prevention of public nuisance and (4) protection of children from harm.

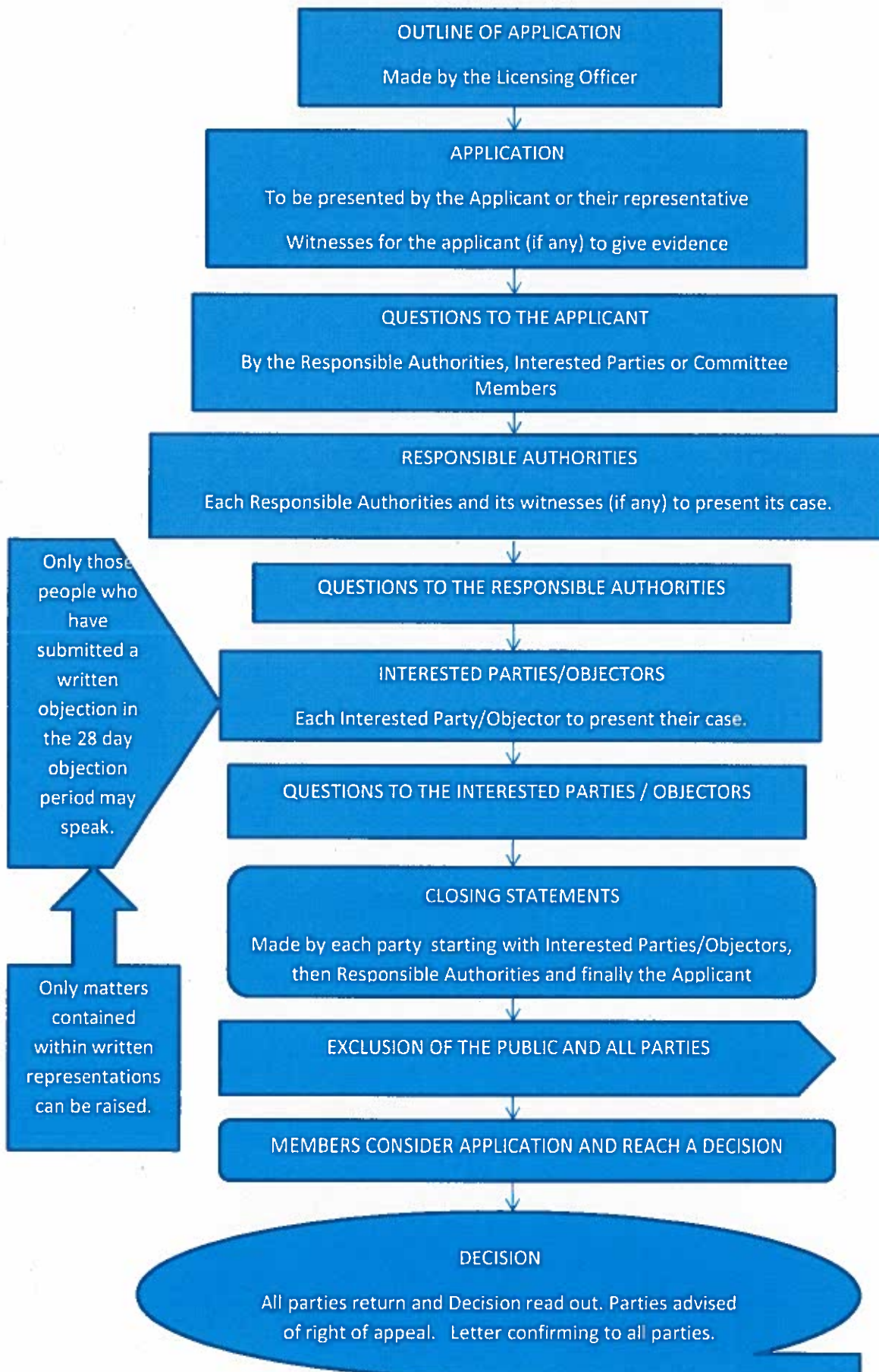
2	Licensing Officer	Will introduce the application or review, highlighting areas of contention or dispute.
3	Committee members	May ask questions of the Licensing Officer.
<p>The Applicant's case</p> <p>(If a person or party requests a review of an existing licence, they would in effect be the Applicant for the review. In those circumstances they would present their case following the summary given by the Licensing Officer)</p>		
4	Applicant or their representative	Will present their case and call witnesses.
5	Responsible authorities or Interested Parties	Each, in turn, may ask questions of the Applicant by way of clarification.
6	Committee members	In turn, each may ask questions of the Applicant.
7	Applicant	May ask any further questions of any witnesses to clear up any points raised in the earlier questioning.
<p>The Responsible Authorities and/or Interested Parties</p>		
8	Responsible Authorities	Will make their representations to the Sub-Committee.
9	Applicant or their representative	May ask questions of the Responsible Authorities by way of clarification.
10	Other persons	May ask questions of the Responsible Authorities or Licensing Officer by way of clarification. Note: this is not the time for other persons to put their objections.
11	Committee Members	May ask questions of the Responsible Authorities by way of clarification. Committee can also ask questions of the objectors by way of clarification.
12	Interested Parties	At this point those who have objected to the application will be asked to present their objections and make observations on the application if appropriate.

13	Applicant or their representative	May ask questions of the Interested Parties /objectors by way of clarification.
14	Committee members	May ask questions of the Interested Parties /objectors.
Closing statements or summary		
15	Chairman	<p>Will ask:</p> <ul style="list-style-type: none"> a. both the Responsible Authorities and Interested Parties /objectors to comment, briefly, on the application or review and summarise their position. No new issues can be raised at this point. b. the applicant or their representative to summarise the application or review and briefly comment on the representations or objections made. c. if everyone is satisfied that they have said what they wanted to say, but making clear that no new issues can be raised at this point.
DECISION MAKING		
16	Sub-Committee	Will retire to consider the application or review and may request the Legal Advisor and/or Committee Clerk to retire with them.
RESUMING THE MEETING AND CONCLUSION		
17	Legal Advisor	If legal advice has been given to the Members whilst in retirement, this advice will be summarised and repeated in the presence of all parties.
18	Chairman	<p>Will:</p> <ul style="list-style-type: none"> a. announce the decision made by the sub-committee and the reasons for that decision; b. advise that the decision, and reasons, will be confirmed in writing to all the parties who made representations; and c. advise all parties of their rights of appeal to the Magistrates' Court.

(*) after receiving copies of this procedure, all parties are requested to give the Council's Licensing Department an indication of the time estimated to present their case. This will be taken into consideration when deciding whether maximum periods of time will be necessary.

TENDRING DISTRICT COUNCIL

THE LICENSING SUB-COMMITTEE HEARINGS PROCEDURE



PREMISES/PERSONAL LICENCES SUB-COMMITTEE

8 APRIL 2022

REPORT OF THE ASSISTANT DIRECTOR - PARTNERSHIPS

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: 22/00044/PREMVA APPLICATION FOR THE VARIATION OF A PREMISES LICENCE NAZE ARMADA, NAZE MARINE CARAVAN PARK, HALL LANE, WALTON-ON-THE-NAZE, ESSEX CO14 8HL

1.0 APPLICATION DETAILS

1.1 Applicants

Park Resorts Ltd

1.2 Premises

Naze Armada, Naze Marine Caravan Park, Hall Lane, Walton on the Naze

1.3 Agents

Poppleston Allen Licensing Solicitors

1.4 Ward

Walton

1.5 Reason for Application

The application is made under the Licensing Act 2003 for the variation of a Premises Licence to request an increase of the opening hours, the sale of alcohol hours and regulated entertainment hours. Also amend the current layout plans internally and to add two further external areas to the licensed area both directly outside the entertainment complex.

2.0 GENERAL DESCRIPTION OF PREMISES

2.1 The premises was previously describe as a caravan holiday park with club room and bar with facilities for the sale of alcohol. The park also has facilities for the provision of food, drink and entertainment.

2.2 CURRENT OPENING HOURS

Monday to Sunday 00:00 - 00:00

SHOP PREMISES ONLY

Monday to Sunday 08:00 - 23:00

3.0 CURRENT LICENSABLE ACTIVITIES

Exhibition of a Film

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	14:00 - 23:00	(Outdoors)

Indoor Sporting Event

Monday to Thursday	10:00 - 00:00
Fridays and Saturdays	10:00 - 00:30
Sunday	10:00 - 00:00

Performance of Live Music

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)

Performance of Recorded Music

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)

Performance of Dance

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)

Other Entertainment falling within Act

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)

Provision of facilities for making music

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)

Provision of facilities for dancing

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)

Late Night Refreshment

Monday to Thursday	23:00 - 00:00	(Indoors)
Fridays and Saturdays	23:00 - 00:30	(Indoors)
Sunday	23:00 - 00:00	(Indoors)

Sale of Alcohol on and off the premises

Monday to Thursday	10:00 - 00:00
Fridays and Saturdays	10:00 - 00:30
Sunday	10:00 - 00:00

Boxing or Wrestling

Monday to Sunday	09:00 - 23:00	Club House Only
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SHOP PREMISES ONLY**Sale of Alcohol off the premises**

Monday to Sunday	08:00 - 23:00
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3.1 PROPOSED LICENSABLE ACTIVITIES (VARIATION APPLICATION)**Opening Hours**

Mondays to Sundays	00:00 – 24:00
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SHOP PREMISES ONLY

Mondays to Sundays	08:00 - 23:00
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Provision of Plays

Mondays to Sundays	10:00 – 02:00	(Indoors)
	10:00 – 23:00	(Outdoors)

Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of Films

Mondays to Sundays	10:00 – 02:00	(Indoors)
	10:00 – 23:00	(Outdoors)

Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of Indoor Sporting Events

Mondays to Sundays	10:00 – 02:00	(Indoors)
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Provision of Boxing or Wrestling Entertainments

Mondays to Sundays	10:00 – 02:00	(Indoors)
	10:00 – 23:00	(Outdoors)

Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of Recorded Music

Mondays to Sundays	10:00 – 02:00	(Indoors)
	10:00 – 23:00	(Outdoors)

Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of Performances of Dance

Mondays to Sundays	10:00 – 02:00	(Indoors)
	10:00 – 23:00	(Outdoors)

Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of anything of a similar description to live music, recorded music, or performances of dance

Mondays to Sundays	10:00 – 02:00	(Indoors)
	10:00 – 23:00	(Outdoors)

Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of Late Night Refreshment

Mondays to Sundays	23:00 – 02:00	(Indoors)
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Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Supply of Alcohol on and off the premises

Mondays to Sundays	10:00 – 02:00	(Indoors)
	10:00 – 23:00	(Outdoors)

Non Standard Timings

An additional hour to the standard and non-standard timings on the day when British summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

SHOP PREMISES ONLY

Sale of Alcohol off the premises

Mondays to Sundays	08:00 - 23:00	(No Variation to existing hours already in place)
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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

See 4.5

4.2 Public Safety

See 4.5

4.3 Prevention of Public Nuisance

The premises licence holder will comply with the recommendations made in “In Acoustic’s” report dated 4th October 2021 which relates to the “Social Hub outdoor only”, a copy of which has been sent with this application.

4.4 Protection of Children from Harm

See 4.5

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

Bearing in mind the nature of this variation and those conditions already attached to the Premises Licence, nothing further is required.

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 1 letter of representation/objection has been received from the local Councillor in relation to this application.

6.0 RESPONSIBLE AUTHORITIES

- 7.1 Essex Police have been consulted and no comments have been received.
- 7.2 The Council's Planning Authority have been consulted and no comments have been received.
- 7.3 The Councils Pollution and Environmental Control team have been consulted and no comments have been received.

7.0 POLICY CONSIDERATIONS

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

- 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 and Site 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.

ANASTASIA SIMPSON
ASSISTANT DIRECTOR, PARTNERSHIPS

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* required information

Section 1 of 18

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

AG - P48524 - NAZE MARINA HOLIDAY PARK

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

Park Resorts Limited

* Family name

Park Resorts Limited

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

☒ 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

☒ Yes ☐ No

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

Registration number

4133998

Business name

Park Resorts Limited

If the applicant's business is registered, use its registered name.

VAT number

GB

NOT KNOWN

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Premise Licence Holder

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

2nd Floor

Street

One Gosforth Park Way

District

Gosforth Business Park

City or town

Newcastle Upon Tyne

County or administrative area

Postcode

NE12 8ET

Country

United Kingdom

Agent Details

* First name

Poppleston Allen Licensing Solicitors

* Family name

Poppleston Allen Licensing Solicitors

* E-mail

a.gardner@popall.co.uk

Main telephone number

0115 9349157

Include country code.

Other telephone number

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

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House?

☐ Yes ☒ No

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

Is your business registered outside the UK?

☐ Yes ☒ No

Business name

Poppleston Allen Licensing Solicitors

If your business is registered, use its registered name.

VAT number

GB

610752862

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

Legal status

Partnership

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

358,200

Section 3 of 18

VARIATION

Do you want the proposed
variation to have effect as
soon as possible?

☒

Yes

☐

No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐

Yes

☒

No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To extend the sale of alcohol (with the exception of the Shop which is to remain as existing) Monday to Sunday 1000 to 0200 the following morning; add Plays indoors Monday to Sunday 1000 to 0200 the following morning, outdoors Monday to Sunday 1000 to 2300; extend regulated entertainment (with the exception of Boxing and Wrestling which is to remain as existing) indoors Monday to Sunday 1000 to 0200 the following morning, outdoors Monday to Sunday 1000 to 2300; extend late night refreshment indoors Monday to Sunday 2300 to 0200 the following morning and to add later night refreshment outdoors Monday to Sunday 2300 to Midnight; also to add an additional hour to the standard and non-standard timings on the day when British Summertime commences. To also amend the current layout plans internally and to add two further external areas to the licensed area both directly outside the Entertainment Complex as shown on drawing 8318 FO1A, both proposed layout plans as provided to the Licensing Authority with this application.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☒

Yes

☐

No

Standard Days And Timings

MONDAY

Start

10:00

End

02:00

Start

End

Provide 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

Will the performance of a play take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

Provide further details here.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for performing plays.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed above, list below.

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

Outdoors - 1000 to 2300

An additional hour to the standard and non-standard timings on the day when British Summertimes commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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 exhibition of films take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for the exhibition of film.

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

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed above, list below.

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

Outdoors - 1000 to 2300

An additional hour to the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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 type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for indoor sporting events.

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

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed above, list below.

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

AS EXISTING

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

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

Outdoors - 1000 to 2300

An additional hour to the standard and non-standard timings on the day when British Summertimes commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for playing recorded music.

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

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

Outdoors - 1000 to 2300

An additional hour to the standard and non-standard timings on the day when British Summertimes commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

Continued from previous page...

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

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed above, list below.

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

Outdoors - 1000 to 2300

An additional hour to the standard and non-standard timings on the day when British Summertimes commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

Start

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THURSDAY

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Start

End

Continued from previous page...

FRIDAY

Start

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SATURDAY

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SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

AS EXISTING

Will this entertainment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for entertainment.

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

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

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

Outdoors - 1000 to 2300

An additional hour to the standard and non-standard timings on the day when British Summertimes commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Continued from previous page...

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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FRIDAY

Start

End

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End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

Continued from previous page...

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 the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

Outdoors - 1000 to 2300

An additional hour to the standard and non-standard timings on the day when British Summertimes commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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.

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

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

Outdoors Monday to Sunday - 1000 to 2300.

An additional hour to the standard and non-standard timings on the day when British Summertimes commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Section 14 of 18

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.

Provide 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.

Continued from previous page...

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 00:00

End 24:00

Start

End

Provide 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 00:00

End 24:00

Start

End

WEDNESDAY

Start 00:00

End 24:00

Start

End

THURSDAY

Start 00:00

End 24:00

Start

End

FRIDAY

Start 00:00

End 24:00

Start

End

SATURDAY

Start 00:00

End 24:00

Start

End

SUNDAY

Start 00:00

End 24:00

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 above, list below.

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

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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)

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

Bearing in mind the nature of this variation and those conditions already attached to the Premises Licence, nothing further is required.

b) The prevention of crime and disorder

See box a) above.

c) Public safety

See box a) above.

d) The prevention of public nuisance

1. The Premise Licence Holder will comply with the recommendations made in "In Acoustic's" report dated 4th October 2021 which relates to the "Social Hub outdoor area only" a copy of which has been sent with this application.

Continued from previous page...

e) The protection of children from harm

See box a) above.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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 18 of 18

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 based on the following scale:- £0-£4300 Band A £100 £4300-£33000 Band B £190 £33001-£87000 Band C £315 £87001-£125000 Band D £450 £125001 and over Band E £635

* Fee amount (£)

635.00

DECLARATION

* I hereby confirm that to the best of my knowledge the information contained in this application is correct and complies in all respects with the Licensing Act 2003.

☒ 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

Poppleston Allen Licensing Solicitors

* Capacity

AGENT for the applicant

* Date

09 / 02 / 2022
dd mm yyyy

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/tendring/change-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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	AG - P48524 - NAZE MARINA HOLIDAY PARK
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"/>

Schedule 12

Part A

Regulation 33,34

Tendring District Council Premises Licence

Premises Licence Number

16/00044/PREMVA

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Naze Armada
Naze Marine Caravan Park
Hall Lane
Walton-on-the-Naze
Essex
CO14 8HL

Telephone number

01255 678980 or 01255 676633

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Sale of Alcohol on and off the premises
Performance of Dance
Provision of facilities for dancing
Exhibition of a Film
Indoor Sporting Event
Performance of Live Music
Provision of facilities for making music
Performance of Recorded Music
Other Entertainment falling within Act
Late Night Refreshment
Boxing or Wrestling

Times the licence authorises the carrying out of licensable activities

Exhibition of a Film

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	14:00 - 23:00	(Outdoors)

Indoor Sporting Event

Monday to Thursday	10:00 - 00:00
Fridays and Saturdays	10:00 - 00:30
Sunday	10:00 - 00:00

Performance of Live Music

Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)

Performance of Recorded Music		
Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)
Performance of Dance		
Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)
Other Entertainment falling within Act		
Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Monday to Sunday	11:30 - 19:00	(Outdoors)
Provision of facilities for making music		
Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Provision of facilities for dancing		
Monday to Thursday	10:00 - 00:00	(Indoors)
Fridays and Saturdays	10:00 - 00:30	(Indoors)
Sunday	10:00 - 00:00	(Indoors)
Late Night Refreshment		
Monday to Thursday	23:00 - 00:00	(Indoors)
Fridays and Saturdays	23:00 - 00:30	(Indoors)
Sunday	23:00 - 00:00	(Indoors)
Sale of Alcohol on and off the premises		
Monday to Thursday	10:00 - 00:00	
Fridays and Saturdays	10:00 - 00:30	
Sunday	10:00 - 00:00	
Boxing or Wrestling		
Monday to Sunday	09:00 - 23:00	Club House Only
SHOP PREMISES ONLY		
Sale of Alcohol off the premises		
Monday to Sunday	08:00 - 23:00	

The opening hours of the premises		
Monday	00:00 - 00:00	
Tuesday	00:00 - 00:00	
Wednesday	00:00 - 00:00	
Thursday	00:00 - 00:00	
Friday	00:00 - 00:00	
Saturday	00:00 - 00:00	
Sunday	00:00 - 00:00	
SHOP PREMISES ONLY		
Monday	08:00 - 23:00	
Tuesday	08:00 - 23:00	
Wednesday	08:00 - 23:00	
Thursday	08:00 - 23:00	
Friday	08:00 - 23:00	
Saturday	08:00 - 23:00	
Sunday	08:00 - 23:00	

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Supplies of alcohol on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Park Resorts Ltd
2nd Floor
One Gosforth Park Way
Gosforth Business Park
Newcastle Upon Tyne
NE12 8ET

WEF: 23/07/2018

Registered number of holder, for example company number, charity number (where applicable)

4133998

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol


Mr Thomas Joyce
Naze Marine Holiday Park
Hall Lane
Walton On The Naze
Essex
CO14 8HL

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number ELINDC/PA35109

Licensing Authority East Lindsey District Council

for and on behalf of the Licensing Authority



Damian Williams

ACTING CORPORATE DIRECTOR FOR OPERATIONS AND DELIVERY

Dated: 14 August 2020

Naze Marine Holiday Park - Conditions

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under the Premises Licence:-
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence,or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
- 2 Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
- 3 Exhibition of Films
 1. The admission of children to the exhibition of any film permitted by the Licence shall be restricted in accordance with this section.
 2. Where a film classification body is specified in the Licence, unless 3(b) applies, admission of children must be restricted in accordance with any recommendation made by the body.
 3. Where:
 - (a) the film classification body is not specified in the Licence, or
 - (b) the relevant Licensing Authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that Licensing Authority.
 4. In this section:

"children" means persons aged under 18

and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).
- 4 Door Staff
 1. Where people are used as door/security staff, they must be currently licensed by the Security Industry Authority or exempt under Section 4 of the Private Security Industry Act 2001.
- 5
 - (1) Schedule 1(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) Schedule 1(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

- 6 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 7 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 8 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 9 The responsible person must ensure that
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 10 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D.V)$$

where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

- 1 On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, Midnight on 31 December)
- 2 A record shall be kept of the names and addresses of persons registered as residents/occupiers of the site which shall be produced upon demand for inspection by a Police Officer.
- 3 The sale or supply of alcohol will only be to members of the Holiday Park, staff and bona fide guests of the same.
- 4 If a CCTV system is used, it shall be of a type to be approved by the Council to monitor events both inside and outside the premises and shall be installed to the satisfaction of the Council. The video system shall be professionally installed and be capable of consistently producing pictures clearly showing the identity of persons frequenting the premises and in the vicinity of the premises. The video shall operate continuously during the permitted hours.
- 5 Notices shall be clearly displayed inside the premises indicating that a CCTV system is in operation both inside and outside the premises.
- 6 In conjunction with the operation of the required CCTV system the licensee shall retain all CCTV for a period of twenty-eight days and shall make them available to the police or an authorised Officer of the Council on demand.
- 7 The Licensee shall provide and maintain an incident book at the premises which shall be made available on demand to the Police. All incidents of a kind to be agreed from time to time with the Police or an authorised Officer of the Council shall be entered in this book
- 8 An Alarm on all fire doors shall be installed to the satisfaction of the Council which, when such doors are open, alerts staff to this fact.
- 9 An appropriate noise inhibitor/sound control system shall be installed to the satisfaction of the Council.
- 10 An appropriate air conditioning system shall be installed to the satisfaction of the Council
- 11 A telephone number for a named contact shall be made available at all times to members of the public who may be concerned about noise levels.

PLEASE NOTE THAT IN RESPECT OF THE 'SHOP' ONLY THE FOLLOWING CONDITIONS WILL APPLY:-

- 13 The permitted hours of sale or supply of alcohol do not prohibit
- 14 Consumption of the alcohol on the premises or the taking of or sale or supply of alcohol to any person residing in the licensed premises
- 15 The ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered.
- 16 The sale of alcohol to a trader or Club for the purposes of the trade or Club.
- 17 The sale or supply to any Canteen or Mess, being a Canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised Mess of members of her Majesty's Naval, Military or Air Forces.
- 18 The taking of alcohol from the premises by a person residing there.
- 19 The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense or the consumption of alcohol by persons so supplied, or
- 20 The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the Licence or for the consumption of liquor so supplied if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

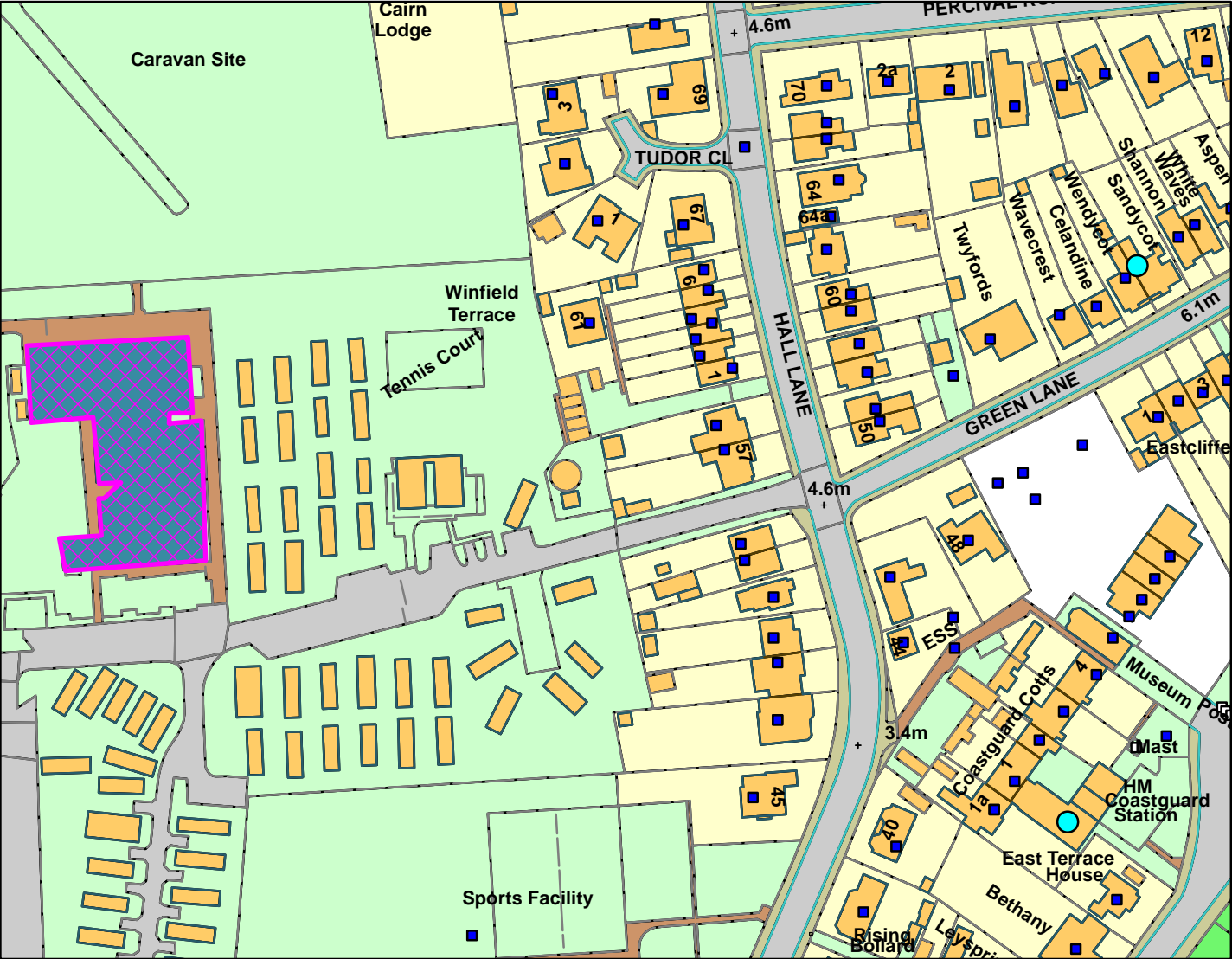
Plans are attached to this Licence

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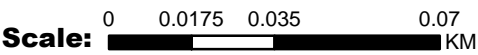
Naze Marine Caravan Park



22/00044/PREMVA



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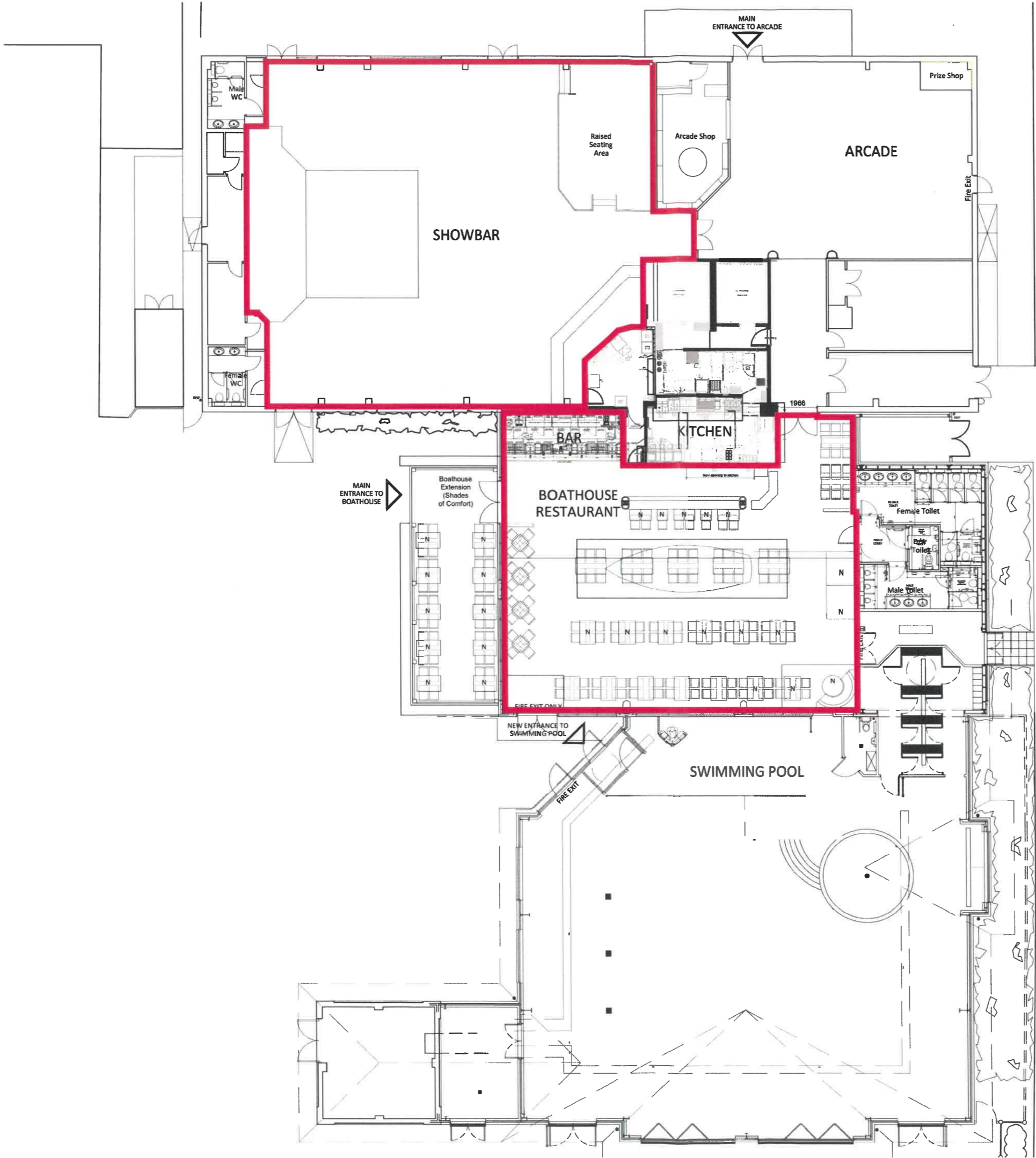


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Organisation	Tendring District Council
Department	Planning Department
Comments	
Date	02/03/2022
MSA Number	100018684

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Parkdean Resorts Limited

location:
**Naze Marine Holiday Park
The Poplars, Walton-on-the-Naze**

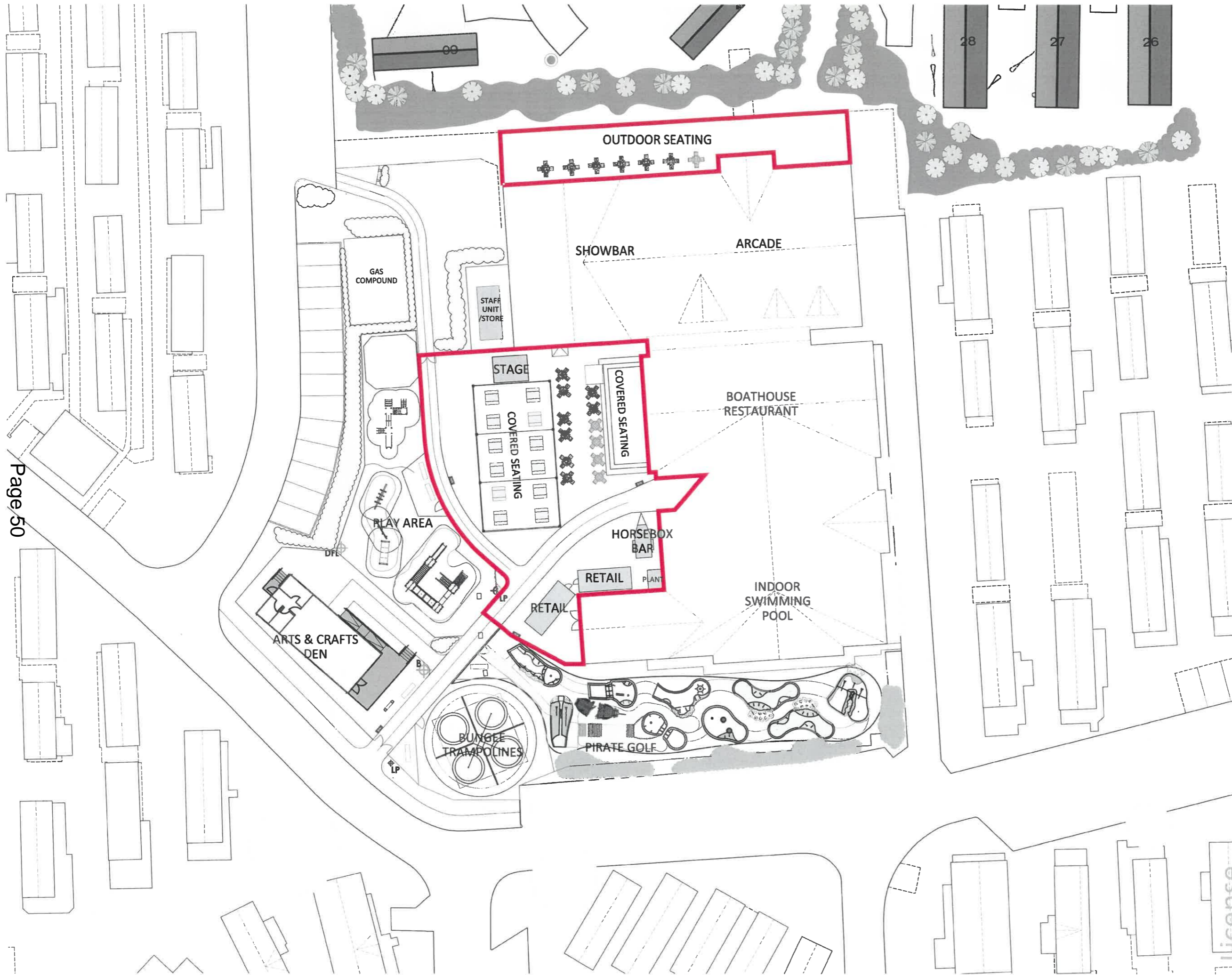
title:
**Internal Facilities Plan
Premises License**

scale @ A1:
1:200
date:
November 2021
project no:
8318

drawn by:
SWS
approved:
SN
dwg no:
F 02

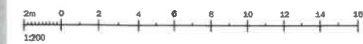
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Key:

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A 23/11/21 Red line amended SWS

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Parkdean Resorts Limited

location:
**Naze Marine Holiday Park
The Poplars, Walton-on-the-Naze**

title:
**External Facilities Plan
Premises License**

scale @ A1:
1:200
date:
November 2021
project no:
8318

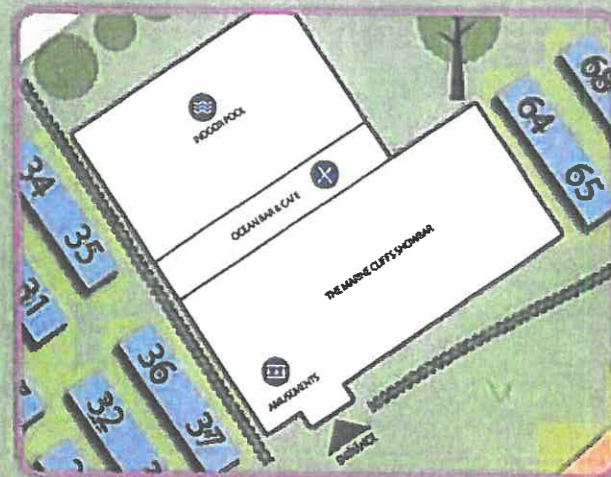
drawn by:
SWS
approved:
SN
dwg no:
F 01

revision:
A

License

Welcome to NAZE Marine HOLIDAY PARK

★ ENTERTAINMENT COMPLEX



PLEASE NOTE — Passes are required for admission to all facilities.
Please carry your Holiday Passes with you at all times.

- | | |
|------------------|----------------------|
| Bin | Showers |
| Telephone | Toilets |
| Dog Walking Area | Launderette |
| PO Park Office | Nisa Park Shop |
| SO Sales Office | Indoor Swimming Pool |
| Play Area | Amusements |
| Drinking Water | Ocean Bar & Cafe |

OCEAN BAR & CAFE

Snacks and drinks served
from 9am – Late

NISA PARK SHOP

Open from 8am – 5pm

10

Speed limit around
the Park is 10mph

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Naze Marine Holiday Park

Noise Assessment

4th October 2021

Version	1	2	3
Comments	Noise Assessment		
Date	4 th October 2021		
Authored By	Victor Valeron BEng MSc MIOA		
Reviewed By	Antony Best BSc (Hons) MIOA		
Project Number	21-203		

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1. INTRODUCTION

1.1. Overview

inacoustic has been commissioned to prepare a Noise Assessment for the proposed variations to an existing Premises Licence associated with Naze Marine Holiday Park at The Poplars, Walton on the Naze, CO14 8HL ('the Site').

The following technical noise assessment has been produced to accompany a Licencing Application to Tendring District Council. This report details the existing background sound climate at the nearest receptors, as well as the sound emissions associated with amplified outdoor regulated entertainment activities at the Site.

This noise assessment considers the impact of outdoor regulated entertainment activities only.

This noise assessment is necessarily technical in nature; therefore, a glossary of terms is included in Appendix A to assist the reader.

1.2. Scope and Objectives

The scope of the noise assessment can be summarised as follows:

- A baseline sound monitoring survey undertaken in the vicinity of the closest noise-sensitive receptors to the Site;
- Detailed sound modelling using the Cadna/A modelling suite and ISO9613¹ prediction methodology to predict sound levels at the closest noise-sensitive receptors to the Site;
- A detailed assessment of the suitability of the Site, in accordance with relevant standards in respect of sound from the proposed sources; and
- Recommendation of mitigation measures, where necessary, to comply with the requirements of the Code of Practice on Environmental Noise Control at Concerts².

¹ International Standards Organisation. ISO 9613-2:1996: Acoustics - Attenuation of sound during propagation outdoors - Part 1: Calculation of the absorption of sound by the atmosphere.

² The Noise Council, 1995. The Code of Practice on Environmental Noise Control at Concerts.

2. ASSESSMENT FRAMEWORK

Entertainment Noise is typically assessed using the Noise Council's *Code of Practice on Environmental Noise Control at Concerts*. Furthermore, in the Scope of BS4142:2014+A1:2019, it states that the standard is not applicable to “*music and other entertainment*”, and the Scope of BS8233:2014 states that the standard does not “*provide guidance on assessing the effects of changes in the external noise levels to occupants of an existing building*”.

Therefore, an assessment of the music sound level at the nearest noise sensitive receptors has been undertaken in accordance with the assessment framework outlined in the following text.

2.1.1. Code of Practice on Environmental Noise Control at Concerts

For the daytime and evening period, 09:00 to 23:00, the Code of Practice on Environmental Noise Control at Concerts has been used. It is stated in the Code of Practice that the music sound level should not exceed the noise limits at 1 metre from the façade of any noise sensitive premises in accordance with the framework set out below in Table 1.

TABLE 1: CODE OF PRACTICE ON ENVIRONMENTAL NOISE CONTROL AT CONCERTS

Concert days per calendar year, per venue	Venue Category	Guideline
1 to 3	Urban Stadia or Arenas	The MNL should exceed 75 dB(A) over a 15-minute period
1 to 3	Other Urban and Rural Venues	The MNL should not exceed 65 dB(A) over a 15-minute period
4 to 12	All Venues	The MNL should not exceed the background noise level by more than 15 dB(A) over a 15-minute period

Furthermore, Note 5, as detailed in the Code of Practice on Environmental Noise Control at Concerts states that;

“...venues used for up to about 30 events per calendar year an MNL not exceeding the background noise by more than 5 dB(A) over a fifteen-minute period is recommended for events finishing no later than 23:00 hours”.

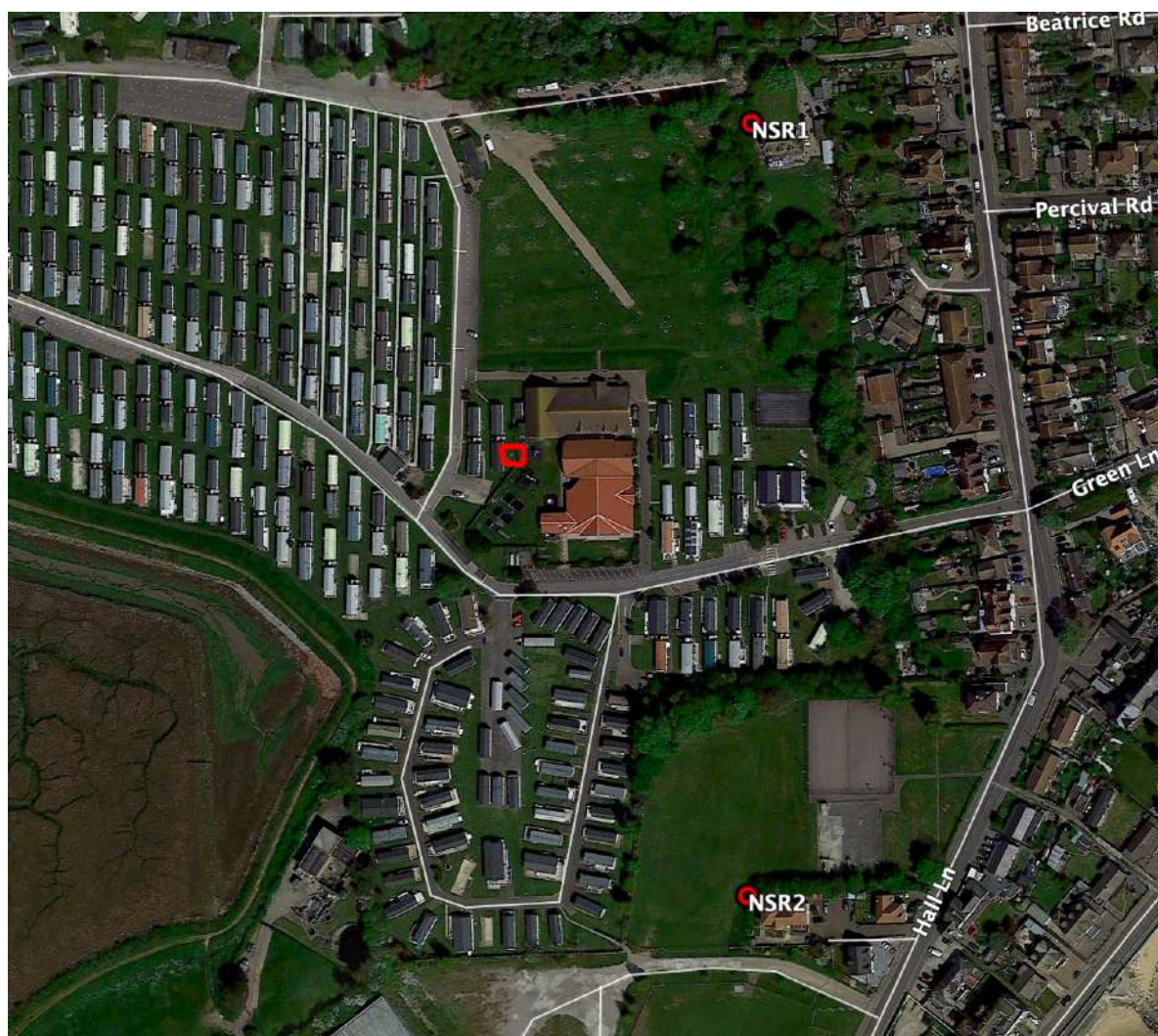
It is therefore considered appropriate to assess the daytime and evening music noise level from Naze Marine Holiday Park, whereby the music noise level does not exceed the measured background noise level by more than 5 dB(A) over any 15-minute period.

3. SITE DESCRIPTION

3.1. Site and Surrounding Area

The Site is an existing holiday park known as the Naze Marine Holiday Park, which is operated by Parkdean Resorts. The location of the outdoor regulated entertainment area (in red) and the nearest receptors can be seen below in Figure 1.

FIGURE 1: PLAN OF SITE AND SURROUNDING AREA



There are residential receptors to the east of the outdoor regulated entertainment area, located off Hall Lane. The nearest noise-sensitive residential receptors are located some 150 m to the north-east and 200m to the south-east of the outdoor regulated entertainment area. For the purposes of this noise assessment, a selection of these residential receptors has been assessed, to give a cross-section of the likely impact from the outdoor regulated entertainment area.

3.2. Operations Overview

It is proposed to introduce amplified outdoor regulated entertainment events to the holiday park, on the basis that they finish no later than 23:00.

The variation of the Premises Licence contains outdoor areas that would be able to serve alcohol. The area identified below will be able to accommodate amplified regulated outdoor entertainment events, and this area forms the basis of this noise assessment.

FIGURE 2: PREMISES LICENCE PLAN



The regulated entertainment area will have a permanently installed PA System. From experience on similar sites operated by the Applicant, the sound system is likely to comprise a Formula Sound Automatic Volume Control noise limiting device installed, to ensure compliance with the recommended source noise limits. This noise limiting device **cannot** be overridden by the users of the PA System.

The PA System will consist of the following components:

- 2x FBT Shadow 112HC driver enclosures per side;
- 2x FBT Shadow 114S Subs; and
- 1x Formula Sound Automatic Volume Control.

4. MEASUREMENT METHODOLOGY

4.1. General

The prevailing noise conditions in the area have been determined by an environmental noise survey conducted between Friday 24th and Tuesday 28th September 2021.

The location at which the background sound measurements was undertaken was chosen on the basis of being representative of the nearest residential properties to the Site.

The measurement location is discussed below in Table 2, with a location plan indicating their respective locations shown overleaf in Figure 3.

TABLE 2: MEASUREMENT POSITION DESCRIPTION

Measurement Position	Description
MP1	<p>Background sound measurements were undertaken on land associated with the Site, and considered representative of those residential receptors to the east of the outdoor regulated entertainment area. Whilst on Site, the following sound sources were noticed; natural sources, such as wind-induced vegetation sound, birdsong, plus general local activity and distant road traffic noise.</p> <p>The microphone was situated in proximity to the nearest residential receptor, a house west of Hall Lane which overlooks the green space north of the main buildings within the holiday park. Measurement was taken 1.5m above ground level.</p>

FIGURE 3: MEASUREMENT POSITION



4.2. Weather Conditions

The long-term background sound survey was conducted where wind speeds remained below 5 m/s, with precipitation noted locally to have occurred at 12:00 on 26th September and 06:00 on the 27th September. Therefore, periods where inclement weather occurred have been removed from the data used to derive the typical baseline conditions, to ensure robustness.

4.3. Sound Indices and Procedure

4.3.1. Background

The background sound measurements were undertaken at microphone height of 1.5 metres above local ground level, away from reflecting surfaces, other than the ground, with a wind shield used throughout.

The parameters reported are the statistical indices $L_{A10,T}$ and the Background Sound Level, $L_{A90,T}$, as well as the Equivalent Continuous Sound Level, $L_{Aeq,T}$ and the Maximum Sound Pressure Level, L_{AFmax} . An explanation of the sound units presented is given in Appendix A.

The measured L_{Aeq} , L_{AFmax} , and L_{AF90} sound levels are presented as time histories in a graph in Appendix B. Furthermore, the statistical distribution of the measured background sound levels are presented in a graphical format in Appendix C.

4.4. Equipment

The sound measurement exercise was undertaken by a consultant certified as competent in environmental sound monitoring, and, in accordance with the principles of BS 7445³.

The acoustic measurement equipment used during the sound survey conformed to Type 1 specification of British Standard 61672⁴. A full inventory of this equipment is shown in Table 3 below:

TABLE 3: INVENTORY OF SOUND MEASUREMENT EQUIPMENT

Measurement Position	Make, Model & Description	Serial Number
MP1	Rion NL-52 Sound Level Meter	00943282
	Rion NH-25 Preamplifier	0043298
	Rion UC-59 Microphone	07045
MP1	Cirrus CR:515 Acoustic Calibrator	72886

The sound measurement equipment used during the survey was field calibrated at the start and end of the measurement period. A calibration laboratory has calibrated the field calibrator used within the twelve months preceding the measurements. A drift of less than 0.1 dB in the field calibration was found to have occurred on the sound level meter. The microphone was fitted with a protective windshield for the entire measurement period.

4.5. Sound Survey Results

4.5.1. Background

The summarised results of the environmental sound measurements, during the day, evening and night-time periods, can be seen below in Table 4. Values have been rounded to the nearest whole number.

TABLE 4: SOUND MEASUREMENT RESULTS

Measurement Position	Period	Measurement Interval, T (minutes)	$L_{Aeq,T}$ (dB)	$L_{AF90,T}$ (dB)	$L_{AF10,T}$ (dB)	L_{AFmax} (dB)
MP1	Day	15	51	41	49	67
	Evening	15	43	38	44	57
	Night	15	44	31-35	41	56

³ British Standard 7445: 2003: *Description and measurement of environmental noise*. BSI

⁴ British Standard 61672: 2013: *Electroacoustics. Sound level meters. Part 1 Specifications*. BSI.

5. CALCULATIONS

5.1. Methodology

In order to calibrate the noise model, the source music noise levels measured at comparable entertainment areas at sites operated by the Applicant were input in the model. At those sites, the validation process indicated good correlation between the predicted and actual music noise levels at the nearest noise sensitive receptors, to within 1 dB.

Therefore, the validation of the noise model is considered robust for the purposes of predicting the sound emissions associated with amplified regulated entertainment activities at the Site.

The maximum Music Noise Level (MNL) at the entertainment area has been set, in order to achieve the requirements outlined in Section 2 at the nearest noise-sensitive receptors.

5.1.1. Calculation Process

Calculations were carried out using the software package CadnaA, which undertakes its calculations in accordance with guidance given in ISO9613-1:1993 and ISO9613-2:1996.

5.1.2. Assumptions

Given that the land between proposed development and nearest receptors is mixed, the ground factor has been set to 0.5 in the calculation software. Appropriate attenuation factor due to the built-up areas of the site has been included in accordance with ISO 9612-2 methodology. A reflection order of 3 has been considered in the model.

In order to accurately model the land surrounding the development, an AutoCAD DXF drawing was produced, which was based on data provided by the Ordnance Survey, along with topography data of the area obtain from Defra Survey Data.

It has been assumed that music being played in the identified entertainment area will be limited by the Formula Sound Automatic Volume Control noise limiter, as required.

5.1.3. Music Noise Level Summary

A summary of the calculated maximum music noise levels at the entertainment area, assessed at 10m from the stage, during the day and evening time periods, can be seen below in Table 5.

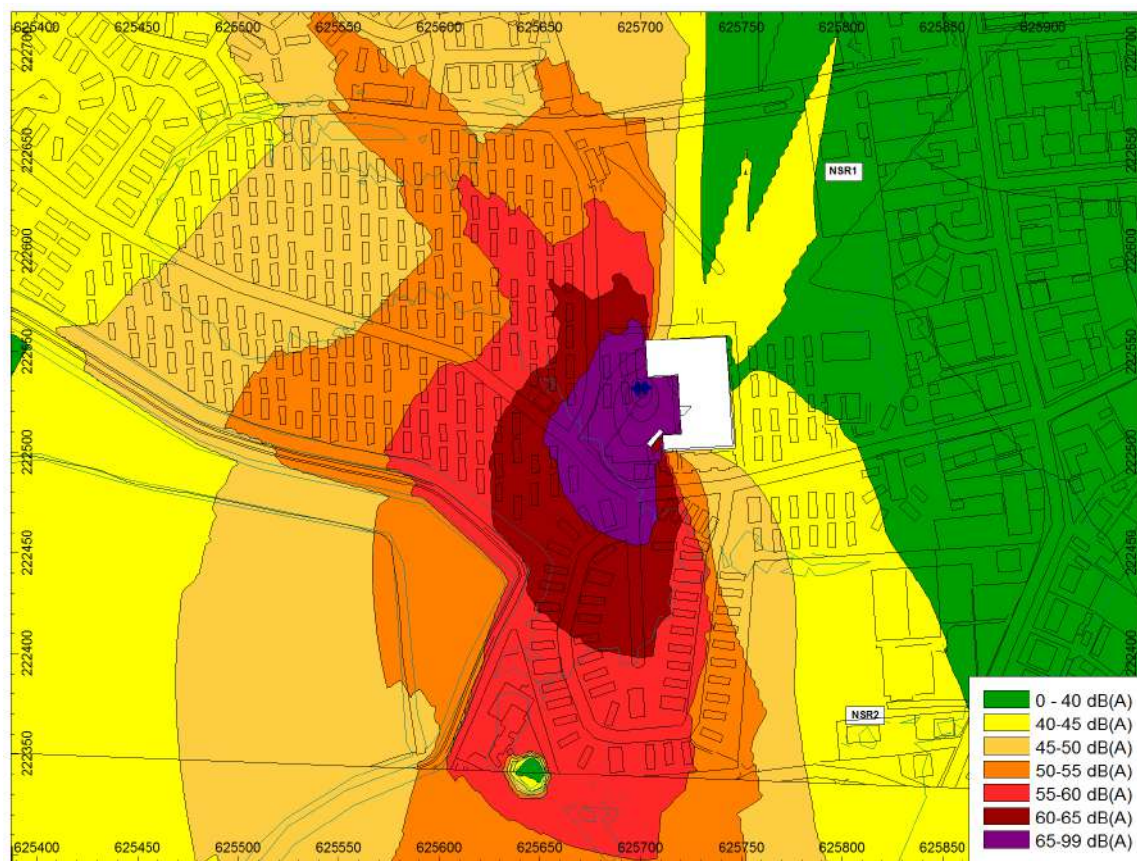
TABLE 5: PREDICTED MUSIC SOUND LEVEL SUMMARY

Area	Period	Music Noise Level (dB)
Entertainment Area	Day	88
Entertainment Area	Evening	85

5.1.4. Music Noise Level Map

As a worst-cases scenario, the sound map showing the evening time music noise level emissions from the Site can be seen below in Figure 4.

FIGURE 4: EVENING TIME MUSIC SOUND LEVEL MAP



6. ASSESSMENT

The predicted music sound level has been assessed in accordance with the Code of Practice Criteria, at all NSRs.

The resultant assessment summary, during the day and evening time periods, can be seen in Table 6 below.

TABLE 6: DAYTIME MUSIC SOUND LEVEL ASSESSMENT SUMMARY

NSR	Music Sound Level (dB)	Daytime Background Sound Level (dB)	CoP 09:00 to 23:00 Criteria	Excess of Music Sound Level over CoP Criteria Level (dB)
1	43	41	46	-3
2	46	41	46	0

It can be seen that the criteria outlined in the Code of Practice on Environmental Noise Control at Concerts has been met at nearest noise sensitive receptors during the daytime period.

The resultant assessment summary, during the evening time period, can be seen in Table 7 below.

TABLE 7: EVENING TIME MUSIC SOUND LEVEL ASSESSMENT SUMMARY

NSR	Music Sound Level (dB)	Evening Time Background Sound Level (dB)	CoP 09:00 to 23:00 Criteria	Excess of Music Sound Level over CoP Criteria Level (dB)
1	40	38	43	-3
2	43	38	43	0

It can be seen that the criteria outlined in the Code of Practice on Environmental Noise Control at Concerts has been met at nearest noise sensitive receptors during the evening time period.

As the proposed outdoor entertainment area will not operate after 23:00, no assessment has been undertaken during the night-time period.

7. CONCLUSION

inacoustic has been commissioned to prepare a Noise Assessment for the proposed variations to an existing Premises Licence associated with Naze Marine Holiday Park at The Poplars, Walton on the Naze, CO14 8HL.

Noise limits at nearest noise-sensitive receptors to the Site are suggested, based on the guidance contained within the Code of Practice on Environmental Noise Control at Concerts and having regard to the measured background sound levels at locations taken to be representative of the dwellings selected for this assessment.

The predicted music sound levels are presented for inspection and comparison with the suggested site noise limits at the dwellings.

Providing that the music sound level items do not exceed a level of L_{Aeq} 88 dB and 85 dB at 10m from the stage during the day and evening periods respectively, through the application of noise limiting device, the impact of sound from such sources is predicted to have an impact not exceeding the requirements of the Code of Practice on Environmental Noise Control at Concerts.

Since the Site would conform to the relevant requirements; it is recommended that noise should not be a constraint to the approval of this variation to the Premises Licence.

8. APPENDICES

8.1. Appendix A – Definition of Terms

Sound Pressure	Sound, or sound pressure, is a fluctuation in air pressure over the static ambient pressure.
Sound Pressure Level (Sound Level)	The sound level is the sound pressure relative to a standard reference pressure of 20µPa (20x10 ⁻⁶ Pascals) on a decibel scale.
Decibel (dB)	A scale for comparing the ratios of two quantities, including sound pressure and sound power. The difference in level between two sounds s1 and s2 is given by 20 log10 (s1 / s2). The decibel can also be used to measure absolute quantities by specifying a reference value that fixes one point on the scale. For sound pressure, the reference value is 20µPa.
A-weighting, dB(A)	The unit of sound level, weighted according to the A-scale, which takes into account the increased sensitivity of the human ear at some frequencies.
Noise Level Indices	Noise levels usually fluctuate over time, so it is often necessary to consider an average or statistical noise level. This can be done in several ways, so a number of different noise indices have been defined, according to how the averaging or statistics are carried out.
$L_{eq,T}$	A noise level index called the equivalent continuous noise level over the time period T. This is the level of a notional steady sound that would contain the same amount of sound energy as the actual, possibly fluctuating, sound that was recorded.
$L_{max,T}$	A noise level index defined as the maximum noise level during the period T. L_{max} is sometimes used for the assessment of occasional loud noises, which may have little effect on the overall L_{eq} noise level but will still affect the noise environment. Unless described otherwise, it is measured using the 'fast' sound level meter response.
$L_{90,T}$	A noise level index. The noise level exceeded for 90% of the time over the period T. L_{90} can be considered to be the "average minimum" noise level and is often used to describe the background noise.
$L_{10,T}$	A noise level index. The noise level exceeded for 10% of the time over the period T. L_{10} can be considered to be the "average maximum" noise level. Generally used to describe road traffic noise.
Free-Field	Far from the presence of sound reflecting objects (except the ground), usually taken to mean at least 3.5m
Facade	At a distance of 1m in front of a large sound reflecting object such as a building façade.
Fast Time Weighting	An averaging time used in sound level meters. Defined in BS 5969.

In order to assist the understanding of acoustic terminology and the relative change in noise, the following background information is provided.

The human ear can detect a very wide range of pressure fluctuations, which are perceived as sound. In order to express these fluctuations in a manageable way, a logarithmic scale called the decibel, or dB scale is used. The decibel scale typically ranges from 0 dB (the threshold of hearing) to over 120 dB. An indication of the range of sound levels commonly found in the environment is given in the following table.

TABLE A1: TYPICAL SOUND LEVELS FOUND IN THE ENVIRONMENT

Sound Level	Location
0dB(A)	Threshold of hearing
20 to 30dB(A)	Quiet bedroom at night
30 to 40dB(A)	Living room during the day
40 to 50dB(A)	Typical office
50 to 60dB(A)	Inside a car
60 to 70dB(A)	Typical high street
70 to 90dB(A)	Inside factory
100 to 110dB(A)	Burglar alarm at 1m away
110 to 130dB(A)	Jet aircraft on take off
140dB(A)	Threshold of Pain

The ear is less sensitive to some frequencies than to others. The A-weighting scale is used to approximate the frequency response of the ear. Levels weighted using this scale are commonly identified by the notation dB(A).

In accordance with logarithmic addition, combining two sources with equal noise levels would result in an increase of 3 dB(A) in the noise level from a single source.

A change of 3 dB(A) is generally regarded as the smallest change in broadband continuous noise which the human ear can detect (although in certain controlled circumstances a change of 1 dB(A) is just perceptible). Therefore, a 2 dB(A) increase would not be normally be perceptible. A 10 dB(A) increase in noise represents a subjective doubling of loudness.

A noise impact on a community is deemed to occur when a new noise is introduced that is out of character with the area, or when a significant increase above the pre-existing ambient noise level occurs.

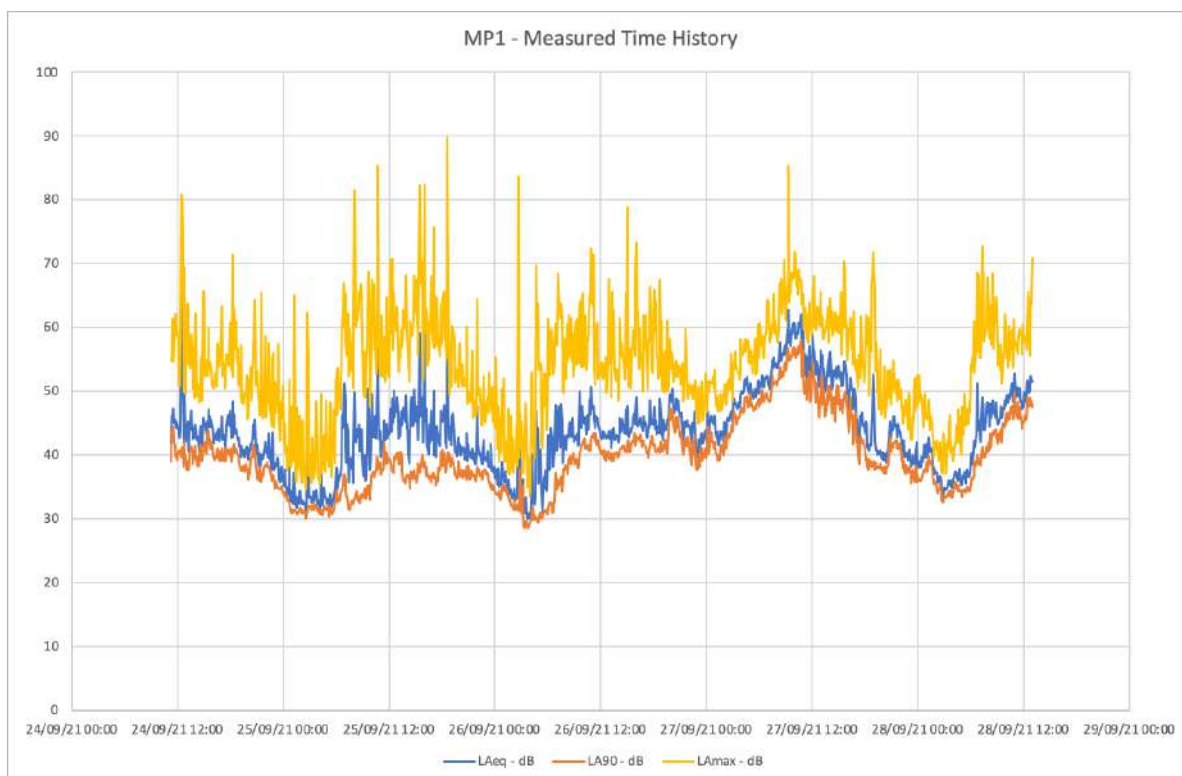
For levels of noise that vary with time, it is necessary to employ a statistical index that allows for this variation. These statistical indices are expressed as the sound level that is exceeded for a percentage of the time period of interest. In the UK, traffic noise is measured as the L_{A10} , the noise level exceeded for 10% of the measurement period. The L_{A90} is the level exceeded for 90% of the time and has been adopted to represent the background noise level in the absence of discrete events. An alternative way of assessing the time varying noise levels is to use the equivalent continuous sound level, L_{Aeq} .

This is a notional steady level that would, over a given period of time, deliver the same sound energy as the actual fluctuating sound.

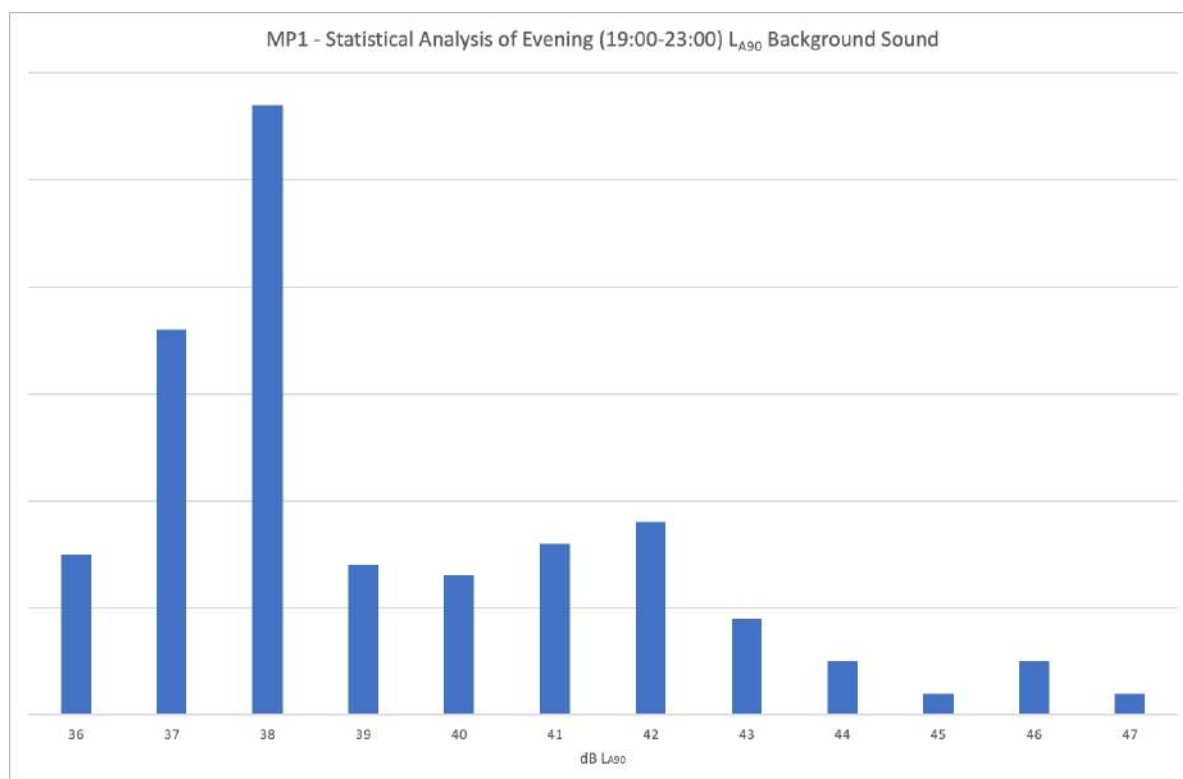
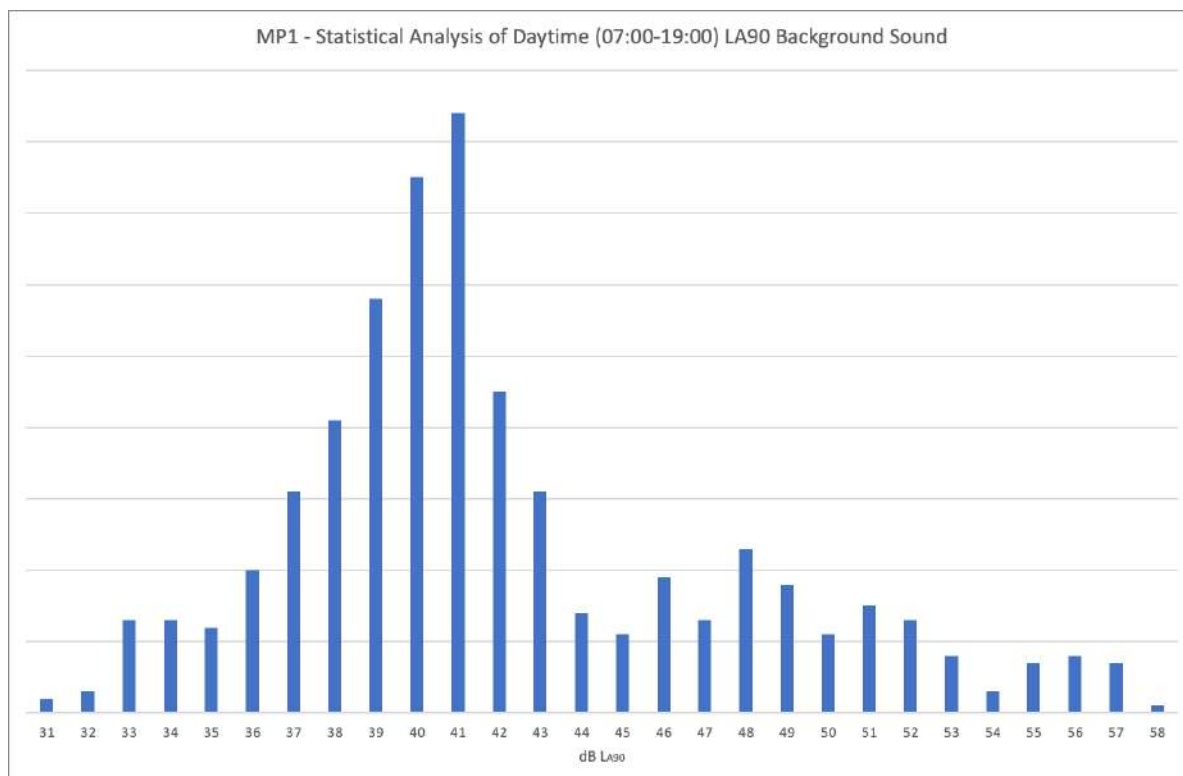
To put these quantities into context, where a receiver is predominantly affected by continuous flows of road traffic, a doubling or halving of the flows would result in a just perceptible change of 3 dB, while an increase of more than 25%, or a decrease of more than 20%, in traffic flows represent changes of 1 dB in traffic noise levels (assuming no alteration in the mix of traffic or flow speeds).

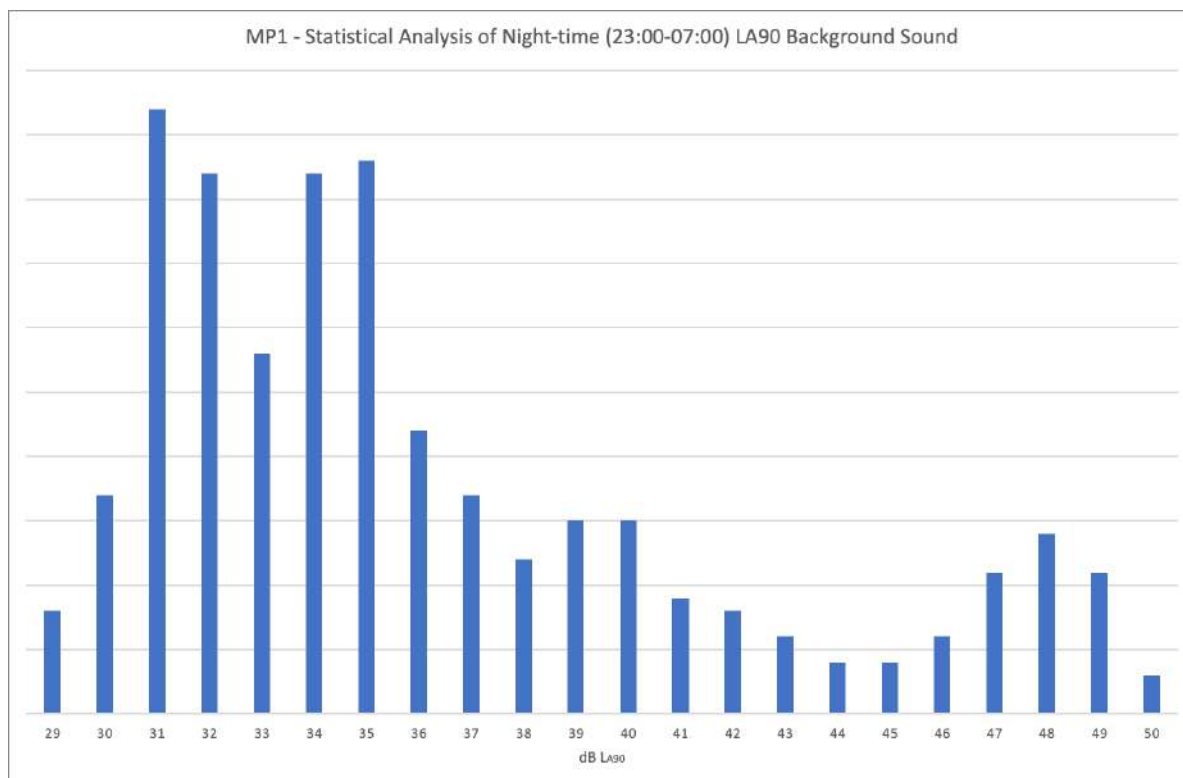
Note that the time constant and the period of the noise measurement should be specified. For example, BS 4142 specifies background noise measurement periods of 1 hour during the day and 15 minutes during the night. The noise levels are commonly symbolised as $L_{A90,1\text{hour}}$ dB and $L_{A90,15\text{mins}}$ dB. The noise measurement should be recorded using a 'FAST' time response equivalent to 0.125 ms.

8.2. Appendix B – Sound Measurement Results



8.3. Appendix C – Statistical Analysis





From: Delyth Miles <mordel@hotmail.co.uk>

Sent: 28 February 2022 16:14

To: Licensing Section <licensingsection@tendringdc.gov.uk>

Subject: RE: Naze Marine Caravan Park- Variation Application (Cllr Notification)

Dear Emma

Thank you for returning my phone call this morning and for your time and support enabling me to discuss my concerns and your advice on the need to record these in my comments/objections to you for consideration etc.

As the District councillor for Walton I consider it my duty to ensure that businesses (especially hospitality and retail that sell food and alcohol) are treated fairly and with parity whenever possible to ensure that any license issues does not have the possibility of any adverse action on another business. Below are my comments on this application:

Sale of Alcohol on and Off premises should be open until 24.30 hours at the latest on a week day and Sunday, but preferably 24.00 hours. This site is surrounded by houses with many of the residents still of working, school and college age and they may need to have a very early start, therefore, the risk of any noise disturbance that could occur after midnight could have a serious detrimental affect on their ability to have adequate sleep etc which could seriously impact on their attendance and performance. I understand that even retired people mostly go to bed well before midnight.

These hours provide a compromise and also are similar to the hours licensed by the Bath House Meadow and other licensing public houses in Walton.

Sale of Alcohol off the Premises - the 23.00 hours proposed for this falls in line with other licensing establishments in the Town including retail outlets, eg Tescos, Co-op and the Premier so I am very happy to support this fully.

The provision of entertainment that is proposed with an end time of 2300 hours I fully support.

The provision of entertainment that proposes 0200 hours which include the **Performance of Dance, Exhibition of Film, Provision for Facilities for dancing, Indoor Supporting Events , Provision for facilities for making music, Performance of Recorded Music, Performance of a Play, Other Entertainment falling within Act , Late Night Refreshment, Provision of Regulated Entertainment etc** is, in my opinion, extremely unreasonable and unnecessary. Again the reasons I object to strongly to these (or any event on a regular basis) ending at 0200 could have a serious adverse effect on the residents in Hall Lane and surrounding area. However, there may be a special event eg celebration of the Jubilee that would benefit from extended opening hours and I would suggest that the provider could and should apply for a one off license for such events.

I am rather confused as some of these headings show a 2300 hour and a 0200 hours finishing/closing time.

I trust my objections, which I consider to fair to all parties: residents; public houses and retail outlets in Walton .

If you require any further information please do not hesitate to contact me.

Kind regards

Delyth

Delyth Miles

District & Town Councillor for Walton

Tel: 01255 672353

Mobile: 07770838896