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Our reference : 26/00305/PREMGR

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**Licensing Act 2003 – Representation against premises licence application
The Beach Bar, Unit 3 Sea View Court, Pier Approach, Walton On The Naze, Essex CO14
8DZ**

The Licensing Authority, acting as a Responsible Authority under the Licensing Act 2003, has reviewed the above application. The premises is currently used as a Family Entertainment Centre (UFEC) offering amusement machines and family-oriented entertainment with a current application for the grant of a premises licence offering the facility to sell alcohol on and off the premises.

The Licensing Authority has a statutory duty to promote the four licensing objectives:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

Having assessed the operating schedule, the Licensing Authority is not satisfied that the applicant has demonstrated sufficient measures to mitigate the risks associated with introducing alcohol into a child-centred environment.

In addition, the Licensing Authority has significant concerns following an onsite inspection that the premises does not currently provide any toilets for staff or customer to use, which is incompatible with the safe and lawful operation of a licensed premises under the Licensing Act 2003 and associated public safety duties.

During the visit, and in discussions with both your colleague on site and yourself via telephone, the provision of CCTV and the installation of a barrier at the premises were discussed.

When we enquired about toilet facilities for patrons, your colleague advised that customers would be expected to use the public toilets located on the hill, some distance from the premises.

On 24 June 2026, you contacted the Licensing Team to discuss the matter further. During that conversation, concerns were raised regarding this arrangement, as it would not represent best practice in terms of public safety and the prevention of public nuisance.

You subsequently advised that there had been some confusion and misunderstanding regarding the information provided by your colleague. You confirmed that there is, in fact, an outbuilding / room towards rear of the UFEC part of the building on site which would be converted and made available as toilet facilities for patrons.

During the same conversation, you also advised that you now wished to install a serving hatch at the premises. This was the first occasion on which the proposed serving hatch had been discussed with the Licensing Team, and it was only following this discussion that an updated site plan was submitted for our consideration.

This representation is therefore submitted to ensure the licensing objectives are upheld. The Licensing Authority may make representations where it considers that granting the licence would undermine the licensing objectives. Section 182 guidance is clear that premises primarily used by children require enhanced safeguards when alcohol is present.

Licensing Authority Concerns

1. Protection of Children from Harm

A UFEC is, by definition, a child-focused environment. The introduction of alcohol creates risks including:

- Increased likelihood of intoxicated adults in proximity to children
- Difficulty supervising mixed-use spaces
- Potential for alcohol to be carried into children's gaming areas
- Safeguarding concerns where children may be left unsupervised

The operating schedule does not adequately address these risks.

2. Prevention of Crime and Disorder

Alcohol consumption in a leisure/amusement setting can lead to:

- Anti-social behaviour
- Disputes around gaming machines
- Increased incidents requiring staff intervention

The application lacks detail on staffing levels, supervision, and incident management.

3. Public Safety

The premises layout indicates shared circulation routes between alcohol-consuming adults and children. Without clear separation, risks include:

- Slips/trips from drinks
- Poor visibility for staff supervising children
- Difficulty managing capacity in mixed-use areas

Absence of Toilets – Public Safety and Welfare Risk

The Licensing Authority is particularly concerned that the premises does not provide any toilets for their staff and customers, despite seeking authorisation for the sale and consumption of alcohol.

This raises several public safety and welfare issues:

- Customers consuming alcohol require access to appropriate sanitary facilities.
- Lack of toilets increases the likelihood of customers leaving the premises while drinking, heightening risks of disorder, nuisance, and safeguarding issues.

- The absence of welfare facilities is inconsistent with safe occupancy management and undermines the ability to comply with the licensing objectives.
- For public safety reasons, the premises to be used must be “safe for the purposes for which they are used”, which cannot be achieved without basic sanitary provision.

The Licensing Authority considers the absence of toilets to be a fundamental operational deficiency that must be addressed before any licence permitting alcohol sales can be granted.

4. Prevention of Public Nuisance

Off-sales from a UFEC raise concerns about:

- Street drinking
- Consumption in the immediate vicinity

The lack of toilets further increases the likelihood of nuisance outside the premises.

Licensing Authority Position

The Licensing Authority does not object to the principle of alcohol sales if the applicant accepts conditions that are appropriate and necessary to mitigate the identified risks.

However, the Licensing Authority cannot support the grant of a licence unless and until adequate customer toilet facilities are installed and available for use. This is a minimum requirement for public safety and responsible alcohol management.

If the applicant does not agree to the conditions below, and does not address the absence of toilets, the Licensing Authority requests that the Licensing Sub-Committee refuse the application.

Proposed Conditions (Appropriate and Necessary)

Protection of Children from Harm

- Alcohol may only be sold and consumed in a designated, enclosed, and supervised area clearly separated from all children’s gaming and activity zones.
- Alcohol must not be taken into any children’s gaming areas at any time.
- A Challenge 25 age-verification policy must be implemented, with documented training for all staff.
- All staff must receive safeguarding training, including dealing with unaccompanied or vulnerable children. (Records to be kept for a minimum of 12 months and made available to authorised officers upon request)
- Fixed physical barriers shall be installed and maintained to provide a clear and permanent separation between the bar area where alcohol is sold or supplied and the Unrestricted Family Entertainment Centre (UFEC). These barriers must:
 - Be of solid, non-removable construction;
 - Prevent direct access between the UFEC and the bar area;
 - Ensure that customers, particularly children, cannot enter the bar area from the UFEC except via a designated supervised access point;
 - Be kept in good repair and remain in place at all times the premises is open to the public.

Prevention of Crime and Disorder

- A comprehensive CCTV system shall be installed and maintained at the premises covering all public areas, including entrances and exits. The system shall be operational whenever the premises are open to the public. Recordings shall be retained for a minimum period of 28 days and made available to the Police or authorised officers upon request. At least one member of staff trained in the operation of the system shall be present during trading hours and capable of downloading footage without delay

- A written incident log must be maintained and made available to Responsible Authorities on request.
- No irresponsible drinks promotions as defined by the Mandatory Conditions.
- Staffing levels must be sufficient to supervise both the alcohol area and the UFEC floor at all times.

Public Safety

- A written risk assessment must be maintained addressing the interaction between alcohol consumption and UFEC activities.
- All drinks must be served in polycarbonate or shatterproof containers.
- A maximum capacity of patrons for the alcohol-designated area must be set and monitored.
- Customer toilets must be installed, maintained, and accessible at all times the premises is open to the public.

Prevention of Public Nuisance

- Clear signage must request customers to leave quietly.
- Off-sales must be in sealed containers only.
- No open containers of alcohol may be removed from the premises.

Conclusion

The Licensing Authority has concerns regarding this application due to the significant changes and clarifications that have emerged only after the initial site visit and subsequent discussions. Key elements of the operation, including the provision of patron toilet facilities and the installation of a serving hatch, were either not disclosed or were inaccurately described during the initial stages of the application process. These matters only came to light following further engagement with the applicant and the submission of a revised plan.

The Licensing Authority is concerned that these late amendments give the impression that aspects of the operating arrangements have not been fully considered or developed prior to the application being submitted. The evolving nature of the proposals makes it difficult for responsible authorities to properly assess the likely impact of the premises on the licensing objectives and raises concerns as to whether appropriate measures are in place to promote public safety and prevent public nuisance.

In particular, concerns arose regarding the apparent lack of dedicated toilet facilities for patrons, with the initial proposal being that customers would use public conveniences located some distance away from the premises. While it has since been confirmed that an outbuilding / room towards rear of the UFEC part of the building which will be converted into a toilet facility, this information was not provided until concerns had been raised by the Licensing Team. Similarly, the proposed serving hatch was not disclosed until a later stage, resulting in the submission of an amended plan after discussions had taken place.

The Licensing Authority submits this representation to ensure that the licensing objectives, particularly public safety, the prevention of public nuisance, and the protection of children from harm, are robustly upheld.

A.1 - APPENDIX C

However, the Licensing Authority would consider this representation if the applicant agrees in writing to the conditions proposed by the Authority and provides adequate toilet facilities for patrons prior to the premises licence being granted. Furthermore, the Authority would expect all proposed operational arrangements, including the serving hatch and any associated controls, to be clearly reflected within the final approved plans and operating schedule to ensure the promotion of the licensing objectives.

Please don't hesitate to contact the licensing team ,If you would like to discuss any amendments.

Yours sincerely,

J. Leonard

John Leonard, LICENSING ENFORCEMENT OFFICER