

HEARING TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCES

This meeting will consider only licensing matters delegated under the Licensing Act 2003

13th November at 2pm

Remote Meeting

MEMBERS OF COMMITTEE INVITED TO ATTEND HEARING

Councillor R. Lee (Chair)
Councillor D. Clark (Vice Chair)

and Councillors A. Davidson and J. Frascona

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City. If you would like to find out more, please telephone Dan Sharma-Bird in the Democracy Team on Chelmsford (01245) 606523 or email dan.sharma-bird@chelmsford.gov.uk.

Licensing Committee

13th November 2023

AGENDA

1. Apologies for Absence

2. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. Minutes

To consider the minutes of the meeting on 17 October 2023

4. Licensing Act 2003 – Application for a new Premises Licence – Old Barn, Twitty Grange, Twitty Fee, Danbury, Chelmsford, Essex, CM3 4PG

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 17th October 2023 at 3pm

Present:

-

Councillor R. Lee (Chair of Hearing)

Councillors D. Clark, A. Davidson and P. Wilson

1. **Apologies for Absence**

No apologies for absence were received.

2. **Declaration of Interests**

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

3. **Minutes**

The minutes of the meetings on 25th July 2023 were confirmed as a correct record.

4. **Licensing Act 2003 – Application for a new Premises Licence – The Clay Pigeon, 26 Robin Way, Chelmsford, Essex, CM2 8AS**

The Committee considered an application for a new premises licence made under Section 17 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Licensing officers and applicant also received documentation listing conditions set by Essex Police.

The application was for the below licensable activities:

Sale or supply of Alcohol	Monday – Thursday	12:00 – 23:00
	Friday – Saturday	12:00 – 01:00
	Sunday	12:00 – 22:00

It was noted by the Committee that there were three options namely;

- Grant the application, on the terms and conditions applied for
- Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

The following parties attended the hearing and took part in it:

Applicant

- Mr T

Objector:

- One Member of the Public

Officers informed the Committee that during the course of the application, one representation had been received. The Chair advised that the written representation had been read and considered by the Committee in advance of the meeting.

The applicant addressed the Committee and responded to the points that had been raised in objection to their application. The applicant advised that the interest of the local community would be a priority. It was advised that whilst some noise might still be heard, it was ensured that soundproofing conditions would be met. It was also noted that no resident had complained so far but it was ensured that noise would be monitored closely. It was ensured that inappropriate behaviour and anti-social behaviour would be prohibited and that staff would be respectful of the neighbours. It was ensured that weekend hours would match those of other premises in the local area and that the applicant would be open to dialogue in the community.

The member of the public highlighted their representations against the application;

- Their home was at close proximity to the pub and they expressed their concern regarding the noise as this was a common problem before.
- Whilst 11pm was an appropriate time for the music to end, anything beyond that would affect their day-to-day routines such as work and school runs.
- The member of public had made several complaints before regarding the noise but this had not been either actioned or rebuffed by staff.
- They felt that the noise seriously affected their enjoyment and welfare.
- It was noted that the residents were not familiar with the application and that they had not seen any notices regarding this. The Licensing Officer then responded to this and confirmed that the application was correctly publicised.

In response to the points raised by the member of the public, the applicant stated that;

- They were happy for the music to stop at 11pm and they ensured that there would not be any speakers outside.
- They were disappointed by the staff not responding to the complaints and apologised to the member of the public.
- In response to the clearing of the bottles, the applicant advised that there would be no noise at all after 11pm.

The legal adviser noted that there was no specific part of the application regarding music but that the applicant implied verbally at the hearing that they would want

music. The applicant responded that only the juke box and DJ would provide music and there would not be live bands.

In response to questions from the Committee regarding managing noise when drinking outside, the applicant confirmed that they would act and prohibit anyone making noise. It was also added by the Licensing Officer that noise at 1am should be reported to the Council and Environmental Health would be able to investigate considering that music was not part of the application. Music could only take place in the premises with no more than 500 people.

The Committee thanked the applicant, member of the public, and the officers for their input and advised that the decision would be made during the deliberation after the meeting. It was noted that due to the remote nature of the meeting, the decision would be circulated to all parties within a few working days via email.

The Committee gave careful consideration to the relevant representations both written and made in the course of the remote hearing.

RESOLVED that the Director of Public Places be authorised to grant the application on the terms applied for but subject to the imposition of the following conditions:

- 1) The Mandatory conditions and the conditions which were set out in Appendix C to the application.
- 2) No patrons shall be permitted to go out into the garden after 11pm.
- 3) No disposal of bottles in external bins between the hours of 23:00 and 07:00

Reasons for Decision:

In reaching its decision, the Committee gave careful consideration to the application and relevant representations both written and made in the course of the hearing, having regard to the requirement to promote the licensing objectives. The Committee also took into account section 17 of the Licensing Act 2023, the current Statutory Guidance under section 182 effective from December 2022 and Chelmsford City Council's licensing policy.

The Committee noted that there were no objections from Responsible Authorities. The Committee carefully considered the concerns expressed by the objectors but considered that, with the imposition of the conditions referred to which were discussed and largely agreed upon at the meeting, there was no evidence to indicate prospective harm at this stage.

The Committee was mindful of the fact that with the imposition of the conditions referred to, none of the responsible Authorities were objecting to the application. The committee was unable, by virtue of s.177A of the Licensing Act 2003, to impose conditions relating to performances of live or recorded music on this premises licence.

The Committee would remind parties that if, subsequently, there is evidence of public nuisance, (e.g. unacceptable levels of noise), or crime and disorder, or other problems relating to one or more of the licensing objectives arising from the use of the premises during the operation of the licensable activities then it is open to people to request a review of the premises licence, in which case the matter would come back before the Committee.

At a review of the premises licence, the Committee would be able to impose conditions relating to live or recorded music (if this was deemed necessary).

(3.02pm to 3.25pm)

5. [Licensing Act 2003 – Application for a new Premises Licence – Layby Off A414, Main Road, Danbury, Chelmsford](#)

The Committee considered an application for a new premises licence made under Section 17 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

The application was for below licensable activity:

Sale or supply of Alcohol	Friday to Sunday	08:00 - 18:00
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It was noted by the Committee that there were three options namely;

- Grant the application, on the terms and conditions applied for
- Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

The following parties attended the hearing and took part in it:

Applicant

- Mr A

Objectors:

- A Member of Danbury Parish Council

Officers informed the Committee that during the course of the application, two representations had been received. One representation had been withdrawn when further information was provided regarding the conditions set by Essex Police. The Chair advised that the remaining written representation had been read and considered by the Committee in advance of the meeting.

The applicant addressed the Committee and responded to the issues raised in the objection of their application. They advised that the Think 25 policy would be enforced on every alcohol sale and they were aware that it was illegal to sell alcohol

under the legal age. They advised that they prioritise customer safety and that they were a roadside florist with no public footpath thus their business would only attract a certain type of client. In relation to drinking outside the premises, they advised that there were no public spaces where this would be possible and, should this issue arise, they would ban people if necessary.

A councillor representing Danbury Parish Council raised a few points in addition to their objection to the licence:

- They advised that there was a public footpath nearby where the shop would be accessible by foot.
- They were concerned regarding the signage of the shop impacting the visuals.
- Traffic would build up considering the road by the layby was busy.
- As the applicant was a lone trader, they were concerned about the safety as there were reports of robberies on two shops in the same layby and queried whether Essex Highways have considered this.

In response to the points raised by Danbury Parish Council, the applicant advised that:

- They would update the existing signage to include the sale of alcohol.
- They reiterated that during their seven years of trading, they had never encountered anti-social behaviour from their customers nor customers drinking by the layby.
- There were no footpaths leading to the layby unless customers would cross the grass verges.
- Regarding being a lone trader, they advised that a mobile phone would be always on them for emergency but emphasised that they had never experienced animosity from customers and advised that they would deal with it in an appropriate manner should they have a confrontation.

A member of the Committee noted that whilst there was a public safety aspect on the licensing objectives, they were unclear on whether the licensing authority would be concerned regarding the vulnerability of lone workers. The legal adviser advised that this could be considered, but it would be up to the applicant on how they work on that regard. The licensing officers advised that lone workers would normally have extra provisions. The applicant advised that extra staff would not be needed as there would be limited stock in their shop and that the alcohol sales would only be an opportunity to diversify and help their business.

The Committee thanked the applicant, member of the public, and the officers for their input and the decision would be made during the deliberation after the meeting. It was noted that due to the remote nature of the meeting, the decision would be circulated to all parties within a few working days via email.

RESOLVED that the Director of Public Places be authorised to grant the application on the terms applied for but subject to the imposition of the following conditions:

- 1) The Mandatory conditions and the conditions which were set out in Appendix C to the application.

Reason for Decision:

In reaching its decision, the Committee gave careful consideration to the application and relevant representations both written and made in the course of the hearing, having regard to the requirement to promote the licensing objectives. The Committee also took into account section 17 of the Licensing Act 2023, the current Statutory Guidance under section 182 effective from December 2022 and Chelmsford City Council's licensing policy.

The Committee carefully considered the concerns expressed by the objectors but considered that there was no evidence to indicate prospective harm at this stage.

The Committee was mindful of the fact that with the imposition of the conditions referred to, none of the responsible Authorities were objecting to the application.

(3.25pm to 3.47pm)

The meeting closed at 3.47pm

Chair



Chelmsford City Council Licensing Committee

13th November 2023

LICENSING ACT 2003 – APPLICATION FOR A NEW PREMISES LICENCE: OLD BARN, TWITTY GRANGE, TWITTY FEE, DANBURY, CHELMSFORD, CM3 4PG

Report by: Director of Public Places

Officer Contact:

Callum Roberts, Licensing Officer, Callum.Roberts@chelmsford.gov.uk, 01245 606202

Purpose

The purpose of this report is for members to consider a Premises Licence Application given by Larchcroft Trading Company, made under section 17 of the licensing act 2003, for a new premise licence in respect of Old Barn, Twitty Grange, Twitty Fee, Danbury, Chelmsford, CM3 4PG having regard to representations received and the requirement to promote the four licensing objectives. These are:

- a) The prevention of crime and disorder
- b) Public Safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Recommendations

Members are advised that they have the following options when determining this application.

- Grant the application, on the terms and conditions applied for
- Grant the application on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.

- Refuse the application in whole or in part.

An appeal in respect of any determination made in connection with this application may be made to the Magistrates Court, within 21 days of the notification given by the licensing committee, by the licence holder, Chief officer of police, or any other person making relevant representation.

1. Background and Introduction

- 1.1 The area proposed is a small supermarket located in rural Danbury.

2. Application

- 2.1 The application has been properly given in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as **Appendix A**.
- 2.2 A complete application was submitted on the 22nd of September 2023, and correctly advertised by placing blue public notices at the premises and by publication in a local paper and on Chelmsford City Council's website.
- 2.3 The new premises licence application provides for the following licensable activities as detailed below:
Sale or supply of Alcohol Monday – Sunday 08:00 – 22:00
- 2.4 Mr Gareth Parsons has been nominated as the designated premises supervisor having obtained a personal licence from Chelmsford Council.
- 2.5 The applicant has provided an operating schedule which promotes all four of the licensing objectives and has agreed additional conditions with Essex Police Licensing Unit.
- 2.6 Members are asked to note that as this report is available in the public domain, personal details have been redacted from some documents, however, both Authority and the applicant have received complete copies of all documents.

3. Representations

- 3.1 During the course of the application, Chelmsford City Council, in line with the Act, sent a copy of the application to all responsible authorities.
- 3.2 During the consultation period nine representations were received objecting to the application. A copy of these objections are shown as **Appendix B**
- 3.3 Please see attached the conditions agreed with Essex Police as **Appendix C**

- 3.4 Please find attached plans of the proposed licensable area as well as a image from google maps showing the surrounding area as **Appendix D**.

4. Conclusion

- 4.1 The Statement of Licensing Policy are brought to the attention of members and are as follows:
- Section 13. (Licensing Committee) Nothing in the section affects this application.
- 4.2 This application has been correctly submitted.
- 4.3 At the conclusion of this hearing members are advised to consider the options as previously recommended at the start of this report.

Appendices:

- Appendix A – Copy of the Premises Licence Application
- Appendix B – Copy of representations received from members of the public
- Appendix C – Conditions agreed with Essex Police
- Appendix D – Plans and Google maps image

Background reading:

Application held by licensing authority

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: As per that required by legislation

Relevant Policies and Strategies: Statement of licensing policy



Chelmsford City Council
Application for a premises licence
Licensing Act 2003

For help contact
licensing@chelmsford.gov.uk
 Telephone: 01245 606727

* required information

Section 1 of 21

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

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

Your reference 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

* Family name

* 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

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Director

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Bromley Barns

Street

Harwich Road

District

Great Bromley

City or town

Colchester

County or administrative area

Postcode

CM3 4PG

Country

United Kingdom

Agent Details

* First name

* Family name

* E-mail

Main telephone number

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

☐ A private individual acting as an agent**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

PcLicensing

If your business is registered, use its registered name.

VAT number

-

None

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

Legal status

Sole Trader

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 21****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

☒ Address ☐ OS map reference ☐ Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Limited company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

 / /

* Nationality

Documents that demonstrate entitlement to work in the UK

Section 5 of 21**OPERATING SCHEDULE**

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

dd mm yyyy

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

dd mm yyyy

Provide a general description of the premises

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

This is a new retail shop, access is restricted to members of the Plymouth Brethren Community only and as such any sales of alcohol are not available to the general public.

Essentially the venue is a mini supermarket where profit from sales go toward educational programmes within the Plymouth Brethren Community. There are approximately 200 adult members of the community that will shop at this premises.

Continued from previous page...

Procedures to promote the licensing objectives are in place and there have been no concerns with upholding such objectives in over 40 similar sized, maintained, Campus&Co. stores in the UK.

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

Section 6 of 21**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

Continued from previous page...

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes☒ No**Section 13 of 21****PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

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

☐ Yes☒ No**Section 14 of 21****LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☐ Yes☒ No**Section 15 of 21****SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes☐ No**Standard Days And Timings****MONDAY**Start End Start End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End

Continued from previous page...

SATURDAY

Start 08:00

End 22:00

Start

End

SUNDAY

Start 08:00

End 22:00

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 in the column on the left, list below

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

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

Name

First name

Garth

Family name

Parsons

Date of birth

 / /
 dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)Issuing licensing authority
(if known)**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

Section 16 of 21**ADULT ENTERTAINMENT**

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Section 17 of 21**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start 08:00

End 22:00

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

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

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

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

Section 18 of 21

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. any faults in the CCTV system
 - f. any visit by a relevant authority or emergency service.
2. The premises licence can only be utilised while the whole premises is used solely by the Plymouth Brethren Community and must not be open to the wider general public

b) The prevention of crime and disorder

3. CCTV shall be installed, operated and maintained at all times that the premises is open for licensable activities, so as to comply with the following criteria;
 - The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and time of the person checking, shall be kept and made available to police or authorised council officers on request
 - The police and local authority must be informed if the system will not be operating for longer than one day of business for any reason
 - One camera will show a close-up of the entrance to the premises, to capture a clear, full-length image of anyone entering
 - The system will provide coverage of any exterior part of the premises accessible to the public
 - The system shall record in real time and recordings will be date and time stamped
 - Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to police or authorised council officers on request, (subject to the Data Protection Act 1998) within 24 hours of any request, and
 - At all times the premises are open for licensable activity, there will be a person on the premises who can operate the system sufficiently to allow police or authorised council officers to view footage on request
 - Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.
 - All CCTV electrical and data storage equipment shall be connected via a surge protected extension lead/cable.
4. Signage stating that CCTV is in operation at the premises will be clearly displayed at the premises
5. The use of CCTV at the premises will be registered with the Information Commissioners officer (ICO)
6. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale, a description of the person who was refused service and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by authorised officers of the council and the Police upon request.

c) Public safety

8. A first aid box will be available at the premises at all times
9. A fire safety risk assessment will be completed as per government guidelines on an annual basis (Regulatory Reform (Fire Safety) Order 2005) And produced to authorised officers of the council, the Police and the Fire Service upon request.
10. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

Continued from previous page...

d) The prevention of public nuisance

11. The premises shall prominently display signage informing customers to leave the premises quietly and to respect the neighbours

12. The removal of rubbish to outside the premises will not take place between the hours of 9pm and 7am

e) The protection of children from harm

14. Notices and/or posters advertising the Challenge 25 policy shall be placed in prominent positions at the premises.

15. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act. specifically in regard to age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs.

16. All such training is to be fully documented and signed by not only the employee but the person delivering the training. Training records shall be kept at the premises and made available upon request to either Police Officers or an authorised officer of the council. Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to;

- The premises age verification policy
- Dealing with refusal of sales
- Proxy purchasing
- Identifying attempts by intoxicated persons to purchase alcohol
- Identifying signs of intoxication

17. Such training sessions are to be documented and refreshed every twelve months. All training sessions are to be documented in English. Records of training shall be kept for a minimum of one year and be made available to an authorised officer of the council and the Police upon request.

Section 19 of 21**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21**NOTES ON REGULATED ENTERTAINMENT**

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21**PAYMENT DETAILS**

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

* Fee amount (£)

100.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS****Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

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

* Capacity

Date (dd/mm/yyyy)

Add another signatory

Continued from previous page...

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.chelmsford.gov.uk/business/licensing/alcohol-licensing/premises-licence/apply-for-a-new-premises-licence/> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

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

Redacted representations received in relation to a New Premises Licence for the Old Barn, Twitty Grange, Twitty Fee, Danbury, CM3 4PG

Representation 1

From:

Sent: Friday, October 6, 2023 4:45 PM

To: Licensing <Licensing@chelmsford.gov.uk>

Subject: New premises licence application Applicant Larchcroft Trading Company Limited Address Old Barn, Twitty Grange, Twitty Fee, Danbury, CM3 4PG

I wish to make representations about this application for the following reasons.

There was an application 22/02109/FUL which has been granted for a retail members club for 75 people at this site. The opening hours agreed are Mondays to Fridays 8am to 9pm, Saturdays 8am to 12pm.

Application 22/02109/FUL was granted for one member per hour on average accessing the site, and the use of the site would be limited as stated. The decision made by the Director of Sustainable Communities also includes

Condition 7 which states:

The retail club shall only be open to members of the club and deliveries shall only be taken at or dispatched from the site at the following hours Mondays to Fridays 8am to 9pm, Saturdays 8am to 12pm.

The reason given is in the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 8 states:

The development hereby permitted shall only be operated as a members only retail club for Chelmsford Gospel Hall Trust Members in the Chelmsford/Danbury area. The retail members club shall be limited to no more than 75 club members at any one time.

The reason given is in the interest of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan. In the interest of protecting the intrinsic character and beauty of the countryside in accordance with policy DM10 of the Chelmsford local plan. also in the interest of highway safety.

The Liquor Licence application is for 200 people open seven days a week 8.00 hrs to 22.00 hrs.

This liquor licence application will increase numbers onto an already restricted protected lane and contravene the above Conditions. Who will police these numbers?

Why the discrepancy in the number of people who will have access, if the retail shop is already open at the above times why are the extra numbers and hours required?

There are already sufficient outlets in Danbury to purchase off sale up to 10 pm.

Campus and Co part of the Larchcroft Trading Company state on their website the following:

"Our Superstores are run by a global team of volunteers, with all profits given back to the Community, making us unique to any other supermarket chain world wide. We are in an exciting growth phase globally, whereby we are looking to expand our store sizes, multiply locations, and partner with new suppliers.

Above all, we are here for our customers. Our core focus is fair priced groceries, for families. This is complimented by a consistent shopping experience, one that is rewarding, safe, and family friendly."

Nowhere does the website mention that it is only open for members of the Plymouth Brethren, not the local community. Or will this then be open for more people in the future?

This is a restricted operation to a few people of this secretive church and brings no benefit to the local community or businesses, indeed it will reduce the local economy.

This site is totally unsuitable for the sale of alcohol as it is on a field on a tiny protected lane.

There have already been occasions when this lane has been blocked by members of this community stopping residents from accessing their homes.

I see no reason at all for granting this application.

Representation 2

From:

Sent: Friday, October 6, 2023 4:14 PM

To: Licensing <Licensing@chelmsford.gov.uk>

Subject: Licence application

Larchcroft Trading Co. Ltd, Old Barn, Twitty Grange, Twitty Fee, Danbury CM3 4PG.

I wish to make representation about the application for a premises licence at this site.

- The barn in question is sited on a single track lane with no passing places, it is a protected lane. Work is already underway on the barn and the lane has 3 times been blocked by the members cars, with residents unable to get to their houses. (public nuisance)

- The change of use permission was granted for the use of the distribution centre to be available for 75 members . (condition 8) I am curious as to how anyone is going to be 'policing' this and making sure no more than this number access it. The licence application talks of 200 adult members, this does not seem to make sense, it would be far more traffic movements and people.
- The site is very rural and once local 'undesirables' hear that alcohol is stored there it will surely be a temptation to try and access it. (prevention of crime)
- I think the area is totally unsuitable for the sale of alcohol, basically it is a field on a tiny lane. (I hope someone will go to view the site)
- There are already 3 establishments in Danbury offering off sales of alcohol open until 10.00 p.m. daily and there are also several popular pubs. I do not see the need for any more licensed premises, especially one that is elitist (the only word I can think of to describe the fact you have to be a member to go shopping there). Why are these local people not using the local facilities? I see all the proceeds will go to education within their own organisation, nothing for the local community which will have to live with the disruption. (other alternatives are available)
- I fail to understand why there is any need to be able to sell alcohol from 8.00 a.m. to 22.00p.m., adding an extra hour onto the time granted by the planning consent. Is there to be no respite from this?The application includes Sunday trading too, which is not approved on the planning consent. 7 days a week seems really excessive to me. At that rate, with 200 members, 7 days a week there could be 30 cars a day extra going down this protected lane. (With 75 allowed that is 2.7 visits a day, pity the bored volunteer.)
- The people of this area are used to the timber mill and other smaller businesses and we manage to deal with the traffic movements because they are not all day, and everyone is tolerant. From the experience we have had with 3 occasions the lane was blocked these 'members' are not tolerant and are focussed on their own ends and Community not the local community.

I sincerely hope the Licensing committee will realise that this is a spurious application for a totally unnecessary licence to sell alcohol, in a rural area albeit near a village with sales available already.

Representation 3

Dear Sir/Madam,

Please accept this communication as a representation against the grant of a licence for the off sale of alcohol Monday to Sunday between the hours of 8.00am and 10.00pm` .

Officers will no doubt be aware that current conditions restrict the operation of this facility as follows:-

(22/02109/FUL :Condition 7) The retail club shall only be open to members of the club and deliveries shall only be taken at or dispatched from the site between the following hours: 8am – 9pm - Mondays - Fridays; and 8am – 12pm - Saturdays.

Reason: In the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

The application therefore would involve operation outside of the existing agreed days and times.

Issues related to traffic and lighting nuisances have already been reported as breaches of existing conditions and consequently residents and business owners have genuine concerns regarding public safety in this protected lane.

The application is for a premises licence .This operation has been described through various recent planning applications as a retail unit for a **members club only**, with no public trade serving 75 households in the vicinity of Danbury and that the site would be managed by the members of the club.

The licence application is understood to be for 200 people. Clearly a disparity. It was also stated that "the level of trips generated by the members to the site would be low and managed via a booking system, which is already implemented at other similar sites managed by this club across the country. It was expected that on average there would be no more than 1 member per hour accessing the site."

It should be noted that there is no evidence available to determine if such a booking system has been implemented on this site. Recent evidence suggests that either it hasn't, or if it has, is not functioning as described.(See photo attached).



Since this organisation appears to be a "Qualifying" club, this application on behalf of the club should be resubmitted as a request for a Club premises Certificate according to the revised guidance issued under section 182 of the Licensing Act 2003 dated August 2023.

If a licensing committee is for some reason minded to grant any sort of licence then there should be a stipulation that alcohol sold is strictly to the 75 members of the club for consumption off the premises.

Representation 4

yourenquiry

My representation relating to the Old Barn Twitty Fee licensing application is as follows.

Allowing a licence for the use of 200 people (in contravention to the allowed planning stipulation of 75 members) will intensify the road traffic on what is a narrow single protected countryside lane. This in itself is a both a public nuisance, and risks the safety of all that use this lane. Dog walkers, other pedestrians, cyclists, horse riders; of all ages including many children would be put at elevated risk of harm.

The car park is inadequate for the intended volume of users. And there is evidence already of gridlocked traffic, even prior to opening of this 'club' or 'shop' or 'supermarket', whichever of these it actually is.

This country lane has no street lights (and not will it ever given its protected status) and the intended hours of use being applied for (which are outside of the agreed planning stipulations) would lead to elevated risks with 'members' using this lane during evening hours. Furthermore excessive car lights travelling along the lane in hours of darkness would be a nuisance to local residents.

The planning approval stipulated that the shutter should remain, this has been ignored and removed. And whilst that is a planning enforcement issue, in itself this makes the barn, which is in the middle of a rural location, a prime opportunity and target for criminal activity, increasing and not preventing crime and disorder.

In addition, this breach (the removal of the shutter) and the light pollution (driven by a second breach of working into the evening hours) is already a nuisance, given the glass frontage is like a torch light across the fields into local residents houses.

Finally, Intensified traffic also brings about air pollution which again is a public nuisance.

Representation 5

firstname

yourenquiry

My representation relating to the Old Barn Twitty Fee licensing application is as follows.

Allowing a licence for the use of 200 people (in contravention to the allowed planning stipulation of 75 members) will intensify the road traffic on what is a narrow single protected countryside lane. This in itself is both a public nuisance, and risks the safety of all that use this lane. Dog walkers, other pedestrians, cyclists, horse riders; of all ages including many children would be put at an elevated risk of harm.

The car park is inadequate for the intended volume of users. And there is evidence already of gridlocked traffic, even prior to opening of this 'club' or 'shop' or 'supermarket', whichever of these it actually is.

This country lane has no street lights (and not will it ever given its protected status) and the intended hours of use being applied for (which are outside of the agreed planning stipulations) would lead to elevated risks with 'members' using this lane during evening hours. Furthermore excessive car lights travelling along the lane in hours of darkness would be a nuisance to local residents.

The planning approval stipulated that the shutter should remain, this has been ignored and removed. And whilst that is a planning enforcement issue, in itself this makes the barn, which is in the middle of a rural location, a prime opportunity and target for criminal activity, increasing and not preventing crime and disorder.

In addition, this breach (the removal of the shutter) and the light pollution (driven by a second breach of working into the evening hours) is already a nuisance, given the glass frontage is like a torch light across the fields into local residents houses.

Finally, Intensified traffic also brings about air pollution which again is a public nuisance.

Representation 6

Dear Sir/Madam

Re: Licensing Application

Old Barn Twitty Grange Twitty Fee Danbury Chelmsford Essex
CM3 4PG

I wish to make a representation against on the above applicant for the sale/supply of Alcohol Monday-Sunday between 8am-10pm.

Officers will be aware of the current restrictions this establishment have with their approved planning - 22/02109/FUL. I recognise this is a planning consideration, but I am trying to put some context into the issues.

The agreed opening hours are Mondays to Fridays 8am to 9pm, Saturdays 8am to 12pm. This forms part of the conditions why the change of use was approved.

Condition 7 which states:

The retail club shall only be open to members of the club and deliveries shall only be taken at or dispatched from the site at the following hours Mondays to Fridays 8am to 9pm, Saturdays 8am to 12pm.

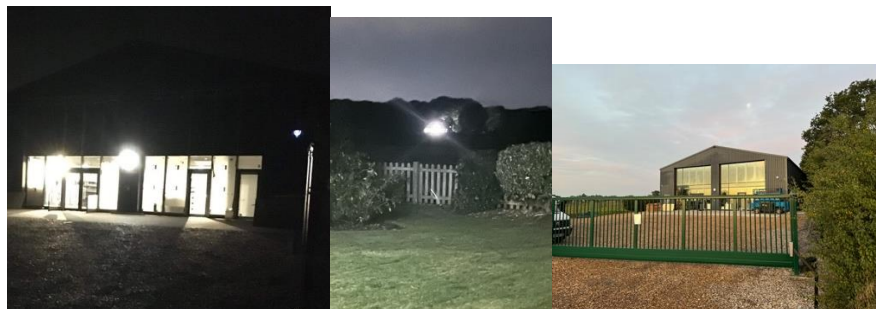
The reason given is in the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

The applicant would be operating outside of these hours highlighting potential safety issues and public nuisance. The approved membership is for no more than 75 members, this application is asking for 200 members which is significantly more Contravening Condition 8 and Policy DM29. (I understand this is a planning consideration).

Points of licensing to consider:

Prevention of Crime and disorder- There is a risk with the storage of alcohol inside the supermarket (should be distribution warehouse not a supermarket) could attract anti-social behaviour such as break-ins. There doesn't seem to be any deterrent in place to prevent this happening- the open lit glass frontage is an open invitation. The planning application stated that the use of the Shutters should remain and used when the Barn is not open- to protect the local area from light pollution.

These shutters would be a strong deterrent for potential thieves. The lights remain on late into the night when the building is closed.

**Public Safety:**

With an increase of 75 members to 200 members there is no evidence how this will be managed. Twitty Fee is a protected narrow lane. Twitty Fee is frequently used by runners, cyclists, walkers, dog walkers and young horse riders to gain road experience. Access to the Danbury Ridge Nature Reserves (Scrubs Wood, Woodham Walter Common, Pheasanthouse wood, Robins Wood, etc.) together with the footpaths running alongside and across Warren Golf Course.

The planning application is for 75 members- indicating that the 200 members are outside of Danbury. You may be aware of the concerns raised by others regarding traffic management or lack of! The design of the car park only permits 6 cars at any one time- the Director of Sustainable Communities stated that no more than 1 member per hour accessing the site and the impact of the rural setting would be minimal and managed by a booking system. Highways was consulted and had objection, with the information was given- no more than 75 members and traffic management plan. With the increase of membership to 200 this area will get extremely busy and put users of the area at risk. As the picture below highlights any emergency vehicle would have an issue getting through, dangerous to pedestrians /users of the narrow lane.



Prevention of Public Nuisance

The increase of traffic and noise for 14 hours will significantly increase. (see attached pictures) This will impact nearby residents with noise, light pollution from the building and car headlights. Increase in exhaust fumes making poor air quality, also a risk to the safety of users of this area on a daily basis- walkers, cyclists, horse riders etc. There is no management plan to stop vehicles using the very narrow adjoining Hopping Jacks Lane.

If the licensing committee are minded to grant a license for the sale/supply of alcohol, considerations should be to be sold during the operational hours of the approved planning application, limited to no more than 75 members (22/02109) as attached conditions.

Thankyou.

Kind regards

Representation 7

From:

Sent: Monday, October 16, 2023 1:06 PM

To: Licensing <Licensing@chelmsford.gov.uk>

Subject: New Premises Licensing Application: Larchcroft Trading Company Ltd

I wish to make representations about this application for the following reasons.

There was an application 22/02109/FUL which has been granted for a retail members club for 75 people at this site. The opening hours agreed are Mondays to Fridays 8am to 9pm, Saturdays 8am to 12pm.

Application 22/02109/FUL was granted for one member per hour on average accessing the site, and the use of the site would be limited as stated. The decision made by the Director of Sustainable Communities also includes

Condition 7 which states:

The retail club shall only be open to members of the club and deliveries shall only be taken at or dispatched from the site at the following hours Mondays to Fridays 8am to 9pm, Saturdays 8am to 12pm.

The reason given is in the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 8 states:

The development hereby permitted shall only be operated as a members only retail club for Chelmsford Gospel Hall Trust Members in the Chelmsford/Danbury area. The retail members club shall be limited to no more than 75 club members at any one time.

The reason given is in the interest of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan. In the interest of protecting the intrinsic character and beauty of the countryside in accordance with policy DM10 of the Chelmsford local plan. also in the interest of highway safety.

The Liquor Licence application is for 200 people open seven days a week 8.00 hrs to 22.00 hrs.

There has been disruption over the last few weeks when cars have blocked the lane stopping workers leaving TwittyFee and homeowners returning home.

It does not seem acceptable that this club can increase their membership from 75 to 200 members and by this increase the traffic down this protected lane.

If a licensing committee grants this licence then there should be a stipulation that alcohol sold is strictly to the 75 members of the club and also between the original hours granted. The opening hours agreed are Mondays to Fridays 8am to 9pm, Saturdays 8am to 12pm.

The lane is very busy with walkers,dog walkers. and horse riders especially at weekends and the added traffic will be a danger to all.

Yours sincerely

Representation 8

Parish Clerk: Michelle Harper

Parish Office

The Old School House, Main Road, Danbury

Chelmsford, CM3 4NQ

Tel: 01245 225111 Email: parish.council@danbury-essex.gov.uk

DANBURY PARISH COUNCIL

19 October 2023

By Email: Callum.roberts@chelmsford.gov.uk

Dear Mr Roberts

New Premises Licence Application: Old Barn, Twitty Grange, Twitty Fee, Danbury, Chelmsford, CM3 4PG

Danbury Parish Council objects to this application on the grounds of Prevention of Public Nuisance and Public Safety. In this representation, the Parish Council makes reference to planning application 22/02109/FUL to provide context to and support its objection.

This licensing application seeks a licence for the sale or supply of alcohol everyday between 08.00 and 22.00.

This is an extension beyond the current opening hours set out in condition 7 of granted planning application 22/02109/FUL of Monday to Friday 08.00 to 21.00 and Saturdays 08.00 to 12noon. The condition is in the interest of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

The Parish Council considers that opening hours in excess of those agreed in condition 7 will cause nuisance to the occupiers of neighbouring dwellings, recreational users of the lane (particularly at the weekends) and will be detrimental to the intrinsic character of the countryside and Twitty Fee which is a Protected Lane.

The licensing application states that the use will be for 200 adult members which would appear to be an increase from the 75 members set out in condition 8 of the planning application. This condition is in the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan and protecting the intrinsic character and beauty of the countryside in accordance with Policy DM10 of the Chelmsford Local Plan. Also, in the interest of highway safety.

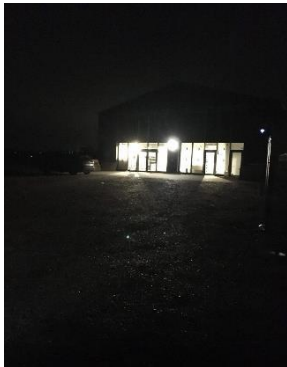
The Parish Council considers that if this does constitute an increase in members using the retail club, then this may result in further nuisance and a risk to public safety due to the increase in traffic movements along Twitty Fee for which there does not appear to be an updated traffic management plan.

Nuisance to the occupiers of neighbouring dwellings

Noise: From traffic movements late at night along the narrow, rural protected lane.

Increased traffic movements: there does not appear to be an updated traffic management plan to reduce intensification of the lane and ensure that onsite parking provision is sufficient to avoid parking on Twitty Fee.

Light pollution: light emanating from the barn is very bright, particularly as there is no street lighting along Twitty Fee.



1.1. Nuisance and risk to highway safety of members of the public (including runners, dog walkers, cyclists, pedestrians, horse riders and vehicles accessing local businesses)

Increased traffic movements along what is a quiet lane, particularly at the weekends, will cause a nuisance to recreational users. Twitty Fee is a narrow, protected lane with narrow verges; no footways; no street lighting and limited passing places with the potential to bring vehicles into conflict with each other and recreational users. The lane is used to access Public Footpath 21, the Danbury Ridge Nature Reserves and a small number of businesses.

With the lack of street lighting, there is less security for people working at and using the retail club at night.

Yours sincerely,

Lesley Mitchelmore (Assistant Clerk to Danbury Parish Council)

Representation 9

yourenquiry

My representation relating to the Old Barn Twitty Fee licensing application is as follows.

Allowing a licence for the use of 200 people (in contravention to the allowed planning stipulation of 75 members) will intensify the road traffic on what is a narrow single protected countryside lane. This in itself is a both a public nuisance, and risks the safety of all that use this lane. Dog walkers, other pedestrians, cyclists, horse riders; of all ages including many children would be put an elevated risk of harm.

The car park is inadequate for the intended volume of users. And there is evidence already of gridlocked traffic, even prior to opening of this 'club' or 'shop' or 'supermarket', whichever of these it actually is.

This country lane has no street lights (and nor will it ever given its protected status) and the intended hours of use being applied for (which are outside of the agreed planning stipulations) would lead to elevated risks with 'members' using this lane during evening hours. Furthermore excessive car lights travelling along the lane in hours of darkness would be a nuisance to local residents.

The planning approval stipulated that the shutter should remain, this has been ignored and removed. And whilst that is a planning enforcement issue, in itself this makes the barn, which is in the middle of a rural location, a prime opportunity and target for criminal activity, increasing and not preventing crime and disorder.

In addition, this breach (the removal of the shutter) and the light pollution (driven by a second breach of working into the evening hours) is already a nuisance, given the glass frontage is like a torch light across the fields into local residents houses.

Finally, Intensified traffic also brings about air pollution which again is a public nuisance.

From: Licensing Chelmsford and Maldon
Sent: Monday, September 25, 2023 2:50 PM
To: Licensing <Licensing@chelmsford.gov.uk>
Subject: NEW GRANT - Old barn

Good afternoon ,

Having been negotiations with the applicants agent the following conditions were agreed :

A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or

Ministry of Defence Identity Card

I have attached the email chain agreeing to these conditions , if these conditions can be added to the premises licence Essex Police have no further representations .

Thank you



Brooks Bros

JLR Mobile Detailing

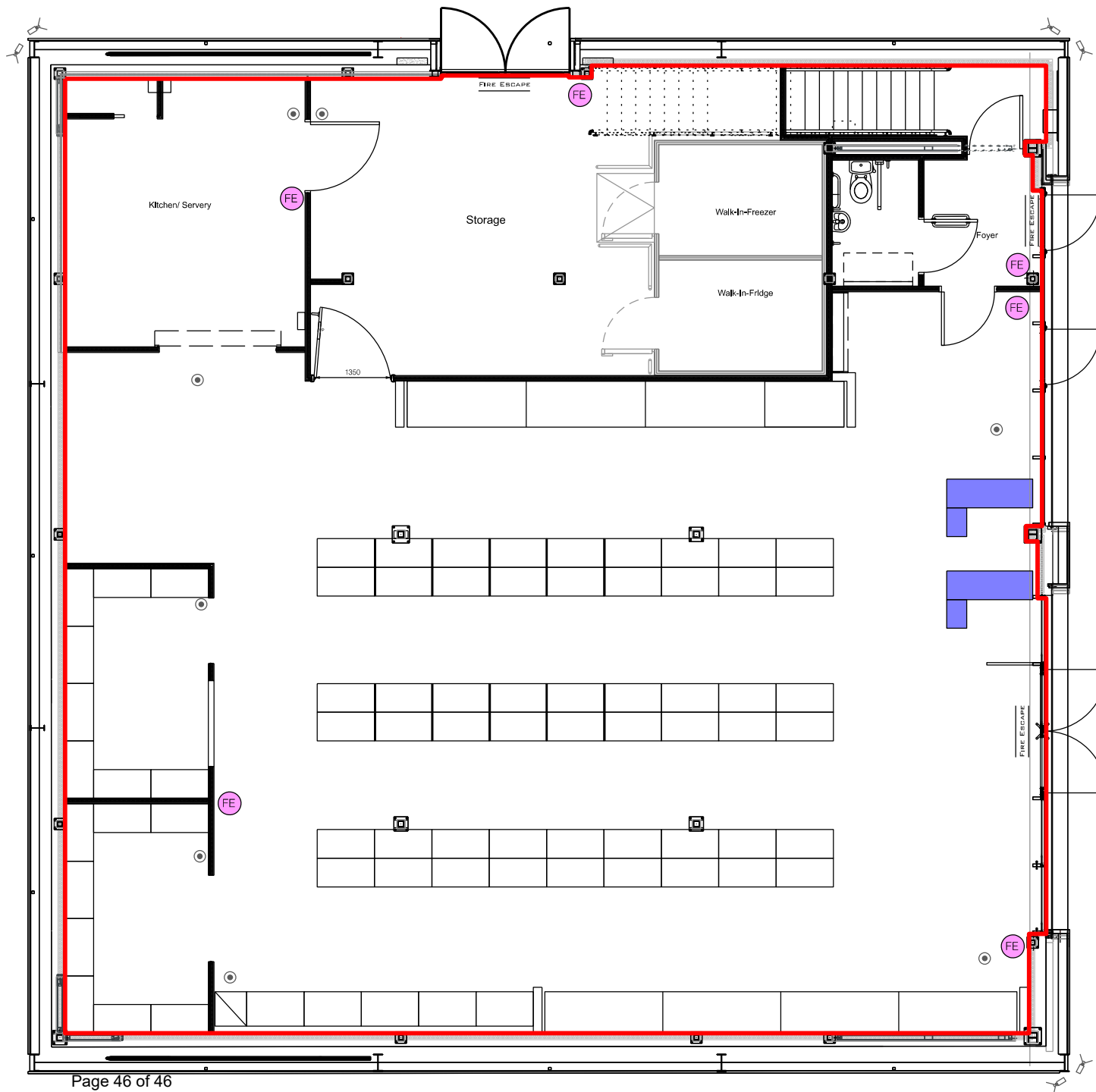
Jaytrade UK

Willow Social

ed Life Coach Near
Suzanne Aiston

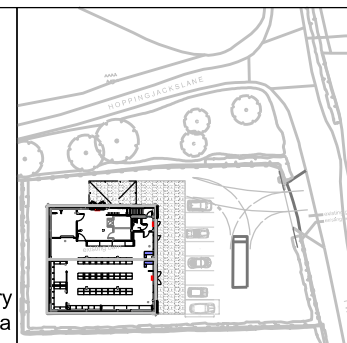
s Taxis

Auto Electrical



KEY

- FE Fire Fighting Equipment
- CCTV Camera
- Display Units
- Counter
- Building Boundary & Licensable Area



Project Number:
TF-DAN

Project Address:
OLD BARN, TWITTY FEE,
DANBURY, CM3 4PG.

Description:
ALCOHOL LICENSE PLAN

Rev	Description	Date
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Drawing number	TF-DAN-P9-AL
Date	30/08/2023
Drawn by	MS
Checked by	
Scale	1:100@A4 1:1250@A4

SIG Design

SIG Design ©
1 Goldlay Avenue
Chelmsford
Essex
CM2 0TL

T: +44 (0)794 6795314
E: martin@sigdesign.co.uk
W: www.sigdesign.co.uk