

Licensing Committee Agenda

HEARING TO CONSIDER A FULL VARIATION OF A PREMISES LICENCE APPLICATION

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

8th August 11am

Remote Meeting

MEMBERS OF COMMITTEE INVITED TO ATTEND HEARING

Councillor D. Clark (Chair)

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

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 Freddey Banks-Ayres in the Democracy Team on Chelmsford (01245) 606621 or email freddey.banks-ayres@chelmsford.gov.uk.

Licensing Committee

8th August 2025

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 18th July 2025.

4.Licensing Act 2003 – Application for a Full Variation of a Premises Licence: The Courtyard, 12 Baddow Road, Chelmsford, CM2 0DG

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 18th July 2025 at 11am

Present:

Councillor D. Clark (Chair of Hearing)

Councillors Hawkins, Lee and Wilson

1. **Apologies for Absence**

No apologies for absence were received.

2. **Declaration of Interests**

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

3. **Minutes**

The minutes of the hearing held on 20th June 2025, were approved as a correct record.

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

The Committee considered an application for a Full Variation of a premise 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 Committee were informed that the application had sought permission for a variation to the provisions of; live and recorded music, late night refreshments and alcohol sales as detailed in Appendix B of the agenda item.

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 below parties attended and took part in the hearing:

- Applicant
- Members of the public

Officers informed the Committee that in response to the application, 24 representations had been received, one of which had been a joint representation from the City ward Councillors. The remaining were from members of the public. Six representations were withdrawn following discussions with the applicant.

The Committee was provided with the original premises license prior to the publication of the agenda.

Officers informed the Committee that the variation of the license was for the extension of the provision of live and recorded music inside the premises on Friday and Saturday to 12pm until 1am. Additionally, for the extension on the hours to serve hot food/drinks on a Friday and a Saturday from 11pm to 1am. The application also included use of an external bar as an area to serve customers on days of warm weather between the hours of 12pm to 11pm.

The applicant informed the Committee that they applied for the variation as in the report. The later provision of hot food and drink was due to concerns that customers would still be eating past 11pm and specified this in the variation application to cover themselves if people were still eating after this time. The applicant explained that the garden closes at 9pm and the variation was so that it could be used up until 11pm, however, in the agreed conditions the applicant would not use the beer garden/outdoor areas after 9pm on Sunday to Thursday and 10pm on Friday and Saturday.

The Committee heard from members of the public, who had submitted representations against the application. The objectors highlighted the concerns from their written representations which included, that the pub was located in a quiet, family-oriented residential estate, directly surrounded by homes, including those with young children and elderly residents. Neighbours reported a range of serious and ongoing issues already associated with the venue, including excessive noise from music, patrons and the extractor fan from the kitchens, shouting, fights, and antisocial behaviour such as purported drug use, public urination and smashed glass.

Residents shared that they felt unsafe in their own homes and gardens, with some reporting that glasses and bottles had been thrown into private gardens from the pub's outdoor areas. Representations were made stating that the pub's structure was not soundproofed, meaning that music and noise carried into nearby homes, especially during warmer months when windows were open. Parents were worried about the impact on their children's sleep and wellbeing.

Some residents acknowledged positive changes under new ownership, it was argued that commercial success should not come at the expense of the community's safety, peace, and quality of life. It was highlighted that some representations had

voiced concerns and complaints to environmental health but had felt that they were not being heard by Chelmsford City Council.

In response to questions from members of the Committee, the applicant confirmed that under the new proposed license the garden would actually close earlier than it did under the current license. A question was asked in relation to the outside bar that was being proposed, the applicant stated that the bar was renovated and was used by previous owners however it was noted by officers that the outside bar was not on the original license.

The Committee thanked the attendees and 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 during the remote hearing.

RESOLVED as follows:

A. Provision of Live Music and Recorded Music (08:00 – 23:00)

The Director of Public Places be authorised to GRANT the variation application in respect of the provision of live and recorded music between 08:00 – 23:00 Mondays to Sundays.

Reasons for this decision

- 1) The Committee noted that under sections 177A-B of the Licensing Act 2003 (as amended by the Live Music Act 2012 and the Deregulation Act 2015), the provision of live and recorded music between 08:00 and 23:00 to an audience of no more than 500 persons on premises licensed for on-sales of alcohol falls outside the definition of “regulated entertainment” provided that at the time when the live and/or recorded music takes place the relevant licensed premises (‘The Clay Pigeon’) are open to the public for the sale of alcohol for consumption on the premises. and does not therefore require a licence.
- 2) It follows, therefore, that notwithstanding the application, no authorisation is required (as the law presently stands) for the provision of live music and recorded music at The Clay Pigeon at any time between the hours 12:00 and 23:00 provided the premises are open to the public for sale of alcohol for consumption on the premises. The Council, as the Licensing Authority, has no power on an application of this kind to cut back on or otherwise interfere with the scope of these deregulation rights. (The legal position is different if the licence comes back to the Committee for review.)

- 3) Technically, the application for the provision of live music and recorded music during these hours is still to be regarded as valid to the extent that it seeks authorisation for the provision of live music and recorded music in the very limited scenarios where the deregulation rights do not apply.
- 4) In the light of the deregulation rights, there is no basis for the Sub-Committee to refuse the application.

B. Provision of Live Music and Recorded Music (Fridays & Saturdays: 23:00 – 01:00)

The Director of Public Places be authorised to REFUSE the variation application in respect of the provision of live and recorded music between 23:00 – 01:00 on Fridays and Saturdays.

Reasons for this decision

- 1) In reaching its decision the Committee gave careful consideration to the application and the relevant representations both written and made in the course of the remote hearing. The Committee also had regard to the current statutory guidance issued under section 182 and Chelmsford City Council's licensing policy.
- 2) The Committee was mindful of the overriding requirement that all decisions on licensing applications must be evidence based.
- 3) The Committee had given due weight to the fact that there were no objections to the application from any of the Responsible Authorities.
- 4) The Committee also took into account the fact that Public Health and Protection Services, whilst not objecting to the application, had requested that certain conditions be attached to the grant of any varied licence and had agreed these proposed conditions with the Applicant. These proposed conditions are set out in Appendix E to the Committee report.
- 5) The Committee did, however, have serious concerns about the potential for public nuisance and especially noise nuisance if the provision of live and recorded music were permitted to take place on Fridays and Saturdays between the hours of 23:00 and 01:00. Although the Committee was required to have due regard to the fact that Public Health and Protection Services had not raised any objections to the application, having agreed proposed conditions with the applicant, this did not preclude the Committee from assessing the

potential for prospective harm and reaching its own findings, based on the evidence available and its own local knowledge of the area. Indeed, under the Licensing Act 2003 the Committee was required to undertake this exercise and reach its own findings.

- 6) A significant number of objections to the application had been received from local residents, many of whom lived in very close proximity to The Clay Pigeon. These objections are set out at Appendix D to the Committee report, and it is not necessary to reproduce them in this decision notice. A number of these objectors attended the hearing to amplify or expand on their concerns. In particular, concern was expressed by the objectors that if live and/or recorded music were permitted to continue after 23:00 and up until 01:00 then this would result in noise that would substantially and unreasonably interfere with people's sleep and use and enjoyment of their homes. Young children would be especially affected by such. The objectors had stated that they had already experienced high levels of noise (e.g. music and patrons shouting over the music to be heard) emanating from The Clay Pigeon which could be heard from within their own homes. It was even worse during warm days/evenings when they had their windows open. Reference had been made by objectors to The Clay Pigeon, by reason of its age/construction, lacking adequate sound proofing. The applicant had not provided a response to this assertion.
- 7) The Committee noted and gave weight to the fact that The Clay Pigeon was located in the very heart of a residential area, being bordered on three sides by homes. It was not in dispute that that The Clay Pigeon was a well-established public house and feature of this housing estate. It had been there for many years. It appeared to the Committee that from the historic perspective The Clay Pigeon, by reason of its location, had been intended to operate as a community pub serving the local area and thus its character differed from, say, a public house located in, say, a busy city centre. There was evidence before the Committee that following a relatively recent change in ownership/management The Clay Pigeon had ventured into providing regular entertainment evenings, with the emphasis being on provision of music. Objectors had made reference to The Clay Pigeon being more like a nightclub or disco venue rather than a community pub.
- 8) Although the Committee was required to adopt an evidence-based approach it was not a court of law bound by formal rules as to admissibility of evidence. It was entitled to draw appropriate inferences from, among other things, the close proximity of the application premises to these residential properties and to objectors' accounts of being able to hear live/recorded music etc from their properties on occasions when the premises has been operating in the evening

under its current licence.

- 9) The Committee's starting point was that that a balance has to be struck and that residents who live in close proximity to an historic and long established public house must be prepared, up to a certain point, to tolerate some degree of noise and disturbance (including live/recorded music) emanating from such premises and that such noise or disturbance is likely to be accentuated in the Summer months when the days are longer and the evenings warmer and windows may be open.
- 10) However, the Committee was of the view that during the hours of 23:00 – 01:00 on Fridays and Saturdays many local residents would be looking to sleep or otherwise retire for the night. Furthermore, it was reasonable for the Committee to accept the objectors' assertions that many of the residential properties in close proximity to The Clay Pigeon were occupied by families with young children. Certainly, some of the objectors had made reference to having young children. Having regard to all the evidence, the Committee concluded that if live and recorded music were permitted after 23:00 and up to 01:00 on Fridays and Saturdays there would be the likelihood of local residents experiencing noise nuisance which could impact on their sleep or otherwise interfering with their enjoyment of homes at this late hour.
- 11) On balance, therefore, the Committee found that granting a licence for live or recorded music would undermine the licensing objective of preventing public nuisance, and that no proportionate or workable conditions were available to mitigate this impact.

C. Provision of Late Night Refreshment (Fridays & Saturdays: 23:00 – 01:00)

The Director of Public Places be authorised to GRANT the variation application in respect of the provision of late night refreshment (indoors) between 23:00 – 01:00 on Fridays and Saturdays.

Reasons for this decision

- (1) There was no evidence before the Committee to indicate that the provision of late night refreshment (e.g. coffee) during these hours on Fridays and Saturdays would undermine the licensing objectives. In reaching this finding, the Committee took into account the fact that patrons were precluded from accessing the beer garden after 23:00 and thus late night refreshment could not take place in this location after that time.

- (2) The Committee noted that under the Licensing Act 2003 a late night refreshment licence was only required for the provision of hot food or beverage at any time between the hours of 23:00 and 05:00. Accordingly, and irrespective of where on the premises the hot food or beverages were served, no licence was required for the other times as applied for by the applicant in their application form (at section 12).

D. Provision of external bar in beer garden

The Director of Public Places be authorised to REFUSE the variation application for the provision of an external bar in the beer garden as indicated on the variation application plan at Appendix C to the Committee report.

Reasons for this decision

- (1) The external bar was not shown on the plan attached to the current (2022) premises licence but did appear on the plan relating to this application.
- (2) The Committee took into account the close proximity of The Clay Pigeon to residential properties and the objectors' accounts of being able to hear noise (e.g. shouting) emanating from the beer garden when the premises has been operating in the evening under its current licence. The Committee considered that on balance the provision of an external bar in the beer garden could not be regarded as a minor variation, as its presence could impact adversely on the licensing objective of preventing public nuisance. In particular, the Committee shared the view of the objectors that the operation of an external bar in the beer garden was liable to result in a substantial number of patrons congregating at the bar (including patrons diverting or migrating from the main bar inside the building) and in consequence such bar could become a focal point for loud talking, shouting and the like, to the detriment of nearby local residents.

INFORMATIVE(S):

1) Ability to request review of licence

The Committee would remind the parties that if there is evidence of public nuisance or other problems relating to one or more of the other licensing objectives (e.g. crime and disorder) arising from the use of the premises under the licence then it is open to anyone to call for a review of the licence., in which case the matter would come back to the Committee. All requests for reviews must be supported by evidence showing that one or more of the licensing objectives have been undermined. If, however, on a review the Committee finds that there is

evidence that this is the case then the Committee can cut back on the scope of the licence and/or impose conditions, or in serious cases revoke the licence in its entirety.

2) Environmental Protection Act 1980 etc

If local residents consider that they are experiencing unreasonable levels noise emanating from The Clay Pigeon then they are advised to log the date, time, and duration of such incidents and in the first instance to contact the Council's Environmental Health out of hours service, who may send an officer to attend the scene and assess the situation. If the noise is considered by the officer to amount to a statutory nuisance then a noise abatement notice can be issued under the Environmental Protection Act 1990. Evidence of complaints, noise readings, and logging of incidents can be used to support a review.

The meeting closed at 1.35pm

Chair



Chelmsford City Council Licensing Committee

DATE: 8th August 2025

LICENSING ACT 2003 – APPLICATION FOR A FULL VARIATION OF A PREMISES LICENCE: THE COURTYARD, 12 BADDOW ROAD, CHELMSFORD, CM2 0DG

Report by: Director of Public Places

Officer Contact:

Simon Parnham, Licensing Officer, Simon.Parnham@chelmsford.gov.uk, 01245 606727

Purpose

The purpose of this report is for members to consider an application given by Darren Pratt, made under section 17 of the licensing act 2003, for a Full Variation of a premise licence in respect of The Courtyard, 12 Baddow Road, Chelmsford, CM2 0DG, 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 premises is located along Baddow Road. A map is provided as **Appendix A** for reference.

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 B**
- 2.2 The application form for the premises licence was received on the 16th June 2025. Due to advertising requirements, the consultation period started on the 19th June 2025 and concluded on the 16th July. This application has been correctly advertised by placing blue public notices at the premises, by publication in a local paper and on Chelmsford City Council's website.
- 2.3 The applicant is requesting an extension of the premises to include 14 Baddow Road and also the extension of permitted hours from 10am as per the current licence to an earlier time of 9am. (an additional licensing hour). As part of the proposed variation to the premises licence, the applicant is also requesting for licensable activities until 03:00 hours on certain non-standard days. These include Early May Bank Holiday Monday, Easter Monday, Spring Bank Holiday Monday, St. Patrick's Day, August Bank Holiday Monday, Christmas Eve, and New Year's Eve. Plans of the extended licensable area have also been submitted and are attached as **Appendix C**. I have also attached a copy of the current licence as **Appendix D** for reference.
- 2.4 Darren Pratt will remain as the DPS for The Courtyard as no change has been submitted for this.
- 2.5 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 the 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, three (3) representations were received, all objecting to the application on the grounds of public nuisance. A copy of the objections is attached as **Appendix E**.

4. Conclusion

- 4.1 Members are reminded that Section 13 of the Council's Statement of Licensing Policy relates to the procedures and responsibilities of the Licensing Committee. This includes the structure of sub-committees, the criteria for decision-making, the application of conditions, and the delegation of functions to officers.

Section 13 does not raise any procedural or policy issues that would affect the determination of this application.

- 4.2 This application has been correctly submitted and processed in line with the requirements of the Licensing Act 2003.
- 4.3 At the conclusion of this hearing, members are advised to consider the options set out in the recommendations section at the beginning of this report.

Appendices:

- Appendix A – Map
- Appendix B - Application
- Appendix C – Plans
- Appendix D – Current licence
- Appendix E – Representations

Background reading:

Application held by licensing authority

Corporate Implications

Legal/Constitutional: The Licensing Sub-Committee is acting in accordance with its powers under the Licensing Act 2003 and the Council's Constitution. The hearing has been convened in compliance with statutory procedures. Any party to the proceedings has the right to appeal the decision to the Magistrates' Court within 21 days of formal notification.

Financial: There are no direct financial implications arising from the determination of this application. However, the outcome may have an indirect impact on local economic activity and business rates.

Potential impact on climate change and the environment: The operation of the premises may lead to a slight increase in local traffic and waste production, though these are consistent with the commercial nature of the area.

Contribution toward achieving a net zero carbon position by 2030: The decision on this application is not expected to directly influence the Council's net zero carbon target. Sustainable operating practices by the applicant may indirectly support environmental objectives.

Personnel: There are no personnel implications associated with this report. Licensing staff have processed the application as part of their normal duties.

Risk Management: The Licensing Sub-Committee must ensure that its decision is made in accordance with the Licensing Act 2003, relevant statutory guidance, and the Council's Statement of Licensing Policy. This minimises the risk of legal challenge by way of appeal or judicial review.

Equality and Diversity: The application has been considered in line with the Council's duties under the Equality Act 2010. No equality or diversity concerns have been identified at this stage.

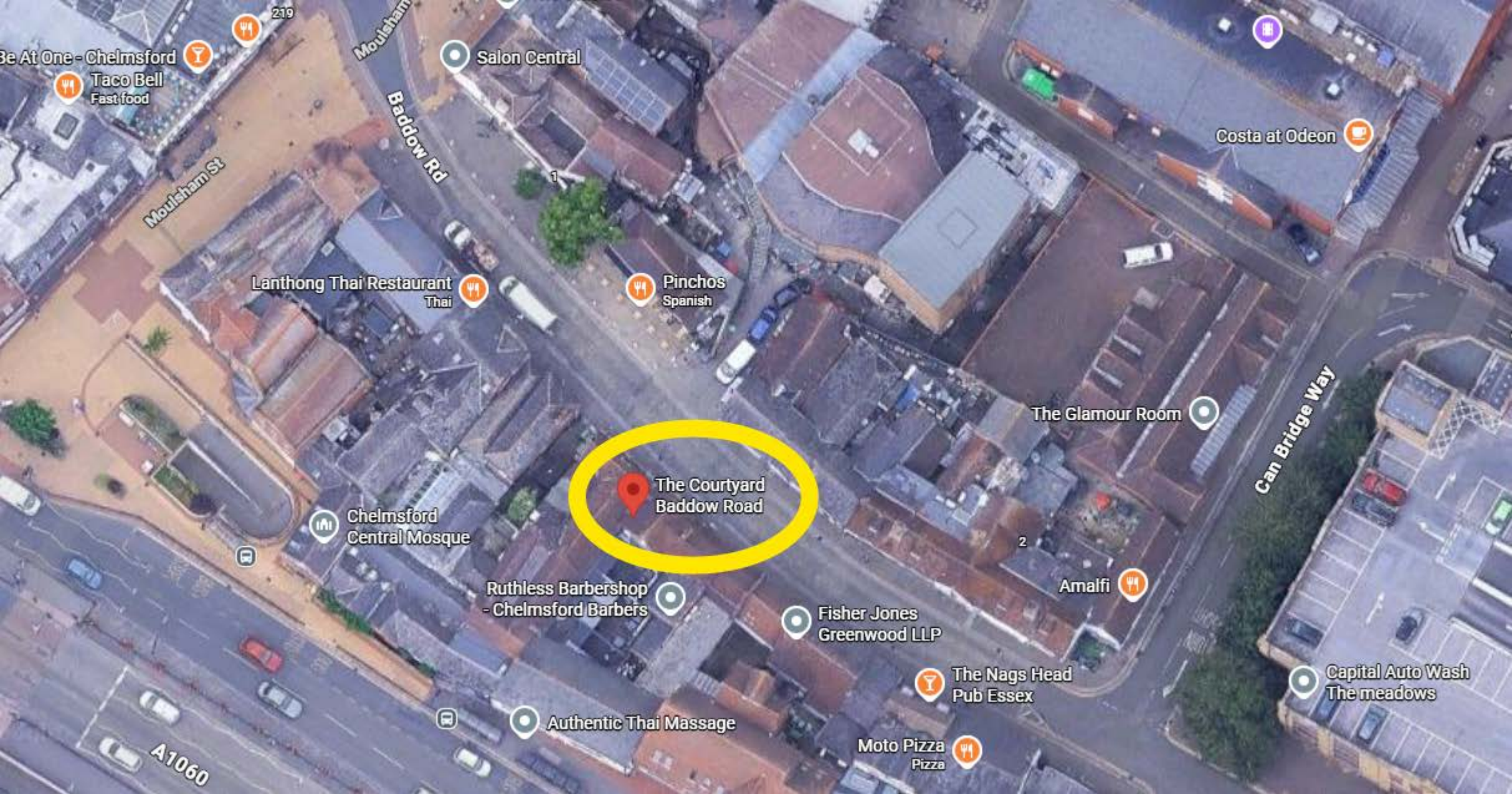
Health and Safety: There are no direct health and safety implications from this report. However, public safety is a core licensing objective that must be considered in determining the application.

Digital: None.

Other: None.

Consultees: As per required by legislation

Relevant Policies and Strategies: Statement of licensing policy



Be At One - Chelmsford
Taco Bell
Fast food

Moulisham St

Baddow Rd

Salon Central

Lanthong Thai Restaurant
Thai

Pinchos
Spanish

Costa at Odeon

The Glamour Room

The Courtyard
Baddow Road

Chelmsford
Central Mosque

Ruthless Barbershop
- Chelmsford Barbers

Amalfi

Fisher Jones
Greenwood LLP

The Nags Head
Pub Essex

Capital Auto Wash
The meadows

Authentic Thai Massage

Moto Pizza
Pizza

A1060

Can Bridge Way

APPENDIX B



Chelmsford City Council
Application to vary a premises licence
Licensing Act 2003

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

* 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

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

Name

First name

Family name

Contact Details

E-mail

Telephone number

Fax number

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

Is the applicant's business registered outside the UK?

☐ Yes ☒ No

APPENDIX B

Continued from previous page...

Commercial register

Registration number

11024020

Business name

DCM Associates Ltd

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

VAT number

GB

306258417

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

Legal status

Private Limited Company

Applicant's position in the business

Sole Director

Home country

United Kingdom

The country where the applicant's headquarters are.

Address

Building number or name

12 & 14

Street

Baddow Road

District

City or town

Chelmsford

County or administrative area

Essex

Postcode

CM2 0DG

Country

United Kingdom

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

User Profile

Name

First name

Family name

APPENDIX B

Continued from previous page...

Contact Details

E-mail

Telephone number

Fax number

Other telephone number

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

Are you:

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

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

Your Business

Is your business registered in the UK with Companies House? ☐ Yes ☒ No

Is your business registered outside the UK? ☐ Yes ☒ No

Commercial register

The entity with which your business is registered, for example "Amsterdam Chamber of Commerce".

Registration number

Business name

If your business is registered, use its registered name.

VAT number -

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

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

APPENDIX B

Continued from previous page...

Address

Building number or name	
Street	
District	
City or town	
County or administrative area	
Postcode	
Country	United Kingdom

Address

Building number or name	
Street	
District	
City or town	
County or administrative area	
Postcode	
Country	United Kingdom

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

APPENDIX B

Continued from previous page...

Address

Building number or name	12 & 14
Street	Baddow Road
District	
City or town	Chelmsford
County or administrative area	Essex
Postcode	CM2 0DG
Country	United Kingdom

Contact Details

E-mail	
Telephone number	
Fax number	
Other telephone number	
Non-domestic rateable value of premises (£)	43,750

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? ☐ Yes ☒ No

Date variation to take effect from / /
dd mm yyyy

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

APPENDIX B

Continued from previous page...

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.

This full variation is made following the purchase of the lease of adjacent retail premises. Planning and revaluation yet to be approved/provided. This allows for daytime lunch trade, providing sandwiches and coffees etc but of an evening increases capacity by about 40 persons. In doing so this provides a route through the premises that promotes the public safety and crime prevention objectives as well as provide additional toilet facilities. Amends address and adds seasonal adjusted hours. Brings forward opening hours and alcohol start times daily by 1 hour.

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

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

APPENDIX B

Continued from previous page...

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.

State any seasonal variations for performing plays.

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 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.

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.

APPENDIX B

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 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.

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.

APPENDIX B

Continued from previous page...

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

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.

APPENDIX B

Continued from previous page...

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.

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments 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

APPENDIX B

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the boxing or wrestling entertainment take place indoors or outdoors or both?

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

☐ Indoors ☐ Outdoors ☐ Both

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.

State any seasonal variations for boxing and wrestling 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 the boxing or wrestling 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.

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

APPENDIX B

Continued from previous page...

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

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End

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.

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.

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.

APPENDIX B

Continued from previous page...

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.

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

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Start

End

THURSDAY

Start

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Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

APPENDIX B

Continued from previous page...

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.

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.

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

End

APPENDIX B

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

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.

State any seasonal variations for the performance of dance.

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.

APPENDIX B

Continued from previous page...

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

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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Start

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FRIDAY

Start

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Start

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SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

APPENDIX B

Continued from previous page...

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.

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.

Section 12 of 18

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

End

APPENDIX B

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

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.

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.

APPENDIX B

Continued from previous page...

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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

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End

SUNDAY

Start

End

Start

End

APPENDIX B

Continued from previous page...

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.

Early May Bank Holiday Monday, Easter Monday, Spring Bank Holiday Monday, St. Patricks Day, August Bank Holiday Monday, Christmas Eve and New years Eve - until 0300hrs

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.

Not applicable

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

APPENDIX B

Continued from previous page...

WEDNESDAY

Start	09:00	End	02:00
Start		End	

THURSDAY

Start	09:00	End	02:00
Start		End	

FRIDAY

Start	09:00	End	03:00
Start		End	

SATURDAY

Start	09:00	End	03:00
Start		End	

SUNDAY

Start	09:00	End	02:00
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.

Early May Bank Holiday Monday, Easter Monday, Spring Bank Holiday Monday, St. Patricks Day, August Bank Holiday Monday, Christmas Eve and New years Eve - until 0300hrs

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

None

☐ I have enclosed the premises licence

APPENDIX B

Continued from previous page...

☐ 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.

Licence on display and at the premises as required by legislation

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.

as existing licence conditions

b) The prevention of crime and disorder

as existing licence conditions

c) Public safety

as existing licence conditions

d) The prevention of public nuisance

as existing licence conditions

e) The protection of children from harm

as existing licence conditions

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

APPENDIX B

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.

APPENDIX B

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.

Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

- ☐ I have made or enclosed payment of the fee
- ☐ I have sent copies of this application and plan to the responsible authorities
- ☐ I understand that I must now advertise my application
- ☐ I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable

APPENDIX B

Continued from previous page...

☐ I understand that if I do not comply with the above requirements my application will be rejected

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

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-to-vary-a-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, 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.

APPENDIX B

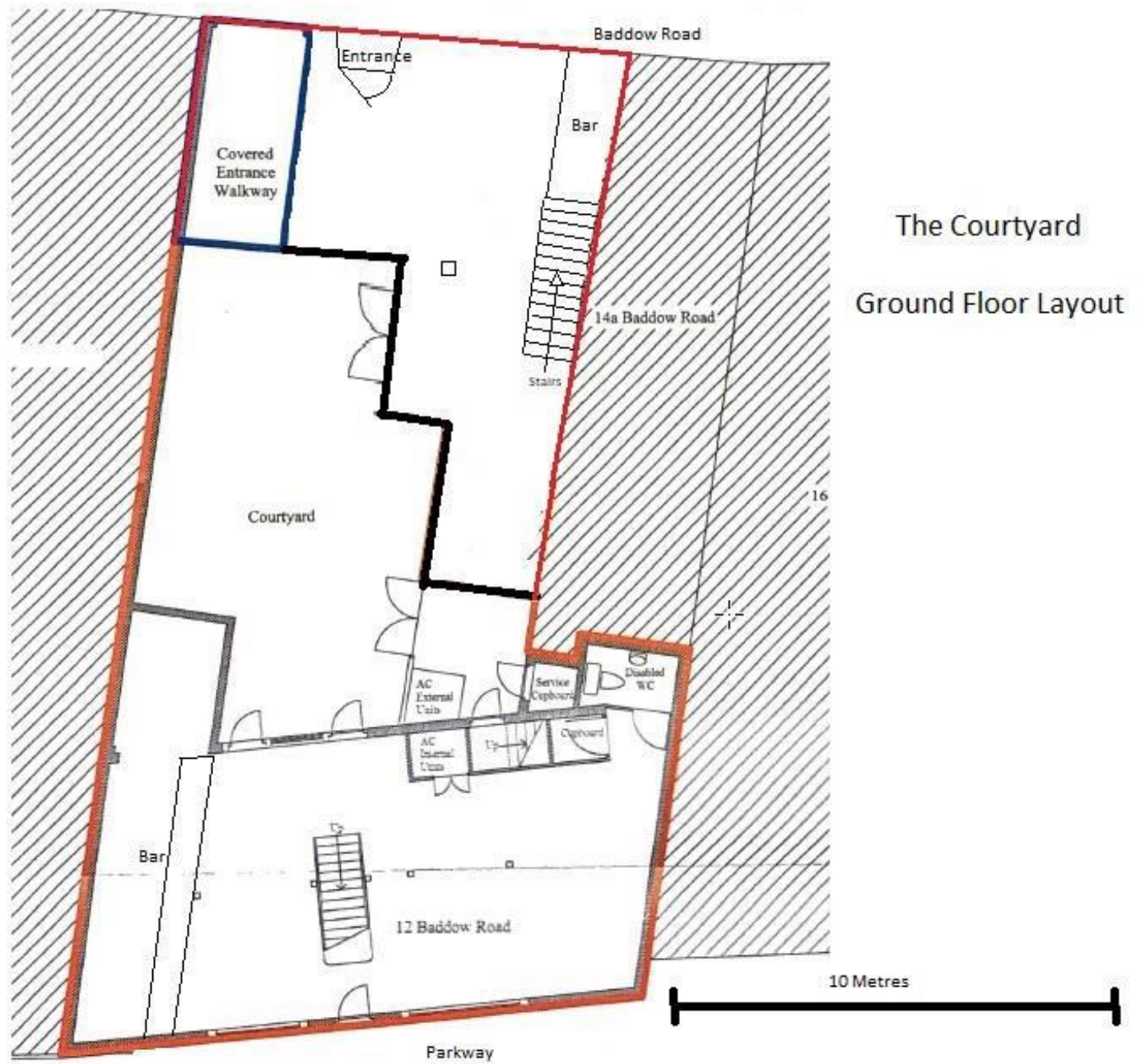
OFFICE USE ONLY

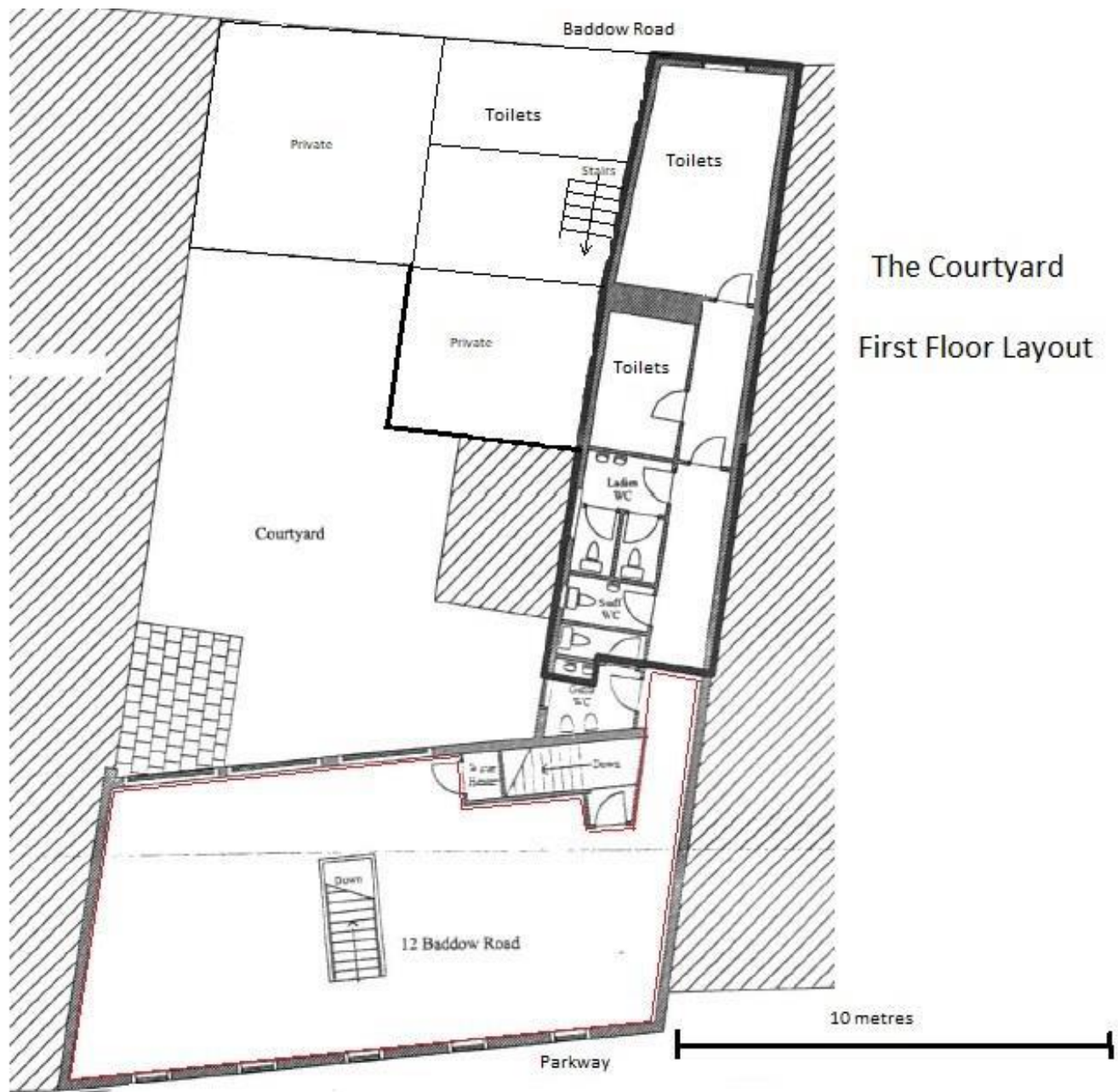
Applicant reference number	
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	☐

Digital Signature Information

Signer's name	
Signer's contact information	
Signing time	
Signer status	
Signature status	
Certificate issuer	

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APPENDIX D



Licensing Act 2003 Schedule 12 - Part A Regulation 33,34

Premises Licence

Premises Licence Number

18/00139/LAPRE

Part 1 – Premises Details

The Courtyard
12A Baddow Road
Chelmsford
CM2 0DG

Telephone number

Where the licence is time limited the dates are

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities are

Sale or supply of Alcohol	Sunday	10:00 - 02:00
Sale or supply of Alcohol	Friday and Saturday	10:00 - 03:00
Sale or supply of Alcohol	Monday and Tuesday	10:00 - 00:00
Sale or supply of Alcohol	Wednesday and Thursday	10:00 - 02:00
Playing of Recorded Music	Sunday	10:00 - 02:00
Playing of Recorded Music	Friday and Saturday	10:00 - 03:00
Playing of Recorded Music	Monday and Tuesday	10:00 - 00:00
Playing of Recorded Music	Wednesday and Thursday	10:00 - 02:00
Late Night Refreshment	Sunday	18:00 - 02:00
Late Night Refreshment	Friday and Saturday	18:00 - 03:00
Late Night Refreshment	Monday and Tuesday	18:00 - 00:00
Late Night Refreshment	Wednesday and Thursday	18:00 - 02:00

The opening hours of the premises are

Opening hours	Sunday	10:00 - 02:00
Opening hours	Friday and Saturday	10:00 - 03:00
Opening hours	Monday to Thursday	10:00 - 00:00
Opening hours	Wednesday and Thursday	10:00 - 02:00

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

On sales only

Part 2

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

Mr Darren Pratt

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

Registered Business Number 11024020

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

Mr Darren Pratt

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

Signed:
On behalf of the Licensing Authority

Dated: 3rd April 2018

Annex I – Mandatory conditions

- I Where premises authorise the supply of alcohol 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 Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

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 the licensing authority.

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)

- 4 (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
- (2) But nothing in subsection (1) requires such a condition to be imposed—
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to—
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

(3) For the purposes of this section—

- (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, [F2and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act)] and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

- 5
- (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) 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;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 6
- The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 7
- (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..

8 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.

9 (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—

$$P = D + (D \times V)$$

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) “value 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 agreed with Essex Police

- I. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - I. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
 - II. The CCTV system will be registered annually with the Information Commissioner.
 - III. CCTV cameras shall cover all public areas as agreed with Essex Police.
 - IV. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
 - V. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable and lawful request;
 - VI. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
 - VII. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failings these are to be recorded immediately.
 - VIII. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 150 mm and clearly legible at all times when the premises conducts licensable activities.
2. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.
The log must be retained for a period of at least 12 months after the last incident recorded.
The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall 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

- (f) any faults in a CCTV system
3. Where SIA licensed door supervisors are used at the premises a record shall be maintained and kept on the premises which is legible and details:
- The day and date when door supervisors were deployed;
 - The name and SIA registration number of each door supervisor on duty at the premises; and
 - The start and finish time of each door supervisor's worked duty period.
 - This record shall be retained on the premises for 12 months and be immediately provided to police or licensing authority staff upon reasonable request.
4. A minimum of 2 SIA licensed door supervisors will be provided on:
- every Wednesday from 21:00hrs when it is intended to trade beyond 24:00hrs, or when risk assessed as being necessary until 30 minutes after the premises has closed or when customers have cleared the venue and no longer within the vicinity and
 - each Friday and Saturday from 21:00hrs until 30 minutes after the premises has closed or when customers have cleared the venue and no longer within the vicinity.
5. The premises shall have in place and operate a zero tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means.
This policy shall specifically include but not be limited to:
- Searching practices upon entry;
 - Dealing with patrons suspected of using drugs on the premises;
 - Scrutiny of spaces including toilets or outside areas;
 - Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
 - Staff training regarding identification of suspicious activity and what action to take;
 - The handling of items suspected to be illegal drugs or psychoactive substances
 - Steps taken to discourage and disrupt drug use on the premises
 - Steps to be taken to inform patrons of the premises drug policy/practices
6. A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:
- How patrons leaving the premises shall be directed away from the premises;
 - How patrons will be informed of the services of taxi and private hire operators;
 - What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
 - Any 'wind' down periods;
 - Methods to prevent re-entry to the premises;
 - How bottles and glasses will be prevented from being removed from the premises at closing time.
7. Drinks must only be served in polycarbonate/plastic and/or toughened glass containers.
8. Customers will not be permitted to remove from the premises any drinks supplied by the premises in open containers.

9. 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:
 - o Proof of age card bearing the PASS Hologram;
 - o Photocard driving licence;
 - o Passport; or
 - o Ministry of Defence Identity Card.
10. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200 x 150mm.
11. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the conditions of the licence, basic licensing offences, protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out annually.
12. Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.
13. A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.
14. Persons under the age of 18 years shall not be allowed entry or to remain on the premises after 2100hrs save on occasions when either:
 - a) An 'under 18' event is held without the sale or supply of alcohol, or
 - b) The premises are exclusively used for a private function, for example wedding reception, engagement party employers Christmas party etc. and any person under 18 is accompanied by a responsible adult.
15. No person under the age of 16 years of age shall be permitted to enter or remain on the premises unless they are accompanied by a person over the age of 21 years and in any case will need to vacate the premises by 21:00hrs:
16. No person under the age of 18yrs will be permitted to enter or remain on the premises after 21:00hrs except where attending:
 - a) An 'under 18' event is held without the sale or supply of alcohol, or
 - b) The premises which is being exclusively used for a private function, for example wedding reception, engagement party employers Christmas party etc. and any person under 18 is accompanied by a responsible adult.
17. Except where the holder of a Personal Licence no alcohol may be sold or supplied by any individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder. A written record of this consent

will be retained on the premises at all times and be made available immediately upon reasonable request of the police or licensing authority.

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

Not applicable

Annex 4 – Plans

Not Applicable. Available upon request.

1)

I am writing to make a representation in respect of the Full Variation Application for The Courtyard, 12 Baddow Road, CM2 0DG. I live directly across Parkway and the carpark from The Courtyard, in the first floor apartment in what was previously the former Pump-house of Essex Water. I have attached a photograph taken from my bedroom window.

I fully appreciate that the application is requesting only a modest increase in the hours of opening and the sale of alcohol. However, the venue was previously a restaurant and upon its change of use, no additional soundproofing was required as a condition of its recorded music playing licence, which I believe was a mistake. I have no objection to even relatively loud music up until a reasonable hour, but I do believe that music, with driving bass, played at very high volume, often through huge speakers located outside in the courtyard itself, regularly through until 3am constitutes an inexcusable and intolerable public nuisance.

I would request that as a condition of the granting of the Full Variation, that the licensing authority imposes rules such that very loud music played through outdoor speakers should only be permitted until midnight and any music after that time be only played through speakers situated inside the building and that the rooms in which such music is played must be equipped with suitable soundproofing.

The building was never designed, nor subsequently adapted, to control the emission of such volumes of music and as such I believe that this application provides an opportunity for the licensing authority to amend the licence to protect my rights and those of many others who have been encouraged to move into the centre of the city through the development of so many new builds and adapted older buildings. They are often populated with young families who need untroubled sleep. I would suggest that badly interrupted sleep constitutes, and causes a great deal of, harm to children. I certainly find it a problem when my young grandchildren visit and I am aware that many of my neighbours are in exactly the same position with young children. I believe that they should be protected from the harm caused by the very reason for that interrupted sleep, i.e. loud music played until the middle of the night.

As you would be aware, at other city centre music venues, such as the Millenium Stadium in Cardiff or Wembley, the music stops at 10.30pm and 11.00pm respectively, to protect the rights of residents living nearby. They are the rules and people accept them for a reason.

2)

This is in relation to the proposed variation to the license at The Courtyard, 12 Baddow Road, Chelmsford.

I and my family have lived opposite the site (across Parkway) for very nearly 11 years. Originally the site was a pizza restaurant.

Over the years since The Courtyard opened the noise generated by way of loud music/extreme bass has grown hugely. It is at its worst on a Friday and Saturday evening/night but there have been times on a Thursday and Sunday when the noise can be heard.

END

I should say that I have no issue with any business, especially one such as a pub/bar from making money and doing well and any local business has my support if it treats its near neighbours respectfully. Whilst we live close to the town centre we understand there will be some noise but at times that coming from the Courtyard is totally unacceptable. Often between 12am to 3am, where there isn't any other sound to drown it out, the music/bass is incredibly loud and has woken us up on many occasions. We cannot have our windows open and have had to put a fan on to block out the noise at times which we shouldn't have to do.

I would have no issue with it being open until 3am but the venue must make suitable changes to ensure it cannot be heard by its neighbours some 200ft away, so not having outside music and to put suitable soundproofing measures in place. The proposed extension concerns me because it will lead to even greater noise and thus make our situation intolerable.

Thank you for your consideration.

3)

Ref Licensing Application - The Courtyard, 12 Baddow Road, CM2 ODG. Darren Pratt.

I would like to make a representation about the licence variation for the Courtyard, relating to the licencing objective of the "prevention of public nuisance". I note from the Council's website that the Courtyard has applied to extend their licensing hours and are expanding their premises.

This would not be an issue for myself and my family, were it not for the persistent loud music coming from the Courtyard that is audible in nearby residential areas, including our property, throughout numerous weekend afternoons and until the early hours on Fridays, Saturdays, some Sundays, and bank holidays (as well as other weeknights on a less regular basis).

The music is audible all year round, even with our windows closed, and prevents us (and others in our neighbourhood) from sleeping. An extension of the licencing hours and a larger premises in which to play music, perhaps requiring greater amplification, would compound the public nuisance.

Since 2018, the Courtyard has evolved from a restaurant and bar into a nightclub, with loud dance music played outdoors / indoors without any restrictions. The Courtyard's premises previously housed a Strada restaurant and the venue is clearly not soundproofed.

I am asking the licencing authority to consider adding conditions to the Courtyard's licence to require them to take measures to reduce the noise levels, in order to prevent public nuisance. If this can be done, I would have no objection to their licence variation.

Thank You.

END