

# Licensing Committee Agenda

**HEARING TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE**

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

**18 September 2019 at 7pm**

**Marconi Room, Civic Centre,  
Duke Street, Chelmsford**

## **MEMBERS OF COMMITTEE INVITED TO ATTEND HEARING**

Councillor L.A. Mascot (Chair)

and Councillors

A.E. Davidson, R.J. Lee and I.C. Roberts

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement.

If you would like to find out more, please telephone

Daniel Bird in the Democracy Team on Chelmsford (01245) 606523

email [daniel.bird@chelmsford.gov.uk](mailto:daniel.bird@chelmsford.gov.uk), call in at the Civic Centre, or write to the address above. Council staff will also be available to offer advice in the Civic Centre for up to half an hour before the start of the meeting.

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**LICENSING COMMITTEE**

**HEARING TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE**

**18 September 2019**

**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 meetings held on 19<sup>th</sup> and 21<sup>st</sup> August 2019

**4. LICENSING ACT 2003 – APPLICATION FOR A NEW PREMISES LICENCE –  
DANBURY WINE ESTATE, HYDE LANE, DANBURY, ESSEX, CM3 4LN**

A report regarding this application is attached.



## **MINUTES**

of the

### **LICENSING COMMITTEE HEARING**

held on 19 August 2019 at 2pm

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, A.E. Davidson. D.G. Jones. and I.C. Roberts

1. **Apologies for Absence**

There were no apologies for absence.

2. **Declarations of Interests**

All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda, none were made.

3. **Minutes**

The minutes of the hearing held on 24 July 2019 were agreed as a correct record and signed by the Chair.

4. **Licensing Act 2003 - Application for a Variation of a Premises Licence – Maison Bleu, 10 Meon Close, Chelmsford, CM1 7QQ**

The Committee considered an application for a variation of a premises licence in respect of Maison Bleu, 10 Meon Close, Chelmsford, CM1 7QQ.

**Sale or supply of alcohol – On premises Sales:**

Monday to Saturday 10:00 – 18:00  
Sunday 11:00 – 17:00

**Opening hours:**

Monday to Saturday 10:00 – 18:00  
Sunday 11:00 – 17:00

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

1. Grant the application, on the terms and conditions applied for.
2. Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the Licensing Objectives.
3. Refuse the application in whole or in part.

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

### ***The Applicant***

The Chair advised that the written representations had been read and considered by the members of the Committee in advance of the meeting. The Chair invited the applicant to introduce their application.

The applicant provided some background information on himself and the other owner of the business. He stated that the café had been a strong asset to the local community and currently held an alcohol licence for between 10am to 6pm Monday to Saturday and 11am to 5pm on Sundays. He informed the Committee that the café was used regularly by local groups and that they supported various charity initiatives. The Committee heard that the licence was and would continue to be used for prosecco and gin style drinks with afternoon teas and would not become a pub style venue. The applicant stated that alcohol currently accounted for around 5% of sales and that it was anticipated this would rise to around 10% if the extended hours were granted.

At this point in the hearing the applicant addressed the concerns in the written representation from a local resident. He stated that they had discussed the plan with local residents and considered the impact, the majority of local residents had been in support. He stated that the music played at the venue was quiet and that local residents would not be affected by noise. The applicant informed the Committee that the premises would not be open until 10pm every night and the application had been designed to allow flexibility for events when required. The applicant also addressed concerns over parking and stated that this was covered under separate legislation. He also stated that many customers walk or are dropped off at the premises and that the longer hours would not cause further parking issues. In response to a question from the Committee the applicant stated that they worked with the other nearby businesses regarding parking and they did not have any issues.

The Committee retired at 2.21pm to deliberate on the matter and returned at 2.26pm.

**RESOLVED** that the Director of Public Places be authorised to grant the application on the terms applied for.

The Chair provided a summary of the reasons for the Committee's decision and advised that a formal decision notice would be sent out in due course to the relevant parties.

*In reaching its decision the Committee has taken into account all representations and is satisfied with the steps that the Applicant proposes to promote the Licensing objectives.*

*The Committee had carefully considered the concerns expressed by the objector but considered that there was no evidence to indicate prospective harm at this stage. The Committee was mindful of the fact that none of the responsible authorities were objecting to the application.*

*The Committee would remind the 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 licence, in which case the matter would come back to the Committee.*

*(2pm to 2.27pm)*

The meeting closed at 2.27pm.

Chair





## MINUTES

of the

### LICENSING COMMITTEE HEARING

held on 21 August 2019 at 10am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, D.J.R. Clark, D.G. Jones. and I.C. Roberts

1. **Apologies for Absence**

There were no apologies for absence.

2. **Declarations of Interests**

All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda, none were made.

3. **Licensing Act 2003 - Application for a New Premises Licence – Doner Zamani, Backnang Square, Chelmsford, Essex, CM2 6FD**

The Committee considered an application for a new premises licence in respect of Doner Zamani, Backnang Square, Chelmsford, Essex, CM2 6FD.

**Late Night Refreshment:**

Wednesday - 23:00 – 03:00

Friday- Midnight till 04:00

Saturday – Midnight till 04:00

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

1. Grant the application, on the terms and conditions applied for.
2. Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the Licensing Objectives.
3. Refuse the application in whole or in part.

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

***The Applicant and their representative  
Nigel Dermott – Essex Police Licensing Officer***

The Chair advised that the written representations had been read and considered by the members of the Committee in advance of the meeting. The Chair invited the applicant to introduce their application. The applicant produced a statement moments before the hearing, with supporting documents.

The applicant introduced their application to the Committee and read aloud the statement produced at the door of the hearing. They stated that their application had been refused before but that by opening later they would not be adding to violence and crime that was already in the area anyway. They stated that they have not had any problems with their location and it is ideal for people to purchase food after leaving nearby venues on their way to taxis etc.

The applicant's representative informed the Committee that they were a small family run business with no alcohol or music at the premises. He stated that they kept the area clean and also cleared nearby litter from other premises. The Committee heard that they had received no complaints and that nobody loitered near the premises. The Committee was informed that the Essex Police objections did not refer to any specific issues from their business and were just about the general location. The representative stated that they had completed a risk assessment and felt that there was no evidence that their later opening hours would lead to increased crime or disorder. The Committee heard that they would have CCTV installed by professionals and also confirmed that they could have door staff with the relevant insurance. The representative stated that their premises would dissuade people heading back to the high street and would help reduce the likelihood of violence. They also stated that a six-month trial period with the licence would allow them to demonstrate their suitability.

At this point in the hearing the Essex Police Licensing Officer detailed their representation to the Committee. He stated that their objections were based on the same issues as the previous application and their view had not changed. He stated that it was not possible to establish if the business had a direct impact during the period when it was trading without the necessary licence previously. It was also stated that this had been via a misunderstanding with the landowner and not a deliberate act. In response to other premises having licences in the area, it was confirmed that these were contained within buildings and were not catering van style premises as being applied for.

The Committee was referred to the crime statistics detailed in the representation which showed the high amount of calls for service and reported crime in the area. In response to the CCTV detailed by the applicant, it was noted that there was already Council CCTV in the area. The Committee heard that this was lawful, and the Council were registered as data controllers. It was also noted that the offer of CCTV could only be from within the trailer and would not legally be able to include the public outside area without registering as data controllers with the ICO. The Committee heard that the ICO was clear in that CCTV should not be used by private individuals to monitor public space. Mr Dermott also referred to the offer of door staff made by the applicant. He stated that this would not be practical with the style of premises and no evidence of relevant insurance had been provided. He stated that they would have no remit to operate in the open space outside the premises.

In summary, Mr Dermott stated that this was a busy hotspot area of the night-time economy with high crime figures and that to grant the application would set a precedent for similar operators in the city centre. He informed the Committee that CCTV and door staff were not practical options for a catering van style premises. He also stated that the legal case referred to in his representation detailed that local authorities could act on concerns of future crime when considering an application and do not need to wait for licensing objectives to be contravened. Mr Dermott confirmed that the position of Essex Police was unchanged from the last application and asked that the application be refused.

In response to questions from the Committee, the applicant and their representative confirmed that they had produced a risk assessment but did not have a copy available. They also confirmed that if granted, the door staff would operate between 00:00 and 04:00.

The Committee retired at 10.33am to deliberate on the matter and returned at 10.48am.

**RESOLVED** that the Director of Public Places be authorised to refuse the application on the basis that to grant the application would undermine the prevention of crime and disorder objective.

The Chair provided a summary of the reasons for the Committee's decision and advised that a formal decision notice would be sent out in due course to the relevant parties.

*The Committee had careful regard to the representations of the applicant and the objecting responsible authority.*

*In particular, the Committee has concluded that having regard to the location and the nature of the premises, the provision of late-night refreshment during the hours applied for would constitute a focal point for people leaving the various bars and clubs in the area, many of whom may be intoxicated. A focal point for congregating intoxicated persons increases the likelihood of crime and disorder occurring.*

*The Committee is aware that its decisions need to be evidence based and in reaching its decision has had regard to the following factors which it considers to be evidence of the prospective harm;*

*1. The nature of the trading premises being a catering trailer located in a public open space, with no practical means of restricting access by security as compared to an indoor premises, with a door supervisor which can control queues etc, severely reduces the ability to mitigate any increase in crime and disorder. The location of the premises also may prevent people from dispersing and encourage them to congregate in Backnang Square, which may contribute to increased crime and disorder.*

*2. The Police data provided by Mr Dermott for the period 1<sup>st</sup> March 2019 and 30<sup>th</sup> June 2019 show that 68 calls for service were recorded on the Essex Police system as being applicable to the area to the area as they relate to night time economy. During the period of 1<sup>st</sup> March 2019 to 29<sup>th</sup> July 2019 an additional 72 night time economy related crimes were recorded as assessed as relating to night time economy crime and disorder.*

(10am to 10.50am)

The meeting closed at 10.50am.

Chair



**LICENSING COMMITTEE**

**18<sup>th</sup> September 2019**

**AGENDA ITEM 4**

<b>Subject</b>	<b>LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE: DANBURY WINE ESTATE, HYDE LANE, DANBURY, ESSEX, CM3 4LN</b>
<b>Report by</b>	<b>DIRECTOR OF PUBLIC PLACES</b>

Daniel Winter (01245) 606317,  
Email (int./ext.) Daniel.Winter@chelmsford.gov.uk

**Purpose**

To consider an application for a new premises licence, having regard to representations received and the requirement to promote the four 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

**Options**

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

- (i) Grant the application, on the terms and conditions applied for
- (ii) Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the Licensing Objectives.
- (iii) Refuse the application in whole or in part.

The Committee is reminded that the applicant or any person making representation in relation to this matter may appeal the decision of the Council to the Magistrates' Court.

Corporate Implications	
Legal:	The Licensing Act 2003
Financial:	None
Personnel:	None
Risk Management:	None
Equalities and Diversity:	None
Health and Safety:	None
IT:	None
Other:	None

<b>Consultees</b>	None
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Policies and Strategies
The Council's Statement of Licensing Policy as required, by the Licensing Act 2003.

## 1. Introduction

- 1.1 Members are requested to consider an application by Danbury Wine Estate Ltd made under Section 17 of the Licensing Act 2003, for a new premises licence in respect of Danbury Wine Estate, having regard to representations received and the requirement to promote the four licensing objectives, namely:

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

## 2. Background

- 2.1 The building is a winery which includes a tasting room. Alcohol will be consumed on the premises and surrounding garden and vineyards. The premises are not open to the public but accessed by invitation only. The premises are comprised of 3 vineyards, a landscaped garden and a winery.

## 3. Application

- 3.1 The application was received from Danbury Wine Estate Ltd on the 10<sup>th</sup> July 2019 for the following licensable activities:

<b>Performance of Live Music:</b>	<b>Every Day:</b>	<b>10:00 - 00:00</b>
<b>Playing of Recorded Music:</b>	<b>Every Day:</b>	<b>10:00 - 00:00</b>
<b>Late Night Refreshment:</b>	<b>Every Day:</b>	<b>23:00 - 01:00</b>
<b>Sale or supply of Alcohol:</b>	<b>Every Day:</b>	<b>09:00 - 01:00</b>

- 3.2 The application was properly made in accordance with The Licensing Act 2003. The completed application form is attached as **Appendix A**. The closing date for representations was set as 7<sup>th</sup> August 2019.

- 3.3 On the 29<sup>th</sup> July 2019 it was established that the application had not been correctly advertised which resulted in the consultation period being restarted. The closing date for representations was then changed to the 25<sup>th</sup> August 2019.
- 3.4 After the restart, the application has been properly made in accordance with The Licensing Act 2003 and all procedures correctly followed.
- 3.5 The applicant has provided conditions consistent with the operating schedule intended to promote the four licensing objectives which are detailed in the application form.

4. Representations

- 4.1 During the course of this application, in line with the Act, we sent a copy of the application to:

Essex Police

Essex County Fire and Rescue Service

Head of Planning Services

Principal Environmental Health Officer (Environmental Protection)

Head of the Children's Safeguarding Service

Essex Trading Standards

Principal Environmental Health Officer (Commercial)

Licensing Authority

Public Health Trust

Home Office

- 4.2 A response to the consultation on this application has been received from 7 members of the public that cover all of the Licensing objectives. A copy of all the representations received is attached to this report as **Appendix B**.
- 4.3 Members are asked to note that as this report is published publicly, personal details have been redacted from some documents; however, the licensing authority and the applicant have received complete copies of all documents.
- 4.4 A plan indicating the location of the premises is attached as **Appendix C**.

5. Statement of Licensing Policy

- 5.1 There are no specific issues arising from this application relevant to the Council's statement of licensing policy.

5.2 The following extracts from the Council's statement of licensing policy are brought to the general attention of members:

(1.2) When assessing applications, the Licensing Authority must be satisfied that the measures proposed in the applicant's operating schedule to promote the four licensing objectives aim to achieve that outcome, as far as possible.

(1.37) Where relevant representations are made, the Council will seek to make objective judgements as to whether conditions may need to be attached to various authorisations, to secure promotion of the licensing objectives.

(1.41) The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises, in order to avoid the imposition of disproportionate and other burdensome conditions on those premises. Standard conditions will therefore be avoided and no condition will be imposed that cannot be shown to be appropriate and proportionate for the promotion of the licensing objectives.

**List of Appendices:**

<b>Appendix A</b>	Copy of application form
<b>Appendix B</b>	Public Representations
<b>Appendix C</b>	Plans indicating the location of the premises



# APPENDIX A



## Chelmsford Application for a premises licence Licensing Act 2003

For help contact  
[licensing@chelmsford.gov.uk](mailto: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 you would prefer not to be contacted by telephone

Are you:

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

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

### Applicant Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

#### Confirm The Following

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

### Section 4 of 21

#### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

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

Continued from previous page...

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.

The building is a winery which includes a tasting room. Alcohol will be consumed on the premises and surrounding garden and vineyards. The premises is not open to the public but accessed by invitation only. The premises comprises 3 vineyards, landscaped garden and a winery (see map).

**Continued from previous page...**

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes

☒ No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes

☒ No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes

☒ No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

☒ Yes

☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 00:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

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 tick 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.

At rare special events live music may be played in the winery, surrounding garden or Octagon pergola (within vineyard). Music will be both amplified at low levels and unamplified. For example, ambient background music for a tasting event.

State any seasonal variations for the performance of live music

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

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

Continued from previous page...

## Section 11 of 21

### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ Yes ☐ No

#### Standard Days And Timings

MONDAY

Start 10:00

End 00:00

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.

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 00:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

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 tick 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.

Radio in work areas for employees and background music in the tasting room, landscaped garden and vineyards. Music will  
be amplified at low levels

Continued from previous page...

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 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 12 of 21

##### 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

##### Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock.

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



Continued from previous page...

WEDNESDAY

Start 23:00

End 01:00

Start

End

THURSDAY

Start 23:00

End 01:00

Start

End

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 01:00

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 tick 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.

Late night teas, coffees and food etc may be offered in the landscaped gardens, winery and Octagon pergola at the end of an event

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 late night refreshments 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.

Continued from previous page...

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☐ Off the premises ☒ Both

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

**Continued from previous page...**

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the 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

Family name

Date of birth

<input type="text"/>	<input type="text"/>	<input type="text"/>
dd	mm	yyyy

**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?

Continued from previous page...

- ☒ 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.

No

## Section 17 of 21

### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

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

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

Continued from previous page...

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.

Not open to the public

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)

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a) no selling of alcohol to underage people
- b) no drunk and disorderly behavior on the premises area
- c) no violent and anti-social behaviour

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor will be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- Recorded CCTV system installed

- Roller metal exterior door shutters will be fixed to ensure that the winery is secure when not operational

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

**Continued from previous page...**

- Gated, monitored, secure entrance to winery site
- CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.
- All buildings fitted with alarms
- A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
- Not selling of alcohol to drunk or intoxicated customers.
- Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises
- Staff will be well trained in asking customers to use and leave premises in an orderly and respectful manner

**c) Public safety**

- Internal and external lighting
- Well trained staff adherence to environmental health requirements
- Training and implementation of underage ID checks
- Warning notices where required. For example, wet floor, machinery in operation
- Fire alarm and escape procedure to be displayed
- The premises will comply with all food safety regulations
- Facilities for those with disabilities will be provided where ever possible
- Health and safety policies and procedures in place
- Appointed first aider on site
- Adequate pest control measures in place
- A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
- All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

**d) The prevention of public nuisance**

- Noise reduction measures to address the public nuisance objective.
- Prominent, clear and legible notices will be displayed at the exit requesting visitors to respect the needs of nearby residents and to leave the premises and the area quietly.
- Local taxi firm details will be offered to visitors upon their departure
- Deliveries of goods necessary for the operation of the business will be carried out within normal business hours
- The Licensee will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
- Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

**e) The protection of children from harm**

- No children will be invited to tasting events
- Proof of age policy in place
- "Challenge 25" sign will be displayed and staff will be adequately trained to enforce this
- Log book will be kept upon the premises at all times

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

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

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

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

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

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

**Documents which demonstrate entitlement to work in the UK**

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

**Continued from previous page...**

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

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

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

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

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**



***Continued from previous page...***

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

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

**Continued from previous page...**

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

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.  
For instructions on calculating the fee payable in respect of this licence, please refer to: <http://www.chelmsford.gov.uk/apply-new-licence>

\* 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**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

\* Full name

\* Capacity

*Continued from previous page...*

Date (dd/mm/yyyy)

Add another signatory

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/chelmsford/apply-1> to upload this file and continue with your application.

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

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

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



# APPENDIX B

Dear Sirs,

I refer to the above application and wish to register my objection to the provision of live music and late night refreshment in the unsocial hours as described in the Public Notice.

As a long standing resident in [REDACTED] this is a rural residential area and the services applied for are inappropriate and will no doubt cause interruption to the historical quiet nature of the surroundings and neighbouring residential properties and cause a disturbance at night both by way of music noise and late night visitor traffic.

I trust that the interests of local residents will be fully considered when reviewing this application.

[REDACTED]

[REDACTED]

[REDACTED]

# APPENDIX B

**Subject:** Danbury Wine estate Ltd Notice of application for new premises licence

**Re:** Danbury Wine estate Ltd Notice of application for new premises licence

Dear Sir or Madame

Please accept this letter as our representation regarding Danbury Wine estate Ltd Notice of application for a new premises licence.

Having read the Public Notice regarding the above application for a new premises licence, we would like to officially convey our concern relating to the inclusion of the 'provision of music' with the licence.

It is of concern that the provision of live or recorded music may be played each day between 10.00 am and Midnight. Our concern is that this may be heard at some considerable distance from the venue and cause regular distress and nuisance.

Both the lengthy and late hours requested for the provision of the music and the regularity being seven days a week and 52 weeks of the year are excessive and a cause for considerable concern.

Your faithfully

[Redacted signature]

[Redacted signature]

# APPENDIX B

Dear Licensing Authority

As a very close neighbour to CM3 4LN which now seeks permission to licence premises for private parties, we assume involved with the sale of wine and the business around the up and coming vineyard, we do have a concern due to public nuisance.

Additional traffic and noise of parties leaving if the premises are still operating for alcohol consumption and late night refreshment until 01.00hrs – and why so late? We would have thought that 22.30hrs would be late enough? Sound travels and guests who have drunk too much tend to make more noise.

Having lived close by for 15 years, we have endured many parties late into the night from CM3 4LN. They usually occur at least twice a year and the music has gone on until at least 01.00hrs on numerous occasions. On hot evenings it has ruined any chance of an enjoyable evening in the garden. It also impacts on sleeping with the windows open and experience to date is that on a stifling hot night we have had to close the windows to shut out the noise of parties. We have never said anything due to not wanting to be poor neighbours and although not necessarily thinking it was acceptable due to the frequency and nuisance, being prepared to put up with it a couple of times a year. Even though the application argues that music will be amplified at low levels and unamplified, sound travels and putting up with the noise of more soirees and parties we feel is unacceptable. Our objection is to outside music in the evenings and into the night.

We have no objection to personal radio in outside work areas and the testing room on the assumption that this will be 08.30hrs to 18.30hrs (extended office hours).

[REDACTED]

[REDACTED]

# APPENDIX B

Dear Sir/Madam

With regards to the above I would like to object in the strongest terms.

I live [REDACTED]

This in effect is opening up as a party venue with drinking and music going on until late at night and early mornings.

My objection is based on the fact that I live directly opposite this site applying for this license and so clearly will be directed at:-

- the prevention of crime and disorder; - as there will potentially be late night drinking and partying it is highly likely to assume drink driving over the legal limit and becoming a potential hazard both in the local roads and to the residents will be common practise when leaving the venue and the potential of conflict with neighbours due to being disgruntled with the noise and late night traffic
- the prevention of public nuisance; - as above
- the protection of public safety; as above

Please acknowledge receipt of my objection.

Many thanks

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



# APPENDIX B

To whom it may concern:

I am, in principle, happy for the business at Danbury Wine Estates Ltd, Hyde Lane, Danbury, CM3 4LN to be granted a premises licence to allow it to undertake its primary business as a winery but not as per the current proposal.

I would like to submit the following comments that I feel should be considered by the councils licencing officers before granting any licence:-

1. The proposed times of operation within the application (broadly 9am – 1am with music until Midnight) appear excessive for the needs of a venue that is exclusively a winery and consideration should be given to shorten these hours in order to prevent larger, longer events such as weddings, from taking place at the venue which would be contrary to the licencing objective to **prevent public nuisance** to local residents. I feel that a licence covering 9am – 7pm should more than suffice for the operation of a winery.
2. The on-site parking for visitors is limited to just 7 spaces (as per planning permission 18/01092/FUL) yet the licensed area appears to be very large and poorly defined by including the entire winery building and the surrounding gardens which seems excessive. Additionally, as the activities by their very nature involve the consumption of alcohol and in the absence of any local public transport guests would be expected to arrive and depart by taxis or private car drop-off and collection. The impact of this potentially large number of vehicle movements on the local infrastructure and community were not mentioned or considered within the aforementioned planning permission and so could be contrary to the licencing objectives to **protect public safety** and **prevent public nuisance**. Consideration should be given to restrict and better define the exact areas covered by the licence and / or impose a maximum number of visitors allowed on site at any one time. I propose this be linked to the 'tasting room' at the venue and the safe number of visitors that could be accommodated within this room as agreed with the Fire Service.
3. Due to the proximity of the buildings to residential housing and animal farmyards and in order to conform to the licensing objective to **prevent public nuisance** the proposed times for provision of live and/or recorded music (10am – Midnight) appear excessive for the needs of a winery. Consideration should be given to shorten the proposed hours for music provision to those necessary to operate a winery and a suitably low decibel limit restriction imposed. It should be noted that there is already the following planning condition in place for the facility and perhaps this should be used as a guide to the hours allowed for the provision of music at the site, although I personally wouldn't have any issue with the hours being 9am- 7pm seven days a week with a suitable decibel limit:-

**"Condition 11 (planning permission 18/01092/FUL)**

The air compressors and the bottling associated with the proposed use may only be carried out between the hours of 8am to 6pm on weekdays and between the hours of 8am and 1pm on Saturdays and shall not be operated outside these hours or at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of occupiers of neighbouring dwellings in accordance with Policy DC4 of the Adopted Core Strategy and Development Control Policies Development Plan Document.”

Finally for the record I am not opposed to any ‘rare event’ as mentioned in the application that might require longer operating hours or louder music however I feel these would be better dealt with under Temporary Event Notices on an individual merit basis rather than through the issuing of a broad-brush premises licence.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

# APPENDIX B

Submission regarding: Application for new premises licence Danbury Wine Estate Ltd Danbury Wine Estate, The Hyde, Danbury. CM3 4LP 25 August 2019 Objections to this licence are made on the following grounds: 1) crime and disorder: what is the nature of the gatherings that will take place? Being in a relatively isolated location, which is not overlooked, there could be disorder at times. This is more likely when alcohol is supplied hourly and daily. Will there be ground martials to ensure the maintenance of good order? 2) public safety: the narrow access road leads onto the very busy Hyde Lane. If there are regular large gatherings of party goers who have been drinking there will be a real risk of road traffic accidents at the blind confined exit junction. Will there be traffic martials at the road junction? It is intended to supply alcohol for use off the premises; this will result in a marked increase in traffic at the road junction mentioned. 3) public nuisance: the application states that music will be at "low levels" of amplification. This is relative and has no meaning. A statement of the dB levels should be required from the applicant. The location is isolated but not far from an arc of residences on Hyde Lane and Maldon Road. On warm evenings the travel of sound is enhanced due to refraction and diffraction effects at ground level warmth . In addition the low frequency bass notes of some music carries particularly well over flat terrain. Will there be a sound stage and active communal musical gathering events in which the consumption of alcohol is likely? It is proposed that sound will be made all day, everyday. This lack of respite day and night is unfair to residents, many of whom are aged. There will be real distress in residences where there are infants and the seriously ill, some of whom will be terminally so. The site is in an area close to woodland. There is concern that the amount of noise emanating from the premises will seriously disturb wildlife. In particularly the area is known to have hedgehog populations and these are protected in law. The area is rich in badgers and foxes which feed at night. These are timid creatures and there will be a real threat to the populations of these animals. 4) protection of children: will there be children living in domestic premises at the site? What is proposed to protect these children from noise all day and every day?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

# APPENDIX B

Dear Sirs,

We are objecting to the application for the new premises licence for Danbury Wine Estate Ltd.

This is a residential area on the edge of the village and the countryside. The application noted above is completely unacceptable to us as neighbours. The noise pollution that will be caused by this is unacceptable.

- The supply and sale of wholesale and retail alcohol for consumption both on and off the premises should take place from a shop within a suitable retail area, not in a residential area. So they want to be open for the sale and consumption of alcohol 7 days a week, 365 days a year from 9 in the morning until 1.00 the following morning. Completely unacceptable.
- Provision of late night refreshment each day of the week between 23.00 and 1.00. Absolutely not. The surrounding neighbours work, we have normal lives, children to get to sleep etc. These hours are not acceptable. Business should finish at 6 pm at the latest.
- PROVISION OF LIVE MUSIC EACH DAY OF THE WEEK BETWEEN 10.00 AND 0.00. Is this an application for a nightclub? Absolutely not. Again, we are all trying to live normal lives in this neighbourhood and this is completely unacceptable. The disruption to the surrounding neighbourhood is unacceptable.
- Provision of recorded music each day of the week between 10.00 and 0.00. Completely unacceptable. We do not want to hear this constantly, or the base or anything at all. Music amplified at low levels in the vineyards will be audible in our garden and we don't want or need that. ( If they are that keen on music supply each employee with headphones.)
- Please define the definition of rare. I think this needs to be pinned down. If rare means once a year OK, if rare is vague enough to mean that they can do this once a month then definitely no. This needs to be defined more clearly and I would like you to advise me what the legal definition of rare is and how the licensing magistrates view this.

The owners of the Vineyard have a party once or twice a year presently. The bass is always too loud and can be heard in our house and surrounding areas. As good neighbours we have never objected before. This however is another matter.

This has the potential to ruin our lives and the lives of our neighbours.

We look forward to hearing from you shortly, we would be more than happy to pay us a visit so you can see for yourselves how close we are.

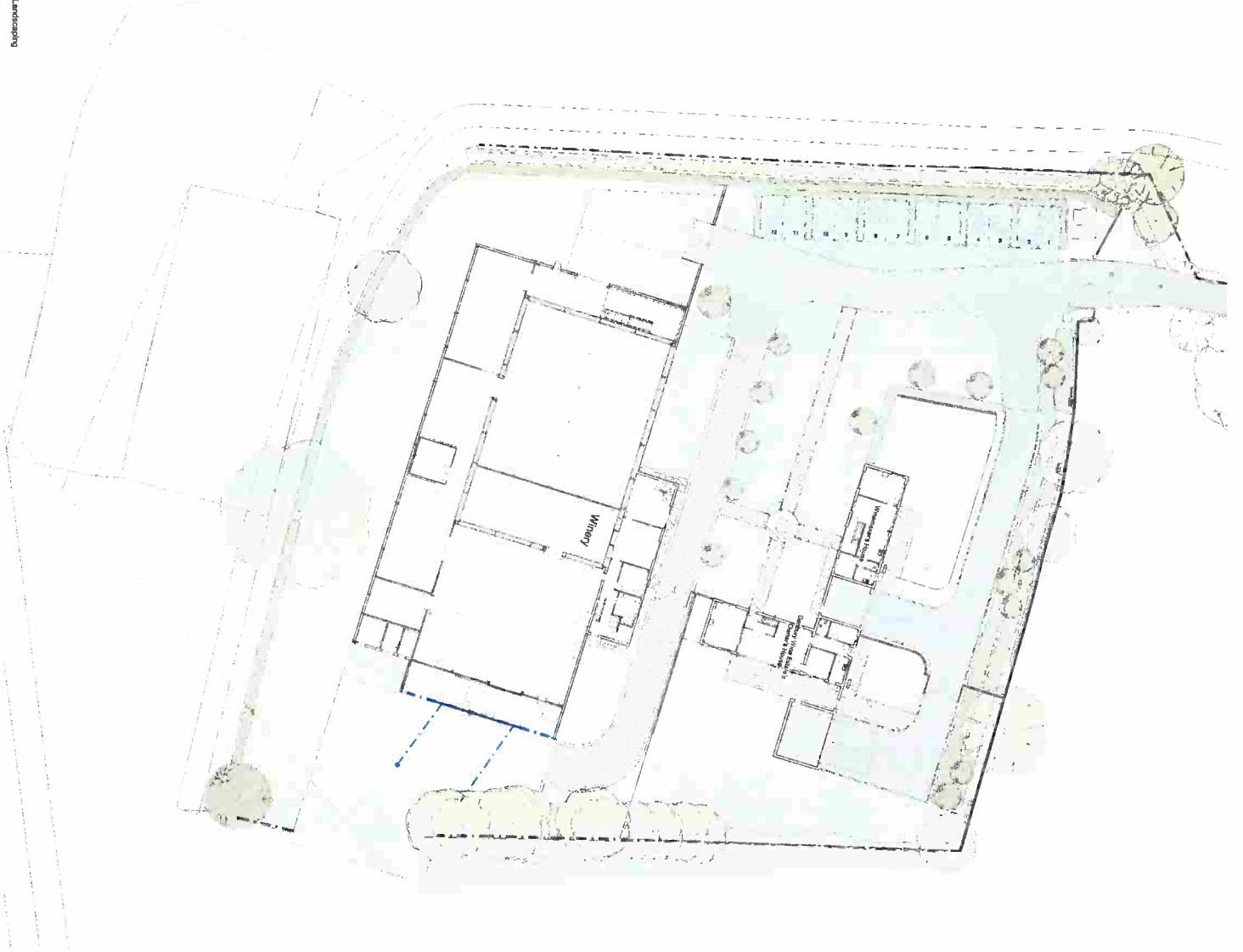
Many thanks

Kind regards

Our address is:

# APPENDIX C

1 Site Landscaping



1	Site Landscaping	1/10/19	100%
2	Site Landscaping	1/10/19	100%
3	Site Landscaping	1/10/19	100%
4	Site Landscaping	1/10/19	100%
5	Site Landscaping	1/10/19	100%
6	Site Landscaping	1/10/19	100%
7	Site Landscaping	1/10/19	100%
8	Site Landscaping	1/10/19	100%
9	Site Landscaping	1/10/19	100%
10	Site Landscaping	1/10/19	100%

100%

100%

100%

100%

100%



# APPENDIX C



1 First Floor  
1/100





# APPENDIX C



Winery location



Surrounding land which includes 3 vineyards



Octagon pergola





# The Octagon Pergola

## APPENDIX C

