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## Chelmsford City Council Licensing Committee

**17<sup>th</sup> October 2023**

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### **LICENSING ACT 2003 – APPLICATION FOR A NEW PREMISES LICENCE: Layby Off A414, Main Road, Danbury, Chelmsford**

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Report by: Director of Public Places

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#### Officer Contact:

Simon Parnham, Licensing Officer, [Simon.parnham@chelmsford.gov.uk](mailto:Simon.parnham@chelmsford.gov.uk), 01245 606406

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#### Purpose

The purpose of this report is for members to consider a Premises Licence Application given by Paul Allen, trading as Sophie's Flowers, made under section 17 of the licensing act 2003, for a new premise licence in respect of Layby Off A414, Main Road, Danbury, Chelmsford, 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.

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## 1. Background and Introduction

- 1.1 The proposed area is the layby situated on the A414.

## 2. Application

- 2.1 The application has been properly given in accordance with The Licensing Act 2003 and all procedures correctly followed. The applicant has provided an operating schedule which promotes all four of the licensing objectives. The completed application form is attached as **Appendix A**.
- 2.2 The application form for the premises licence was received on the 21<sup>st</sup> August 2023 and correctly advertised by placing blue public notices at the premises and by publication in a local paper and on Chelmsford City Council's website.
- 2.3 The new premises licence application provides for the following licensable activities as detailed below:
- |                           |                  |               |
|---------------------------|------------------|---------------|
| Sale or supply of Alcohol | Friday to Sunday | 08:00 - 18:00 |
|---------------------------|------------------|---------------|
- 2.4 Mr Paul Allen has been nominated as the designated premises supervisor having obtained a personal licence from Tendring District Council.
- 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 Authority and the applicant have received complete copies of all documents.
- 2.6 Please see **Appendix B** which relate to plans of the proposed area.

## 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 conditions have been agreed by the applicant and Essex Police. These are attached as **Appendix C**.
- 3.3 During the consultation period a representation was received from Danbury Parish Council relating to the licensing objectives, Public Safety and Prevention of Crime and Disorder, a copy of the representation is included in this report as **Appendix D**.

## 4. Conclusion

4.1 The Statement of Licensing Policy are brought to the attention of members and are as follows:

- Section 13. Nothing in the section affects this application.

4.2 This application has been correctly submitted.

4.3 At the conclusion of this hearing members are advised to consider the options as previously recommended at the start of this report.

#### Appendices:

- Appendix A – Copy of the Premises Licence Application
- Appendix B – Copy of the plans
- Appendix C – Conditions agreed with Essex Police
- Appendix D – Representation

#### Background reading:

Application held by licensing authority

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#### Corporate Implications:

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

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

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: As per that required by legislation

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Relevant Policies and Strategies: Statement of licensing policy

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Appendix A



**Chelmsford City Council**  
**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

Flower stall

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

Paul

\* Family name

Allen

\* 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.

Is your business registered outside the UK?

☐ Yes ☒ No

Business name

Sophie's Flowers

If your business is registered, use its registered name.

VAT number

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

Legal status

Sole Trader

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

☐ Address ☐ OS map reference ☒ Description

**Address Description**

We set up a flower stall in the lay-by between Hulls Lane and Danbury Palace Drive on the A414, Danbury/Sandon. Closest grid reference i can find is TL 75971 05282.

We currently set up gazebos from our van in the lay-by on Fridays, Saturdays and Sundays. We have recently purchased a large box trailer which will replace the gazebos in the next few weeks.

Chelmsford Council are already aware of us as we have been trading here since 2016 and obtained a license to trade from the Council around this time.

**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****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Paul

Family name

Allen

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

\* Date of birth

 /  /   
dd mm yyyy

\* Nationality

British

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

### Section 5 of 21

#### OPERATING SCHEDULE

When do you want the premises licence to start?

 19 /  09 /  2023  
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

**Continued from previous page...**

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.

We run a florist in Tendring DC, which we have a premises license for already, we also run a roadside flower stall at the proposed location on Fridays, Saturdays and Sundays. This is a weekly 'pop up' shop selling flowers, gift cards, plants etc. The stall is currently set up with 2 gazebos, which will be shortly replaced by a large 14' box trailer. I intend to add alcohol as an extra product to provide to customers. Any alcohol here will be displayed by the serving counter and I propose to sell alcohol within the remit of an off license, in sealed containers to be taken away by customers upon legal purchase, no alcohol is to be served to drink on premises.

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

#### **Section 6 of 21**

##### **PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

#### **Section 7 of 21**

##### **PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

#### **Section 8 of 21**

##### **PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

#### **Section 9 of 21**

##### **PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

#### **Section 10 of 21**

##### **PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

#### **Section 11 of 21**



Continued from previous page...

#### PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

#### 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

#### 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

TUESDAY

Start

End

Start

End

WEDNESDAY

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...

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.

State any seasonal variations

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

During peak florist events, such as Christmas, Valentines day, Mothers Day and Easter, should the relevant day of said event fall on a weekday (Monday - Thursday), we would sometimes trade on the extra day as well as the regular long weekend (Friday - Sunday).

On these occasions only, we may intend to sell alcohol also, provided we are out trading.

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.

Standard timings even on any addition peak days stated above

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

**Name**

First name

Family name

Continued from previous page...

Date of birth

	+		+	
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?

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

None

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**Continued from previous page...**

**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

State any seasonal variations

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

Peak florist occasions, we may trade outside of these standard days, including Christmas, Mothers Day, Valentines Day and Easter

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.

Standard timings 08:00-18:00

*Continued from previous page...*

**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.

Alcohol will be sold generally for the purpose as an addition gift alongside flowers for our floristry business 'Sophie's Flowers'. Any alcohol sold is not intended to be consumed on premises. The staff has no footpaths or public areas such as parks nearby. It is only accessed by vehicles due to its location. 'Challenge 25' will be enforced and ID sought where appropriate.

b) The prevention of crime and disorder

Alcohol is not sold for consumption on premises. Customers coming to our stall will not be stopping to drink, they will purchase a sealed bottle/can/pack of alcohol and take this away off site. Alcohol will not be sold to a person who is drunk. Think 25 will be used for each sale.

c) Public safety

ales will not be made to a person who is drunk and our stall has no natural footfall being on the roadside lay-by with no footpaths, thus there will never being a situation where the premises is crowded.

d) The prevention of public nuisance

The stall is located down a road on a lay-by with very little in the way of neighbors. Alcohol is not intended to be consumed on site and therefore there is little to no concern of a public nuisance being caused.

e) The protection of children from harm

Alcohol is not intended to be consumed on site and therefore, there will not be a risk of parents being drunk in charge of a child. Additional alcohol will be stored out of reach of young children. Alcohol will of course never be served to a child.

**Section 19 of 21**

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

*Continued from previous page...*

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

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

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

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

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

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

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

**Continued from previous page...**

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

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

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

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

**Continued from previous page...**

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

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

#### **Home Office online right to work checking service**

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

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

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

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

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**



*Continued from previous page...*

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

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

**Section 21 of 21**

**PAYMENT DETAILS**

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

\* Fee amount (£)

100.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

**DECLARATION**

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

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Add another signatory

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

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

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

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

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

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

APPENDIX B









BLUE RECTANGLE INDICATES LOCATION WHERE WE SET UP FLOWER STALL. LARGE LAY-BY ON MAIN ROAD, BETWEEN HULLS LN AND DANBURY PALACE DR





# APPENDIX C

**From:** Rachel Savill 42076871 <[Rachel.Savill@essex.police.uk](mailto:Rachel.Savill@essex.police.uk)>  
**Sent:** Friday, September 15, 2023 2:32 PM  
**To:** Licensing <[Licensing@chelmsford.gov.uk](mailto:Licensing@chelmsford.gov.uk)>  
**Cc:** Simon PARNHAM <[Simon.PARNHAM@chelmsford.gov.uk](mailto:Simon.PARNHAM@chelmsford.gov.uk)>  
**Subject:** FW: EXTERNAL - Re: Application for a new premises licence SOPHIE'S FLOWERS

Good afternoon,

With the below conditions agreed by the applicant we have no representations on this application.

Kind regards,  
Rachel

**From:** Sophie's Flowers <>  
**Sent:** 15 September 2023 14:28  
**To:** Rachel Savill 42076871 <[Rachel.Savill@essex.police.uk](mailto:Rachel.Savill@essex.police.uk)>  
**Subject:** EXTERNAL - Re: Application for a new premises licence SOPHIE'S FLOWERS

**CAUTION:** This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe. It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Hi Rachel,

The below mentioned license condition are quite reasonable and I agree to these terms.

Kind regards  
Paul Allen

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**From:** Rachel Savill 42076871 <[Rachel.Savill@essex.police.uk](mailto:Rachel.Savill@essex.police.uk)>  
**Sent:** 13 September 2023 05:09  
**To:** >  
**Subject:** FW: Application for a new premises licence SOPHIE'S FLOWERS

Good afternoon,

Please can you confirm if you are in agreement with the below conditions or if you have any concerns in relation to them, as I need to inform the local authority if we have any representations to make.

Kind regards,  
Rachel

*Rachel Savill 76871*

*Police Licensing Officer  
Chelmsford and Maldon*



 101 (Ext: 42076871)  07811298132

**From:** Rachel Savill 42076871

**Sent:** 06 September 2023 09:47

**To: Subject:** Application for a new premises licence SOPHIE'S FLOWERS

Good Morning,

Essex police are in receipt of your application for a premises licence. To support the Licensing Objectives Essex Police proposes to add the following conditions to the Licence. **Please read the below conditions and respond by email if you are in agreement.** If the Premises Licence is granted the conditions will appear on the Licence under Annex 2.

1. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:
  - Proof of age card bearing the PASS Hologram;
  - Photocard driving licence;
  - Passport; or
  - Ministry of Defence Identity Card.
  
2. Alcohol sales may only be made when a customer is purchasing flowers and takes place as part of the same transaction.

Kind regards,

*Rachel Savill 76871*

*Police Licensing Officer  
Chelmsford and Maldon*



# DANBURY PARISH COUNCIL

Parish Office

The Old School House, Main Road, Danbury

Chelmsford, CM3 4NQ

Tel: 01245 225111 Email: [parish.council@danbury-essex.gov.uk](mailto:parish.council@danbury-essex.gov.uk)

By Email: [simon.parnham@chelmsford.gov.uk](mailto:simon.parnham@chelmsford.gov.uk)

Dear Mr Parnham

New Premises Licence Application: Sophie's Flowers, Lay By, Main Road, Danbury, Chelmsford, CM2 7RY

The Parish Council objects to this application on the grounds of Public Safety and Prevention of Crime and Disorder.

The Parish Council questions whether the operator has a trading licence for this site from the Local Highway Authority.

As this is an isolated lay by, there is a lack of security onsite for public safety and prevention of crime and disorder. The Parish Council is concerned that customers may consume alcohol in their cars or in the lay by, and questions what governance will be in place. There is a potential for underage sales.

The A414 is a fast, busy road, often congested, with bus stops in the close vicinity, and this application may intensify the use of the access and egress if customer numbers increase.

Yours sincerely,