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## Chelmsford City Council Licensing Committee

**17th October 2023**

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### **LICENSING ACT 2003 – APPLICATION FOR A NEW PREMISES LICENCE: THE CLAY PIGEON, 26 ROBIN WAY, CHELMSFORD, ESSEX, CM2 8AS**

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Report by: Director of Public Places

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#### Officer Contact:

Callum Roberts, Licensing Officer, [Callum.Roberts@chelmsford.gov.uk](mailto:Callum.Roberts@chelmsford.gov.uk), 01245 606202

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#### Purpose

The purpose of this report is for members to consider a Premises Licence Application given by Mr Andrew Thomas, made under section 17 of the licensing Act 2003, for a new premise licence in respect of The Clay Pigeon, 26 Robin Way, Chelmsford, CM2 8AS 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 premises proposed is a detached Public House in a residential area.

## 2. Application

- 2.1 The application has been properly given in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as **Appendix A**.

- 2.2 A complete application was submitted on the 24<sup>th</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	Monday – Thursday	12:00 – 23:00
	Friday – Saturday	12:00 – 01:00
	Sunday	12:00 – 22:00

- 2.4 Mr Andrew Thomas has been nominated as the designated premises supervisor having obtained a personal licence from Chelmsford Council.

- 2.5 The applicant has provided an operating schedule which promotes all four of the licensing objectives and have agreed additional conditions with Essex Police Licensing Unit.

- 2.6 Members are asked to note that as this report is available in the public domain, personal details have been redacted from some documents, however, both the Licensing Authority and the applicant have received complete copies of all documents.

## 3. Representations

- 3.1 During the course of the application, Chelmsford City Council, in line with the Act, sent a copy of the application to all responsible authorities.



- 3.2 During the consultation period one representation was received objecting to the application. A copy of this objection is shown as **Appendix B**
- 3.3 Please see attached the conditions agreed with Essex Police as **Appendix C**
- 3.4 Please find attached plans of the proposed licensable area as **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 representations received from a member of the public
- Appendix C – Conditions agreed with Essex Police
- Appendix D - Plans

#### 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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**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

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.

*Continued from previous page...*

**Your Address**

Address official correspondence should be sent to.

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

**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	<input type="text" value="The CLAY PIGEON PUB"/>
Street	<input type="text" value="26 ROBIN WAY"/>
District	<input type="text"/>
City or town	<input type="text" value="CHELMSFORD"/>
County or administrative area	<input type="text" value="ESSEX"/>
Postcode	<input type="text" value="CM2 8AS"/>
Country	<input type="text" value="United Kingdom"/>

**Further Details**

Telephone number	<input type="text" value="07577925433"/>
Non-domestic rateable value of premises (£)	<input type="text" value="23"/>

### 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

First name

Andrew

Family name

Thomas

Is the applicant 18 years of age or older?

- ☒ 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.

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

United Kingdom

### 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

WHITE 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?

 /  /   
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.

THE CLAY PIGEON PUB IS SITUATED IN A SMALL COMMUNITY OF TILE KILN ESTATE IN CHELSMFORD. WHICH HAS NEARBY SCHOOL AND CHURCH. WHOM ARE PART OF THE COMMUNITY AS THE CLAY PIGEON IS THE HUB. LARGE BAR IN THE MIDDLE OF THE PREMISE WHICH OVERSEAS ALL SEATING AREAS INCLUDING THE DINING AREA FOR FOOD. OUTSIDE THERE IS SEATING FOR THE ADULTS AND A FAMILY AREA ROUND THE SIDE WITH CLIMBING FRAME . THIS AREA IS SECURE FOR FAMILYS WITH CHILDREN. DISABLED FACILTYS AVAILBLE.

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...**

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?

- ☐ 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.

GAMING MACHINES ON SITE . THESE ARE STRICTLY FOR ADULTS ONLY . AGE RESTRICTIONS APPLY. 18 YEARS OVER

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

*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.

NONE

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.

CHRISTMAS EVE, AND NEW YEARS 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

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.

NONE

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.

EXTENDED OPENING TIMES MAY BE NEEDED ON CHRISTMAS EVE AND NEW YEARS EVE ALL DEPENDING ON WHAT DAY OF THE WEEK IT FALLS ON.

*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.

The licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are open to the public there are sufficient staff on duty who fulfill the terms and conditions of the licence and for preventing crime and disorder. The licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the police. The Licensee has already installed comprehensive CCTV coverage at the premises and is operated and maintained on site. OUTSIDE; cameras on the entrances will capture full frame shots of heads and shoulders of all people entering. The correct signage will be displayed to advise customers that CCTV is in operation. Digital images will be kept for 31 days.

c) Public safety

Fire safety procedures are in place including fire extinguishers ( foam, H2O, CO2, fire blanket, internally illuminated fire exit signs. numerous smoke detectors with emergency lighting . All fire exits are kept free at all times from obstruction.

d) The prevention of public nuisance

All customers will be asked to leave quietly . And signs will be displayed asking them to think of our neighbours when outside the premise of a night time.  
Please have respect for our neighbours when outside and leaving .

e) The protection of children from harm

Strict policies in place regarding the sales of alcohol to under age customers. Our staff will be fully trained on asking for the correct photographic ID such as a passport or full driving license. For all those who fail to have no ID will not be served and records of those will be kept behind the bar for the future.  
We will not allow children to be standing at the bar. We ask that they are seated with their families, unless they are in the children's area . The children's area will have a no glass policy in place also.

## **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.

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### **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 (£)

190.00

### 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**

## Representation received in relation to a New Premises Licence for the Clay Pigeon 26 Robin Way, Chelmsford, Essex, CM2 8AS

### Representation 1

Sent: Sunday, September 10, 2023 1:24 AM

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

Subject: Ref. Public notice for an application to grant premises licence for Clay Pigeon pub

To whom this may concern

This email is with reference to the public notice for an application to grant a premises licence for the Clay Pigeon pub, Robin Way, Chelmsford.

Under the Licensing Act 2003 I would like to make representation against the application for the premises licence.

I would like to object to the times requested in the application. In my opinion an 11pm closing time is acceptable, anything later than that is not appropriate due to the pub's location.

I am a resident of Tile Kiln living in a very close proximity to the Clay pigeon pub - my property is adjacent to the Pub's garden area.

One of the licensing objectives is the prevention of public nuisance:

The pub's building is not soundproof therefore all the noise inside is audible outside -my garden and house included. Not mentioning that often the customers are consuming their orders outside in the beer garden which makes it even louder. With the great probability if the pub is open and serves alcohol there will also be some sort of music being played. In the past I tried to contact the pub on those days when it was too loud and I have been informed that they have license so they are in their rights. Another time we got a "special dedication" from the live band - 'This song is for the neighbours'. As this is an application for a new license I want to prevent this sort of disturbance in the future. I am aware that the long hours are requested for Fridays and Saturdays only, however for many people these days are still working days therefore we need time and appropriate conditions to be able to rest and sleep in our own house. My husband is a police officer who works 3 weekends every month. His job requires him to be alert and fit at all times. Any disturbance or loss of resting time might compromise his health and safety at work. I'm sure he is not an isolated case in the neighbourhood affected this way by the Pub's nuisance.

The other point I would like to refer to is the protection of children from harm.

As mentioned above the pub generates a lot of noise which also affects children who need quality sleep for proper development. I myself have two kids 3 years old and 3 months old and they go to bed by 8pm which I believe is an approximate time most young children go to sleep. With the Pub's opening time till 11pm it is already 3 hours of some disturbance. Any more hours, especially if it can be prevented, will not be acceptable and approving the

request for longer opening times will not meet the licensing objective of protecting children. Also longer opening times, more alcohol being consumed, results in noisier customers who behave in more and more inappropriate ways exposing children to witness/hear violence and vulgar inappropriate vocabulary.

Thank you for your consideration; please let me know if you have any questions.

Sincerely

## Appendix C

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**From:** Rachel Savill 42076871 <Rachel.Savill@essex.police.uk>  
**Sent:** Wednesday, September 13, 2023 11:47 AM  
**To:** Licensing <Licensing@chelmsford.gov.uk>  
**Subject:** FW: EXTERNAL - Re: FW: Application for a new premises licence - Clay Pigeon

Good morning,

With the below conditions agreed by the applicant we have no objections to this application.

Kind regards,  
Rachel

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Licence	L127531, CLAY PIGEON, Essex, BIRDCAVE 26 ROBIN WAY, CHELMSFORD, CM28AS	
Application Type	Premises Licence	
Created By	PSE 4207077 Louise Carroll - 25/08/2023 11:03	
Application Act	Licensing Act 2003	
Applicant	[REDACTED] THE CLAY PIGEON 26 ROBIN WAY, CHELMSFORD, ESSEX, CM2 8AS, 07/03/1963	
Application Details	Premises Licence Application. On sales of alcohol. Proposed DPS Andrew Thomas. Previous Premises Licence was surrendered.	
Licensing Authority	Chelmsford City Council	
Notice Received Date	25 Aug 2023	
Objection	No	
Reply Due	21 Sep 2023	Reply Sent
Hearing Date		
Result Summary		
Application Status	Pending	

*Rachel Savill 76871*

*Police Licensing Officer  
Chelmsford and Maldon*

 101 (Ext: 42076871) 07811298132

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**From:**  
**Sent:** 13 September 2023 11:44  
**To:** Rachel Savill 42076871 <[Rachel.Savill@essex.police.uk](mailto:Rachel.Savill@essex.police.uk)>  
**Subject:** EXTERNAL - Re: FW: Application for a new premises licence - Clay Pigeon

**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 yes agreed on all points made and will be followed. I'm very happy for the changes thank you  
On Wed, 13 Sep 2023 at 11:40, Rachel Savill 42076871 <[Rachel.Savill@essex.police.uk](mailto:Rachel.Savill@essex.police.uk)> wrote:

Hi Kate,

Thank you for taking my call earlier – please see below as discussed. If you can respond by email if you agree with the conditions or if you have any concerns/questions.

Kind regards,  
Rachel

*Rachel Savill 76871*

*Police Licensing Officer  
Chelmsford and Maldon  
☎ 101 (Ext: 42076871) 07811298132*

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**From:** Rachel Savill 42076871  
**Sent:** 06 September 2023 09:41  
**To:**  
**Subject:** Application for a new premises licence - Clay Pigeon

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. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force and be of minimum size of 200mm x 148mm.
3. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 4 hours of

the occurrence and shall record the following:

- (a) {all crimes reported to the venue}
- (b) {all ejections of patrons}
- (c) {any complaints received concerning crime and disorder}
- (d) {any incidents of disorder}
- (e) {all seizures of drugs or offensive weapons}
- (f) {any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence}

The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least {12} months from the date of the last entry.

4. A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:
  - How patrons leaving the premises shall be directed away from the premises;
  - How patrons will be informed of the services of taxi and private hire operators;
  - What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
  - Any 'wind' down periods;
  - Methods to prevent re-entry to the premises;
    - How bottles and glasses will be prevented from being removed from the premises at closing time.
5. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.
  - All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall be either electronic or maintained in a bound document and retained for at least {12} months from the date of the last entry.
6. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.
  - Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.
7. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
  - i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition;
  - ii. CCTV cameras shall cover all entrances {and exits} and the areas where alcohol sales take place;

- iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days;

Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

Kind regards,

*Rachel Savill 76871*

*Police Licensing Officer  
Chelmsford and Maldon*

 101 (Ext: 42076871) 07811298132

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CCTV CAMERAS

Licensed Drinking AREAS

BAR FOR STAFF

Stairs to BEER GARDEN

FIRE EXTINGUISHER  
FIRE EXITS  
RESTAURANT SEATING  
OUTDOOR PUB BENCHES.

THIS PLAN IS NOT TO SCALE

NDIX 4.0

Ext. Store Cupboard 1

Office

M. WC

F WC

D WC

Lobby

Store 2

Stairs

Staff Area

Dumbwaiter

Seating Area

Public Area

Ent. Lobby

AF 03

AF 05

AF 10

AF 08

AF 11

AF 12

AF 02

AF 01

AF 06

AF 09

AF 07

AF 04

SU FE  
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C  
E  
CI





Chiller

Stairs

Kitchen

Dumb  
Waiter

Lobby

Gas Intake  
Room

Dry Store

Toilet

P. Safe

AF  
16

AF  
15

AF  
14

13

Electric Board

Cellar

Fire Blankets

Exits

Fire Extinguisher

CCTV