

Licensing Committee Agenda

HEARING TO CONSIDER AN APPLICATION FOR A VARIATION OF A PREMISES LICENCE

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

19 August 2019 at 2pm

**Council Chamber, Civic Centre,
Duke Street, Chelmsford**

MEMBERS OF COMMITTEE INVITED TO ATTEND HEARING

Councillor L.A. Mascot (Chair)

and Councillors

A.E. Davidson, D.G. Jones 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, 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.

This agenda is available in alternative formats, including Braille, large print, audio tape and other languages. Please call 01245 606923. Minicom textphone number: 01245 606444.

Recording of the part of this meeting open to the public is allowed. To find out more please use the contact details above.

LICENSING COMMITTEE**HEARING TO CONSIDER AN APPLICATION FOR A VARIATION OF A PREMISES
LICENCE****19 August 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 meeting held on 24 July 2019

4. **LICENSING ACT 2003 – APPLICATION FOR A VARIATION OF A PREMISES
LICENCE – MAISON BLEU, 10 MEON CLOSE, CHELMSFORD, CM1 7QQ**

A report regarding this application is attached.

MINUTES

of the

**LICENSING COMMITTEE
HEARING**

held on 24 July 2019 at 10am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, A.E. Davidson. D.G. Jones. and L. Millane

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 3 June 2019 were agreed as a correct record and signed by the Chair.

4. **Licensing Act 2003 - Application for a New Premises Licence – The Stores, The Village, Great Waltham, Chelmsford, CM3 1DE**

The Committee considered an application for a new premises licence in respect of The Store, The Village, Great Waltham, Chelmsford, CM3 1DE.

Supply of alcohol – On premises and Off Premises Sales:

Sunday to Thursday 08:00 – 18:00

Friday and Saturday 08:00 – 22:00

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 Applicant's representative

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's representative introduced their application and stated that it was currently a café premises. He stated that it was now intending to serve alcohol as an ancillary to food, but that customers would be allowed to purchase alcohol without buying food too. He informed the Committee that the objections were of little relevance to the Licensing Objectives and they instead focused on issues under the Road Traffic Act and other legislation. He stated that the application was not likely to cause crime and disorder, as customers for the café would likely be having one drink with a meal rather than how customers might drink in a pub. The Committee heard that issues regarding road safety were also not ones that the applicant could address and that they fell under other legislation.

In response to questions from the Committee the applicant stated that;

- The outside seating referred to was in a concealed courtyard area at the back of the premises.
- The CCTV was available to view whenever required.
- Refuse bins were available at the premises.

The Committee retired at 10.09am to deliberate on the matter and returned at 10.12am.

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

The imposition of the following condition:

- 1) *The mandatory conditions pursuant to s.19 of the Licensing Act 2003.*

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.

Having taken into account the two representations, the Committee was satisfied with the steps which the applicant proposed to promote the four licensing objectives. A decision to refuse an application needs to be based on actual evidence rather than fears of what might happen as a result of the licence being granted. The Committee also had regard to the fact that the responsible authorities had not made representations.

The Committee would remind the parties that if, subsequently, there is evidence of 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.

(10am to 10.13am)

The meeting closed at 10.13am.

Chair

LICENSING COMMITTEE

19 August 2019

AGENDA ITEM 4

Subject	LICENSING ACT 2003 - APPLICATION FOR A FULL VARIATION OF A PREMISES LICENCE Maison Bleu, 10 Meon Close, Chelmsford. CM1 7QQ
Report by	DIRECTOR OF PUBLIC PLACES

Contact:., Matthew Evans (01245) 606512
Email (int./ext.) matthew.evans@chelmsford.gov.uk

Purpose

To consider an application for a variation of an existing premises licence, having regard to a representation received and the requirement to promote the four licensing objectives:

- a) The prevention of crime and disorder
- b) The promotion of 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

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

1.1 Members are requested to consider an application by Mr Mark Pearce, having regard to the representation received and the requirement to promote the four licensing objectives, namely:

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

2 Background

2.1 Mr Pearce is the holder of a current premises licence in respect of premises known as Maison Bleu, and situated at 10 Meon Close, Chelmsford. CM1 7QQ.

2.2 The premise consists of a seated area for internal dining with space for approximately 30 people internally, and approximately 16 people in the rear courtyard, and current licensable activities of:

Sale or supply of Alcohol	Monday - Saturday	10:00 - 18:00
On Premises only	Sunday	11:00 - 17:00

2.3 Opening hours	Monday - Saturday	10:00 - 18:00
	Sunday	11:00 - 17:00

3. Application

3.1 The variation to an existing premises from Mr Mark Pearce is for the following licensable activities:

Sale or supply of Alcohol On Premises only	Sunday	11:00 - 22:00
	Monday - Saturday	10:00 - 22:00
Performance of Live Music	Sunday	11:00 - 22:00
	Monday - Saturday	10:00 - 22:00
Playing of Recorded Music	Sunday	11:00 - 22:00
	Monday - Saturday	10:00 - 22:00

3.2 Opening hours

Sunday	11:00 - 22:00
Monday - Saturday	10:00 - 22:00

3.3 No changes are proposed to the current conditions of the licence, a copy of which is attached to this report as **Appendix C**.

3.4 The application has been properly made in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as **Appendix A**. Members are asked to note the detailed description of the premises and proposed variation contained in section 3 of the application form.

3.5 Although the application form makes mention of playing of live music as a licensable activity, Members are reminded that in accordance with the Live Music Act 2012, premises which are licensed for the sale of alcohol may provide live music without the need for any licence for up to 50 people between the hours of 08.00 and 23.00.

3.6 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.

3.7 The applicant has provided conditions consistent with the operating schedule intended to promote the four licensing objectives which are included as part of the application shown in **Appendix A**.

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

- 4.2 Responses to the consultation on this application have been received from one interested party (a local resident). A copy of the representation received is attached to this report as **Appendix B**. It should be noted that no representations (objections or otherwise) have been received from any of the organisations ("responsible authorities") listed in 4.1 above.

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, a copy of which can be found on our website: <https://www.chelmsford.gov.uk/business/licensing/alcohol-licensing/licensing-policies-and-objectives/> .

- 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

- Appendix A Copy of Application Form
- Appendix B Copy of Representation
- Appendix C Copy of Current Licence

APPENDIX A



Chelmsford
Application to vary a premises licence
Licensing Act 2003

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

* required information

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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 Yes No

House?

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

Is your business registered outside the UK? Yes No

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

United Kingdom

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

Maison Bleu

Street

Meon Close

District

Springfield

City or town

Chelmsford

County or administrative area

Essex

Postcode

CM17QQ

Country

United Kingdom

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Address OS map refere Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

6,500

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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

The premises is a small ground floor tea room consisting of seating for up to approx. 30 people, (serving a variety of teas, coffees, cakes and other pastries etc, as well as light snacks and lunches) situated in a small shopping parade on a residential estate. The main entrance accessible directly from the public footpath leads into an open plan tearoom with soft seating area situated towards the front area of the shop and tables and food displays throughout the rest of the tearoom leading to the rear doors of the tearoom. The enclosed kitchen area exists to the left-hand side of the tearoom and opposite the kitchen is the drinks preparation area and a display of food and drink items. The toilet and washroom is situated to the rear of the tearoom on the left. At the rear of the tearoom are double doors that lead onto an enclosed patio area that gives seating for about 16 people. This then gives access to a small veranda giving access to a small detached gift shop. The gift shop will be furnished with soft furnishing to create a quiet lounge. There are two additional accesses to the property, ones to the rear of the property boundary and one to the side of the tea shop that allow for emergency exit and access if required. The request is to vary current opening times of 10:00hrs to 1800hrs to new opening times of 10:00hrs to 22:00hrs. This is to allow for extended opening to allow clients to use the local facility, following requests from clients to do so. The permission is for on premises only. It is not intended to be a "pub" and there will not be pulled pints available. The intention is to create a quiet and pleasant atmosphere for clients. There may be at special occasions a request for a solo performer or duo to play at the venue performing live music, but this will generally be for specific times, such as occasions during the Christmas period

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

Continued from previous page...

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

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 performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

There is no specific intention to have live music played at the venue and the provision of such music will be limited, however, there may be the occasional specific occasion(s) for live music to be played such as near to Christmas. Such occasions of music would be extremely limited and would mostly consist of solo artists or the possibility of a duo. Such music maybe appropriately amplified but with consideration neighbouring properties. Times will exclude Christmas Day, Boxing Day, New Years Day and Easter Sunday which will be non-opening days

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.

There may be the occasional dates for live music during the summer months and possibly during the days leading up to Christmas. There is no intention to have regular live music dates. rather more adhoc dates

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

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

None

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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 playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Relevant licences have already been obtained for the performance of recorded music from the Performing Rights Society, The music is played on a regular CD player with no additional amplification. Times will exclude Christmas Day, Boxing Day, New Years Day and Easter Sunday which will be non-opening days

State any seasonal variations for playing recorded music.

Continued from previous page...

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 playing of recorded music at different times from those listed above, list below.

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

none

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

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

None

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ADULT ENTERTAINMENT

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

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

None

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

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.

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 above, list below.

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

None

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

None

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

I have not enclosed the licence or relevant part as I am not seeking any changes to the conditions of the current licence.

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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.

Continued from previous page...

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 behaviour on the premises area

c/ vigilance in preventing the use and sale of illegal drugs at the retail area

d/ no violent and anti-social behaviour

e/ no any harm to children - Operating Schedule providing the hours of operation and licensable activities during those hours. - Designated premises supervisor confirmed it is obligated to 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. - Consideration for a CCTV system to be installed with recording option available - As a licensed premise 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

Any person who appears to be under the age of 25 will not be served with alcohol without photographic ID. Alcohol will not be for sale off premises, and the provision of alcohol will be served from bottles or cans, pulled ales will not be available, neither will sprits, thus reducing the likelihood of "Drinkers" utilising the premises. 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. Prevention and vigilance for any illegal drug use at the premises. Staff will be well trained in asking customers to use premises in an orderly and respectful manner. Further consideration for the installation of CCTV.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. 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 the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. 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

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

Continued from previous page...

Well trained staff about requirement for persons' identification, age establishment etc. Details of training provided to staff will be kept for inspection if required. A Log Book of challenges will be kept upon the premises all the time. An awareness of agencies dealing with safeguarding children such as the police or Essex Safe Guarding Children Board, and avenues of reporting concerns.

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NOTES ON REGULATED ENTERTAINMENT

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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

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

* Fee amount (£)

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

* Date

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/change-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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

CASEY, Simon

From:
Sent:
To:
Cc:
Subject:

Categories:

Dear Sirs,

I would like to register my opposition to the application for the sale and supply of alcohol by Maison Bleu Tea Room, 10 Meon Close, Chelmsford, Essex CM1 7QQ. The premises are in the middle of a residential area and will affect the quality of residents life in the area. They have already erected a structure in the parking area of the premises without planning permission, which was then given planning permission once the council had been informed about this. This has already affected the local area and during good weather when we sit in our back garden we get noise from the premises that we never used to get. With the addition of a license to serve alcohol on the premises until 10pm, this will only get worse and there are families in the area with young children.

In addition to this, the parking in the area is bad enough for residents and the extra vehicular traffic this will cause will also be of detriment to the local residents. The owners of the business already park their vehicles in the private access road that runs behind the houses in Waveney Drive, between Meon Close and Wear Drive, because they have built on there own parking area. Parking on this access road means any owner of a garage they park opposite here would at the very least struggle, but almost certainly, not be able to use their garage to store a car. With the extra vehicles this licence could bring, it would probably mean some patrons of the premises would also park along this private access road, and possibly leave their vehicle there overnight if they have had too much to drink. There have also been a few times where the owners of the premises have parked opposite another vehicle parked along this access road completely blocking it.

I feel the granting of this application would be greatly to the detriment of the local residents, both because of the noise of people drinking until 10 o'clock at night, and people leaving them premises late at night as well. There are already two local pubs within a 5 to 10 minute walk of this location, and we do not need another premises licensed for the sale and supply of alcohol in this area. The owners have no consideration for the local residents, and I know that on a couple of occasions when it was pointed out to the them that they should not be parking along this access road as it blocks access to garages, their response was 'I am trying to run a business'.



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

Premises Licence

Premises Licence Number

18/00051/LAPRE

Part I – Premises Details

Maison Bleu Tea Room 10 Meon Close Chelmsford Essex CMI 7QQ		
Telephone number	01245 690871	
Where the licence is time limited the dates are		
Not applicable		
Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities are		
Sale or supply of Alcohol	Monday - Saturday	10:00 - 18:00
Sale or supply of Alcohol	Sunday	11:00 - 17:00
The opening hours of the premises are		
Opening hours	Monday - Saturday	10:00 - 18:00
Opening hours	Sunday	11:00 - 17:00
Where the licence authorises supplies of alcohol whether these are on and / or off supplies		
On Premises Only		

Part 2

<p>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</p> <p>Mr M [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>Electronic Mail Telephone number</p>
<p>Registered number of holder, for example company number, charity number (where applicable)</p> <p>Registered Business Number</p>
<p>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</p> <p>Mr M [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>Telephone number [REDACTED]</p>
<p>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</p> <p>18/00039/LAPER – Chelmsford City Council</p>

Signed:
On behalf of the Licensing Authority

Dated: 21st February 2018

Annex I – Mandatory conditions

- 1 Where premises authorise the supply of alcohol no supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 2 Where the film body has specified in the licence, admission of children (aged under 18) must be restricted in accordance with any recommendation made by that body.

Where

- a) the film classification body is not specified in the licence, or
- b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by the licensing authority.

- 3 Where a premises licence includes a condition that at specified times individuals must be at the premises to carry out a security activity(s) each individual must, be licensed by the Security Industry Authority.

- 4 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)..

- 5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 6 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
(a) a holographic mark, or
(b) an ultraviolet feature.
- 7 The responsible person must ensure that—
(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
(i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;
(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 8 The responsible person must ensure that—
(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
(i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;
(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 9 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

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

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4)(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions from operating schedule:

The management of the premises must monitor the potential requirement for door supervisors on an ongoing basis and in doing so, must take into account any advice given to them by the Police.

The management of the premises must maintain membership of and actively participate in and support the local 'pub watch scheme.'

The use of toughened glass drinking vessels must continue at all times and must be used during any additional hours of opening. This condition does not apply to glass bottles.

There shall be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.

Appendix C

Reasonable steps must be taken by management and staff to recognise the rights of local residents and to encourage customers to leave the premises in a quiet and orderly fashion.

Management must liaise with local neighbours as part of their normal duties and work to resolve, where possible, any reasonable concerns.

No adult entertainment (paid for the licence holder or their staff) of a nude or physical nature will be permitted at the premises.

Staff must not be permitted to be in the sole supervision of children, at any time or under any circumstances.

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

Not applicable

Annex 4 – Plans

See attached