

Licensing Committee Agenda

HEARING TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE

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

25 February at 11am

Remote Meeting

**MEMBERS OF COMMITTEE INVITED TO ATTEND
HEARING**

Councillor L.A. Mascot (Chair)

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

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523 or email daniel.bird@chelmsford.gov.uk.

Licensing Committee

25 February 2022

AGENDA

1. Apologies for Absence

2. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. Minutes

To consider the minutes of the meetings on 5 November and 3 December 2021

4. Licensing Act 2003 – Application for new premises licence – TK Retailer Ltd, 1 Norman Court, Burgess Springs, Chelmsford, CM1 1DR

A report regarding this application is attached.

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 5 November 2021 at 11am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, D.J.R. Clark, D.G. Jones and R.J. Lee

1. [Apologies for Absence](#)

No apologies for absence were received.

2. [Declaration of Interests](#)

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

3. [Licensing Act 2003 – Application for a Review of a Premises Licence – BJP Productions, Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, CM3 3LZ](#)

The Committee considered an application for a review of the above premises licence made by Essex Police under Section 51 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance.

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

- To Modify the conditions of the licence either permanently or for a period not exceeding three months
- To exclude a licensable activity from the scope of the licence, either permanently or for a period not exceeding three months
- Remove the Designated Premises Supervisor
- To suspend the licence for up to three months
- To revoke the licence

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

Applicant – Mrs Rachel Savill and Mr Ronan McManus – Essex Police

Licence Holder – Mr Andy Newman (Representing the licence holder, Mr Silver)

Interested Parties –

- Mr Sammour (Local Resident), represented by Mr Andy Grimsey and Mr Felix Faulkner
- Mr Lewis Mould, Environmental Health
- Parish Cllr Edith Robertson, Little Waltham Parish Council

The Chair advised that the written representations had been read and considered by the members of the Committee in advance of the meeting.

The Committee referred to a written request that had been received from the licence holder to adjourn the hearing. Their representative was invited to address the Committee and expand upon their written request. The Committee were informed that the Licence holder, apologised for having to ask for the adjournment but due to personal and family circumstances, had not been able to prepare for the hearing accordingly. It was noted that he was an independent small business operator and the licence was a valuable asset. The Committee heard that an adjournment would allow a fair hearing which would be in line with the public interest. The Committee was also informed that concerns had not been taken lightly. It was also noted that the Licence Holder wished to apologise for any discomfort or issues that occurred as a result of the festivals.

The other interested parties were invited by the Chair to comment on the application to adjourn. Essex Police, as the applicant stated they were against the adjournment. This was also supported by the representatives for the local resident. They stated that a delay served no purpose in the public interest and that their client had already suffered through two events with significant costs. It was also noted that a further delay only commercially benefited the Licence holder. The representative from Little Waltham Parish Council also opposed the application to adjourn and agreed with the reasons detailed by Essex Police and the local resident.

The Committee retired to deliberate on the request to adjourn the hearing.

The Committee gave careful consideration to the adjournment application made by the Licence holder and the representations made by the applicant and interested parties.

RESOLVED that the hearing be adjourned until Friday 3rd December 2021 at 11am.

Reasons for Decision

The Committee considered the reasons put forward by the Licence holder and were of the view, that to make an informed decision (which would be in the public interest) a short adjournment was appropriate. The Committee did not consider this would be detrimental to the hearing and stressed that a further adjournment was not envisaged.

The meeting closed at 11.41am.

Chair

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 3 December 2021 at 11am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, D.J.R. Clark, D.G. Jones and R.J. Lee

1. [Apologies for Absence](#)

No apologies for absence were received.

2. [Declaration of Interests](#)

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

3. [Licensing Act 2003 – Application for a Review of a Premises Licence – BJP Productions, Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, CM3 3LZ](#)

The Committee considered an application for a review of the above premises licence made by Essex Police under Section 51 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance.

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

- To Modify the conditions of the licence either permanently or for a period not exceeding three months
- To exclude a licensable activity from the scope of the licence, either permanently or for a period not exceeding three months
- Remove the Designated Premises Supervisor
- To suspend the licence for up to three months
- To revoke the licence

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

Applicant – Mrs Rachel Savill and Mr Ronan McManus – Essex Police

Licence Holder – Mr Josh Silver – Represented by Mr Andy Newman, Mr Rupert Burton and Mr Stephen Arundell

Interested Parties –

- Mr Sammour (Local Resident), represented by Mr Andy Grimsey and Mr Felix Faulkner
- Mr Paul Brookes, Licensing Authority
- Parish Cllr Edith Robertson, Little Waltham Parish Council

It was noted by the Committee that an updated version of Appendix C had been circulated to all relevant parties, this detailed a change to the initial representation made by Environmental Health. The Committee also noted the new documents provided by the Licence Holder, detailed in Appendix H.

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 present their case. Essex Police stated that their full submission was available in the agenda pack and as a result would just provide an overview. It was noted by the Committee that Essex Police had considerable concerns on three of the four licensing objectives and had requested the revocation of the licence as a result. The Committee heard the following points from Essex Police:-

- Numerous calls were received from the public reporting traffic concerns in the area including congestion, drivers going the wrong way roundabouts, amongst other issues.
- The road had to be closed as a result on safety grounds, using up valuable police resources.
- Pedestrians were seen walking along unlit roads, presenting a major public safety issue.
- Photographs of the safety concerns raised by traffic officers were available in the agenda pack.
- Various Safety Advisory Group meetings had been attended by Essex Police in the initial run up to the events and in-between them.
- Essex Police had initially objected to the original application, but this had been withdrawn after the event management plan had been upgraded.
- The site was simply not the correct location for this type of event.

Essex Police informed the Committee, that no conditions could be added to the licence which would satisfy their concerns. The Committee were informed that the only solution was revocation as, in their view, the location was simply not suitable for these types of events.

At this point of the hearing, the Chair invited the Licence Holder's representative, Mr Newman, to present their case. In introducing their case, Mr Newman stated that with hindsight the location had not been correct for the 'originals' event and it had caused upset and difficulties. It was noted that this was due to sections of the crowd disregarding traffic management instructions. The Committee heard that a proportional response would be to hold a different event at the location with a

lowered maximum capacity to 3000 rather than 5000 with set decibel levels, limited to three events per year. The Committee noted that this was offered as a condition. It was also noted that the updated representation from environmental health supported these conditions.

The Committee also heard that the licence holder and his team had worked closely with the local authorities ahead of the events via SAG meetings and other correspondence. It was noted that there had been a disconnect with the highways and parking departments though, leading to no traffic wardens attending on the day of the event. Mr Newman also stated that contrary to the view held by Essex Police, the Safety Advisory Group did feel the location was suitable and they had believed an event could be held safely with the traffic plans in place.

In summary, the Licence holder and their representatives felt that a lowered attendance to 3000 along with limited decibel levels and a limit to three events per year, was proportionate and fair. It was also noted that no further events would be held by 'the originals' and that to revoke the licence completely would be disproportionate and unfair.

The Committee also heard from Paul Brookes, who was representing the licensing authority and answering any questions about the representation made by Environmental Health. He informed the Committee that he had also attended the SAG meetings in the run up to the events. He stated that the second traffic plan was better but also failed. In his opinion it had failed because of the behaviour of people attending the event. People had not followed and in fact had deliberately ignored or disregarded traffic control instructions. The Committee were also informed about the change made to the Environmental Health representation and the conditions which had been agreed.

At this point in the hearing the Committee asked some questions and received the following responses:-

- Essex Police felt that a lowered capacity to 3000, would simply make no difference in their opinion and the existing issues would still be present. They stated that perhaps a capacity of 500 would be suitable for the location.
- The Licence Holder felt that 50% of attendees would travel by car, but this had clearly been underestimated.
- The Licence Holder referred to the email chain in Appendix H, detailing discussions for traffic wardens to attend the event.
- The Licence Holder stated that around 4750 of the 5000 potential capacity attended the event.

The Committee also heard from Mr Sammour and his representative, Mr Grimsey. They referred to the representation they had made along with the supporting documents from various specialists and the videos taken of the road safety issues. They made the following points and stated that along with Essex Police, they felt a revocation was the only suitable outcome:-

- The event was a complete surprise and no local engagement had been held prior to the event.
- There were significant concerns regarding noise levels and public safety.

- The two expert reports detailed in the agenda pack highlighted the various public safety issues and noise disturbance issues with events being held at the location.
- It was quite rare for the issue of public safety to be the main issue when considering a review of a licence, but in this specific case, it was certainly the main issue the Committee needed to consider.
- As already detailed by Essex Police, the public safety issues included cars parking on verges, cars driving on the wrong sides of the road, pedestrians walking in the road, cars speeding, traffic cones being removed and no street lighting in the area. It was also noted that emergency vehicles would have been unable to reach nearby residential properties or the event itself.
- The Licence Holder had not been able to prevent these safety issues during the second event despite updated traffic management plans.
- The points raised by the Licence Holder regarding the specific crowd that attended, were irrelevant and conditions cannot be put on a licence specifying who can or cannot attend.
- The location is simply unsuitable, and it was a miracle that no major injuries or worse occurred during the two events.
- The detailed reports from experts included in the agenda pack had not been referenced in the updated submissions from the Licence Holder.
- No evidence had been provided to prove that a 3000 capacity would lead to a safe event.

The Committee also heard from Cllr Robertson, of Little Waltham Parish Council. The Committee noted that the Parish Council echoed the views presented by the Police and the Local resident and felt a revocation was the only reasonable outcome. The Committee considered the following points made by the Parish Council:-

- Various emails and calls had been received by residents and a local meeting had been held prior to the second event.
- The A130 is a main artery road and is certainly not suitable to park on due to the high speeds involved.
- Traffic issues lead to major public safety concerns alongside concerns of anti-social behaviour by some attending the events.
- The closure of the main road had led to traffic being directed through the small village of Little Waltham, which could not accommodate the traffic levels.
- The reduction to a 3000 capacity would not lead to any improvements.
- The event was of no benefit to local commerce in the village.
- Police resources should not have to be used to police an event of this nature, as they have more important issues to be attending.
- The personal circumstances of the Licence Holder (whilst they warranted sympathy) were completely irrelevant to the determination of a statutory review of this nature and should not be taken into account.

In response to questions from the Committee, the following responses were received:-

- The Licence Holder felt that the financial effect on them should be taken into consideration.
- The Licence Holder also felt that a capacity of 3000 would clearly be less impactful than 5000.

- The Licence Holder also stated that the SAG had felt the events would be safe and they were the experts.
- The representative of the local resident stated that it was upon the Licence Holder themselves to promote the Licensing Objectives and not anybody else.

The Committee also heard from Mr Arundell, who was also representing the Licence Holder. He stated that the only issue raised by the statutory authorities was of public safety concerns related to traffic and not any other issues. It was noted that if the Committee felt those concerns were mitigated by a lower attendance then there were no other reasons not to allow the licence to continue. It was also noted that it was very uncommon for so many attendees to arrive by car and this had contributed to the issues experienced. The Committee also heard that the site was very typical in nature of ones used for similar events elsewhere and that it was believed events could be delivered safely at the site.

At this point of the meeting, the Committee retired to deliberate. It was noted that due to the remote nature of the meeting, the decision would be circulated to all parties within a few working days via email.

RESOLVED that the Committee has decided not to revoke the licence on this occasion but instead considers it appropriate for the promotion of the four licensing objectives that the following steps (which involve modification of the conditions of the licence) be taken:-

- 1) The imposition of the conditions proposed by Mr Lewis Mould (on behalf of Environmental Protection Services) in his amended representation (29 November 2021) which is set out in Appendix C to the report before Committee.

Note: these conditions include the condition which limits licensable activities to a maximum of 4 weekends (to include Friday, Saturday, and Sunday) in any calendar year.

- 2) The imposition of a further condition to the effect that the number of patrons at any event shall not exceed 1,500 patrons.

Reasons for Decision

1. The Committee considers that the incidents which took place on the 24 July and 04 September and which resulted in Essex Police seeking a review of the licence were unacceptable. The three licensing objectives cited by Essex Police in their application were engaged and had been undermined to various degrees. The incidents - in particular the need to respond to and manage the major traffic management issues - had been a drain on police resources. In addition, noise nuisance had been experienced by local residents and there had been some isolated incidents (albeit relatively low level) of anti-social behaviour on the part of patrons connected to the parking on Essex Regiment Way.

2. The Committee is mindful of the fact that the licence holder had consulted / agreed a traffic management plan for the 04 September event with the Safety Advisory Group (SAG). However, as Paul Brookes, the Chair of SAG had

confirmed, the reality was that this plan (and, indeed, the plan for the previous 24 July event) had failed to work in practice in relation to traffic management. Even though it might be the case that the licence-holder had used their best efforts on the 04 September to try to control the escalating traffic issues, these efforts had been ineffective. Public safety had been seriously compromised. Both the law and the Guidance make it clear that the licensing authority's duty on a Review is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community. The fact that the licence-holder and staff working at the event may have fully complied with conditions attached to the licence and used their best efforts to resolve the traffic issues arising in the course of the event and were themselves appalled at how things turned out could not detract from this duty. In addition, whilst reference had been made to the personal difficulties that Mr Silver and his close family were going through and this warranted sympathy, they were completely irrelevant to the determination of the Review and the Committee could not (and did not) take them into account in making its decision.

3.The Committee is satisfied on the evidence before it that there had been noise nuisance emanating from both the events on 24 July and 04 September 2021. The Council's Environmental Protection Service had received a number of noise complaints from residents about both events, and officer visits during the September event had confirmed that high levels of noise, causing disturbance, were audible at nearby residential properties. (The licence-holder did not, in any event, dispute this noise nuisance.) The Committee considers, however, that imposition of the stringent conditions proposed by Mr Lewis Mould and set out in Appendix C to the report (which, among other things, restrict licensable activities to 4 weekends in the calendar year and impose maximum noise (decibel) levels) would, if properly adhered to, prevent the recurrence of such noise nuisance.

4.The Committee is satisfied on the evidence before it that the event on the 04 September in particular gave rise to major road traffic problems, with (among other things) vehicles travelling the wrong way around roundabouts, driving over the central reservation, the road becoming gridlocked at points, and patrons ignoring / disregarding event marshals and parking dangerously along Essex Regiment Way to avoid waiting in the queue to access legitimate parking facilities on the event site. Patrons who had parked on Essex Regiment Way were walking on and across Essex Regiment Way to access and egress the event site, putting themselves at risk of being hit by traffic. These concerns and congestion issues necessitated the closure by Essex Police of Essex Regiment Way for several hours and the consequential diversion of traffic through Little Waltham and other areas. (The licence-holder does not dispute the 04 September event gave rise to these problems which undermined the licencing objectives in question.)

5.The Committee has given both careful consideration and attached considerable weight to Essex Police's submission that the only appropriate step for the Committee to take in this review is to revoke the licence, because if the premises were allowed to continue to operate under the licence they (Essex Police) believe traffic chaos would ensue and that public safety etc would once again be undermined. Ultimately, however, it is for the Committee (not Essex Police) to assess the matters / issues and reach its own

determination on the step(s) that it was appropriate to take to promote the licensing objectives. The Committee is prepared to accept Essex Police's contention that even if capacity (patrons) at events were to be reduced from 5,000 to 3,000 this would not be acceptable – traffic management issues could still arise and undermine the public safety objective.

6. On a careful analysis, however, the Committee is unable to accept the wider position put forward by Essex Police – namely, that the location of the licensed premises is simply not suitable for events of this kind – or at least for events with a capacity exceeding 500 patrons. (The Committee notes that in the course of the hearing, Mr McManus, on behalf of Essex Police, and in a response to a question from Cllr Jones, conceded that if the number of patrons was reduced to 500 then this would not be problematic.) There is, in the Committee's view, no empirical / objective evidence before the Committee to support the position taken by Essex Police. Conversely, it is a fact that the current premises licence was granted on 02 July 2021 and its scope permitted the number of patrons who attended the events on 24th July and 4th September. The SAG approved traffic management plans for the two events were likewise predicated on the basis that, with the appropriate traffic control measures in place, the capacity was acceptable. From an objective standpoint, for Essex Police suddenly to take the stance that the licensed premises (which have adequate parking facilities on site to accommodate patrons) is completely unsuitable for events (or events not exceeding 500 capacity), is not, on the evidence before the Committee, sustainable. On balance, the Committee is of the view that the failure of the traffic management plans and the difficulties experienced on 04 September were, in the main, attributable to the actual behaviour of the patrons attending the event (i.e. ignoring traffic management and acting in an irresponsible manner), rather than indicative of the location itself being unsuitable for licensable activities of the kind authorised by the licence. (The Committee notes that this was, indeed, the view expressed by Mr Paul Brookes at the hearing.)

7. The Committee has also had regard to the licence-holder's assertion that had there been traffic wardens (i.e. Civil Enforcement Officers) and a tow truck in attendance during the September event then the traffic chaos could have been avoided. The Committee has given some, limited, weight to this factor. The Committee has taken note of the fact that Civil Enforcement Officers (who are employed by and operate under the auspices of the South Essex Parking Partnership) do not have the power to tow away vehicles. They are limited to issuing (and affixing to offending vehicles) Parking Contravention Notices which require the payment of a civil penalty fine. Only the police (and certain other agencies) have the powers (in certain circumstances) to arrange for the removal of parked vehicles. Furthermore, the Committee considered that even the presence and operation of a tow truck on the 04 September would have had little impact in relation to vehicles already parked on Essex Regiment Way, given the sheer number of vehicles involved. The Committee agreed, though, that the visible presence of Civil Enforcement Officers would be likely to deter some patrons from parking illegally.

8. Whilst there may be different views on what the acceptable capacity limit for events should be, the Committee itself is satisfied (taking into account its own local knowledge of the location) that a capacity limit of 1,500 patrons would not undermine the licensing objectives, subject to there being an adequate SAG approved traffic management plan being in place and adhered to. Having regard to the traffic chaos that occurred on the 04 September and the information before it at the present time, the Committee considers that the imposition of this condition limiting capacity is appropriate for the promotion of public safety.

9. In determining this review the Committee has also considered the licence-holder's suggestion that a condition could be attached to the licence precluding the location from being used in the future for "The Originals" events. However, the Committee is of the view that a condition of this nature would be potentially ineffective and difficult, if not impossible, to enforce - as in terms of substance it concerned more with restricting the genre of the music played and the age / cultural makeup of patrons attracted to such music, rather than with a particular identifiable group of performers. Furthermore, the Committee has some doubts as to whether a condition of this nature would be appropriate or even legitimate given that it could be regarded as discriminatory in some respects. The Committee takes the view that it is essentially a matter of judgement for the licence-holder to determine which groups / music genres are appropriate to invite to perform at events. Furthermore, even if such a condition were to be feasible the Committee would still consider it appropriate to impose the condition limiting capacity to 1,500 and the conditions proposed by Mr Mould.

10. The Committee has also had regard to the reference by Essex Police in their application to disturbances reported by staff at a nearby McDonalds restaurant, with lots of customers entering the restaurant at once and being argumentative and aggressive to staff, albeit it would appear that this incident has not resulted in any formal police investigation or institution of criminal proceedings. The Committee notes that the licence-holder disputes that there is a proven nexus between this incident and the event. In this regard the Committee is mindful of paragraph 11.7 of the Guidance and is inclined to agree. Even if it could be shown that the individuals in question were connected with attendance at the event, it does not necessarily follow that there is a causal connection between the event and their actual behaviour at McDonalds.

INFORMATIVE

Whilst the matter hasn't influenced the Committee's decision, the Committee notes that there appears to have been a "disconnect" or misunderstanding / breakdown in communication of some sort as between the licence-holder and SEPP / Essex County Council regarding the attendance "traffic wardens" (Civil Enforcement Officers) at the 04 September event. The licence-holder appears to have been under the impression (rightly or wrongly) that there would be Civil Enforcement Officers in attendance, with Essex County Council also involved in some degree, and that also there would be a tow truck available with capability to tow away offending vehicles. The Committee is unable to comment on whether provision of such services would have been feasible on the day (save that as already mentioned, SEPP Civil Enforcement

Officers do not have the powers to remove vehicles) and if so the terms on which they would have been provided. The Committee would stress, however, that ultimately it is the responsibility of the licence-holder to ensure that arrangements of this kind have been agreed and confirmed with the agencies in question.

The meeting closed at 12:09pm

Chair



Chelmsford City Council Licensing Committee

FRIDAY 25TH FEBRUARY 2022

LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE: TK RETAILER LTD (LONDIS), 1 NORMAN COURT, BURGESS SPRINGS, CHELMSFORD, ESSEX, CM1 1DR

Report by:

Director of Public Places

Officer Contact:

Daniel Winter, Licensing Officer, Daniel.winter@chelmsford.gov.uk, 01245 606317

Purpose

The Committee is requested to consider an application by Mr Thevavinoth Mathivannan on behalf of TK Retailer Ltd, made under section 17 of the Licensing act 2003, for a new premise licence in respect of 1 Norman Court, Burgess Springs, Chelmsford, Essex, CM1 1DR, having regard to representations received and the requirement to promote the four licensing objectives. These were:

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

Options

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

- 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 within 21 days of the notification given by the licensing committee, by the licence holder, Chief officer of police, or any other person making relevant representation.

1. Background and Introduction

- 1.1 The land at Burgess Spring is primarily a residential area of flats and apartments with seating and popular social meeting points, within the city centre. Some overhead plans have been provided to better understand the location and surrounding areas.

2. Application

- 2.1 The application has been properly made in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form together with a plan of the proposed premises is attached as **Appendix A**.
- 2.2 The application form for the premises licence was received on the 10th January 2022 and correctly advertised by the placing of blue notices at the premises, 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:

Sale of Alcohol all week from 8 am – 10 pm

- 2.4 The designated premises supervisor is Mr Thevavinoth Mathivannan having obtained a personal licence from Mid Suffolk District Council.
- 2.5 Members are asked to note that as this report is available in the public domain, personal details have been redacted from some documents, however, both the Authority and the applicant have received complete copies of all documents
- 2.6 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.

3. Representations

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

- 3.2 Responses to the consultation on this application have been received from eight members of the public in the form of written representations. These were sent on the grounds of all four of the licensing objectives. Copies of these representations are shown as **Appendix B**.
- 3.3 There were no representations from responsible authorities.
- 3.4 Conditions imposed by Essex Police were agreed by the applicant if the licence is granted. These are attached as **Appendix C**.
- 3.5 Screenshots of the specific location of the premises are attached as **Appendix D**.

4. Conclusion

- 4.1 The below section of the Statement of Licensing Policy is brought to the attention of members and is 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.

List of appendices:

- Appendix A - Copy of the Premise Licence and plans
- Appendix B – Copy of Representations received
- Appendix C – Copy of the agreed Conditions
- Appendix D – Screenshots of the premises location

Background papers:

Application file held by Licensing Authority

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:

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: As per that required by legislation

Relevant Policies and Strategies: Statement of Licensing Policy

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

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

* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

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

If you wish the licence to be valid only for a limited period, when do you want it to end

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

Provide a general description of the premises

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

Convenience Store, where alcohol and tobacco will be sold.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

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?

Continued from previous page...

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

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

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...

Enter the contact's address

Building number or name	<input type="text" value="1"/>
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"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

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.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

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.

N/A

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.

N/A

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

Name

First name

Family name

Date of birth

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

Continued from previous page...

TUESDAY

Start 06:00

End 22:00

Start

End

WEDNESDAY

Start 06:00

End 22:00

Start

End

THURSDAY

Start 06:00

End 22:00

Start

End

FRIDAY

Start 06:00

End 22:00

Start

End

SATURDAY

Start 06:00

End 22:00

Start

End

SUNDAY

Start 07:00

End 22:00

Start

End

State any seasonal variations

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

N/A

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.

N/A

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)

Continued from previous page...

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

- personal hygiene
- smart dress code
- polite talk
- CCTV
- alarm

b) The prevention of crime and disorder

- Staff training / handle problems
- polite talk
- no credit sale policy
- verbal warning about CCTV
- alarm
- incident record
- no sale of alcohol outside house

c) Public safety

- security
- panic alarm
- warning signs / safety signs
- record keeping
- fire-extinguisher
- floor pathway clear
- regular check of electricity and gas

d) The prevention of public nuisance

- litter (regular pick up)
- not selling of single cans of beer

e) The protection of children from harm

- no sale of alcohol and tobacco under age of 18
- having clear policy for dealing with children
- keeping records of refuse sale
- CCTV to monitor the premises
- Challenge 25 policy
- Staff training
- language training

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

* Fee amount (£)

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...

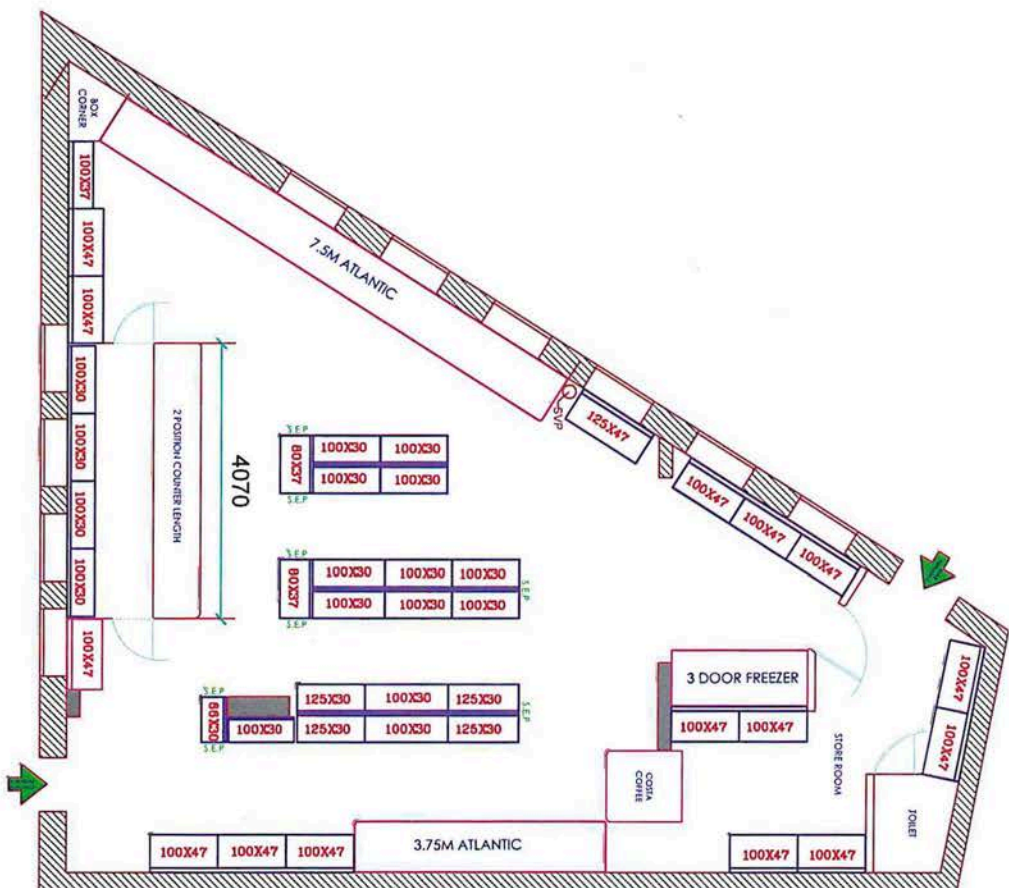
Once you're finished you need to do the following:

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



LEGEND

- SLATS
- PELMET
- SOLID E.P
- SLATTED E.P
- TOMBSTONE SOLID
- TOMBSTONE SLATTED
- TIMBER WORK
- WALL BAY E.P
- STUD WORK

IMPORTANT:

SPECIFICATION & DETAIL DOCUMENTS:
This dwg shall be read in conjunction with standard dwg's & specification of works where provided as detailed in quotation.
FINISHES SCHEDULE:
Refer to current finishes schedule for specifications regarding finishes annotated by letter/number within this dwg.

CONFIDENTIALITY:

This drawing is issued confidentially and must not be disclosed to any third parties without the prior written consent of Koolmax group.
COPYRIGHT NOTICE:
This drawing is the property of Koolmax and must not be copied or reproduced except with the express permission of Koolmax nor may the design or any information shown thereon be disclosed to any third party.

NOTE TO CONTRACTOR: DO NOT SCALE FROM THIS DRAWING

Project	Revision	By	Rev	Date
Proposed Plan				



Drawn By	Check By	Approved By

Scale: 1:50
Date: 2021005-01

Redacted representations received for TK Retailer Ltd, 1 Normal Court, Burgess Springs, Chelmsford, CM1 1DR : Licence Application

Representation 1

11 January 2022

Application for new premises licence

Sales of alcohol – 8am-10pm

To whom this may concern,

I am writing to register my objection to the application for a new premises licence by T.K Retailer Ltd for 1 Norman Court, Burgess Springs, Chelmsford, Essex, CM1 1DR.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives particularly the prevention of crime, disorder and antisocial behaviour.

1 Norman Court lies in a residential area with seating and social meeting points purposely for the complex. Enabling the premises to sell alcohol would be totally detrimental to its aims and objectives of a residential community culture.

The application proposes that alcohol will be sold for consumption off the premises between 8am-10pm, 7 days a week. Not only are this antisocial hours, this would provide a further source of alcohol within an area already heavily populated with licensed premises where crime (BIKE THEFTS) damage, disorder and public nuisance have already reached problem levels for the local police and our concierge service. This will also encourage the rising homeless that we have in this area to hang around on the benches and seating provided for the residents.

There is a park and sports facilities close by which could also lead to further antisocial behaviour around the complex due to the off-premises alcohol sales being available.

In view of the above, I would urge the Licensing Authority to refuse the application

Yours Faithfully

Representation 2

Hi There,

I would like to put forward a formal appeal of licensing being granted to the Londis retail unit located at the above address. Unfortunately, I am not able to determine the exact course of appeal as the notice displayed on the property has not been served correctly as you can see from the photo attached. The reasons I would like to object to the license being granted is on the following grounds;

- The retailer not being in keeping with the area- the development is in a prime location to the station and also the town center is high-end and mostly contains young professionals.
- Potential to increase anti-social behavior - A alcohol licensed premises at the foot of a large residential development has the potential to increase anti-social behavior and crime, given that there is a large amount of seating and green space, this will also lead to unwanted loitering for which we already have a heavy presence of.
- Increased littering - With the development being located adjacent to central park and also Frank Whitmore Green, these are both areas for which contain a heavy presence of dog owners and social gatherings. A Londis located directly adjacent will likely increase the environmental impact that littering creates.
- Similar retailers in close proximity - within less than 3 minutes walk from the proposed location, there is a heavy presence of retailers who are able to offer the same level of offering that the proposed Londis will offer. Therefore begs the question of why does one need to be cited directly on the development?

Please can you confirm by return that this appeal has been received and that this has been addressed correctly.

Kind Regards

Representation 3

First name:

Last name:

Building number or name:

Address line 1:

Address line 2 (optional):

Town or city:

Postcode:

Phone number:

Email address:

Your enquiry: OBJECTION TO APPLICATION T K RETAILER LTD FOR NEW PREMISES LICENCE Application by T K Retailer Ltd for new premises licence 1 Norman Court Burgess Springs Chelmsford CM1 1DR Closing Date: 07/02/22 Sales of alcohol all week 8am - 10 pm Dear Sirs, I am writing to register my objection to the application for a new premises licence by T K Retailer Ltd for 1 Norman Court, Burgess Springs, Chelmsford, Essex CM1 1DR. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour. 1 Norman Court lies in a residential area with seating and social meeting points. it also has very close access to parks and public access sports facilities and green space which will also lead to further antisocial behaviour due to alcohol sales. Enabling the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises between 8 am - 10 pm 7 days a week. this would provide a further source of alcohol within an area already so heavily populated with licence premises that crime (bike thefts) disorder and public nuisance have already reached problem levels for the local police and our concierge service. in view of the above, I would urge the Licensing Authority to refuse the application. yours faithfully

Date of enquiry: 11/01/2022

Representation 4

-----Original Message-----

From:

Sent: 11 January 2022 15:27

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

Subject: Proposed Londis at 1 Norman Court

Hello. My name is and I reside in.

I would like to put forward a formal appeal of licensing being granted to the Londis retail unit located at the above address. Unfortunately, I am not able to determine the exact course of appeal as the notice displayed on the property has not been served correctly as you can see from the photo attached. The reasons I would like to object to the license being granted is on the following grounds;

The retailer not being in keeping with the area- the development is in a prime location to the station and also the town center is high-end and mostly contains young professionals. Potential to increase anti-social behavior - A alcohol licensed premises at the foot of a large residential development has the potential to increase anti-social behavior and crime, given that there is a large amount of seating and green space, this will also lead to unwanted loitering for which we already have a heavy presence of. Increased littering - With the development being located adjacent to central park and also Frank Whitmore Green, these are both areas for which contain a heavy presence of dog owners and social gatherings. A Londis located directly adjacent will likely increase the environmental impact that littering creates. Similar retailers in close proximity - within less than 3 minutes walk from the proposed location, there is a heavy presence of retailers who are able to offer the same level of offering that the proposed Londis will offer. Therefore begs the question of why does one need to be cited directly on the development?

Also with alcohol being available til late every night will attract the homeless too and can be quite intimidating when walking home from the station or town as a woman alone.

I don't think this is a sensible use of the space at all as this residential and shops are very close by at the busy station or into the town centre itself.

A nice coffee and cake shop as a meeting place for friends would be nice that could sell drinks in the evening but close and not sell alcohol to individuals.

Please can you confirm by return that this appeal has been received and that this has been addressed correctly.

Kind Regards

Representation 5**From:****Sent:** 11 January 2022 19:20**To:** Licensing <Licensing.Email@chelmsford.gov.uk>**Subject:** Appeal

Hi There,

I would like to put forward a formal appeal of licensing being granted to the Londis retail unit located at the above address. Unfortunately, I am not able to determine the exact course of appeal as the notice displayed on the property has not been served correctly as you can see from the photo attached. The reasons I would like to object to the license being granted is on the following grounds;

The retailer not being in keeping with the area- the development is in a prime location to the station and also the town center is high-end and mostly contains young professionals. Potential to increase anti-social behavior - A alcohol licensed premises at the foot of a large residential development has the potential to increase anti-social behavior and crime, given that there is a large amount of seating and green space, this will also lead to unwanted loitering for which we already have a heavy presence of. Increased littering - With the development being located adjacent to central park and also Frank Whitmore Green, these are both areas for which contain a heavy presence of dog owners and social gatherings. A Londis located directly adjacent will likely increase the environmental impact that littering creates. Similar retailers in close proximity - within less than 3 minutes walk from the proposed location, there is a heavy presence of retailers who are able to offer the same level of offering that the proposed Londis will offer. Therefore begs the question of why does one need to be cited directly on the development?

Please can you confirm by return that this appeal has been received and that this has been addressed correctly.

Kind Regards

Representation 6

Submitted On: 12/01/2022

Submitted From: <https://www.chelmsford.gov.uk/your-council/contacting-us/contact-licensing/>

Submitted By:

First name:

Last name:

Building number or name:

Address line 1:

Town or city:

Postcode:

Phone number:

Email address:

Your enquiry: Hi I would like to put forward a formal appeal of licensing being granted to the Londis retail unit located at the above address. Unfortunately, I am not able to determine the exact course of appeal as the notice displayed on the property has not been served correctly as you can see from the photo attached. The reasons I would like to object to the license being granted is on the following grounds; The retailer not being in keeping with the area- the development is in a prime location to the station and also the town center is high-end and mostly contains young professionals. Potential to increase anti-social behavior - A alcohol licensed premises at the foot of a large residential development has the potential to increase anti-social behavior and crime, given that there is a large amount of seating and green space, this will also lead to unwanted loitering for which we already have a heavy presence of. Increased littering - With the development being located adjacent to central park and also Frank Whitmore Green, these are both areas for which contain a heavy presence of dog owners and social gatherings. A Londis located directly adjacent will likely increase the environmental impact that littering creates. Similar retailers in close proximity - within less than 3 minutes walk from the proposed location, there is a heavy presence of retailers who are able to offer the same level of offering that the proposed Londis will offer. Therefore begs the question of why does one need to be cited directly on the development? Please can you confirm by return that this appeal has been received and that this has been addressed correctly. Kind Regards

Date of enquiry: 12/01/2022

Representation 7

Submitted On: 15/01/2022

Submitted From: <https://www.chelmsford.gov.uk/your-council/contacting-us/contact-licensing/?fbclid=IwAR28elqXN5l-0vvTTUZqJQfEnFFjzb4rh5675DQa8fH-foTsZG1LSk1vDfQ>

Submitted By:

First name:

Last name:

Building number or name:

Address line 1:

Town or city:

Postcode:

Phone number:

Email address:

Your enquiry: To whom it may concern, I am writing to object to the application of a new premises licence by T.K Retailer Ltd for Unit 1, Norman Court, Burgess Springs, Chelmsford, CM1 1DR. I believe the objectives of preventing crime, disorder and anti social behaviour would not be served by granting this licence. My fiancée and I live directly above the proposed unit and believe that the selling of alcohol will further contribute to the anti social behaviour already present in the area which have required the attendance of the police. More options of places to buy alcohol in an area that already has plenty of locations to purchase alcohol, will only add to the problem. Being able to sell alcohol with seating areas in the vicinity contradicts the stated aims and objectives. There is also a basketball area right next to the proposed site where children and families regularly play basketball. Having a shop selling alcohol we believe would deter families from using the site and increase the litter that is already present from adults using the basketball courts. Given the problems in the area already with anti social behaviour, bike thefts, littering and public disorder, I urge the licensing authority to refuse the application. Yours faithfully, .

Date of enquiry: 15/01/2022

Representation 8

Submitted On: 15/01/2022

Submitted From: <https://www.chelmsford.gov.uk/your-council/contacting-us/contact-licensing/?fbclid=IwAR0l8FEoN9hO17wh6PbyR0QGPOCeNU4JyfMIS7ixl4SwnXkN OqRQ70eNH88>

Submitted By:

First name:

Last name:

Building number or name:

Address line 1:

Town or city:

Postcode:

Phone number:

Email address:

Your enquiry: To whom it may concern, I am writing to object to the application of a new premises licence by T.K Retailer Ltd for Unit 1, Norman Court, Burgess Springs, Chelmsford, CM1 1DR. I believe the granting of this licence would not promote the objectives in preventing crime, disorder and anti social behaviour. My fiancée and I live directly above the proposed unit and believe that the selling of alcohol will further contribute to the anti social behaviour already present in the area which have required the attendance of the police in the past. Being able to sell alcohol with seating areas in the vicinity contradicts the stated aims and objectives. We regularly have people walking through the complex late at night shouting and screaming having been out drinking and providing more option for places to buy alcohol in an area that already has plenty of locations to purchase alcohol, will only add to the problem. There is also a play area right next to the proposed site where children regularly play basketball. Having a shop selling alcohol we believe would deter people from using the site and increase the litter that is already present from adults using the basketball courts. Given the problems in the area already with anti social behaviour, bike thefts, littering and public disorder, I urge the licensing authority to refuse the application. Yours faithfully,.

Date of enquiry: 15/01/2022

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition;
 - ii. 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;
 - iv. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
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}
4. 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.
 5. Other than wine or spirits, no alcohol with an alcohol by volume content above 6.5% will be sold or offered for sale.
 6. Customers will not be permitted to remove from the premises any drinks supplied by the premises in open containers.

7. 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 (photo, name, date of birth and either a holographic mark or ultraviolet feature) **and** is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or Ministry of Defence Identity Card.

8. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.

At the point of sale, such signs shall be a minimum size of 200mm x 148mm.

9. 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.

10. 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.

