

Licensing Sub-Committee Hearings Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Friday, 16 August 2019 at 10:00**

The Licensing Sub-Committee hears and determines applications made under the Licensing Act 2003. This includes licensing the sale of alcohol and the provision of a variety of licensable activities such as recorded music, stage plays and the showing of films.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

Have Your Say!

The Council welcomes contributions and representations from members of the public at most public meetings. If you would like to speak at a meeting and need to find out more, please refer to the Have Your Say! arrangements here: <http://www.colchester.gov.uk/haveyoursay>.

Audio Recording, Mobile phones and other devices

The Council audio records public meetings for live broadcast over the internet and the recordings are available to listen to afterwards on the Council's website. Audio recording, photography and filming of meetings by members of the public is also welcomed. Phones, tablets, laptops, cameras and other devices can be used at all meetings of the Council so long as this doesn't cause a disturbance. It is not permitted to use voice or camera flash functions and devices must be set to silent. Councillors can use devices to receive messages, to access meeting papers and information via the internet. Looking at or posting on social media by Committee members is at the discretion of the Chairman / Mayor who may choose to require all devices to be switched off at any time.

Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, using the contact details below and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Library and Community Hub, Colchester Central Library, 21 Trinity Square,
Colchester, CO1 1JB

telephone (01206) 282222 or textphone 18001 followed by the full number you wish to call
e-mail: democratic.services@colchester.gov.uk

COLCHESTER BOROUGH COUNCIL
Licensing Sub-Committee Hearings
Friday, 16 August 2019 at 10:00

The Licensing Sub-Committee Hearing Members are:

Roger Buston - Member, Helen Chuah - Member, Mike Hogg - Member

The Licensing Sub-Committee Hearing Substitute Members are:

All members of the Council who are not Cabinet members or members of this Panel who have undertaken the necessary training.

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Please note that Agenda items 1 to 5 are normally dealt with briefly.

1 Appointment of Chairman

To appoint a Chairman for the meeting.

2 Welcome and Announcements

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

3 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

5 Minutes of Previous Meeting

The Councillors will be invited to confirm that the minutes are a correct record of the meeting held on 10 April 2018.

10 April 2019 - Amphora Leisure World

7 - 8

6 Putt in the Park

11 - 46

To determine an application for a new premises licence application under the Licensing Act 2003.

Part B
(not open to the public including the press)

7 Exclusion of the Public (not Scrutiny or Executive)

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

e-mail: democratic.services@colchester.gov.uk
website: www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

10 April 2019

MINUTES OF PROCEEDINGS

At a meeting of the Licensing Sub-Committee held on 10 April at 10.00am in the Council Chamber, Colchester Borough Council, Town Hall, High Street, Colchester

Present: - Councillor Cope
Councillor Dundas
Councillor Hogg

1. Membership

RESOLVED that Councillor Dundas be appointed Chairman.

2. Minutes of Previous Meeting

RESOLVED that the minutes of the hearings held on 30 November and 7 December 2018 be approved as a correct record.

3. Licensing Application

The Assistant Director, Communities, submitted a report in relation to the following premises.

- **Charter Hall, Cowdray Avenue, Colchester**

In Attendance

James Young, Events Manager for Amphora Trading Ltd - Applicant
Georgia Tamblyn, Colchester Civic Society - Objector
Rebekah Straughan, Legal Services
Jon Ruder, Licensing, Food & Safety Manager
Zoe Gentry, Democratic Services Officer

Mr Ruder outlined the application to which an objection had been lodged by Mrs Tamblyn, on behalf of the Colchester Civic Society. The application sought a licence in the name of Colchester Amphora Trading Ltd for Charter Hall, Colchester. The premises already had the benefit of a licence held by Colchester Borough Council. There had been no responsible authority representations to the application.

Mr Young gave a brief introduction to the application explaining that the application had been made to enable events to be operated under the banner of Amphora Trading but it was not anticipated that there would be a substantial change in the type of events that were offered to those that had been run under the existing Charter Hall Leisure World licence, for which Mr Young was the Designated Premises Supervisor.

The application had sought a slight increase in the hours for the sale of alcohol, late night refreshment and overall opening relative to the licence currently in place. Mr Young also requested off sales to enable alcohol to be purchased at events such as Gin Fayres, and taken home for consumption.

Mrs Tamblyn then addressed the Sub-Committee explaining that she was there to represent the Colchester Civic Society and to speak on behalf of its members. Mrs Tamblyn gave further details in relation to her objection which centred on the Council's current Statement of Licensing Policy.

RESOLVED - to grant the application as follows and subject to the conditions as set out in the operating schedule of the application -

- A) The sale of alcohol on the premises Mondays to Thursdays from 06.00 to 02.00, Friday and Saturdays from 06.00 to 03.00 and Sundays from 06.00 to 02.00; and the sale of alcohol off the premises from 09.00 to 20.00 Mondays to Sundays inclusive.
- B) The performance of plays, provision of films, indoor sporting events, live and recorded music and performances of dance indoors Mondays to Thursdays from 06.00 to 02.00, Friday and Saturdays from 06.00 to 03.00 and Sundays from 06.00 to 02.00
- C) The provision of late night refreshments Mondays to Thursdays from 23.00 to 02.00, Friday and Saturdays from 23.00 to 03.00 and Sundays from 23.00 to 02.00

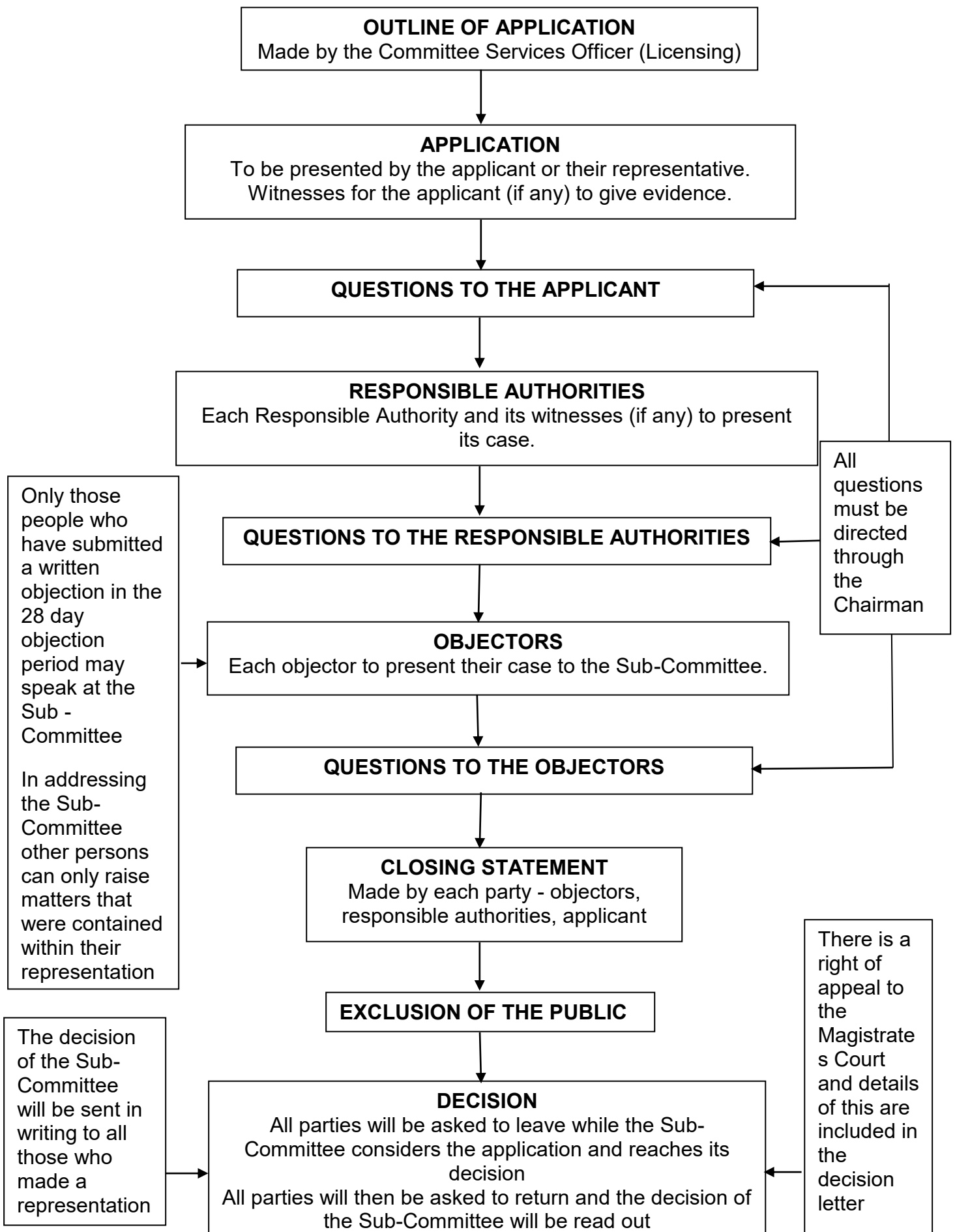
Reasons for the determination

In arriving at the decision the Sub-Committee considered each point very carefully. It noted the representations and the evidence presented by the applicant and Mrs Tamblyn from the Colchester Civic Society.

The Sub-Committee carefully considered the representation made by Mrs Tamblyn regarding its 2016 statement of licensing policy and that it should take precedence. the Sub-Committee noted that none of the responsible authorities had made any representations regarding this application. Furthermore the existing premises licence had not been the subject of a call for a review by any of the responsible authorities or members of the public and it noted that the existing premises licence has been operating satisfactorily.

With regard to sale of alcohol off the premises the Sub-Committee did not consider that the case was proved sufficiently to justify granting off sales as applied for in the application and therefore determined to restrict the hours for off sales to 09.00 to 20.00 Mondays to Sundays.

The Licensing Sub-Committee Hearings Process



Licensing Sub-Committee	Item 6
Putt in the Park	FOR GENERAL RELEASE

Purpose of the Report	To determine an application for a new premises licence application under the Licensing Act 2003.
------------------------------	--

1. Application

Applicant and Premises	
Application Type	New application for premises licence (M/095515)
Applicant	David Beamish
Premises	Putt in the Park
Premises Address	Castle Park High Street Colchester
Premises description	Newly built Pavilion and Putting Green with a seating area overlooking the putting green
Ward	Ward: Castle

Proposed licensable activities and hours

Supply of alcohol							
Off the premises							
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	08.00	08.00	08.00	08.00	08.00	08.00	08.00
End	21.00	21.00	21.00	21.00	21.00	21.00	21.00
Seasonal variations	To close at the same time as the Park						
Non-standard timings							

Hours the premises are open to the public							
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	08.00	08.00	08.00	08.00	08.00	08.00	08.00
End	21.00	21.00	21.00	21.00	21.00	21.00	21.00
Seasonal variations	To close at the same time as the Park						
Non-standard timings							

2. Conditions

Suggested conditions

The following conditions, based on the operating schedule, are suggested.

1. No super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.
2. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records must be made available for inspection upon request by a Police officer or an authorised officer of Colchester Borough Council.
3. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
4. The premises must install, operate and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the outside area must be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras must continually record while the premises are open to the public and recording must be kept available and unedited for a minimum of 31 days with the date and time stamping. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums must be provided.
5. Staff must regularly supervise the outside area and ensure that customers do not cause a public nuisance.
6. The premises must close when the Park closes.

3. Representations

Local Residents	Representations from local residents	See Appendix 3
-----------------	--------------------------------------	----------------

4. Policy Context

Policy references are given for guidance only, they should not be regarded as a substitute for the Policy which contains the necessary detail for all parties in making and determining applications

2.2 The aims of this Licensing Policy are to pursue and promote the licensing objectives by encouraging:

- Desirable destinations for a wide range of age groups
- Licensed premises suitable for the area within which they are located
- Diversity of entertainment throughout the town centre that appeals to a wider audience
- A wide range of uses of premises

2.9 Applicants are expected to consider all the matters relevant to their application; these include key factors and where appropriate special guidance in relation to the Town Centre Zone.

2.11 If there is a relevant representation, the application will be considered against the guidance contained within the policy and steps taken which are appropriate and proportionate to promote the licensing objectives.

2.14 In considering conditions to be attached to licences and certificates, the Licensing Authority will ensure that conditions must:

- be specific for the premises;
- not duplicate existing provisions;
- be capable of being met;
- be appropriate and proportionate for the promotion of the licensing objectives: and
- be tailored to the individual style and characteristics of the premises and events concerned.

2.15 It is acknowledged that conditions can only be imposed that seek to manage the behaviour of customers when they are on the premises and within the control of the licensee or in the immediate vicinity of the premises.

2.17 Licensing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control, and licensing law will always be part of a holistic approach to the management of the evening and night time economy in the Borough.

3 Key Factors

3.1 The key factors set out in the Policy are intended to address the principle issues related to licensed premises. Licensed premises and activities can play an important role in ensuring that the Borough is vibrant, prosperous, thriving and welcoming. However, if premises are not managed responsibly they can also impact negatively on an area by causing a wide variety of problems.

3.2 Our aim is to promote an 'inclusive' evening and night time economy throughout the Borough to ensure people of all ages can participate in and enjoy a range of activities. These Key Factors are designed to ensure that all licensed premises throughout the Borough operate to promote the four licensing objectives in order to ensure they contribute positively to the Borough. The Key Factors are:

KF1 What we aim to encourage

KF2 The location of licensed premises

KF3 Hours for licensed premises

KF4 Standards to promote the licensing objectives

KF5 Off sales of alcohol

KF1 - What we aim to encourage

3.13 The aim is to ensure desirable destinations that cater to a wide range of age groups and uses. Premises that are encouraged are:

Those that will extend the diversity of entertainment and attract a wider range of participants and in particular venues that offer diversity within the night time economy such as late night cinema, without the sale of alcohol, and live music venues. Venues that offer original material, are encouraged particularly to provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives.

Family friendly venues, where people with children can attend, are encouraged.

Restaurants and Cafés as well as other less alcohol-dominated venues.

3.14 Subject to compliance with the other policies the types of licensed premises set out in the Matrix below will generally be considered acceptable, unless relevant representations are made and/or the Licensing Authority considers that the application will undermine the licensing objectives. The Council wishes to see wider diversity in the night time economy and in particular wishes to encourage premises whose primary purpose is not the sale of alcohol.

Primary Function	Residential	Mixed Commercial and Residential	Commercial
Restaurant	Yes until midnight	Yes until 00.30	Yes until 01.00
Late Night Takeaways *	Yes until 22.00	Yes until midnight	Yes until 01.00
Pub ** Bar	Yes until 23.00, midnight Friday and Saturday	Yes until midnight	Yes until 02.00
Non-Alcohol Led – e.g.Theatres etc.	Yes until 23.00	Yes until midnight	Yes until 01.00

KF2 - The location of licensed premises

3.15 The Licensing Authority considers the following as key issues in relation to the location of licensed premises:

- The proposed operation of the premises having regard:
to the licensable activities applied for,
the size, structure and proposed capacity,
the type/nature of the business

- The proximity of the premises to local residents.
- The proximity of the premises to other local businesses that could be affected
- The general character of the surrounding area including crime and antisocial behaviour levels
- The availability of transport to and from the premises

KF3 - Hours for licensed premises

3.20 The Licensing Authority considers that measures must be taken to address the causes of crime and disorder and public nuisance linked to the night time economy.

3.22 The Licensing Authority will have particular consideration to the location of premises and their likely effect on the locality when considering whether the hours requested are appropriate to the area and consistent with promoting the four licensing objectives (see the Matrix in paragraph 3.14). Opening hours will not generally be regulated but each application will be considered on its own merits and in particularly noise sensitive locations it may be appropriate to consider the opening hours of a premises.

3.23 Where relevant representations are made, premises that are considered to meet the criteria 'What we aim to encourage' will normally be given greater freedom to operate than premises that could be considered more likely to have a detrimental impact upon the licensing objectives, such as youth-oriented, alcohol- driven premises.

3.24 It is expected that hours for licensed premises will be particularly relevant having consideration to the location of the premises. Consequently, the hours applied for licensable activities should be appropriate with regard to the nature of the location of the premises. It is recognized that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.

KF5 Off-sales of alcohol

3.34 The Council has implemented a Public Space Protection Order for the town centre in order to address and prevent numerous problems caused by public consumption of alcohol. Street drinking can be a major cause of antisocial behaviour, often involving underage persons, which gives rise to disorder, concerns over public safety and harm to children. Additionally it is widely reported that consumption of alcohol by persons on the way to on-licensed premises gives rise to problems of drunken and disorderly behaviour.

3.35 In the light of the above therefore applicants are expected to demonstrate that there will be no derogation in the licensing objectives and that the operation of the premises will support the Key Factors. The Licensing Authority will give particular consideration to the hours requested for sales of alcohol. Persons who are alcohol-dependent may be drawn to particular premises if there are licensed to sell alcohol at earlier times than other premises. Additionally, if there are issues related to late night

disorder, the hours for alcohol sales from the premises may be restricted.

9. Town Centre Zone

9.3 There is evidence of problems associated with operation of licensed premises in the Town Centre Zone and the Licensing Authority wishes to see a decrease in the levels of crime and disorder and public nuisance already being experienced in the area. However, the authority does wish to diversify the evening and night time economy in in this area.

9.5 With this in mind, and **subject to compliance with the other requirements of the policy (in particular paragraph 3.14)**, the following guidance for new licences and material variations, where relevant representations have been made, is offered:-

a. The following venue types are strongly encouraged provided they do not undermine the licensing objectives and therefore the licensing policy:

- Restaurant
- Non-alcohol led premises
- Live entertainment venue
- Coffee shops

Please note

- In the case of premises which encompass two or more uses it is incumbent on the applicant to state the primary use of the premises; this use must be supported by the management plan/operating schedule.

5. Background Information

Information relevant to the licensing and/or operation of the premises

The premises is located within the Castle Park and the operational times of the premises are tied to the opening and closing hours of the Castle Park. They are therefore subject to seasonal variation.

6. Options available to the Sub-Committee

The Sub-Committee must take such of the following steps as it considers appropriate to ensure the promotion of the licensing objectives –

- Grant the application as requested
- Grant the application whilst imposing additional conditions
- Exclude or reduce the hours of operation of any licensable activities included within the application
- Reject the whole or part of the application

Appendices

Appendix 1	Application
Appendix 2	Premises plans and location plan
Appendix 3	Representations from local residents

Report Author

John Ruder, Licensing Manager	email jon.ruder@colchester.gov.uk telephone 01206 282840
-------------------------------	--

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We David Beamish

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Putt in the Park Upper Bowls Green Castle Park Colchester			
Post town	Colchester	Postcode	CO1 1UG
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£0	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | |
|--|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Beamish		First names David			
Date of birth [redacted]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality British					
Current residential address if different from premises address		[redacted]			
Post town	[redacted]	Postcode	[redacted]		
Daytime contact telephone number		[redacted]			
E-mail address (optional)	[redacted]				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
01 08 2019

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

DD MM YYYY
.

Please give a general description of the premises (please read guidance note 1)
A newly built Pavilion and Putting Green on the upper Bowls Green in Castle Park Colchester
With a seating area overlooking the Putting Green.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box J)

☐

Supply of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8) On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	
Mon	08.00	21.00	
Tue	08.00	21.00	State any seasonal variations for the supply of alcohol (please read guidance note 5) WE CLOSE AT THE SAME TIME AS THE PARK.
Wed	08.00	21.00	
Thur	08.00	21.00	
Fri	08.00	21.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat	08.00	21.00	
Sun	08.00	21.00	

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name David Beamish	
Date of birth 27/10/58	
Address 29 Orrell Street London	
Postcode	SW11 3BX
Personal licence number (if known) LBWands/03204	
Issuing licensing authority (if known) Wandsworth Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08.00	21.00	WE CLOSE AT THE SAME TIME AS THE PARK.
Tue	08.00	21.00	
Wed	08.00	21.00	
Thur	08.00	21.00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Fri	08.00	21.00	
Sat	08.00	21.00	
Sun	08.00	21.00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

We will observe the existing health and safety / fire safety requirements

b) The prevention of crime and disorder

No sales of cheap high strength beer. Staff are trained in the responsible sale of alcohol. We operate an age verification scheme Challenge 21. We keep CCTV records.

c) Public safety

We will observe the existing health and safety / fire safety requirements. Staff will regularly supervise the outside area. We will have outside CCTV records.

d) The prevention of public nuisance

We will observe the existing health and safety / fire safety requirements. We keep CCTV records. We will close when the park is closed.

e) The protection of children from harm

We will observe the existing health and safety / fire safety requirements. We keep CCTV records and operate a Challenge 21 scheme.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☒

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.

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorized agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
--------------------	--

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>VR Banoor</i>
Date	<i>20.06.19</i>
Capacity	<i>APPLICANT</i>

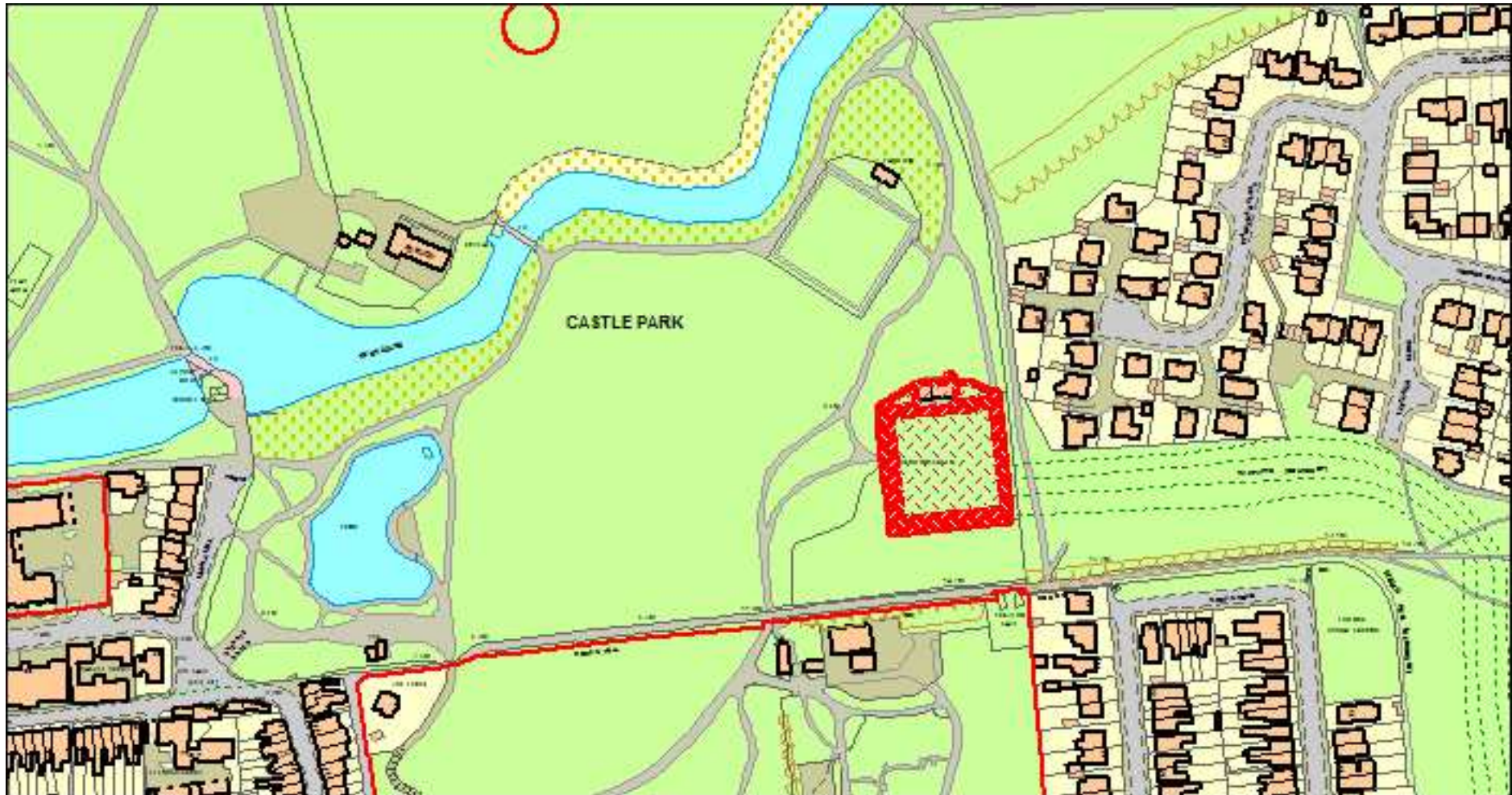
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			





Premises Location Plan

© Crown copyright and database rights 2015 Ordnance Survey 100023706.

Application Reference: 095515
Premises Address: Putt in the Park, Castle Park, High Street, Colchester
Date Produced: 6 August 2019

(Map Not to Scale)

Sent: 12 July 2019 12:53

To: Kate Pearsall

Subject: Application for Alcohol Licence - Putt in the Park, Castle Park

Dear Kate,

I welcome the changes in this Licence Application from the previous submission. However, they do not affect the objections I have. In particular the reduction in hours proposed would not prevent applications for temporary extensions when the Upper Park is open after permitted hours such as the Summer Concerts and the Fireworks Display.

The application puts at risk the peace of our award winning Park, possibly endangering the green flag it has been awarded for a number of years.

It would have a deleterious effect on the lives of the residents of Wakefield Close, most of whom are over 65. There is protection against such development at every other place in the area.

It would the enjoyment of the new facilities by children when people attend solely to consume alcohol and not to use the Crazy Golf.

Colchester's Licensing Policy refers to cultivating our green spaces for health, wellbeing and the enjoyment of all and to premises contributing positively to the area in which they are situated. Clearly they are not fulfilled here.

Key Factor 2 stresses the need for premises to be in the right places. I believe this is not in the right place. Key Factor 3 talks about the location of the premises affecting the locality and about noise sensitive locations. Wakefield Close has green spaces on both sides which are protected from development. This application would cause noisy and unruly behaviour in a quiet, residential area.

Reference is made in the Licensing Policy to the availability of public transport. The nearest public transport is High Street and North Station Road, both at some distance via ill lit paths.

The sale of alcohol is likely to take place during the hours when the park is open for special events. Users would be both those attending the event and those who watch the fireworks from outside the houses and behind the houses in Wakefield Close. These people would have difficulty in the dark. At present no trouble is encountered but consumption of alcohol is likely to have an effect.

In my view the Council's policy objectives of prevention of public nuisance, public safety and the protection of children would be breached by this application.

Regards,

Sent: 25 June 2019 12:01

To: Kate Pearsall

Subject: Application for Alcohol Licence = Putt in the Park

Dear Kate,

Thank you for advising me that the current Application has been withdrawn and a new one submitted. Although not at the heart of my objection the decision not to proceed with off sales is welcome. So too is the reduction in hours sought to a maximum of 9.00 pm. Of course there is nothing to stop the Applicant submitting temporary application when events go on in the Park to a later time.

The Crazy Golf is a good addition to the leisure facilities in the Castle Park. It should be very attractive to children and young people. An alcohol licence here is the wrong place. It will upset what is a quiet green area, may jeopardise the award of a Green Flag and should not be somewhere where people are attracted. It will also produce disturbance to a quiet, residential area where most of the residents are over 65. They are entitled to believe that this area will remain a pleasant place to live. (I include myself in this).

Castle Park has an increasing programme of events and concerts, all of which have the potential to cause nuisance to local residents. I have today, as a resident, that most (not all) have been well organised so as to please those attending without being a disturbance to residents.

It remains my view that this revised and improved Application still breaches the council's Policy Objectives for Licensing of prevention of public nuisance, public safety and the protection of children.

I had a cataract operation on Friday (21 June) and had some difficulty in writing this. I reserve the right to come back and amplify my remarks when my vision is better.

Regards,

From:

Sent: 16 July 2019 16:22

To: Customer Service

Subject: Pitch and Putt alcohol Licence application second application.

Hi

I am writing to object again to the proposed alcohol licence applied for by the new Pitch and putt site lower castle park. This I feel is very unnecessary and I feel would cause anti social behaviour not only in the park (where there are a very large number of children) but also for us the residents of the quiet housing estate situated next door. We already have noise/antisocial behaviour and traffic problems from the night concerts the park now hosts and the Dutch Quarter residents sadly experience antisocial problems due to drinking in close proximity to their housing so it's common sense to think these problems will be the same for the residents around the golf site if alcohol is served at all. A lot of these residents are also elderly and suffer from the night fall out from town already so we do not need to add to this.

So I object and think that no alcohol licence of any sort should be issued to this site as it is totally unnecessary.

Many thanks

From:

Sent: 17 July 2019 11:43

To: Licensing Team; Licensing Team

Subject: Putt in the Park - Alcohol Licence Application

Ref: M095336

16th July 2019

Application for an alcohol licence for Putt in the Park. I wish to object to this application on the following grounds:

I believe that this application is wholly inappropriate for the venue and location for the following reasons.

1. A small family type entertainment that normally attracts young families as well as older participants is much more suited to the cafe facilities already applied for and granted.
2. There are many more local hostelrys already serving alcohol.
3. When young children are involved in activities their safety must first and foremost be considered and, as a sporting person myself, I know full well that the consumption of alcohol does not go well with any physical activity, however 'gentle' it may appear.
4. The granting of an alcohol licence will also make the venue an attraction for Corporate and Group functions which would be totally out of character for the location. Indeed the website for the London Putt in the Park venues promotes "office tournaments, corporate events and parties" all year round.
5. The venue is very close to residential properties, in fact it is just a footpath away from the closest, and will already affect the residents with noise and light pollution.
6. It is inevitable that if this licence is granted the holder will use best endeavours to promote the sale of alcohol since that is where the greatest potential lies for profit; and profit is the aim of any business.
7. The opening hours for the current 'Putt in the Park' venues are all 9.00am to 9.00pm with food and golf finishing at 8.00pm and the bar remaining open until 9.00pm all year round. It would seem eminently logical that the intention of the applicant is for Colchester 'Putt in the Park' to follow suit.
8. I believe that the Council's objectives of the 'prevention of public nuisance; public safety and the protection of children from harm' would be breached by this application.

If, however, you are still mindful to grant this licence I strongly urge you to restrict the serving times to Colchester Castle Park opening times i.e. bar closing at dusk.

From:
Sent: 02 July 2019 10:39
To: Licensing Team
Cc:
Subject: Putt in the park new application

Dear Sir

I object to this revised application because firstly I cannot understand why a family venture as described in the planning application need to serve alcohol. Secondly why such long hours, surely 8am is far to early for people to start serving alcohol in the location it is. Also the application until 9 pm. Part of the planning application approval was the venue to be open during the park times. The application therefore should not be to 9pm but be the same as park closing times. My concern is that when the park is closed the gate leading on to the public pathway could be used by the venue and this would allow them to stay open and serve alcohol even after the park closes especially in the winter months at 16.30. This would lead to noise and disturbance to the nearby residents of Wakefield Close and Roman Road.

Regards

25 June 2019

Dear Sarah

Thank you for the update. I still wish to fully support Putt in the Park's licence application. I am looking forward to seeing a responsibly run tourist attraction that would cater for adults to enjoy a few drinks after a family day out.

Good luck Putt in the Park.

Kind regards

14.7.19

Sarah White
Licensing Officer

Dear Ms White,

1. Prevention of public nuisance:

Does anyone seriously believe that once this limited drinks' licence has been obtained, the operator is going to stop there? A cursory glance at the Puttin the Park's website shows a variety of venues available for adult hire, for weddings, birthdays, corporate events - with flood lighting illuminating the festivities, when the light fades plus requisite DJ and sound systems, no doubt. As if one party venue in the Park is not enough! viz 'The Cricket Pavilion'. Which since it has become involved with an outside operator, now hosts noisy parties well into the night - with complaints to match.

2. Public safety.

Parking, per se, is a problem. But

² to my mind, in The gathering ~~dark~~, ~~are~~
are those on foot going to exit the Park
in safety. This leads naturally on to...

3. Protection of children from harm.

There is a difference here between young
people leaving, say the fabulous children's
play area, as night draws on, and
youngsters leaving a venue where
alcohol has been on sale all day.


Prices are quoted for children tickets at
Putt in the Park: why would alcohol be on
sale anywhere there are unaccompanied
youngsters? By no means a Teetotaler myself,
I struggle to see why alcohol needs to be
sold around children and young adults
enjoying themselves. What message are
we giving them?

Literally alongside the safety of
children, I would like to put the safety
of our wild life: as directly adjacent to
one of the fences of Putt in the Park is
a long standing Wild Life Area, avidly
policed - and rightly so - by the park
rangers. The proposed fence will ride


3 roughed out over this too. Drunk, noise, lightning threaten bats which use that part of the Folly as a highway; and it is the only place in Colchester where I regularly see stag beetles flying, in early June ...

In conclusion, whilst on the subject of drink, and as a matter of genuine interest, does anyone know of anybody who has even obtained a ticket, yet alone attended the Oktoberfest event the Park now hosts? A mysterious affair. A big money-maker for someone. Viscount Cowdrey must be turning in his grave as he sees the Park he gifted to the people of Colchester 100 years ago, pimped out to the unacceptable face of capitalism by the very Borough Council who were meant to be its custodians.

Yours



PUTT IN THE PARK
LICENSING APPLICATION


14 July 2019

To the Licensing Officer.

I am writing to object to the application for a license to serve alcohol at the 'Putt in the Park' operation in the Castle Park. My grounds for objection fall into the category of 'public nuisance'.

The application states that the license will only be valid during the park opening times. Fine, as long as the park opening times remain as published at the time of application. However, my major fear is that this is a 'Trojan Horse' operation that will see observation of the public license during park opening times, but a

(2)

very different regime when the site is used for 'private events'.

'Putt in the Park's other three sites - Wandsworth, Battersea and Acton Parks - all advertise as major features: late licenses, music and floodlit golf. (www.puttinthepark.com) Is there any reason that, with their major investment in Colchester, this company will not seek to do the same here?

Residents of Castle & Roman Roads and of the Riverside Estate will inevitably suffer considerable 'public nuisance' in such a scenario. Late night music, drinking and coming and going as well as parking problems will be the price paid for allowing this operation to develop.

③.

Those of us living in the environs of Castle Park naturally expect a reasonable level of entertainment and activities. As a resident of 35 years standing I have never felt the need to make any kind of complaint. However, since the council has franchised out the organising of events the increase in noise and disruption has been exponential.

Coming on top of this, the current application for a seemingly innocuous daytime alcohol license rings alarm bells. I cannot see 'Putt in the Park' settling for anything less than the ability to operate as they do on their other three sites. This application is the thin end of the wedge - once on, this company will take the next step

②

of extending their license to
cover 'private events' resulting
in misery for all in the
neighbourhood.

Yours sincerely





Colchester Borough Council Licensing Authority
P O Box 889
Rowan House
Sheepen Road
Colchester
CO 3 3WG

16 July 2019

Dear Colchester Borough Council Licensing Authority,

Re: Application for a Premises License by David Beamish for the premises 'Putt in the Park', Upper Bowls Green, Castle Park, Colchester CO1 1UG

We, the undersigned residents at nos 88, 90 and 92 Roman Road, Colchester, wish to express our strong objection to this application for a premises license to sell alcohol at what will be this 'Putt in the Park' venue in the former upper bowling green in Castle Park.

Our houses are within about 100 metres of this venue, and we are concerned that the proposed sale of alcohol from 8am until 9pm / seven days a week, as the application apparently states, could represent a significant change to the character of this quiet and peaceful part of the town centre.

We do not see any need at all to sell alcohol at such a venue. The 'Putt in the Park' company's website (www.puttinthepark.com) clearly shows that its other venues in London are not just about 'golf-putting', as we innocently assumed, but are being marketed as party venues for corporate functions as well as weddings and private parties. This will not just be a daytime activity for children and families in warmer months of the year but the clear boast of a "floodlit" course indicates that a substantial part of the activities will be these parties.

The sale of alcohol is clearly integral to the proposed operations of Putt in the Park. We recognise that not all alcohol consumption leads to public displays of anti-social behaviour, but already there are often problems with excessive alcohol consumption in the town centre, and Roman and Castle Roads see the unfortunate effects and results of this on regular occasions. This is also increasingly the case with the ever-greater number of ticketed private events taking place in what is a public park, when the park is closed off to all but ticket holders (an aberration of the very definition of a "public park" anyway). Such events frequently lead to an increase in litter in the

surrounding area (which no-one, it seems, bears any responsibility for clearing up except local residents themselves), and sometimes arguments and disturbances, obviously fuelled by excessive alcohol consumption.

There will also be great pressure on the availability of public parking close to this former bowling green. There is no parking immediately nearby, and we are concerned that party events in the evenings and on Sundays – which is most probably when they will take place and for when the alcohol license will be required, and which happens to be when the residents parking permissions are not in force – will lead to an increase in Putt in the Park customers looking to park their cars in Roman and Castle Road. The company's website says it can cater for parties of between 10 and 70 people. This could significantly contribute to what is already intense pressure on available parking spaces most of the time in these two roads.

Although it is too late to object to the Putt in the Park development even going ahead – which we would have done had we been aware of it – we wish to strongly oppose this application for an alcohol license on the grounds that it is unnecessary and will be a contributory factor to greatly increased noise, light pollution, litter, traffic issues, and potential anti-social behaviour. It could distinctly change the character of the area, which is why many of the residents live in Roman and Castle Roads, and the nearby Riverside area of housing, and have done for many years, and what attracts new residents.

We hope due consideration will be given to our objection,

Yours faithfully,
