

COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

15 January 2010

MINUTES OF PROCEEDINGS

At a meeting of the Licensing Sub-Committee held on 15 January 2010 at 10.00 in the Grand Jury Room, Colchester Borough Council, Town Hall, High Street, Colchester

Present:- Councillor Bouckley
Councillor Garnett

1. Membership

RESOLVED that Councillor Garnett be appointed Chairman.

The Chairman sought and gained the consent of the applicant to proceeding with the hearing with only two members on the Sub-Committee.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

The minutes of the meeting held on 29 May 2009 were approved as a correct record.

4. Licensing Applications

The Head of Environmental and Protective Services submitted a report in relation to the following application for determination by the Sub-Committee, in accordance with the provisions of the Licensing Act 2003.

a) Ocean Supermarket, 57 North Station Road, Colchester

The Sub-Committee considered an application for a new premises licence in respect of the Ocean Supermarket, 57 North Station Road, Colchester to permit the sale of alcohol.

In Attendance

Applicant: Mr Yamak

Officers: Mr Essex, Lawyer; Mr Weavers, Legal Services Manager; Mr Daines, Protective Services Manager; Mrs White, Committee Services Officer (Licensing); and Ms Tuthill Committee Services Assistant (Licensing)

Objector: Mr Sharma

Observer: Miss Sharma

The Application

Mrs White, Committee Services Officer (Licensing), briefly introduced the application explaining that a relevant representation had been received in respect of the application from a local resident who also had a business in the vicinity of the premises.

Mr Yamak outlined his application to the Sub-Committee. He explained that it was his intention to bring something different to the town by providing a supermarket selling mediterranean food and he would like to be able to complete his range by selling alcohol. Mr Yamak felt that by not being able to sell alcohol, he was losing trade to nearby premises. He had applied for and obtained temporary event notices over the Christmas and New Year period and had sold a small quantity of alcohol comprising approximately 20% of his trade in this period. Mr Yamak commented that the store, which was already open, appeared to have been well received by local residents who were happy for something different to be provided on that site.

In response to questioning, Mr Yamak explained that he took his responsibilities very seriously and that he did not sell to underage individuals. He employed four people in the shop and he trained these individuals himself and was at the premises for much of the time as it was a new business. Mr Yamak gave the Sub-Committee information on the number and type of licensed premises in the locality and explained that many licences were linked to the sale of food. He did not consider the local market to be saturated with premises similar to his. In response to a question on the sale of cheap alcohol, Mr Yamak responded that it was not his intention to sell alcohol cheaply as the quality of his products was self evident and he did not need to use drinks promotions to encourage customers into the shop. His aim was to provide a complete range of products for his customers to enable them to make all their purchases at a single premises.

Mr Sharma attended and addressed the Sub-Committee. He clarified for the number of licensed premises in the area drawing specific attention to the Majestic wine store and the number of takeaways with a licence to sell alcohol off the premises. Mr Sharma explained that he had a business at 37 North Station Road and outlined his concerns in particular in relation to the licensing objectives of the prevention of crime and disorder and the protection of children from harm and his view of the likely impact that the grant of the licence could have on these objectives. Mr Sharma was concerned that the premises did not have an external CCTV camera which he believed would help deter young people from congregating outside the premises which was a problem outside other late opening premises on North Station Road. In addition Mr Sharma was concerned at the layout of the premises which he believed could lead to shoplifting and public safety issues. Mr Sharma then addressed the committee on the sale of age restricted products and his concerns in this regard. He mentioned that Mr Yamak did not have the necessary posters displayed relating to the sale of cigarettes and nor had he had posters relating to the sale of alcohol during the period covered by the temporary event notices. Mr Sharma asked that consideration be given to refusing the licence but in the event that it was granted, the Sub-Committee give consideration to the imposition of relevant conditions on the licence to mitigate any problems.

The Protective Services Manager clarified the position with regard to the responsibilities of the Designated Premises Supervisor in relation to the sale of alcohol, following comments made by Mr Sharma. He confirmed that as the DPS Mr Yamak would not have to be present at the premises all the time but that his absence did not absolve him of his responsibilities in this regard.

The Decision

The Sub-Committee, having carefully considered the application and having regard to the relevant parts of the Section 182 Guidance, the Council's Licensing Policy, the contents of the report, the representations received and the submissions made at the hearing, resolved to vary the licence to permit the following-

- Supply of alcohol off the premises for the following hours-
Monday to Sunday – 08.00 to 00.00
- The premises to be open for the following hours-
Monday to Sunday – 08.00 to 00.00

Reasons for the Determination

The Sub-Committee was mindful that its decision must be a necessary and proportionate response aimed at the promotion of the licensing objectives. The Sub-Committee considered that the most appropriate way forward was to grant the application subject to the operating schedule, to the relevant mandatory conditions in the Licensing Act 2003 and the conditions imposed to address the concerns raised by the objector.

The Sub-Committee noted that there were no representations from any of the responsible authorities and in particular Essex Police, the relevant responsibility in the case of the licensing objective of the prevention of crime and disorder, and Essex Child Protection, the relevant responsible authority in relation to the protection of children from harm.

Conditions imposed by the Sub-Committee at the Hearing

The Sub-Committee considered that the imposition of the following conditions were necessary and proportionate in order to promote the licensing objectives of the prevention of public nuisance and the protection of children from harm-

1. Relevant notices and signs be displayed in relation to the sale of age restricted products.
2. A CCTV camera be installed outside of the premises and that the images be recorded and retained for a minimum of 31 days.
3. A refusal book be kept detailing any attempts by those without valid ID to purchase age restricted products.
4. All staff must be trained regularly on the requirements under the Licensing Act 2003.

Conditions offered by the Applicant on the Operating Schedule

1. CCTV to be installed.

2. Risk assessment to be carried out.
3. Fire Fighting equipment to be checked annually.
4. Proof of age to be requested.
5. Challenge 21 to be adopted.
6. Implementation of no ID produced, no sale made.

Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

1. No sale of alcohol may be made under the premises licence when there is no designated premises supervisor in respect of the premises licence.
2. No sale/supply of alcohol shall be made when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition: door supervision

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

5. Close of Meeting

The meeting closed at 12.08.

Chairman:



Licensing Committee – 4 June 2010	Agenda Item 5A
Route Nightclub	FOR GENERAL RELEASE

Premises	Route Nightclub 20-28 Queen Street, Colchester, Essex CO1 2PJ	Ward: Castle Stress Area: Yes Flare Ref: 070426 Author: Simon Harvey
Application	Application for a variation of a premises licence to permit:- <ul style="list-style-type: none"> - Sale of alcohol for additional hours - Provision of films, live music, recorded music, performances of dance, anything of a similar description, facilities for making music and facilities for dancing for additional hours - Premises to be open for additional hours 	Appendix 1
Street Plan		Appendix 2
Existing Conditions		Appendix 3
Interested Parties		
Colchester Civic Society	Letter of representation	Appendix 4
Local Resident	Letter of representation	Appendix 5
Plan of the Stress Area		Appendix 6

Existing Premises Licence
<p>The existing premises licence permits –</p> <p>Supply of alcohol, film exhibitions, provision of live music, recorded music, facilities for making music and facilities for dancing for entertainment of similar description:</p> <ul style="list-style-type: none"> - Thursdays to Saturdays – 11.00 to 02.00

Opening hours of the premises:

- Thursdays to Saturdays – 11.00 to 02.20

Variation of the Licence

Supply of alcohol, film exhibitions, provision of live music, recorded music, facilities for making music and facilities for dancing and for entertainment of similar description:

- Thursdays to Saturdays – 11.00 to 03.00

Opening hours of the premises:

- Thursdays to Saturdays – 11.00 to 03.30

Policy Guidelines – Route Nightclub**Colchester Borough Council's Statement of Licensing Policy****Assessing Applications**

Boxed bold type refers to policy and to matters that the Licensing Authority would generally expect or encourage to see, addressed in the applicant's operating schedule, where reasonable, proportionate or appropriate. Passages of text that are not in bold are provided to assist applicants to understand what the Licensing Authority is seeking to achieve to positively promote the four licensing objectives, the factors that influence the achievement of those objectives and the examples of best practice that could be implemented by the applicant to achieve that outcome.

Paragraph **3.8** of the Council's Statement of Licensing Policy recognises that "the new Licensing Act 2003 has brought with it great expectations and challenges, not least of which has been the extension of opening hours for licensed premises such as clubs, pubs, bars and takeaways".

The Policy goes on to add in paragraph **3.9** that "however, along with the great expectations and opportunities for business expansion, the Licensing Act has also brought with it the responsibilities of the four licensing objectives for all the stakeholders concerned in this venture".

Policy

Paragraph **3.10** of Colchester Borough Council's statement of Licensing Policy advises that:

The Licensing Authority wishes to work with the licensed trade to promote best practice, the responsible consumption of alcohol and the effective management of licensed premises. It will therefore consider sympathetically any applications for extended licensing hours from well-operated, well managed premises, whose operating schedules responsibly reflect how they are going to effectively promote the four licensing objectives.

Paragraph 3.11 of Colchester Borough Council's statement of Licensing Policy also advises that:

Premises that submit new applications, or applications to extend their opening hours, or vary their licensable activities whose operating schedules do not clearly demonstrate that they are well run, effectively managed and are responsibly operated in accordance with the four licensing objectives, should ordinarily expect such applications to be challenged by those responsible authorities as defined by the Act.

Prevention of Crime and Disorder

The Council's statement of Licensing Policy states under paragraph 5.18 that "the Council is committed to further improving the quality of life for the people living in the borough of Colchester by continuing to reduce crime and the fear of crime".

Policy

Paragraph 5.20 of the Policy states that:

Where relevant representations have been received, and in considering applications for review, the Licensing Authority will take into account the following factors:

- (i) Whether the premises has or will have a negative impact on levels of crime and disorder and anti-social behaviour, and whether the operating schedule reasonably and proportionately takes into account the likelihood of crime and disorder occurring as a result of the grant of the application. In deciding this, regard will be given by the Licensing Authority on the levels of crime and disorder in and around the venue, the proposals contained in the operating schedule; the level of compliance with conditions on existing licences; and the extent to which Essex Police's effective management checklist (see Appendix 18 of the Council's statement of Licensing Policy) has been taken into account. This provides a compressive list of best practice.**
- (ii) Whether the layout, lighting and fittings of the premises have been designed to minimise conflict and opportunities for crime and disorder and anti-social behaviour.**
- (iii) Whether the operating schedule includes management measures to prevent crime and disorder.**
- (iv) Whether the operating schedules for pubs and bars or for the provision of facilities for music and dancing have had regard to the number of people who may be admitted to the premises and the possibility of overcrowding increasing the likelihood of crime and disorder; the area set aside for drinking while standing at any time when any licensable activity is taking place and the measures set out in Appendix 18 of the Policy to help prevent crime and disorder and offences under the Licensing Act 2003. Other premises may have to have regard to these matters in exceptional circumstances.**

Relevant representations have been received in regard to this licensing objective from the Colchester Civic Society and a local resident.

Colchester Civic Society has submitted a letter of representation in regard to this licensing objective. In their objection, the Society expresses its concerns that if this application is granted, it will add to the problems of anti-social behaviour such as vandalism, noise and damage to property which already occurs and exists in the Queen Street and St Botolph's Street area at night.

A letter of representation in regard to this licensing objective has also been received from a resident living in Priory Street who cites that Priory Street is blighted from Thursday evening until Sunday morning by the behaviour of people leaving the various late night and early morning establishments located in the Queen Street and St Botolph's Street stress area.

The representation goes on to detail the kind of crime and disorder and alcohol related anti social behaviour problems that are experienced in Priory Street and the stress area such as fighting, vandalism and damage committed against cars and property and also the noise that is associated with the behaviour of persons leaving late night establishments who the writer advises, scream, shout, fight, vomit, urinate, litter and defecate along the length of Priory Street until early hours of the morning.

The resident expresses their belief that a further extension of hours in the stress area is inappropriate and explains their concern that if the Route application is granted it would extend the hours that anti social behaviour is experienced. The representation asks that the rights of local residents are given precedence and that they are allowed a reasonable level of peace and quiet and uninterrupted nights sleep.

Public Safety

Paragraph **5.23** of the Council's statement of Licensing Policy states that "the Licensing Authority is committed to ensuring as far as is reasonable or possible, that the safety of anyone visiting or working in licensed premises, passers by and those living in the immediate vicinity, is not compromised".

Policy

Paragraph **5.24** of the policy states that:

Where relevant representations have been received, and in considering applications for review, the Licensing Authority will take into account the following factors:

- (i) Where appropriate and satisfactory general and technical risk assessments, management procedures and certificates have been made available to the relevant responsible authority and to the Licensing Authority where it may be necessary to do so that demonstrate that the public will be safe within, and in the immediate vicinity of, the premises.**
- (ii) Whether the premises already has a premises licence or club premises certificate that specifies the maximum number of people who can attend it or be present and, if not, whether a risk assessment has been undertaken by the responsible person in accordance with the Regulatory Reform (Fire Safety) Order 2005 which advises the maximum number of persons who may be present in various parts of the premises**

so that they can be evacuated from the premises safely in the event of an emergency.

- (iii) Whether there are procedures proposed to record and limit the number of persons on the premises with opportunities for 'pass outs' and re-admissions.
- (iv) Whether patrons can arrive at, and depart from, the premises safely.
- (v) Whether there may be local overcrowding in parts of the premises.
- (vi) Whether music and dance venues and performance venues will use equipment or special effects which may affect public safety (for example moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines).
- (vii) Whether due account has been given to the measures outlined in 'Safer Clubbing', in applications for facilities for music and dance. The key areas identified are:
 - Prevention of overcrowding
 - Air conditioning and ventilation
 - Availability of drinking water
 - Further measures to combat overheating
 - Overall safety.
- (vii) Whether there are defined procedures and responsibilities for medical and other emergencies and for calling the emergency services.

There have been no relevant representations received from any of the relevant responsible authorities or any other interested party in regard to this licensing objective.

Prevention of Public Nuisance

Paragraph 5.27 of the Council's statement of Licensing Policy advises that "some licensed premises have the potential to have a significant negative impact on communities through the public nuisances that may arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the potential consequences of the operation of licensed premises that are not effectively or responsibly managed, whilst at the same time it recognises the valuable cultural, social and business importance that the vast majority of licensed premises provide to local communities".

Paragraph 5.28 of the Council's statement of Licensing Policy goes on to advise that "the Licensing Authority therefore intends to interpret 'public nuisance' in its widest sense and takes it to include such issues as noise, disturbance, light, odour, litter and alcohol related anti-social behaviour, where these matters impact on people living, working or otherwise engaged in normal activity in the immediate vicinity of the licensed premises".

Policy

Paragraph 5.29 of the Policy states that:

Where relevant representations have been received, and in considering applications for review, the Licensing Authority will take into account the following factors:

- (i) The potential for nuisance associated with the style, characteristics and activities for the proposed licensable activities to be carried on at the premises, and the potential steps that could be taken to reduce the risk of nuisance occurring. This particularly may apply where residents live in the immediate vicinity of the premises;
- (ii) Whether operating schedules contain adequate measures to prevent noise and vibration, either air-borne or structure-borne, and which are generated from within the premises or outside it, causing disturbance to people in the immediate vicinity of the premises. Regard will be given to disturbance of people whether at home or at work or otherwise staying in or visiting that area. Stricter conditions on noise control will be imposed in areas that have denser residential accommodation or residents living in the immediate vicinity of the premises.

Representations have been received in regard to this licensing objective from the Colchester Civic Society and a local resident.

The representation objecting to this application received from the Colchester Civic Society makes reference to matters that are more associated with the undermining of the public nuisance objective such as problems with noise from shouting, public urination and littering.

The representation submitted by a resident of Priory Street also gives examples of the kind of anti social behaviour, noise and public nuisance that the resident advises takes place from Thursday evening to Sunday morning in Priory Street such as screaming, shouting, vomiting, urinating, defecating, fornicating and litter which the representation attributes to the behaviour of patrons leaving the various late night and early morning establishments that are located in the stress area.

Additional Policy Guidance – Public Nuisance

The Council's statement of Licensing Policy goes on to give the following policy advice in relation to the promotion of the Prevention of Public Nuisance licensing objective

Paragraph 5.33 of the Policy states that:

The Licensing Authority encourages applicants to set out in their operating schedules the steps taken or proposed to be taken to deal with the potential for public nuisance arising from the operations of the premises.

Paragraph 5.34 of the Policy states that:

When addressing the issue of prevention of public nuisance, where it is reasonable, proportionate and necessary to do so, the applicant should demonstrate that those factors that may impact on the likelihood of public nuisance have been considered.

These may include:

- The location of the premises and proximity to residential and other

noise sensitive premises, such as hospitals, hospices and places of worship.

- The hours of opening between 11.00pm and 7.00am.
- The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside the premises.
- The design and layout of the premises; particularly the presence of noise limiting features.
- The provision of toilet facilities on the premises.
- The safe capacity of the premises.
- The availability of public transport or taxis.
- A wind down period between the end of the licensable activities and closure of the premises.
- The last admission time.

Protection of Children from Harm

Paragraph **5.36** of the Council's statement of Licensing Policy states that "the protection of children from harm is a most important issue. It is hoped that family friendly premises will thrive, but the risk of harm to children remains a paramount consideration when determining applications".

Paragraph **5.37** of the Policy states that "the general relaxation allowed by the Licensing Act gives accompanied children greater access to licensed premises and is a positive step, aimed at bringing about a social change in family-friendly leisure. Clearly this relaxation can place additional responsibilities upon licence holders. However, it is also recognised that parents and others accompanying children also have their own responsibilities in this regard".

Policy

Paragraph **5.38** of the Policy states that:

The Licensing Authority will rarely impose a complete ban on access to licensed premises for children. In exceptional circumstances and only where it is reasonable proportionate or necessary to do so to promote the licensing objective, conditions restricting access or excluding children completely may be considered necessary.

Paragraph **5.39** of the Policy states that:

The Licensing Authority will not impose conditions requiring that children be entitled to access to the premises. This is a matter for the sole discretion of the individual premises or club or person who is applying for a Temporary Event Notice.

There have been no relevant representations received from any of the relevant responsible authorities or any other interested party in regard to this licensing objective.

Additional Policy Guidance – General

The following additional policy guidance is taken from the Council's statement of Licensing Policy and is included in this report for the advice and information of the Licensing Sub-Committee, the applicant and for any other interested party concerned with this application.

Stress Area Policy

Paragraph **3.93** of the Policy states that:

After full consultation, the Licensing Authority will continue to apply a special policy relating to cumulative impact to the Queen Street/St Botolph's Street area of Colchester town centre. This area continues to be identified as being under stress because of the cumulative effect of the concentration of late night food and alcohol and entertainment premises, which results in serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses located in that area.

Paragraph **3.94** of the Policy states that "although the stress area policy is being maintained, each and every application to grant or vary a premises licence in this area will be considered on its own individual merits and in its own right and in relation and relevance to any representations received that are pertinent to the application and also to the licensing objectives. Applicants should be aware however that all applications received within the stress area may receive closer scrutiny from the responsible authorities, particularly from Essex Police, in order to ensure that the application will not have a negative impact on the licensing objectives, especially where the objectives of the prevention of crime and disorder and the prevention of public nuisance are concerned".

Paragraph **3.95** of the Policy states that:

The Special Policy applies to applications for new licences and to variations which are relevant to the licensing objectives. This may include extensions of hours or capacities at the premises. Applicants are expected to state in their operating schedule how it is proposed to ensure that the application will not add to the cumulative impact currently being experienced in the stress area. Their operating schedule is likely to receive the close scrutiny of responsible authorities.

Paragraph **3.96** of the Policy states that:

Where no relevant representations are received, the application will be granted. Where, however, relevant representations are received the application will normally be refused unless the applicant demonstrates that the application will not add to that impact. The Licensing Authority may attach further or modified conditions to the licence where this is necessary to meet those concerns. This Policy is not an absolute bar on new applications. Where relevant representations are received, the individual merits of the application will always be considered and a decision made as to whether it is appropriate to make an exception to the Policy.

Paragraph **3.98** of the statement of Licensing Policy states that “the Licensing Authority welcomes the provision of a diverse choice of alternative entertainment where this is suitable, in order to reduce or ameliorate the impact of clubs, pubs, bars and fast food takeaway outlets situated within the stress area”.

Human Rights Implications

A Licence is to be regarded as the property of the applicant; however their right to the use of that property must be balanced against all other public interests or representations in this matter that the Licensing Sub-Committee may wish to consider reasonable and proportionate in relation to the application that has been submitted and also the representations that have been received against it.

In making their decision as to whether to grant this application, Members of the Licensing Sub-Committee should in particular consider Article 1 of the First Protocol of the Human Rights Act 1998, that individuals are entitled to the peaceful enjoyment of their property and also Article 8 that everyone has the right to respect for his private and family life, his home and his correspondence.

Crime and Disorder Implications

Section 17 of the Crime and Disorder Act 1998 imposes a duty on local authorities when exercising any of their functions to have due regard to the likely effect of the exercise of those functions on, and the need to do all it possibly can to prevent, crime and disorder in its area.

The Guidance issued by the Secretary of State for Culture, Media and Sport under the Licensing Act 2003 underlines the importance of the provisions of Section 17 when considering applications for premises licences under the new licensing legislation and in particular if a local authority is considering having a policy regarding the issue of new licences in areas where there may have been concerns about crime and disorder issues put forward by local residents and or the Police and the Council are considering the cumulative effect of the number of licences in existence in a designated area.

Application to vary a premises licence 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 Route Bar & Club Ltd.
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 004562

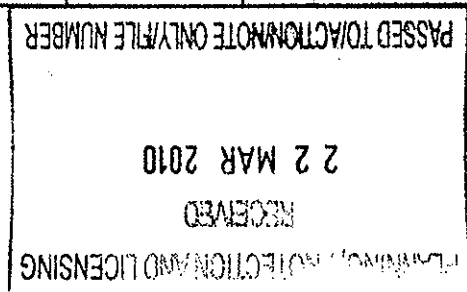
Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Route Nightclub 20 - 28 Queen Street			
Post town	Colchester	Post code	CO1 2PJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£37830

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	
Postcode	



Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day			Month			Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
A permanent exstention of operational hours on Thursday, Friday and Saturday nights to permit the sale of alcohol, music and dancing until 03:00hrs with the premises closing at 03.30hrs

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1100	0100			
Tue	1100	0100			
Wed	1100	0100	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	1100	0300			
Fri	1100	0300	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	1100	0300			
Sun	1430	2230			

For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11.00	01.00			
Tue	11.00	01.00			
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	11.00	01.00			
Thur	11.00	03.00			
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30		
Fri	11.00	03.00			
Sat	11.00	03.00			
Sun	14.30	22.30			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11.00	01.00			
Tue	11.00	01.00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	11.00	01.00			
Thur	11.00	03.00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30		
Fri	11.00	03.00			
Sat	11.00	03.00			
Sun	14.30	22.30			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	01.00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11.00	01.00			
Wed	11.00	01.00			
Thur	11.00	03.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Fri	11.00	03.00			
Sat	11.00	03.00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30		
Sun	14.30	22.30			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	11.00	01.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11.00	01.00	<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed	11.00	01.00			
Thur	11.00	03.00	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri	11.00	03.00			
Sat	11.00	03.00	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30</p>		
Sun	14.30	22.30			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	11.00	01.00	<u>Please give further details here</u> (please read guidance note 3)	
Tue	11.00	01.00		
Wed	11.00	01.00	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur	11.00	03.00		
Fri	11.00	03.00	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30	
Sat	11.00	03.00		
Sun	14.30	22.30		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing	
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	11.00	01.00		
Tue	11.00	01.00		
			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Wed	11.00	01.00		
Thur	11.00	03.00		
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	11.00	03.00		
			For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30	
Sat	11.00	03.00		
Sun	14.30	22.30		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11.00	01.00			
Tue	11.00	01.00			
Wed	11.00	01.00			
Thur	11.00	03.00			
Fri	11.00	03.00			
Sat	11.00	03.00			
Sun	14.30	22.30			
			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 5) For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30		

N

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 8)
NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	01.30	<p><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 5) For each Maundy Thursday, Good Friday, Easter Saturday, Easter Sunday, May Day Bank Holiday Friday, May Day Bank Holiday Saturday, May Day Bank Holiday Sunday, Whitson Bank Holiday Friday, Whitson Bank Holiday Saturday, Whitson Bank Holiday Sunday, August Bank Holiday Friday, August Bank Holiday Saturday, August Bank Holiday Sunday, Christmas Eve, Boxing Day to provide licensable activities until 03.00 with the premises close at 03.30 and on Easter Monday Holiday to provide licensable activities until 02.00 with premises closing at 02.30 and New Years Eve provide licensable activities until 06.00 with premises closing at 06.30</p>
Tue	11.00	01.30	
Wed	11.00	01.30	
Thur	11.00	03.30	
Fri	11.00	03.30	
Sat	11.00	03.30	
Sun	14.30	23.00	

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

Please tick yes

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

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

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

NONE

b) The prevention of crime and disorder

NONE

c) Public safety

NONE

d) The prevention of public nuisance

NONE

e) The protection of children from harm

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	19 March 2010
Capacity	Designated Premises Supervisor

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

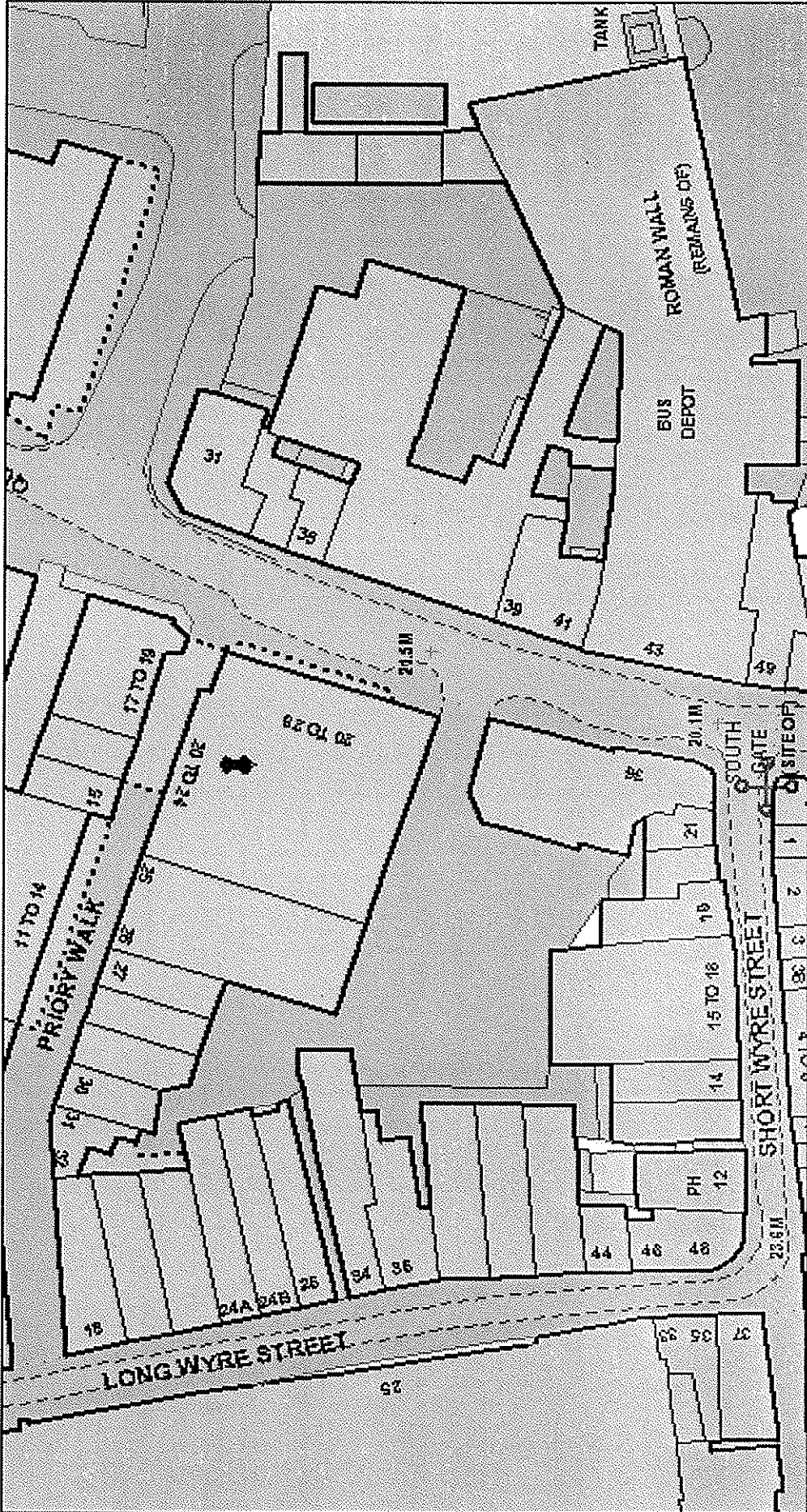
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

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

Premises Location Plan

APPENDIX 2



Licence Application Reference: 070426
 Premises Name & Address: Route 20-28 Queen Street Colchester
 Date Produced: 19 May 2010

MAP NOT TO SCALE

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Annex 1 – Mandatory Conditions

Alcohol

1. No sale/supply of alcohol shall be made when there is no Designated Premises Supervisor in respect of the Premises Licence.

2. No sale/supply of alcohol shall be made when the Designated Premises Supervisor does not hold a Personal Licence or when his/her Personal Licence is suspended.

3. Every sale/supply of alcohol under the Premises Licence shall be made, or authorised by a person who holds a Personal Licence.

Door Supervision

Where a premises licence includes a condition that at specified times one or more individuals must be present at the premises to carry out a security activity, they must be licensed by the Security Industry Authority

Exhibition of Films

1. Any exhibition of films must be screened in accordance with the category issued by the British Board of Film Classification (BBFC) certification.

2. Admission of persons under the age of 18 shall be restricted in accordance with any recommendation made by the above film classification body and any guidance issued under the Licensing Authority's Statement of Licensing Policy

Annex 2 – Embedded Restrictions

Annex 3 – Conditions Carried Forward on Conversion

1.No intoxicating liquor shall be supplied for consumption off the premises save to a member in person.

2.There shall be Rules of the Club and:-

(a)A copy of any such Rules shall be deposited with the Clerk to the Licensing Justices and the Police.

(b)Any alteration or addition to the rules shall be notified in writing to the Clerk to the Licensing Justices and the Police within 14 days of such alteration or addition.

NB - These should now be lodged with the Colchester Borough Council Licensing Authority prior to the second appointed day.

3.CCTV shall be installed to the reasonable satisfaction of the Police to provide, at all times the premises are open for business, an adequate view of the Licensed Area which can be viewed on a monitor kept for the purpose and situated at or near the ground floor entrance to the premises.

4.The maximum number of persons allowed to be present on the premises when it is being used for any purposes authorised by this consent is 650. The completion, to the satisfaction of the Council and the Fire Authority, of the works set out in the letters dated 5 February 2002 and 11 February 2002 respectively.

5.Confirmation from the building owners, Fletcher King Chartered Surveyors, that the additional fire escape can be used at all times by those in Route.

6.The Public Entertainment Licence holder is to ensure that an accurate system is maintained at the premises to determine that the maximum capacity permitted by the Public Entertainment Licence is not exceeded at any time. In addition, authorised Police, Local Authority and Fire Authority Officers must be given access to such a system and such information regarding capacity as may be required by the agencies.

7.The premises may be kept open and used on Monday to Wednesday from 11.00am to 1.00am, Thursday, Friday and Saturday from 11.00am to 2.00am except on Christmas Day, subject to the relevant planning permission being sought and granted.

8.High quality Digital CCTV system with cameras covering the whole of the premises, including the male and female toilets, not looking directly at urinals or into cubicles and all public access areas entrance and exit doors in order to deter drug dealing, assaults and other incidents in accordance with Colchester Crime and Disorder Strategy and section 17 of the Crime and Disorder Act 1998. The Codec format of digital computers must be available to the Police and the Local Authority, in order to download images. (Videotapes/CD discs to be kept for 31 days.) Sufficient staff to be trained efficiently, in the use of CCTV system.

9.Police Officers investigating serious assaults in licensed premises have a duty to seize CCTV videotapes or discs to secure evidence.

Video tapes and discs found to be defective or of inferior quality or blanked, should be regarded as a serious breach of the PEL conditions.

The holder of the PEL must ensure the best available quality CCTV evidence is handed to Police Officers investigating all incidents and in particular serious incidents. Failure to comply could jeopardise the PEL.

10.A drugs search by consent policy under CCTV cameras as a condition of entry where Door Supervisors are employed should be in place to deter drugs and weapons entering the premises and an appropriate drugs safe box kept on the premises for the security of unlawful drugs seized or found by staff and kept secure until such times that Essex Police can dispose of those drugs lawfully. Essex Police code of practice and recommendation is that 2 in every 10 persons are searched (minimum).

11.The Public Entertainment Licence holder and licensees also have a vicarious responsibility to ensure Door Supervisors are SIA registered and do not exceed their authority outside the premises in the street/public places, beyond main entrances and should monitor the ejection of customers by Door Supervisors.

12.Toughened drinking glasses to be used at all times the premises are open.

13.No bottles or glasses to be taken off the premises.

14.All empty bottles or drinking glasses to be collected within the premises as soon as possible.

15.Windows and doors to be closed by 11.00pm to reduce noise levels from Public Entertainment.

16.Empty bottles and glasses to be collected as soon as possible. (Best practice to reduce incidents of glassing injuries).

17.Polite signs should be placed at all exits from the premises encouraging customers to be quiet on leaving the area and to respect the rights of people living nearby to a peaceful night.

18.Establish an acceptable sound level control system for any musical entertainment so as to avoid unreasonable disturbances to any residents in the immediate vicinity of the premises. A noise-limiting device must be installed, maintained and used for the duration of each event. Noise levels to be agreed in conjunction with Colchester Borough Council's Licensing Officer and Environmental Control.

19.Licensees to join Pub and Clubwatch and to attend three meetings a year to discuss items of common interest working in partnership with the Local Authority, Colchester Police, Licensing Justices and other agencies as best practice to assist in the reduction of alcohol related Crime and Disorder.

20.Free unrestricted drinking water must be available where dancing and public entertainment is being performed as recommended by the Home Officer Safer Clubbing guidance for Licensing Authorities, Club Managers, Promoters and Licensees.

21.Colchester Partnership Pubwatch and Clubwatch Anti-Drugs Campaign

posters to be displayed on the premises in the bars/toilets to deter Drug Dealing and using on the premises.

22.The installation of a new security system based on fingerprint identification.

23.No alteration to the purpose of this licence i.e. Music & Dancing, will be allowed unless it has been applied for in writing by way of it being a variation to the terms and conditions of the licence issued.

24.Door Security when used MUST be registered with the SIA Security Industry Authority from 28 February 2005. It becomes a criminal offence from the date.

25.All conditions carried forward on conversion from the Essex Building Surveyors Association Model Conditions of Management for Places of Entertainment.

Annex 4 – Conditions Consistent with the Operating Schedule

Conditions Offered by Applicant in the Operating Schedule

1. The premises to operate zero tolerance in relation to drunkenness, anti-social behaviour including drugs.
2. The management are members of the behave or be banned scheme (BOBB); Colchester and North East Essex Licensed Victualers Association.
3. Management monitor the sale of alcohol.
4. Photo id is requested for proof of age (photo driving licence, passport or other group scheme).
5. To hold all appropriate health and safety certificates.
6. To regularly inspect all electrical and fire appliances.
7. Monitor noise levels when customers leave the premises.
8. Taxi's arranged for customers if requested.
9. Doors closed when music is playing .
10. No under 18's admitted except for specific pre-arranged under 18 evenings when no alcohol is sold.

Conditions offered from the Policy for under 18 events-

11. Ensure that soft drinks are on sale only.
12. No alcohol branding whatsoever is displayed and all bars have alcoholic drinks removed for this event.
13. Cigarette machines are disabled, turned round and smoking discouraged.
14. All gaming machines are switched off and turned round for the duration of the event.
15. Inform the police that an event is being operated.
16. Security staff are mature and sensible. Events are stewarded by male and female staff who will provide a safe and secure environment.
17. Each venue provides First Aiders and has a designated First Aid area.
18. All venues display a search policy upon entrance to the venue. Searches on the door take place primarily for weapons, alcohol and illegal substances. Any persons who refuse to be searched are not permitted entrance to the events. All legalities surrounding searching teenagers are strictly adhered to.
19. To have at the events a designated manager with child protection responsibilities, called the Event Liaison Officer.
20. The Events Liaison Officer to be advised if any person leaves a youth event for inappropriate behaviour or refused entry and every

possible step is taken to ensure that such persons are supervised by venue staff until parents/guardians are telephoned and arrive to collect them.

21. All adults in the organization are expected to share concerns about the welfare of a child/young person with the designated manager who has child protection responsibilities.

22. The Events Liaison Officer to be responsible for arranging training for staff, monitoring and recording concerns, making referrals to authorities in case of any complaint without delay.

23. The age policy is strictly 13-17 (or other designated age game). Any person wishing to gain entrance who does not look of age or who looks over-age is asked to produce ID.

24. Do not permit any person over the age of 18 to the events, other than persons within a legitimate employ or supervisors, and be committed to liaising openly with parents and carers.

25. This will be an event opposed to the use of alcohol by persons in this age group and which opposes the use of illegal drugs within our society.

26. Upon admission supervisors will vet and search each person who wishes to gain admission.

27. Any drink, weapon or illegal substance will be confiscated.

28. Dress policy is cool, funky and fresh. If there is any special dress code requirement this will be plainly publicised.

29. Should a difficulty occur with any customer, staff will adhere to these rules-

- i. Only use physical contact if absolutely necessary
- ii. Avoid being alone with a young person at all times.

30. Treat all young people with respect and dignity.

31. Ensure that their welfare and safety is paramount at all times.

32. Always act in a professional way.

33. Not accept bullying, swearing or other disruptive behaviour from any customer.

34. Listen to, and act upon, any allegations or concerns brought to you by young people attending the events.

General - all objectives

Please see existing conditions on PEL and Justices Licence.

The premises operates a zero tolerance in relation to drunkenness, anti-social behaviour including drugs

The management are members of "Pubwatch", the behave or be banned scheme (BOBB); Colchester and North East Essex Licensed Victualers Association.

Prevention of Crime & Disorder

The premises operates zero tolerance in relation to drunkenness, anti-social behaviour including drugs

Management monitor the sale of alcohol

Photo id is required for proof of age (photo driving licence, passport or other group scheme).

Public Safety

All appropriate health and safety certificates are held

All electrical and Fire appliances are regularly inspected

Prevention of Public Nuisance

- a. Monitor noise levels when customers leave premises
- b. Checking on closing that no bottles, cans or glasses are being taken off premises
- c. Taxi's arranged for customers if requested
- d. Doors closed when music is playing

Protection of Children

No under 18's admitted except for specific pre arranged under 18 evenings when no alcohol is sold

Photo id is required for proof of age (photo driving licence, passport or other group scheme).

Annex 5 – Conditions Attached after a Hearing by the Licensing Authority



Colchester Civic Society

PLEASE REPLY TO:
PLANNING, PROTECTION AND LICENSING
 RECEIVED
 19 APR 2010
 PASSED TO ACTION/NOTE ONLY/FILE NUMBER

Priory Street
 Colchester
 CO1 2QB

15 April 2010

For the attention of the Licensing Committee
 Colchester Borough Council

Dear Sirs

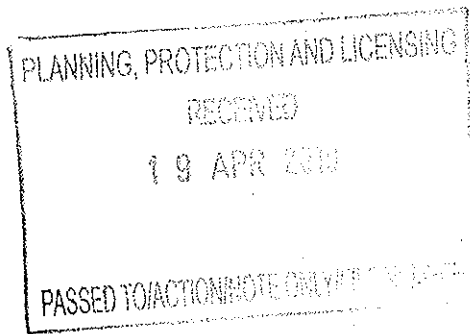
Objection to the Application for the Variation of the Premises Licence for Route

Colchester Civic Society wishes to object to the proposed change of hours for Route.

Again, this is an application for premises in a Stress Area and we trust that the Committee will refuse the application as it would add to the problems of anti-social behaviour already existing in Queen Street and St Botolph's Street at night. Our members have, for many years, been gravely concerned about the effects of the night time economy on the town centre - few will venture into the town at night because they feel uncomfortable and intimidated. They are still questioning how the Cultural Quarter - and the new hotel - are going to succeed in an area blighted by the night time economy. As we have said before, it is not simply the noise - shouting, argumentative men and shrieking women - and the disgusting litter - discarded fast food wrappers mixed with vomit and urine - but the vandalism - residents of Priory Street will attest to the damage to vehicles parked in the Priory Street Car Park where, we understand, hotel guests will have parking rights. Route is far too close to the hotel for comfort. We must think of visitors to the town. After all, we want them to return, but they certainly won't if their sleep is disturbed if Route closes at such an hour.

Yours

Chair, Colchester Civic Society



Priory Street
Colchester
CO1 2QB

17 April 2010

For the attention of the Licensing Committee
Colchester Borough Council

Dear Sirs

Objection to the Application for the Variation of the Premises Licence for Route

As a resident of Priory Street, I should like to object strongly to the increase in licensing hours sought by Route.

Already the lives of people living near the Queen Street/St Botolph's Stress Area are blighted, from Thursday evening until Sunday morning, by the behaviour of people leaving the various late night/early morning establishments to be found there. They scream, shout, fight, vomit, urinate, defecate, fornicate, litter, vandalise cars and property along the length of our road night after night after night. If Route's application were to succeed, we should be faced with yet a further extension of such "vibrant" behaviour and that is completely untenable.

It appears to me that a further extension of drinking hours for any establishment within that Stress Area would be totally inappropriate and, I believe commonsense would suggest, be completely against the spirit, if not the letter, of the legislation that allows for the designation of such Areas. Experience has also shown that once one of the establishments in this recognised trouble spot gains extra time in which to inebriate their clientele the other establishments follow suit. It is time that a halt was called.

I am certain that it will be argued that young and not-so-young (much of the anti-social behaviour we witness is occasioned by 30-40 year olds) people's human rights will be denied them if they cannot drink until nearly dawn. However, it is time that local residents' human right to a reasonable level of peace and quiet and the prospect of an uninterrupted weekend night's sleep was given some precedence.

Yours faithfully

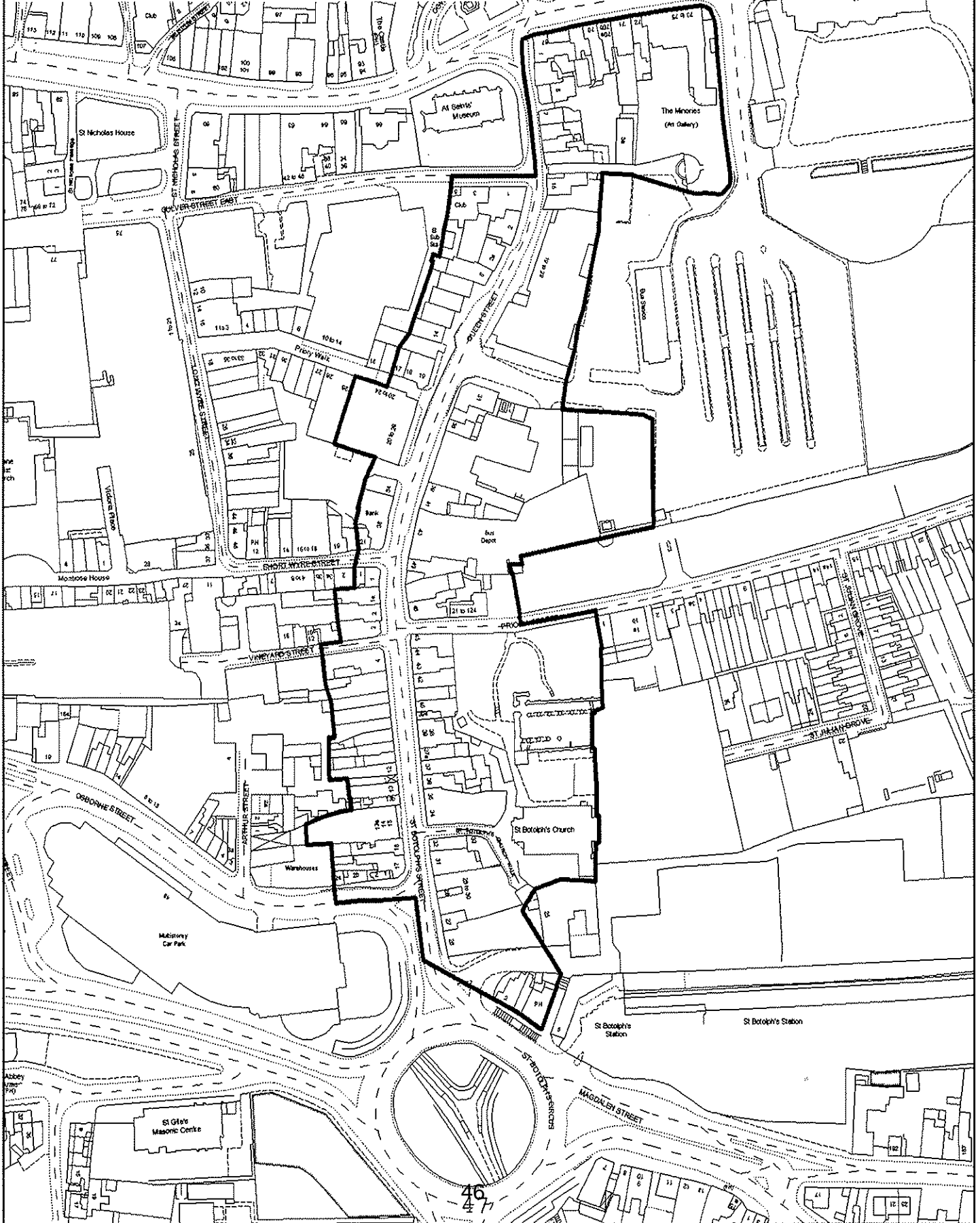
Priory Street Resident and erstwhile Chair of the Priory Residents' Association.

Appendix 6

REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. COLCHESTER BOROUGH COUNCIL 100023706 2004



Queen Street / St Botolphs Street Stress Area



e-mail: licensing.committee@colchester.gov.uk
website: www.colchester.gov.uk