

Licensing Sub- Committee Hearings

**Grand Jury Room, Town Hall
1 September 2008 at 10.00am**

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, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services.

Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings with the exception of Standards Committee meetings.. If you wish to speak at a meeting or wish to find out more, please pick up the leaflet called "Have Your Say" at Council offices or at www.colchester.gov.uk .

Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

Access

There is wheelchair access to the Town Hall from West Stockwell 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 Angel Court Council offices, High Street, Colchester or telephone (01206) 282222 or textphone (01206) 18001 followed by the full telephone number you wish to call, and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets are located on the second floor of the Town Hall, access via the lift. A vending machine selling hot and cold drinks is located on the ground 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.

Colchester Borough Council, Angel Court, High Street, Colchester
Telephone (01206) 282222 or textphone (01206) 18001 followed by the full telephone number
you wish to call
e-mail: democratic.services@colchester.gov.uk
www.colchester.gov.uk

Licensing Sub-Committee Hearing Procedure for Hearings under the Licensing Act 2003

- (1) All questions and statements will be directed through the Chairman.
- (2) The Chairman will at the beginning of the Hearing explain to the parties the procedure to be followed and shall consider any request made by a party for permission for another person to appear at the Hearing.
- (3) The Hearing shall take the form of a discussion led by the Council's representative.
- (4) Cross examination shall not be permitted unless the Sub-Committee considers that cross-examination is required for it to consider the representations, application or notice as the case may be.
- (5) The Chairman of the Sub-Committee may require any person attending the Hearing who in his opinion is behaving in a disruptive manner to leave the Hearing and may:
 - (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the Sub-Committee may specify.

Provided that any such person may before the end of Hearing submit to the Council in writing any information which they would have been entitled to give orally had they not been required to leave.

- (6) A party who wishes to withdraw any representations they have made may do so:
 - (a) by giving notice to the Council no later than 24 hours before the day or first day on which the Hearing is to be held, or
 - (b) orally at the Hearing.
- (7) The Sub-Committee in considering any representations or notice made by a party may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the Hearing, or with the consent of all other parties, at the Hearing.
- (8) The Sub-Committee shall disregard any information given by a party or any person to whom permission to appear at the Hearing had been given which is not relevant to:
 - (a) their application, representations or notice(as applicable) or in the case of another person, the application representations or notice of the party representing their appearance, and
 - (b) the promotion of the licensing objectives or, in relation to a Hearing to consider a notice given by a chief officer of police, the crime prevention objective.
- (9) If a party has informed the Council that he does not intend to attend or be represented at a Hearing, the Sub-Committee may decide to proceed with the Hearing in his absence.
- (10) If a party has not informed the Council that he does not intend or be represented at a Hearing and fails to attend or be represented at a Hearing, the Sub-Committee may:
 - (a) where it considers it to be necessary in the public interest adjourn the Hearing to a specified date (notice being given forthwith to the parties concerned of the date, time and place to which the Hearing has been adjourned), or

(b) hold the Hearing in the party's absence

Where the Sub-Committee agrees to hold the Hearing in the absence of a party, the Sub-Committee shall consider at the Hearing the application, representations or notice made by that party.

The Council's case:-

(11) The Chairman will invite the Council's representative to summarise the report relating to the application under consideration.

The Applicant's case:-

(12) The Applicant and/or representative will begin with their opening remarks and present their case.

(13) The Applicant's witnesses (if any) will give evidence in support of the Applicant's case.

(14) The Applicant and/or representative may question the Applicant's witness again to clarify any points which may have arisen.

Submissions from other parties (these will include Interested Parties, Ward Councillors (who are an interested party themselves or are acting in the capacity as a representative of an Interested Party) and representatives from Responsible Authorities:-

(15) Each party will present their case.

(16) Each party's witnesses (if any) will give evidence in support of the party's case.

(17) Each party and their witnesses may be questioned by the Chairman and members of the Sub-Committee.

(18) Each party may question their witness again to clarify any points which may have arisen.

(19) If the Applicant or the interested parties wish to question each other, questions may be directed through the Chairman.

(20) Closing Statements may be made by the Applicant and/or representative.

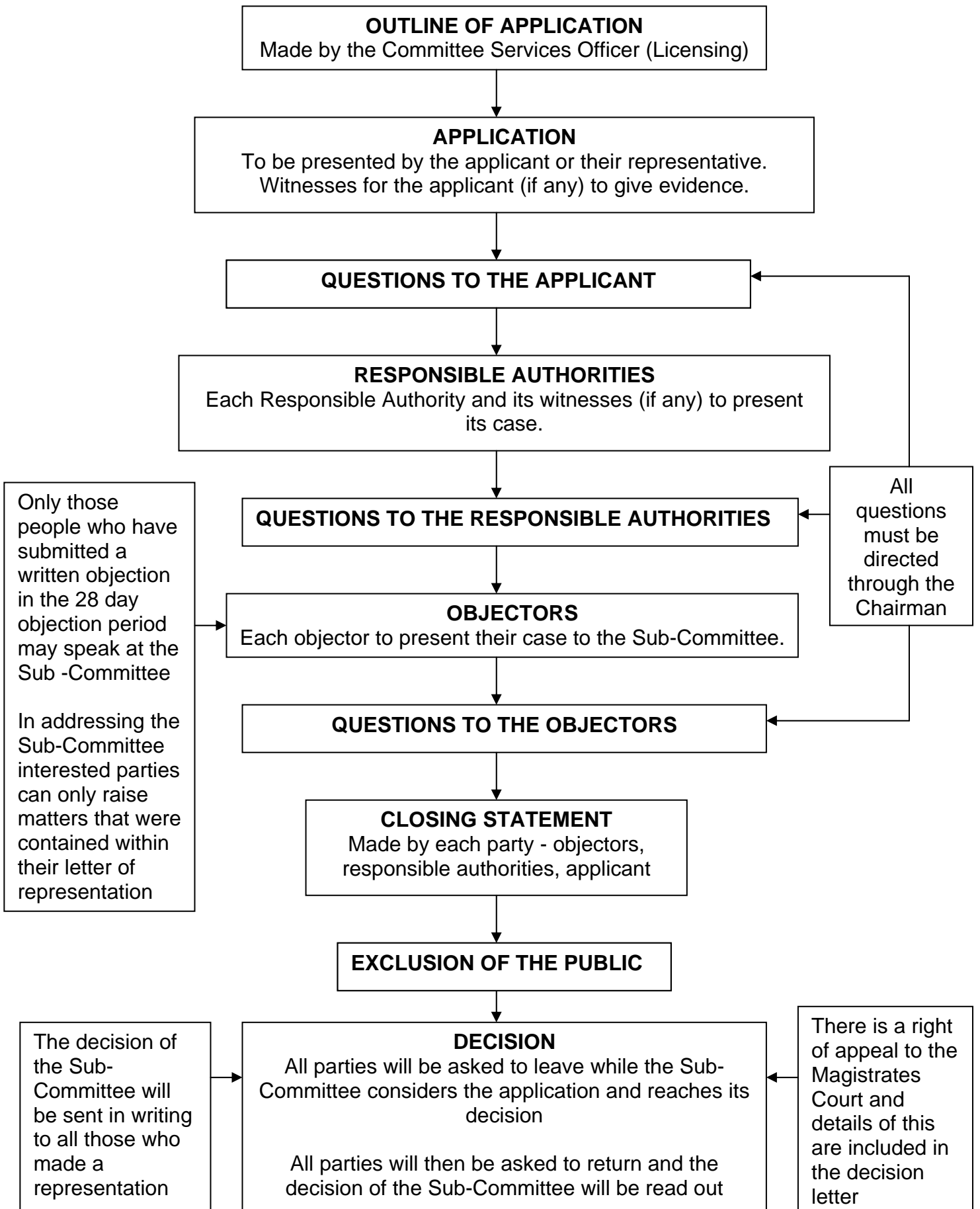
(21) The Chairman will ask the Legal Advisor whether there is anything else to be raised or settled before the proceedings are closed.

Determination of the application by the Sub- Committee

(22) The Applicant and/or representative, Interested Parties, Ward Councillors, Responsible Authorities and the members of the public and the press will leave the room to allow the Sub-Committee to determine the application. During this process the Sub-Committee members may ask for legal advice from the Legal Advisor.

(23) The Applicant and/or representative, Interested Parties and Ward Councillors, Responsible Authorities and the members of the public and the press will be invited to return to the room when the Sub-Committee's determination will be announced. Written details of the determination and the grounds upon which it is based will be sent to all parties concerned in accordance with the Hearings Regulations.

The Licensing Sub-Committee Hearings Process



**COLCHESTER BOROUGH COUNCIL
LICENSING SUB-COMMITTEE HEARINGS
1 September 2008 at 10:00am**

Members

Chairman : Councillor Barrie Cook.
Councillors Michael Lilley and Ann Quarrie.

Substitute Members :

Agenda - Part A

(open to the public including the media)

Pages

1. Appointment of Chairman

To appoint a Chairman for the meeting.

2. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones to off or silent;
- location of toilets;

3. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

4. Applications under the Licensing Act 2003

- | | |
|---|----------------|
| a. Frankie and Benny's, Off London Road, Stanway, Colchester, Essex | 1 - 30 |
| b. Ranges Service Station, 154 Mersea Road, Colchester, Essex | 31 - 65 |



| | |
|--|----------------------------|
| Licensing Committee – 1 September 2008 | Agenda Item 4A |
| FRANKIE & BENNY'S | FOR GENERAL RELEASE |

| | | |
|---------------------------|---|--|
| Premises | Frankie and Benny's Land off London Road Stanway | Ward: Stanway Stress Area: No Flare Ref: 17918 Author: Simon Harvey |
| Application | Application for a new premises licence To Permit:- - Supply of alcohol - Provision of late night refreshment | Appendix 1 |
| Street Plan | | Appendix 2 (to follow) |
| Interested Parties | | |
| Local Resident | Letter of Objection | Appendix 3 |

| |
|---|
| New Application for a Premises Licence |
| <p>To permit:-</p> <ul style="list-style-type: none"> - The supply of alcohol on and off the premises Mondays to Sundays inclusive – 10.00 to 00.00 - Provision of late night refreshment Mondays to Sundays inclusive – 23.00 to 00.00 - Hours the premises are open to the public Mondays to Sundays inclusive – 10.00 to 00.30 |

| |
|--|
| Policy Guidelines – Frankie & Benny's |
|--|

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 take aways".

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".

The Prevention of Crime and Disorder

The Council's adopted 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 schedule; the level of compliance with conditions on existing licences; and the extent to which Essex Police’s effective management checklist (see Appendix 18) has been taken into account. This provides a comprehensive 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.**

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.

Public Safety

Paragraph 5.23 of the Council’s adopted 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) whether 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;
- (viii) 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.

The Prevention of Public Nuisance

Paragraph 5.27 of the Council's adopted 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 adopted 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 of 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.**

The representation submitted by a local resident expresses concern that the granting of a late night licence will lead to rowdiness and noise from vehicles driving off. The resident requests that if granted the licence be restricted to 23.00 which they believe would satisfy the majority of diners and not encourage late night drinking.

Additional Policy Guidance – Prevention of 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

5.33 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 operation of the premises

5.34

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 may impact on the likelihood of public nuisance have been considered.

These may include

- The location of the premises and the proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship;**
- The hours of opening, particularly 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.
-

The Protection of Children from Harm

Paragraph 5.36 of the Council’s adopted 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 Council’s Licensing 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 this 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 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.

Areas outside of the Stress Area Policy

3.100 The absence of a stress area policy for a particular area does not prevent any responsible authority or interested party making representations on a new application for the grant or variation of a premises licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. However where no relevant representations are received the application must be granted automatically.

3.101 Applications outside of the Stress Area will be judged on their own individual merits, but the Licensing Authority may take into consideration the following:

- i)** Existing levels and concern about crime and disorder or public nuisance, and the impact that the proposed use will have on a locality.
- ii)** The proximity of residential properties to the proposed use.

Café Bars

3.53 The Licensing Authority will look favourably on applications, which seek a grant of licence or variations of licence for a café bar that offers or views the consumption of alcohol as an ancillary accompaniment to the enjoyment of food purchased and eaten by their customers on the premises.

3.54 Any such grant or variation agreed could however, be subject to the following conditions, which would be applied in circumstances where it was reasonable and proportionate to do so, and in order to prevent the premises from gaining a licence to sell alcohol and then simply converting to an ordinary public house or bar that relies more on the sale of alcohol and vertical drinking than it does on the provision of food.

These conditions, which relevant applicants are encouraged to include in their operating schedules, could be:

- (i)** The supply of intoxicating liquor and other beverages shall be made by waiter/waitress service solely for the consumption of persons seated at tables.
- (ii)** Substantial food shall be available at all times.

The applicant's Operating Schedule (item P of the Premises Licence application form), advises that there is to be waiter/waitress service throughout the restaurant area of the premises and that substantial food will be available throughout licensed hours. This is in line with the Council's Policy as shown above.

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.

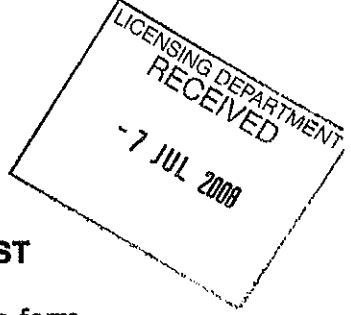
In making their decision as to whether to grant this application, Members of the Licensing Sub-Committee should in particular consider Article 1 of the First Protocol of the Human Rights Act 1998, that individuals are entitled to the peaceful enjoyment of their property and also Article 8 that everyone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

APPENDIX 1



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 City Centre Restaurants (UK) Ltd

(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 | | | |
| Frankie & Benny's Unit-1 Tollgate West Stanway | | Landoff London Rd | |
| Post town | Colchester | Post code | |

| | |
|---|----|
| 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 yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity 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 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:

Please tick yes

- 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)

| | | | | | |
|--|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| <input type="checkbox"/> Mr | <input type="checkbox"/> Mrs | <input type="checkbox"/> Miss | <input type="checkbox"/> Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | | <input type="checkbox"/> Please tick yes |
| Current postal address if different from premises address | | | | | |
| Post Town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| <input type="checkbox"/> Mr | <input type="checkbox"/> Mrs | <input type="checkbox"/> Miss | <input type="checkbox"/> Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | | <input type="checkbox"/> Please tick yes |

| | | | |
|--|--|-----------------|--|
| Current postal 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 City Centre Restaurants (UK) Ltd |
| Address 5-7 Marshalsea Road London SE1 1EP |
| Registered number (where applicable) 894426 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company |
| Telephone number (if any) 08456125001 |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | | | | | |
|-----|---|-------|---|------|---|---|
| Day | | Month | | Year | | |
| 0 | 1 | 0 | 4 | 2 | 0 | 9 |

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

| | | | | | | |
|-----|--|-------|--|------|--|--|
| Day | | Month | | Year | | |
| | | | | | | |

Please give a general description of the premises (please read guidance note1)
Restaurant and bar operating on ground floor, providing substantial food throughout hours of operation.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

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)

Supply 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"/> |
|---|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | Both | <input type="checkbox"/> |
| 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) | | | <u>Will the exhibition of films 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 | | | | | |
| | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | | | |
| | | | <u>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</u> (please read guidance note 5) | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

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 | | | |
| | | | |
| Tue | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) |
| | | | |
| 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 | | | |
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| Sat | | | |
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| 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 | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <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) | | |
| 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 type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| | | | | | |
| Tue | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) | | |
| | | | | | |
| Wed | | | <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) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

F

| | | | | | |
|--|--------------|---------------|---|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music 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 playing of recorded music (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | 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 (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

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 type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <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) | | |
| Sat | | | | | |
| Sun | | | | | |

H

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment you will be providing</u> | | |
| Day | Start | Finish | <u>Will this entertainment take place 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 entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | <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) | | |
| Sun | | | | | |
| | | | | | |

| | | | | | |
|--|--------------|---------------|--|--|--|
| 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) | | 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 the provision of facilities for making music</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <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) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

J

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

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 checked="" type="checkbox"/> |
|---|-------|--------|---|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 23.00 | 24.00 | <u>Please give further details here</u> (please read guidance note 3) | | |
| | | | | | |
| Tue | 23.00 | 24.00 | | | |
| | | | | | |
| Wed | 23.00 | 24.00 | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) | | |
| | | | | | |
| Thur | 23.00 | 24.00 | | | |
| | | | | | |
| Fri | 23.00 | 24.00 | <u>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</u> (please read guidance note 5) 23.00 on New Year's Eve until 05.00 on New Year's Day. | | |
| | | | | | |
| Sat | 23.00 | 24.00 | | | |
| | | | | | |
| Sun | 23.00 | 24.00 | | | |
| | | | | | |

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 type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | 10.00 | 00.00 | | | |
| Tue | 10.00 | 00.00 | | | |
| Wed | 10.00 | 00.00 | | | |
| Thur | 10.00 | 00.00 | | | |
| Fri | 10.00 | 00.00 | | | |
| Sat | 10.00 | 00.00 | | | |
| Sun | 10.00 | 00.00 | | | |
| | | | 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 5) 10.00 on New Year's Eve until 00.00 on New Year's Day | | |

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

| | |
|---|--|
| Name Bhupvinder Chaggar | |
| Address | |
| Postcode | |
| Personal Licence number (if known) | |
| Issuing licensing authority (if known) Leicester City Council | |

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 | 10.00 | 00.30 | <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) 10.00 on New Year's Eve until 00.30 on 2nd January.</p> |
| | | | |
| Tue | 10.00 | 00.30 | |
| | | | |
| Wed | 10.00 | 00.30 | |
| | | | |
| Thur | 10.00 | 00.30 | |
| | | | |
| Fri | 10.00 | 00.30 | |
| | | | |
| Sat | 10.00 | 00.30 | |
| | | | |
| Sun | 10.00 | 00.30 | |
| | | | |

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

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

1. There is to be waiter/waitress service throughout the restaurant area of the premises affording control and supervision.
2. Substantial food will be available throughout licensed hours.

b) The prevention of crime and disorder

As (a) above

c) Public safety

These premises will meet current Building Regulation requirements.

A fire risk assessment will be conducted and its recommendations implemented.

d) The prevention of public nuisance

As (a) above

e) The protection of children from harm

as (a) above.

It is proposed that children will be permitted access to the premises in accordance with the provisions of the Licensing Act 2003.

A proof of age scheme will operate in the premises and photographic identification only will be accepted in the premises as valid proof of age.

Please tick yes

- 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 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

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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

| | |
|-----------|---|
| Signature | <i>Anthony Collins Solicitors</i> |
| Date | 3-7-08 |
| Capacity | Solicitors for and on behalf of the applicant |

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)

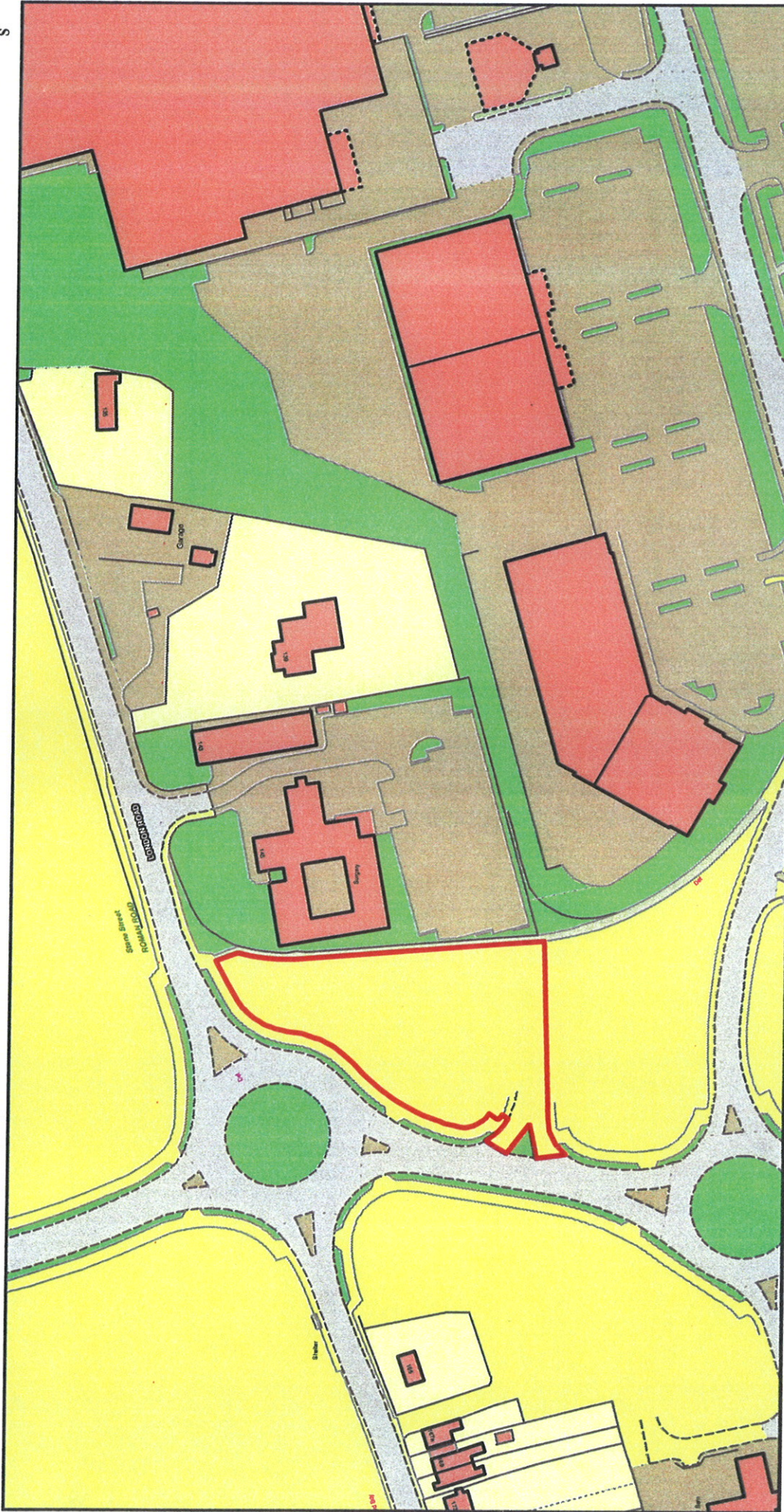
Anthony Collins Solicitors LLP
134 Edmund Street

| | | | |
|------------------|------------|------------------|--------|
| Post town | Birmingham | Post code | B3 2ES |
|------------------|------------|------------------|--------|

| | |
|----------------------------------|---------------|
| Telephone number (if any) | 0121 212 7405 |
|----------------------------------|---------------|

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
heath.thomas@anthonycollins.com

Proposed Location of Frankie & Benny's



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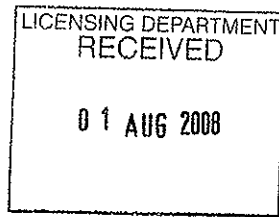
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189398

APPENDIX 3



London Road
Stanway
Colchester
Essex

9 July 2008

Dear Sirs,

Licensing Act 2003

Restaurant Frankie and Benny's - land off London Road Stanway

We write to object to the hours of licensing proposed in this application.

We accept that this will be a licensed restaurant but is located close to our house and drinking late at night does lead to rowdiness and noise from vehicles driving off.

We would have thought that a license to 11pm would satisfy the majority of diners and not encourage late night drinking.

We have no objection to the proposed hours for New Years Eve and New Years Day as this would be a one off situation and not 365 nights of the year.

Yours faithfully

The Licensing Authority
Colchester Borough Licensing Service
Planning, Protection and Licensing
PO Box 889
Town Hall
Colchester
CO1 1FL



| | |
|--|----------------------------|
| Licensing Committee – 1 September 2008 | Agenda Item 4B |
| RANGES SERVICE STATION | FOR GENERAL RELEASE |

| | | |
|---------------------------|---|---|
| Premises | Ranges Service Station 154 Mersea Road Colchester | Ward: Berechurch Stress Area: No Flare Ref: 17940 Author: Simon Harvey |
| Application | Application for a new premises licence To Permit:- - Supply of alcohol - Provision of late night refreshment | Appendix 1 |
| Street Plan | | Appendix 2 |
| Interested Parties | | |
| Local Resident | Letter of Objection | Appendix 3 |

| |
|--|
| New Application for a Premises Licence |
| <p>To permit:-</p> <ul style="list-style-type: none"> - The supply of alcohol off the premises Mondays to Sundays inclusive – 08.00 to 23.00 - Provision of late night refreshment Mondays to Sundays inclusive – 23.00 to 05.00 - Hours the premises are open to the public Mondays to Sundays inclusive – 00.00 to 24.00 |

| |
|---|
| Policy Guidelines – Ranges Service Station |
| <p>Colchester Borough Council's Statement of Licensing Policy.</p> <p>Assessing Applications</p> <p>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</p> |

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 take aways".

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".

The Prevention of Crime and Disorder

The Council's adopted 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 schedule; the level of compliance with conditions on existing licences; and the extent to which Essex Police's effective management checklist (see Appendix 18) has been taken into account. This provides a comprehensive 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.

There have been two relevant representations received from local residents in regard to this licensing objective. The residents refer to various incidences of violence, anti social behaviour, trespass, thefts and nuisance offences committed within the vicinity of their homes. The residents express concern that in the event that the licence is granted the number of offences will increase. Concern is also expressed that if the licence is granted, the premises will attract people into the area leading to a rise in anti social behaviour.

Public Safety

Paragraph 5.23 of the Council's adopted 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) whether 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;**
- (viii) 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.

The Prevention of Public Nuisance

Paragraph **5.27** of the Council's adopted 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 adopted 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 of 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.**

There have been four representations and a petition received in respect of this licensing objective from local residents in the immediate vicinity of the premises.

Residents refer to the existing noise nuisance which emanates from the garage. One resident regards the current nuisance as acceptable as it stops at 22.00 thereby allowing peace in time for their bedtime.

However, residents express concern that the granting of the licence may attract people to the area who are making their way home from clubs in the early hours of the morning who will be already inebriated and a grant of this application will encourage them to congregate at the premises, thereby leading to an increase in noise nuisance in the area which will disturb the sleep of residents.

Residents also express their disquiet that in the event the premises licence is granted, the current noise situation will worsen and degenerate to unacceptable levels and in particular one resident advises that it will impinge on her peace of mind, quality of life and her ability to be able to relax without disturbance for at least a small part of the 24 hour period.

Concern is also expressed at the potential increase in nuisance caused by the forecourt lights being on for a longer period of time and generally residents consider the application to be wholly inappropriate for the 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

5.33

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 operation of the premises.

5.34

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 premises and proximity to residential and other noise-sensitive premises, such as hospitals, hospices and places of worship;
- the hours of opening, particularly 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 premises;
- the design and layout of 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.

The Protection of Children from Harm

Paragraph 5.36 of the Council's adopted 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 Council's Licensing 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 this 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 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.

Areas outside of the Stress Area Policy

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.

3.100 The absence of a stress area policy for a particular area does not prevent any responsible authority or interested party making representations on a new application for the grant or variation of a premises licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. However where no relevant representations are received the application must be granted automatically.

3.101 Applications outside of the Stress Area will be judged on their own individual merits, but the Licensing Authority may take into consideration the following:

- i) Existing levels and concern about crime and disorder or public nuisance, and the impact that the proposed use will have on a locality.**
- ii) The proximity of residential properties to the proposed use.**

Late Night Refreshment

- 3.45 All premises selling hot food or drink for consumption either on or off the premises between the hours of 11.00pm and 5.00am will require a premises licence. The same requirement to hold a licence will also apply to burger/hot dog/fast food vans trading after 11.00pm and up to 5.00am the following day.
- 3.46 There are limited exemptions in certain circumstances to such a requirement. These are explained in Appendix 5 of this policy, along with the definition of what constitutes a licensable activity for the sale of hot food and hot drink between the hours of 11.00pm and 5.00am.
- 3.47 The Licensing Authority is concerned that premises offering hot food and drink between the hours of 11.00pm and 5.00am, either for consumption on or off the premises, often attract large groups of customers seeking refreshment after the pubs, clubs, bars or nightclubs have closed.
- 3.48 Many of these customers may have consumed alcohol excessively before seeking this refreshment. The combination of the effects of alcohol combined with the congregation of large groups of people both in and around these premises can and often does lead to violence and disorder, or to unacceptable levels of noise and disturbance for local residents. Police and residents have both expressed concerns over the levels of alcohol related violence, anti-social behaviour, noise and disturbance that emanates from or around the vicinity of fast food take-aways.
- 3.49 The consumption of food outside take-aways and mobile fast food vans also often results in unacceptably high levels of food waste and litter being deposited onto the street. This can occur to such an extent that it is the cause of public nuisance and cost to residents and the Council in litter and food being removed and cleaned from these pavements and roads.

3.50 The Licensing Authority will therefore seriously consider any relevant representations made by the Police, responsible authorities or any other interested party such as local residents, to limit the opening hours of fast food take-away premises or any other action that is reasonable and proportionate in relation to the level of the complaint made. This would apply either in the area identified as a cumulative impact or stress area, or anywhere else in the Borough where it can be reasonably established that the late opening hours of such an establishment are attracting or leading to violence, crime and disorder, anti-social behaviour or noise and disturbance to the detriment of the living and working conditions of local persons.

3.51 Where relevant representations have been made, the licensing authority will where necessary impose conditions on the licence, such as a limitation on opening hours or other measures, in order to promote the licensing objectives of the prevention of nuisance or crime and disorder.

3.52 Such measures may include for example the employment of SIA registered door staff for the prevention of crime and disorder, digital CCTV cameras and litter picking around the immediate vicinity of the premises. This list is not exhaustive and other measures may be requested by the Police, responsible authorities or local residents for example.

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 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.

We BP Oil UK Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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 | |
| Ranges Service Station 154 Mersea Road | |
| Post town Colchester | Post code CO2 7RA |
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £23,750 |

Part 2 - Applicant details

| | | |
|--|-------------------------------------|-----------------------------|
| Please state whether you are applying for a premises licence as | | |
| | Please tick ✓ yes | |
| a) an individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standard Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |
| * If you are applying as a person described in (a) or (b) please confirm: | | |
| | | Please tick <input checked="" type="checkbox"/> yes |
| ▪ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | <input checked="" type="checkbox"/> | |
| ▪ I am making the application pursuant to a | <input type="checkbox"/> | |
| o Statutory function or | <input type="checkbox"/> | |
| o A function discharged by virtue of Her Majesty's prerogative | <input type="checkbox"/> | |

| | | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--|
| (A) INDIVIDUAL APPLICANTS (fill in as applicable) | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other title (for example, Rev) <input type="checkbox"/> |
| Mr | | Mrs | | Miss | | Ms | |
| Surname | | | | First names | | | |
| | | | | | | | Please tick <input checked="" type="checkbox"/> yes |
| I am 18 years old or over | | | | | | | <input type="checkbox"/> |
| Current postal address if different from premises address | | | | | | | |
| Post town | | | Post code | | | | |
| Daytime contact telephone number | | | | | | | |
| E-mail address (optional) | | | | | | | |

| | | | | | | | | | |
|--|--------------------------|-----|--------------------------|--------------------|--------------------------|------------------|--------------------------|-----------------------------------|--------------------------|
| 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) | <input type="checkbox"/> |
| Surname | | | | First names | | | | | |
| | | | | | | | | Please tick ✓ yes | |
| I am 18 years old or over | | | | | | | | <input type="checkbox"/> | |
| Current postal address if different from premises address | | | | | | | | | |
| Post town | | | | | | Post code | | | |
| 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 | BP Oil UK Limited | |
| Address | Registered Office: <input checked="" type="checkbox"/> Chertsey Road Sunbury on Thames Middlesex TW16 7BP | Preferred Address: <input checked="" type="checkbox"/> Witan Gate House 500-600 Witan Gate Milton Keynes MK9 1ES |
| Registered number (where applicable) | 00446915 | |
| Description of applicant (for example partnership, company, unincorporated association etc) | Company | |
| Telephone number (if any) | 01908 853 938 | |
| E-mail address (optional) | N/A | |

Part 3 Operating Schedule

| | Day | | Month | | Year | | |
|---|-----|---|-------|---|------|---|---|
| When do you want the premises licence to start? | 0 | 8 | 0 | 8 | 2 | 0 | 8 |

When do you want the premises licence to start?

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

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

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

Please give a general description of the premises (please read guidance note 1)

A petrol forecourt store. The store sells a wide range of convenience store goods.
The layout of the premises is shown on the plan which accompanies the application.

What licensable activities do you intend to carry on from the premises?
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

| | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f), or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of entertainment facilities for</u> | |
| | |
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box j) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box M) | <input checked="" type="checkbox"/> |
| | |
| In all cases complete boxes N, O and P | |
| | |

A

| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) | Indoors | <input type="checkbox"/> | |
|---|-------|--------|--|---|--------------------------|--|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> | |
| Mon | | | Please give further details here (please read guidance note 3) | Both | <input type="checkbox"/> | |
| Tues | | | | | | |
| Wed | | | | State any seasonal variations for performing plays (please read guidance note 4) | | |
| Thur | | | | | | |
| Fri | | | | 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 (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 type="checkbox"/> | |
|---|-------|--------|--|--|--------------------------|--|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> | |
| Mon | | | Please give further details here (please read guidance note 3) | Both | <input type="checkbox"/> | |
| Tues | | | | | | |
| Wed | | | | State any seasonal variations for the exhibition of films (please read guidance note 4) | | |
| Thur | | | | | | |
| Fri | | | | 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 | | | | | | |
| Sun | | | | | | |

C

| | | | |
|---|-------|--------|--|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | <u>Please give further details here</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) |
| Tues | | | |
| 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"/> |
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tues | | | | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <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) | | |
| | | | | | |
| | | | | | |
| | | | | | |

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 ✓ (please read guidance note 2)</u> | Indoors | <input type="checkbox"/> | |
|---|-------|--------|--|---|--------------------------|--|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> | |
| Mon | | | <u>Please give further details here (please read guidance note 3)</u> | Both | <input type="checkbox"/> | |
| Tues | | | | | | |
| Wed | | | | <u>State any seasonal variations for the performance of live music (please read guidance note 4)</u> | | |
| Thur | | | | | | |
| Fri | | | | <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 (please read guidance note 5)</u> | | |
| Sat | | | | | | |
| Sun | | | | | | |

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 ✓ (please read guidance note 2)</u> | Indoors | <input type="checkbox"/> | |
|---|-------|--------|--|---|--------------------------|--|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> | |
| Mon | | | <u>Please give further details here (please read guidance note 3)</u> | Both | <input type="checkbox"/> | |
| Tues | | | | | | |
| Wed | | | | <u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u> | | |
| Thur | | | | | | |
| Fri | | | | <u>Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u> | | |
| Sat | | | | | | |
| Sun | | | | | | |

G

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

H

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

I

| | | | | |
|---|-------|--------|---|--|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment you will be providing | |
| | | | Will the facilities for making music be 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 | | |
| Mon | | | Please give further details here (please read guidance note 3) | |
| Tues | | | | |
| Wed | | | | |
| Thur | | | State any seasonal variations for the provision of facilities for making music (please read guidance note 4) | |
| Fri | | | | |
| Sat | | | Non-standard timings. Where you intend to use the premises for the entertainment or similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) | |
| Sun | | | | |

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 type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> | |
| Day | Start | Finish | | |
| Mon | | | Please give a description of the facilities for dancing you will be providing | |
| Tues | | | | |
| Wed | | | State any seasonal variations for providing dancing facilities (please read guidance note 4) | |
| Thur | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) | |
| Sat | | | | |
| Sun | | | | |

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) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tues | | | Please give further details here (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | 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 (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"/> |
| Day | Start | Finish | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input checked="" type="checkbox"/> |
| Mon | 0000 | 0500 | Please give further details here (please read guidance note 3) | | | |
| | 2300 | 2400 | Late night refreshment may be provided at the premises for consumption on or off the premises. When the shop doors are locked, service of late night refreshment will be through the night pay window. Late night refreshment will be in the form of hot drinks and/or hot snacks such as, but not exclusively, coffee, tea, hot filled baguettes and other bakery items. | | | |
| Tues | 0000 | 0500 | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | | | |
| | 2300 | 2400 | | | | |
| Wed | 0000 | 0500 | | | | |
| | 2300 | 2400 | | | | |
| Thur | 0000 | 0500 | | | | |
| | 2300 | 2400 | | | | |
| Fri | 0000 | 0500 | 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) | | | |
| | 2300 | 2400 | | | | |
| Sat | 0000 | 0500 | | | | |
| | 2300 | 2400 | | | | |
| Sun | 0000 | 0500 | | | | |
| | 2300 | 2400 | | | | |

M

| | | | | | | | | |
|--|-------|--------|---|------------------|-------------------------------------|--|--|--|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the sale of alcohol be for consumption (Please tick box ✓) (please read guidance note 7) | On the premises | <input type="checkbox"/> | | | |
| | | | | Off the premises | <input checked="" type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | | | | |
| Mon | 0800 | 2300 | | | | | | |
| Tues | 0800 | 2300 | | | | | | |
| Wed | 0800 | 2300 | | | | | | |
| Thur | 0800 | 2300 | | | | | | |
| Fri | 0800 | 2300 | | | | | | |
| Sat | 0800 | 2300 | | | | | | |
| Sun | 0800 | 2300 | | | | | | |
| | | | | | | 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). | | |
| | | | | | | | | |

| | |
|--|-----------------------|
| State the name and details of the individual whom you wish to specify on the licence as premises supervisor | |
| Name | _____ |
| Address | _____ |
| Post code | _____ |
| Personal Licence number (if known) | _____ |
| Issuing licensing authority (if known) | MILTON KEYNES COUNCIL |

N

| |
|---|
| <p>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)</p> <p>The premises sell alcohol and other age related products.</p> |
|---|

0

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variation (please read guidance note 4) |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | 0000 | 2400 | <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 (please read guidance note 5)</u></p> |
| | | | |
| Tues | 0000 | 2400 | |
| | | | |
| Wed | 0000 | 2400 | |
| | | | |
| Thur | 0000 | 2400 | |
| | | | |
| Fri | 0000 | 2400 | |
| | | | |
| Sat | 0000 | 2400 | |
| | | | |
| Sun | 0000 | 2400 | |
| | | | |

P

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

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

b) The prevention of crime and disorder

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recording shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The CCTV system will incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
7. The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.

c) Public safety

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

A 'Challenge 21' (or equivalent) scheme shall be adopted so that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years, for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced. Prominent notices will be displayed in the store advising customers that they may be asked to provide evidence of age.

| CHECKLIST: - | Please tick ✓ yes |
|--|-------------------------------------|
| ▪ I have made or enclosed payment of the fee | <input checked="" type="checkbox"/> |
| ▪ I have enclosed the plan of the premises | <input checked="" type="checkbox"/> |
| ▪ I have sent copies of this application and the plan to responsible authorities and others where applicable | <input checked="" type="checkbox"/> |
| ▪ I understand that I must now advertise my application | <input checked="" type="checkbox"/> |
| ▪ I understand that if I do not comply with the above requirements my application will be rejected | <input checked="" type="checkbox"/> |

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 4 - Signatures (please read guidance note 10)

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

Signature

Date **8 July 2008**

Capacity **Solicitors duly authorised on behalf of the Applicant**

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)

**(Ref:EMF/88/584/RPB)
Winckworth Sherwood LLP
35 Great Peter Street**

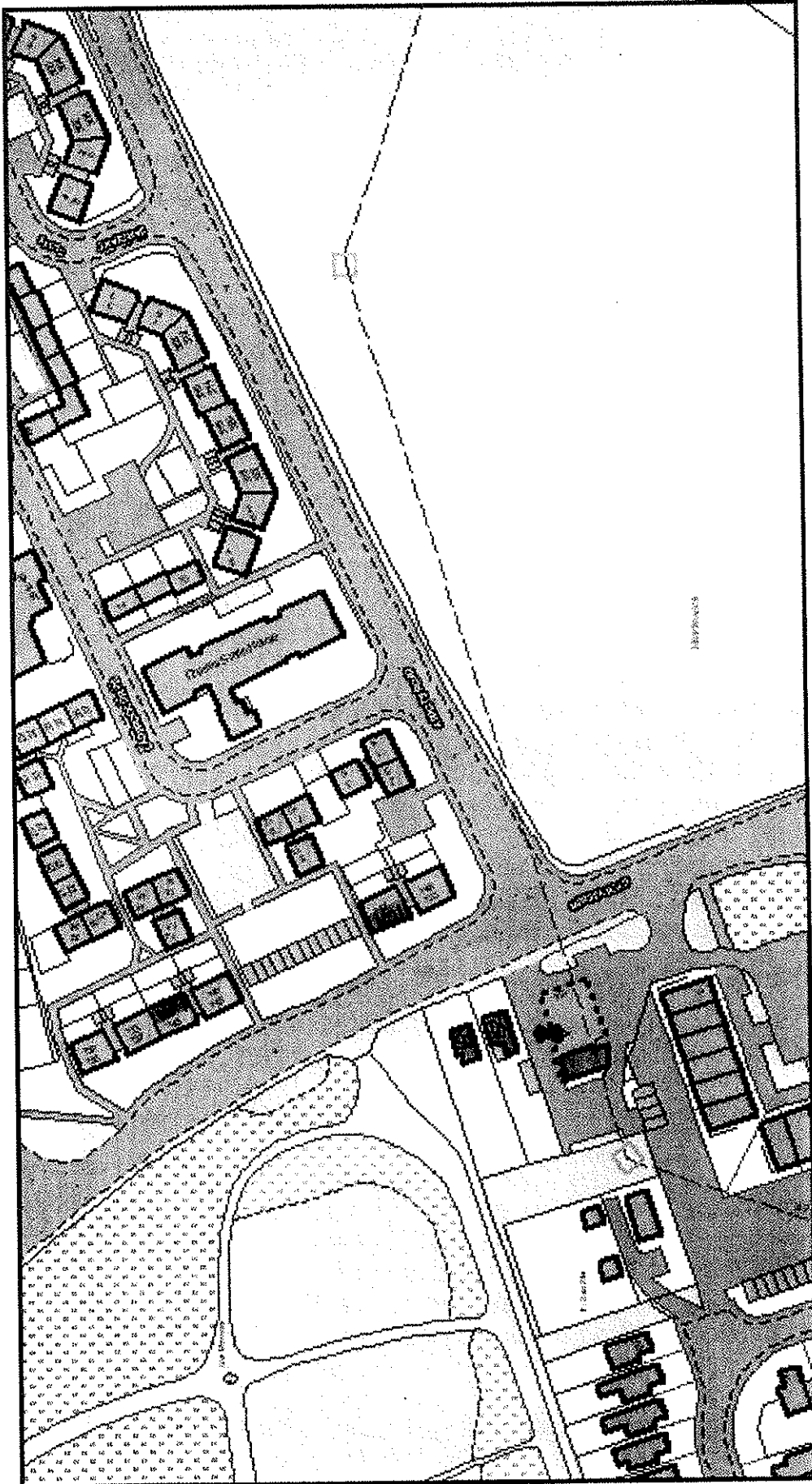
Post town
London

Post code
SW1P 3LR

Telephone number (if any)
020 7593 5155

If you would prefer us to correspond with you by e-mail insert your e-mail address (optional)

PREMISES LOCATION PLAN



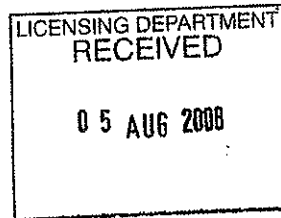
Licence Application Reference: 017940
Premises Name & Address: Ranges Service Station 154 Mersea Road Colchester
Date Produced: 13 August 2008

MAP NOT TO SCALE

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189673

Appendix 3



Mersea Road
COLCHESTER

TO WHOM IT MAY CONERN:

4 August 2008

Dear Sirs

I am writing to appose the plans for the application for licensing to the premises (BP Garage) on Mersea Road, Colchester.

Many of the surrounding residential properties are reserved by our local council for the physically disabled and elderly. Also in this area reside others who have learning and mental challenges. I myself have an impairment (epilepsy) and the reason for being offered, by the council, a ground floor property and that is within yards of the garage.

This area is also experiencing many challenges now with anti social behaviour. To put forward just one incident; on new years eve of last, I was awoken by "stand where you are, armed police".

The following morning I had great difficulty attempting to leave my flat as the whole area was cordoned off with tape. I was informed that only yards from my bedroom window, a young person had had their throat cut!

Other issues of ASB are trespass on the properties and thefts in the early hours of the morning.

I would add that if such a license where granted it is likely to draw other ASB into the area where many under age drinkers can already obtain alcohol from a local shop and retire to the The Wick to imbibe with the possibility of further disturbance. (I am not saying the shop in question sell alcohol to the under age. I have seen those over 18 go in and purchase and then pass to the youngsters)

As this license, to the best of my understanding is to be 24 hours, it will also attract revellers (as Mersea Road is a main thoroughfare), who have left clubs

in the early hours of the morning and on their way home. Revellers who are already inebriated and who may be looking for a further water hole and the possibility of congregating and disturbing a perhaps otherwise restful sleep to elderly and disabled living in this area.

There are various places in the vicinity, where there is opportunity to purchase food and drinks throughout the day. This license appears to be one that will make food and alcohol available in the late hours of the day and early morning.

Which need is greater, the residents living with "quiet enjoyment" of their homes and vicinity, or someone with a need for refreshment and alcohol to available 24 hours a day? Unless there is a guarantee of "quiet enjoyment", I feel sure that BP could find a more appropriate and acceptable place for a license, and from their many other outlets?

From my viewpoint, the application of a license would be to obtain further revenue. I would request, that before a license is granted, both BP and the licensor would give careful consideration to this application; weighing the needs and perspective of the residents, against the need for further revenue or a need for alcohol to be available in this specific area in the early hours of the morning. I would ask that you would stand in the resident's shoes when considering?

In anticipation of your assistance in this issue, it will be appreciated.

Yours sincerely .

189671

LICENSING DEPARTMENT
RECEIVED

05 AUG 2008

Mersea Road
Colchester
Essex

Dear Sir/Madam,

RE: EMF/88/584/RPB/CBC

Application to extend current licensing hours at Rangers Service Station, 154 Mersea Road, Colchester, Essex

It has come to my attention that the service station has submitted an application to extend their opening hours as presented in the Table below.

| | | |
|----------------------|---|----------------|
| | Saturday | 23.00 to 05:00 |
| | Sunday | 23:00 to 05:00 |
| Location of LNR | Late night refreshments may be consumed INDOORS Later night refreshments may be consumed OUTDOORS | |
| Additional Details | Late night refreshment may be provided at the premises for consumption on or off the premises. When the shop doors are locked, service of late night refreshment will be through the night pay window. Late night refreshment will be in the form of hot drinks and/or hot snacks such as, but not exclusively, coffee tea, hot filled baguettes and other bakery items | |
| Seasonal Variations | | |
| Non-Standard Timings | | |

| Supply of alcohol | Day | hours |
|--------------------------------|------------------------------------|---------------|
| | Monday | 08.00 – 23.00 |
| | Tuesday | 08.00 -23.00 |
| | Wednesday | 08.00- 23.00 |
| | Thursday | 08.00 –23.00 |
| | Friday | 08.00 – 23.00 |
| | Saturday | 08.00 – 23.00 |
| | Sunday | 08.00-23.00 |
| Supply outdoors and/or indoors | Alcohol may be served OFF premises | |

Firstly I would like to make the point that I have had no issue with the garage. The staffs are always very friendly and I utilise the premises. So despite the fact that there is continuous noise throughout the current opening hours and some litter blows into my front garden I don't mind too much because they were already in situ when I moved in and I know that without fail the noise that they do generate will completely cease come 10pm.

I can live with that because whilst I do consider it to be noisy and often very noisy, it is not endlessly noisy and I know that it will close for the night and peace will be restored in time for bedtime and in summer a relaxing hour in the back garden.

So indeed it is with regret that I find myself in the position of having to object to this application but I feel that I must, principally because my house is located parallel to the garage within a distance of no more than approximately 12-14 metres away from the northern boundary of the garage site. This means that wherever I am in my house or garden the noise travels across.

I am therefore concerned that should you grant this extension the current situation can only worsen and I genuinely believe that it will degenerate to unacceptable levels. It certainly will for my own peace of mind and quality of life because it will impinge on my ability to be able to relax without disturbance in my own house for at least a small part of the 24 hour period.

Further to that if the garage were to obtain a 24 hour licence then in my opinion it would be very likely to constitute a statutory noise nuisance to both myself and my neighbours.

On the subject of noise can you please advise me as to whether there have been any background noise studies undertaken? And if so has this been made available as part of the application? I would be interested to study this.

Was a statement required for this application stating how they will demonstrate how they will meet the following criteria?

- No noise abatement notices within 2 years
- No noise complaints within the last 2 years
- That there are no noise sensitive properties above, below, adjacent opposite or otherwise that are likely to be affected.
- That there are no air conditioning or other plant and equipment
- No Loudspeaker system
- No Music or regulated entertainment
- No Door staff
- Deliveries collections servicing etc between 7.00pm and 07.00am.

Based on their statement has the council required a noise report and if so what aspects of it were required? Has this been received? If not. Why not?

Further to this has the council required an Environmental Impact assessment including;

- Existing ambient noise climate and a survey of both pedestrian and vehicular numbers in and around the premises

- Assessment of existing and future noise climate due to new or increased use of the premises to indicate any increase in predicted noise levels
- Assessment of the existing and predicted number and level of noise events
- Details of management procedures to reduce the impact on premises operation on the locality, including noise from customers and their arriving and departing.

It is my understanding that all licensed premises and activities will be required to meet the following noise criteria which will minimise the impacts on nearby residents;

- Plant noise breakout and structural transmission
- Premises structural transmission of noise and vibration
- Plant and equipment
- Plant, machinery and internal activities
- People arriving departing and in the vicinity
- Deliveries, collections and servicing

Having read through this guidance I do not see that there is scope to install satisfactory mitigation measures at the garage that would genuinely minimise the impacts to residents. One of the key methods used to control noise is to implement operating hours. The very nature of opening for a 24 hour period means that people will be coming and going at all times of the day and night and the garage, with the best will in the world will not be able to control their actions or the noise of vehicles as they drive away.

I am also keen for you to advise me why, as neighbours who will be directly affected by this change it was not considered necessary to consult us? It was only by chance that I noticed the sign in the garage window. Perhaps it is not a statutory requirement?

My neighbours at [redacted] are located directly adjacent so I feel very sorry for them. Their house is between mine and the garage so they are more exposed to the impacts. I have not has reason to complain because I accept that the current hours are reasonable. That said I would be a far more relaxed and happy individual if I didn't have to listen to the noise that currently exists.

Further to the potential noise nuisance it is likely that if the licence is granted and the garage obtains their extended opening hours it will mean that the forecourt lights will remain on through out the night making it more and more unpleasant and more difficult to sleep. I note that there have been recent changes to the legislation regarding this introduced via the Clean Neighbourhood and Environment Act 2005.

So the existing picture is 06.00am garage opens, windows are open as it's hot. I hear the first cars arrive and activity increases throughout the morning and I generally go to work. The road is busy so the noise increases at peak times and eases again but it's still bearable.

The garage is open you can hear the car wash and the hover interspersed with the pumps and customer's music playing all of which are clearly audible. You can feel the vibration from the tankers that deliver fuel, people are talking and shouting and then there are reversing noises coming on and off intermittently. You can hear the cars pulling away and motor bikes revving their engines.

As 9.50pm approaches the sounds are starting to quieten down. In fact it has. I know because I am typing this out in my house with the windows open it has just gone 10pm and the sounds have died down and it's nice and it's not an unreasonable request for it to stay like this.

This area is predominantly residential with a small parade of shops. The cemetery is right next door to me so that in itself affords a bit of quiet space. The deeds to my house say even say "no bawdy goings on". I would be interested to see what the deeds to that property say?

Indeed the garage is surrounded by houses and flats. There are old peoples flats opposite so they too will be significantly affected by this change. There are also flats located directly to the rear and above. In effect the garage is bounded by flats and houses on three sides.

I genuinely do not wish to be put in the situation where the noise becomes unbearable and I find myself having to complain.

Section 79(1) of the EPA 1990 states;

Section 79 (1) Subject to subsections (2) to (6) below, the following matters constitute "statutory nuisances" for the purposes of this Part, that is to say –

- (a) any premises in such a state.....
- (b) smoke emitted from premises so as to be
- (c) fumes or gases emitted....
- (d) any dust, steam, smell or other effluvia.....
- (e) any accumulation or deposit that.....
- (f) any animal kept in such a place....
- (g) **noise emitted from premises so as to be prejudicial to health or a nuisance**
- (h) any other matter declared by any enactment to be a statutory nuisance

....and it shall be the duty of the local authority to cause its area to be inspected from time to time to detect statutory nuisances which ought to be dealt with under section 80.....and where a complaint of statutory nuisance is made to it by a person living within its area to take such reasonable steps as are necessary to investigate that complaint.

Having been employed in the role of Environmental Officer I have had first hand experience of dealing with ongoing noise/dust complaints. They are very difficult to prove and result in extensive public expenditure.

Further to this, this application is neither necessary nor warranted in this area. There is already a 24 hour garage at the base of Mersea Road so BP will be moving into direct competition with this existing facility. There is already an off licence in the Willows they will compete with this and lastly there is a Co-op on Abbots Road.

Whilst I am not familiar with the licensing legislation I am aware that there are four licensing objectives one of which is Prevention of Public Nuisance. So do that, prevent it ...please.

I have no objection to the garage selling alcohol so long as it does not put the small Off Licence in the Willows out of business (and I fear it may).

Unfortunately I have not been able to view this application in its full context but I presume that for refreshments to be served inside they would need to extend the current footprint of the building.

The site is compact as it is. Also there is no indication as to whether they will be able to sell petrol all through the night because if they will be able to then this will be even noisier. The car parking facilities on the site are not adequate as it is.

In summary please note that I object most strongly to this application for a 24 hour licence. I do not have a problem with them opening until 22.00 hours to sell alcohol but I do not think it is warranted in this area and I do not want them to stay open any later than 22.00 hours for any purpose.

I have to trust that you will look at their application objectively and look at the objections in the same way. Please do not ruin our home life for something that is not necessary to our community.

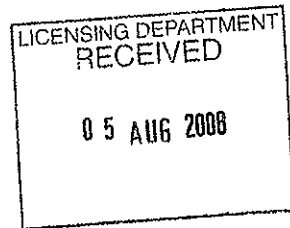
Thank you for your attention in this matter. I trust that you will use your judgement and refuse this application on the grounds that it is very likely to constitute a statutory noise nuisance.

I would be very grateful to receive a response to my letter.

Yours faithfully



18967T
APPLICATION No. 1794
Mersea Road
Colchester
Essex



25th July 2008

Dear

I am writing to you in relation to the application to allow the Rangers Service Station at 154 Mersea Road, Colchester, a change of premises licence.

They are requesting permission to sell alcohol until 11pm and to sell non alcoholic drinks and food, to be consumed on or off the premises throughout the night seven days a week. They wish to remain open 24 hours a day and presumably will be selling petrol through the night also. Presently they close at 10pm.

I live opposite at the above address and wish to object most strongly to these proposals. I feel that these proposals are of no benefit to the local community or the town as a whole.

With reference to the sale of alcohol, I see no reason why a garage should wish to do so, there are other outlets far more suited to such sales. In fact it is hardly fitting to combine the sale of alcohol with premises whose primary customer is the motorist and I cannot think of a worse scenario that making available alcohol to somebody who at the same time is filling their vehicle with fuel.

I understand that for these proposals to be successful four Licensing objectives must be met and these are –

- Prevention of Public Nuisance
- Public Safety -
- Prevention of Crime and Disorder
- Protection of Children

To have food purchased and consumed at the premises all night will without doubt cause noise at all hours, bearing in mind that people will be returning home from nightclubs etc after 2am and stop off at the premises. I fail to see how the inevitable noise and activity in the early hours of the morning could not be considered a public nuisance.

At present there is much publicity regarding the affect that alcohol has on some people and of 'alcohol fuelled' crime and violent disorder.

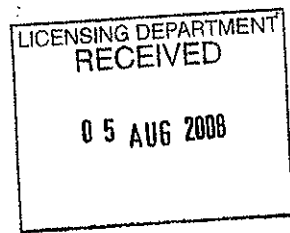
My wife and I are both old age pensioners in our eighties and having lived at the above address for more than 20 years have seen over the past few years a rise in the number of 'nuisance' offences committed in the close proximity of our home and we feel sure that this proposal will add drastically to a rise in these offences.

I feel that all night opening, in particular, is wholly inappropriate for this location and does nothing for the local community.

For the record I have received no notice of this application from the council or the company involved.

Yours sincerely

189675
APPLICATION N^o 1794



Mersea Road
Colchester

Tel -

24 July 2008

Dear

I am writing to you regarding the application to allow the Rangers Service Station, at 154 Mersea Road, a change of premises licence.

They are requesting permission to sell alcohol until 23:00 hrs, and to sell non alcoholic drinks and food, to be consumed on or off the premises, throughout the night, seven days a week. They would remain open 24 hours a day and presumably will be selling petrol through the night also. Presently they close at 10:00 hrs.

I live next door at Mersea Road and wish to object most strongly to these proposals. I feel that they are of no benefit to the local community or the town as a whole. On a personal note, they can only serve to drastically reduce the value of my property and I am hoping that you may be able to offer me some assistance. I am, of course, in close proximity but there are other residential properties close by, including an old peoples home.

With reference to the sale of alcohol I understand that some garages do but this comes at a time when the government has made a strong statement about the freedom of its sale, and the damaging effect this is having on communities. Surely this is unnecessary.

My understanding is that for these proposals to be successful four Licencing Objectives must be met and that these are - Prevention of Public Nuisance, Public Safety, Prevention of Crime and Disorder and Protection of Children from harm. To have food consumed on the premises all night I imagine will involve lighting and seating and it is hard to see how the inevitable noise and activity that will result from this type of facility could not be considered a public nuisance, even assuming that people are behaving themselves. The application gives details of how the other conditions would be satisfied, CCTV etc, but it would not be too far fetched to see any one of those being an issue also.

Lastly, I would say that there appears to be very little room to safely carry out these proposals without a considerable building restructure, of which there is no mention. Surely this would require planning permission.

I do feel that all night opening, in particular, is wholly inappropriate for this location.

For the record I have received no notice of this application from the council or the company involved.

I know your time is precious but I have only until 06 August 2008 to register my opinions. I would be happy for you to contact me in any way you feel appropriate.

Yours Sincerely,

LICENSING DEPARTMENT
RECEIVED
05 AUG 2008

APPLICATION N^o 1794

THIS GROUP OF PEOPLE ARE OLD AGE AND OR
DISABLED. THEY LIVE ALMOST OPPOSITE THE B-P GARAGE
AND FEAR ABOUT THE NIGHT TIME NOISE ECT

| NAME | ADDRESS | SIGNATURE |
|------|------------|-----------|
| 1. | Mersea Rd. | |
| 2. | Mersea Rd. | |
| 3. | MERSEA RD. | |
| 4. | | |
| 5. | MERSEA RD. | |
| 6. | Mersea RD | |
| 7. | | |
| 8. | | |
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| 24. | | |
| 25. | | |

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