

Licensing Sub- Committee Hearings

**Grand Jury Room, Town Hall
1 August 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.

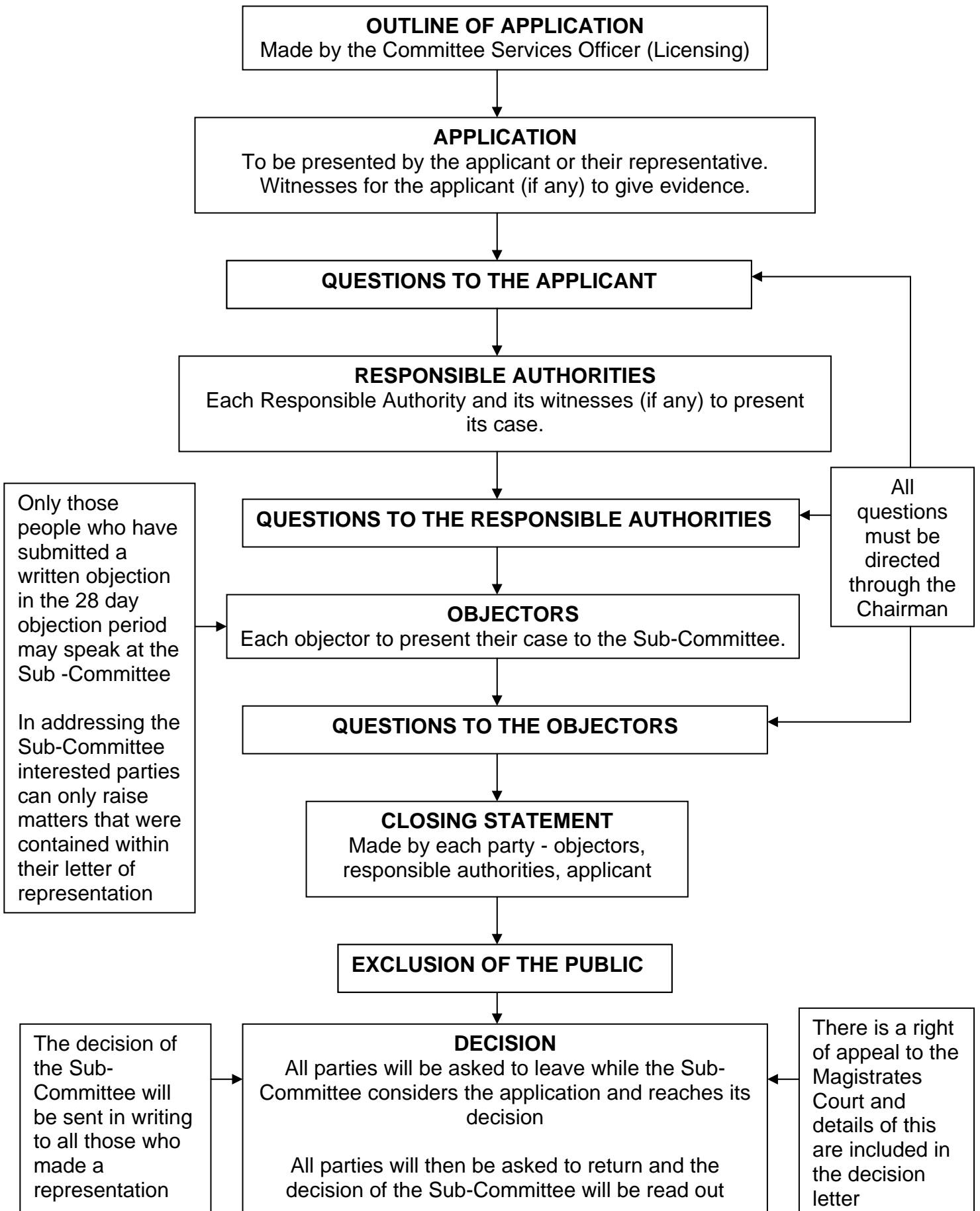
(21) The Chairman will ask the Legal Advisor whether there is anything else to be raised or settled before the proceedings are closed.

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 August 2008 at 10:00am**

Members

Chairman : Councillor Barrie Cook.
Councillors Elizabeth Blundell 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. 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.

3. Applications under the Licensing Act 2003

a. Colchester Community Stadium, United Way, Colchester. Essex

1 - 67



Licensing Committee – 1 August 2008	Agenda Item 3
Colchester Community Stadium	FOR GENERAL RELEASE

Premises	Colchester Community Stadium United Way Colchester	Ward: Mile End Stress Area: No Flare Ref: 17803 Author: Simon Harvey
Application	Application for a premises licence To Permit the provision of:- <ul style="list-style-type: none"> - Plays - Films - Indoor sporting events - Boxing or wrestling entertainments - Live Music - Recorded Music - Performances of Dance and anything of a similar description - Facilities for making music - Facilities for dancing and anything of a similar description - Late night refreshment - Alcohol 	Appendix 1
Street Plan		Appendix 2
Environmental Control	Conditions agreed with the applicant	Appendix 3
Interested Parties		
Local Residents	Letters of Objection	Appendix 4
Myland Parish Council	Letter of Objection	Appendix 5
Cuckoo Farm Studios	Letter of Objection	Appendix 6

New Application for a Premises Licence

To permit the provision of plays, films, indoor sporting events, boxing or wrestling entertainments, live music, recorded music, performances of dance and anything of a similar description, facilities for making music, facilities for dancing and anything of a similar description, late night refreshment, the sale of alcohol and for the premises to be open from 00.01 to 00.00 Mondays to Sundays inclusive

Policy Guidelines – Colchester Community Stadium, United Way, Colchester

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.**

Seventeen representations have been received and accepted by the Licensing Authority in regard to this licensing objective from local residents whose properties can reasonably be regarded as being in the ‘vicinity’ of the premises, given the very unique and individual nature of the Colchester Community Stadium application and the licensable activities that will take place there and who have also made representations that are pertinent to the impact that the application may have on the four licensing objectives that are specified within the Licensing Act 2003 and matters that are regarded as relevant in relation to the guidance contained within the Section 182 Guidance that is issued by the Department of Culture, Media and Sport and which accompanies the Act.

These representations variously refer to the potential for alcohol related vandalism and antisocial behaviour occurring in the area as a result of any grant of the application and a number of residents also refer to the controls that will be in place to prevent crime and disorder, with more than one resident expressing their concern that policing will only be present on match days, which will then place a general reliance on CCTV and Door Supervisors at the stadium because of the concentration of Police resources in Colchester town centre at weekends.

Representations also mention the rural and residential nature of the area and what they believe may be a detrimental effect that the grant of the premises licence could have on anti-social behaviour that might be experienced by local residents from “alcohol fuelled” patrons of the stadium, as they make their way home either on foot or by car.

A representation has been received on behalf of a local business which is located in the vicinity of the stadium and which also expresses concern and belief that there will be noise at the stadium from performances and visitors into the early hours of the morning and also the potential for alcohol related issues such as public disorder and vandalism.

Myland Parish Council has also submitted a representation that refers to this licensing objective. The Parish Council believes anti social behaviour from individuals leaving the building late at night would be difficult to police and may constitute a threat to the personal safety of local residents and also a threat to the safety of their property.

It is understood that in discussion with Essex Police, the applicant has agreed to reduce the hours sought for all licensable activities to 07.30 to 02.30 Mondays to Sundays inclusive except for New Years Eve when all licensable activities will take place between 00.01 and 00.00. The premises will be open to the public from 07.00 to 03.00 with the exception of New Years Eve when the premises will be open 01.00 to 00.00. Written confirmation of this has not been received from the Police at the time of writing this report.

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.**

A number of the representations submitted by local residents make specific reference to public nuisance issues.

In their submissions they express a number of concerns and in particular, their concern over an increase in noise which they believe will result from the grant of the premises licence application for the stadium with its potential for noise from performances, traffic and patrons into the early hours of the morning. Residents also refer to the proximity of the stadium to residential areas and what they believe are the likely implications of this for them to experience noise nuisance and are concerned that loud music could take place day and night. A number of residents also make comment that the hours applied for are considerably in excess of those that were in operation at the former Colchester United Stadium at Layer Road, Colchester.

A representation in respect of this licensing objective has also been received from Environmental Control. The conditions requested and set out below have been agreed by the applicant-

- The Noise Council Code of Practice for Environmental Noise Monitoring at Concerts is to be used for target levels at Existing Community Sites
- During Night Events entertainment noise should not be audible within existing noise sensitive premises with windows open in a manner typical for ventilation
- The control limits for any event or activity involving amplified sound shall be set to ensure that the sound level shall not exceed 15dBA (leq 15 min) above the background noise level at existing noise sensitive premises over the duration of the event
- Community Stadium Management shall nominate a person who is competent to monitor noise no later than two weeks before the event. The nominated person shall liaise between all parties including the promoter, sound systems supplier, sound engineer and the Council etc and all matters relating to noise control prior to and during the event
- A noise propagation test shall be undertaken at the earliest opportunity prior to

the start of the event in order to set appropriate control limits of the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music likely to be produced during the event

- Community stadium management shall ensure that the promoter, sound systems supplier and all individual sound engineers are informed of the sound control limits and that any instruction from the person nominated to control noise regarding noise levels shall be implemented
- The person nominated to control noise shall continually monitor noise levels of the sound mixer position and advise the sound engineer accordingly to ensure that the noise limits are not exceeded. The Licensing Authority shall have access to the results of the noise monitoring at any time.
- Throughout the loading, rigging and dismantling days, no amplified sounds shall be played through the speakers external to the stadium, except for operational and emergency announcements. On event days, low level background music can be played as entertainment to queuing crowds between the hours of 1.00 and 19.00. These levels would be discussed and agreed with Environmental Control before any event takes place at the stadium. Background music shall cease once the event has started
- No sound checks or rehearsals shall commence before 09.00 and they shall not continue after 21.00 so as not to cause any undue disturbance to existing community sites and existing noise sensitive premises.

Additional Policy Guidance

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

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.**

Sale of Alcohol at Sports Grounds

3.37 Outdoor sports stadia are regulated by separate health and safety and fire safety legislation. The Licensing Authority will avoid duplication of other primary legislation when granting or reviewing licences. Except for Boxing and Wrestling matches, sports events at outdoor stadia do not fall within the definition of regulated entertainment and the Licensing Authority will limit its considerations to only those activities that are licensable under the 2003 Act.

3.38 Major stadia can often have several bars and restaurants, including bars open to all spectators and restaurants where public access is restricted. Alcohol may be supplied in private boxes or viewing areas and a Premises Licence may make separate arrangements for these public and private areas, or designate areas where alcohol may not be consumed at all or at particular times.

3.39

Where relevant representations are made, the Licensing Authority will take particular care to ensure that proposals for the sale or consumption of alcohol in sports grounds during sports events, other than in a designated bar or area, do not breach the licensing objectives. In such cases, the applicant will normally be expected to demonstrate that the licensing objectives will not be breached. Such evidence should deal with the nature of the sporting event involved, any history of crime and disorder associated with that or similar events, and the precise measures proposed to promote the licensing objectives.

3.40 Certain sports events may be more likely to give rise to concerns about the safety of spectators or disorder amongst spectators. The Licensing Authority will take these factors into account when determining premises licence conditions and will give considerable weight to representations that may be made by the Police in regards to licensable activities.

Human Rights Implications

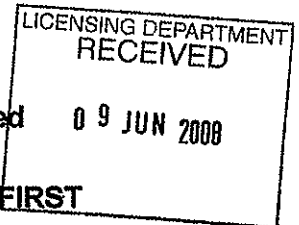
A Licence is to be regarded as the property of the applicant; however their right to the use of that property must be balanced against all other public interests or representations in this matter that the Licensing Sub-Committee may wish to consider reasonable and proportionate in relation to the application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

I/We Colchester United Football Club Limited

(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 Community Stadium United Way Colchester Essex			
Post town	Colchester	Post code	CO3 5UH

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 * | <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 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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	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 Colchester United Football Club Limited
Address Community Stadium United Way Colchester
Registered number (where applicable) 02705301
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	8	07 2008

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)
 A stadium and the stadium carpark. The stadium consists of the pitch area, seating, concourses, bars, kiosks, restaurant/function room/s, directors suite, corporate suite and corporate and directors boxes.

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

15000

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

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 checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	00.01	00.00			
Tue	00.01	00.00			
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed	00.01	00.00			
Thur	00.01	00.00			
			<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)		
Fri	00.01	00.00			
Sat	00.01	00.00			
Sun	00.01	00.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	00.01	00.00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	00.01	00.00	
Wed	00.01	00.00	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 (please read guidance note 5)
Thur	00.01	00.00	
Fri	00.01	00.00	
Sat	00.01	00.00	
Sun	00.01	00.00	

-
-
-

use

is the

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment 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	00.01	00.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	00.01	00.00			
Wed	00.01	00.00	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur	00.01	00.00			
Fri	00.01	00.00	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 (please read guidance note 5)		
Sat	00.01	00.00			
Sun	00.01	00.00			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live 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 checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Amplified and unamplified			
Mon	00.01	00.00				
Tue	00.01	00.00				
Wed	00.01	00.00				
Thur	00.01	00.00				
			State any seasonal variations for the performance of live music (please read guidance note 4)			
Fri	00.01	00.00	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)			
Sat	00.01	00.00				
Sun	00.01	00.00				

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

3)

ises
those
dance

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00.01	00.00	<u>Please give further details here</u> (please read guidance note 3) Amplified and unamplified		
Tue	00.01	00.00			
Wed	00.01	00.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	00.01	00.00			
Fri	00.01	00.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	00.01	00.00			
Sun	00.01	00.00			

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	00.01	00.00			
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Tue	00.01	00.00			
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Wed	00.01	00.00			
Thur	00.01	00.00			
Fri	00.01	00.00			
Sat	00.01	00.00			
Sun	00.01	00.00			

isic

is
nce

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	00.01	00.00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	00.01	00.00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	00.01	00.00	<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)		
Thur	00.01	00.00	<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)		
Fri	00.01	00.00			
Sat	00.01	00.00			
Sun	00.01	00.00			

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 checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon	00.01	00.00		
Tue	00.01	00.00	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Wed	00.01	00.00		
Thur	00.01	00.00	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Fri	00.01	00.00		
Sat	00.01	00.00		
Sun	00.01	00.00		

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 checked="" type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing			
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	00.01	00.00				
Tue	00.01	00.00				
Wed	00.01	00.00				
Thur	00.01	00.00				
			State any seasonal variations for providing dancing facilities (please read guidance note 4)			
Fri	00.01	00.00				
Sat	00.01	00.00				
Sun	00.01	00.00				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	23.00	05.00			
Tue	23.00	05.00			
Wed	23.00	05.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23.00	05.00			
Fri	23.00	05.00	<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)		
Sat	23.00	05.00			
Sun	23.00	05.00			

M

<input type="checkbox"/>			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"/>
<input type="checkbox"/>					Off the premises <input type="checkbox"/>
<input checked="" 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	00.01	00.00			
Tue	00.01	00.00			
Wed	00.01	00.00			
Thur	00.01	00.00			
Fri	00.01	00.00			
Sat	00.01	00.00			
Sun	00.01	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)		

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

Name Keith Robert Turner
Address
Postcode
Personal Licence number (if known)
issuing licensing authority (if known) London Borough of Havering

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)

There will be bookmakers operating from the premises

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	00.01	00.00	<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)</p>
Tue	00.01	00.00	
Wed	00.01	00.00	
Thur	00.01	00.00	
Fri	00.01	00.00	
Sat	00.01	00.00	
Sun	00.01	00.00	

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)

Please see attached

b) The prevention of crime and disorder

Please see attached

c) Public safety

Please see attached

d) The prevention of public nuisance

Please see attached

e) The protection of children from harm

Please see attached

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	
Date	9/6/08
Capacity	Applicants solicitor

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)

Ellisons
Headgate Court
Head Street
Colchester
Essex

Post town	Colchester	Post code	CO1 1NP
Telephone number (if any)	01206 764477		

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

e tick yes

es

ill

Consent of individual to being specified as premises supervisor

Keith Robert Turner

I
[full name of prospective premises supervisor]

of

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for the grant of a premises licence

.....
[type of application]

by
Colchester United Football Club Limited

.....
[name of applicant]

relating to a premises licence
[number of existing licence, if any]

for
Community Stadium
United Way
Colchester
Essex CO3 5UH

.....
[name and address of premises to which the application relates]

(E A

ity.

ant

al)

and any premises licence to be granted or varied in respect of this application made by

Colchester United Football Club Limited

[name of applicant]

concerning the supply of alcohol at

Community Stadium
United Way
Colchester
Essex CO3 5UH

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

London Borough of Havering

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

Keith Robert Turner

Date

6 June 2008

COLCHESTER COMMUNITY STADIUM

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

For the purpose of these Conditions, the following words and phrases will have the following meanings:-

- 1.1 **"The Premises"** shall mean:
Community Stadium, United Way, Colchester, Essex, CO3 5UH (as delineated in red on the plans lodged with the Premises licence application).
- 1.2 **"Public Bar"** shall mean:
Any bar/kiosk/counter/area/stall (whether permanent, temporary, fixed or mobile erected and used in the Premises, for the purpose of selling alcohol which is not (either generally or on a particular occasion) a "Private Facility".
- 1.3 **"Private Facility"** shall mean:
Any bar/kiosk/counter/area/stall (whether permanent, temporary, fixed or mobile) erected and used in the premises for the purpose of selling alcohol, to which access, by the general public at large, is restricted. Private Facility shall include (but shall not be limited to) those licensing facilities provided in the following:
- 1.3.1 Box holders' bar
 - 1.3.2 Corporate boxes
 - 1.3.3 Hospitality lounge
 - 1.3.4 Directors' lounge
 - 1.3.5 Directors' guest lounge
- 1.4 **"The Police"** shall mean:
The Essex Police bronze/silver commander (or such other police officer as nominated by Essex Police) who has responsibility for Events in the Premises.
- 1.5 **"The Licensing Authority"** shall mean:
The senior Licensing Officer in the Health & Safety and Licensing Division, Colchester Borough Council (or such other officer as nominated by Colchester Borough Council).
- 1.6 **"Event"** shall mean:
An event:

- (i) taking place in the Premises which falls within the operation of the General Safety Certificate or within a Special Safety Certificate; and
 - (ii) at which the pitch area and surrounds and/or the seating area in the stands and/or the car park is in use; and
 - (iii) at which in excess of 499 people are anticipated to attend.
- 1.7 **“Night Event”** shall mean an Event held between 2300 hours and 0900 hours.
- 1.8 **“Initial Risk Assessment”** shall mean:
The Initial Risk Assessment to be carried out by Community Stadium Management in accordance with the Community Stadium Management’s plan, in respect of operational issues (including those relating to public order, safety and prevention of nuisance and harm to children) for an Event. The Initial Risk Assessment shall be prepared (following receipt of the necessary information from the Event organisers/promoters) and shall be submitted to the Licensing Authority and the Police, unless otherwise agreed, at least four weeks before the particular Event or immediately on receipt of the Necessary Information from the Event organisers/promoters, whichever is the later.
- 1.9 **“Necessary Information”** shall mean:
For the purpose of condition 1.8, such information as Community Stadium Management require in order to carry out a meaningful Initial Risk Assessment including (where relevant) information relating to capacity and likely nature/age of the spectators, the disbursement procedures, the positioning of any stage, site lines and other engineering items (including electrical safety, special effects, lighting and suspended equipment).
- 1.10 **“Final Risk Assessment”** shall mean:
The Final Risk Assessment (incorporating final event particulars) shall be submitted to the Licensing Authority and the Police at least 48 hours before an Event (unless otherwise agreed).
- 1.11 **“Trading Hours”** shall mean:
The Hours during which Licensable Activities (including the sale of alcohol and the provision of regulated entertainment) are permitted at the Premises.
- 1.12 **“Community Stadium Management”** shall mean:
For the purposes of these conditions, persons (including the Personal Licence Holders and Designated Premises Supervisor) authorised by and identified in the Operating Schedule and in Appendix B (operational structure relating to Licensable Activities) to that Schedule.
- 1.13 **“Bar Supervisor”** shall mean:
A person(s) who has responsibility for directly supervising the bar staff operating a Public Bar or Private Facility.
- 1.14 **“Bar Staff”** shall mean:
Those persons operating a Public Bar and the Private Facilities in the Premises.

- 1.15 **“Door Supervisor”** shall mean:
A person licensed by the Security Industry Authority, employed to regulate entry to and egress from Public Bars and Private Facilities in the Premises.
- 1.16 **“Existing Community Sites and Existing Noise-Sensitive Premises”** shall mean those premises, which have been fully completed and are occupied as at 1 July 2008.

Licensable Activities

2. Regulated entertainment shall only take place and alcohol shall only be sold at the Premises in accordance with the Operating Schedule and the Conditions on the Premises Licence.
3. Further, alcohol shall only be sold from Public Bars and/or Private Facilities in the Premises and in accordance with the Trading Hours.
4. The Initial Risk Assessment in relation to any Event shall expressly address:
 - (a) in relation to any Regulated Entertainment – the nature, location in the Premises and timings of such Entertainment; and
 - (b) the extent of the Trading Hours in respect of all Public Bars and those Private Facilities with a direct view of the pitch.

And the Final Risk Assessment shall confirm, or if appropriate, restrict the above details.

Public Order and the Safety and the Prevention of Nuisance and Harm to Children.

5. Accredited proof of age cards , photo driving licences and passport will be requested by the Bar Staff and/or Bar Supervisor to establish the age of any person attempting to purchase alcohol who appears to be under the age of eighteen.
6. High quality Digital CCTV system with cameras to be installed and focused on areas to be agreed with the police and marked on an agreed plan in order to deter incidents, in accordance with the Colchester Crime and Disorder Strategy and Section 17 of The Crime and Disorder Act 1998. The Codec format of Digital computers must be made available to the Police and the Local Authority, in order to download Quality images of DVD discs for a period of 31 days. Sufficient staff shall be trained efficiently, in the use of the CCTV system.

7. High Quality definition DVD /CCTV images shall be recorded and maintained for a period of no less than 31 days, so that Police Officers investigating all incidents, are able to retrieve Quality CCTV images within this period.
8. When the Premises are open to the public, Community Stadium Management (including the Personal Licence Holders) shall ensure that a suitable number of Bar Supervisors, Bar Staff and (when appropriate) Door Supervisors, are allocated to the Public Bars and Private Facilities with a view to maintaining good order and safety and with a view to preventing nuisance and harm to children.
9. In addition to condition 8, when the Premises are open for the sale of alcohol past midnight on any day, Door Supervisors (of a sufficient number and gender mix) shall be employed after 2100 hours, in the Public Bars and Private Facilities (as appropriate and necessary with a view to maintaining good order and safety). A log will be kept by Community Stadium Management in which the names and dates/times of such Door Supervisors on duty and any incidence that may occur, and this log will be shown to the Police or other Responsible Authorities on request.
10. When the Premises are open to the public at an Event, Community Stadium Management (including the Personal Licence Holders) shall, in addition to condition 8, ensure that any agreed measures relating to Public Order, Safety and the Prevention of Nuisance and Harm to Children) pursuant to the Final Risk Assessment are put in place.
11. Community Stadium Management shall use its reasonable endeavours to consider the provisions of and/or to follow the recommendations in, the publications set out in this condition, in relation to Events, so far as it is reasonable practicable and appropriate to do so:
 - The Event Safety Guide – A Guide to Health, Safety and Welfare at Music and Similar Events (HSE 1999) (“The Purple Book”) ISBN 0 7176 2453 6
 - Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
 - Five Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 0 7176 15804
 - The Guide to Safety at Sports Grounds (The Stationery Office, 1997) (“the Green Guide”) ISBN 011 300095 2
 - The London District Surveyors Associations “Technical Standards for Places of Public Entertainment” ISBN 0 9531229 2 1
 - BS5588 Part 6 (regarding Places of Assembly), Part 9 (regarding Ventilation and Air Conditioning Systems), Part 8 (regarding Means of Escape for Disabled People), BS5839 Part 5 (regarding Fire Alarm Systems and Buildings) and BS5266 (Emergency Lighting Systems).

12. For the avoidance of doubt, nothing in the Operating Schedule to the Premises Licence or the appendices thereto shall operate or exclude or limit the application of the exemption for in-house football stewards (acting as "Door Supervisors" or otherwise) from Licensing under the Private Security Industry Act 2001, as announced by Ministers of the Government in September 2005.

13. The conditions attached at Appendix A will apply (where appropriate) to regulated entertainment Events at which the pitch area and surrounds and/or the seating area in the stands and/or the car park is in use;

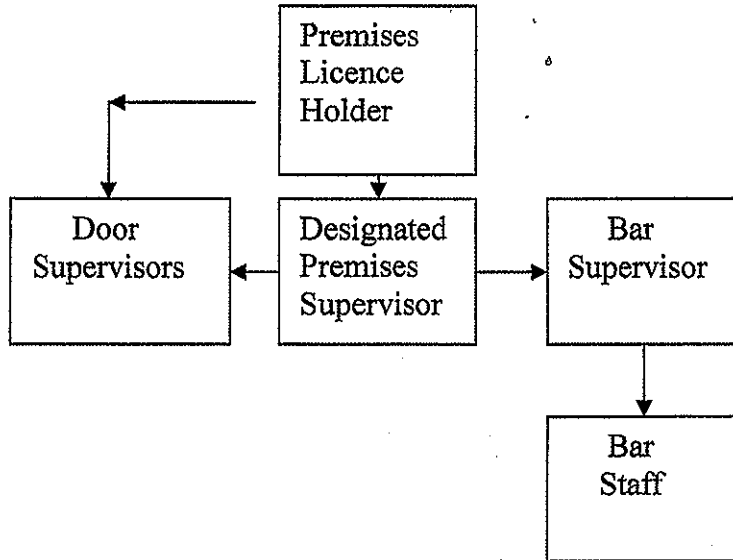
Appendix A

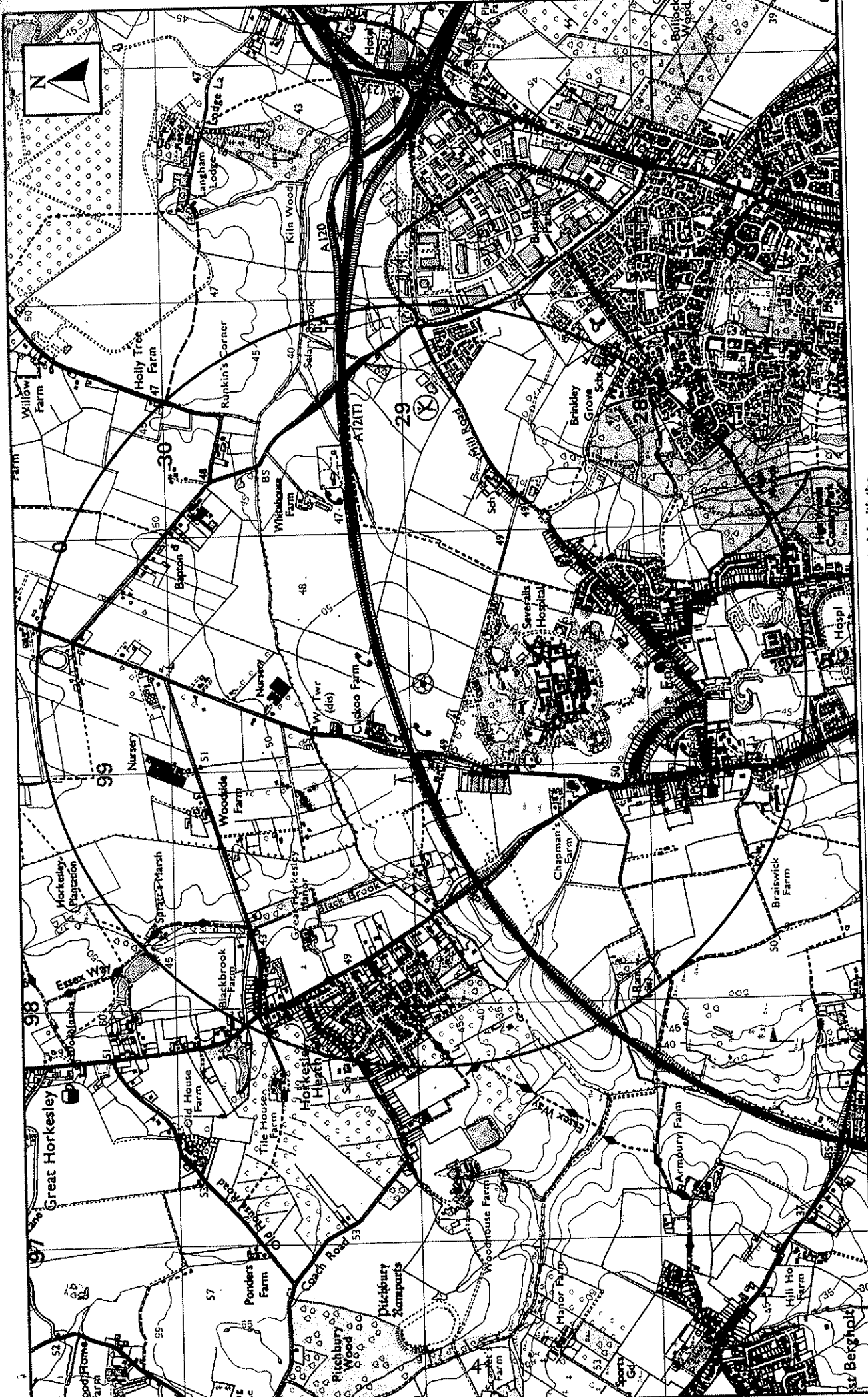
1. The Noise Council Code of Practice for Environmental Noise Monitoring at Concerts is to be used for target levels at Existing Community Sites.
2. During Night Events entertainment noise should not be audible within Existing Noise-Sensitive Premises with windows open in a manner typical for ventilation.
3. The control limits for any Event or activity involving amplified sound shall be set to ensure that the sound shall not exceed 15dBA (leq 15 min) above the background noise level at Existing Noise Sensitive Premises over the duration of the Event.
4. Community Stadium Management shall nominate a person who is competent to monitor noise no later than two weeks prior to the Event. This nominated person shall liaise between all parties including the Promoter, Sound Systems Supplier, Sound Engineer and the Council, etc and all matters relating to noise control prior to and during the Event.
5. A Noise Propagation Test shall be undertaken at the earliest opportunity prior to the start of the Event in order to set appropriate control limits of the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the Event. The sound source used for the test shall be similar in character to the music likely to be produced during the Event.
6. Community Stadium Management shall ensure that the Promoter, Sound Systems Supplier and all individual Sound Engineers are informed of the sound control limits and that any instruction from the person nominated to control noise regarding noise levels shall be implemented.
7. The person nominated to control noise shall continually monitor noise levels of the sound mixer position and advise the Sound Engineer accordingly to ensure that the noise limits are not exceeded. The Licensing Authority shall have access to the results of the noise monitoring at any time.
8. Throughout the loading, rigging and dismantling days, no amplified sounds shall be played through the speakers external to the stadium, except for operational and emergency announcements. On Event days, low level background music can be played as entertainment to queuing crowds between the hours of 1100 and 1900. These levels would be discussed and agreed with Environmental Control before any Event takes place at the Stadium. Background music shall cease once the Event has started.

9. No sound checks or rehearsals shall commence before 0900 and they shall not continue after 2100 so as not to cause any undue disturbance to Existing Community Sites and Existing Noise-Sensitive Premises.

Appendix B

Operational Structure relating to Licensable Activities





This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Colchester Borough Council Licence No 100023706, 2008.



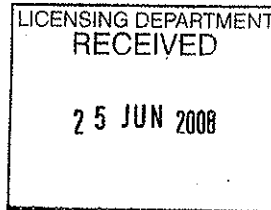
Appendix A

1. The Noise Council Code of Practice for Environmental Noise Monitoring at Concerts is to be used for target levels at Existing Community Sites.
2. During Night Events entertainment noise should not be audible within Existing Noise-Sensitive Premises with windows open in a manner typical for ventilation.
3. The control limits for any Event or activity involving amplified sound shall be set to ensure that the sound shall not exceed 15dBA (leq 15 min) above the background noise level at Existing Noise Sensitive Premises over the duration of the Event.
4. Community Stadium Management shall nominate a person who is competent to monitor noise no later than two weeks prior to the Event. This nominated person shall liaise between all parties including the Promoter, Sound Systems Supplier, Sound Engineer and the Council, etc and all matters relating to noise control prior to and during the Event.
5. A Noise Propagation Test shall be undertaken at the earliest opportunity prior to the start of the Event in order to set appropriate control limits of the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the Event. The sound source used for the test shall be similar in character to the music likely to be produced during the Event.
6. Community Stadium Management shall ensure that the Promoter, Sound Systems Supplier and all individual Sound Engineers are informed of the sound control limits and that any instruction from the person nominated to control noise regarding noise levels shall be implemented.
7. The person nominated to control noise shall continually monitor noise levels of the sound mixer position and advise the Sound Engineer accordingly to ensure that the noise limits are not exceeded. The Licensing Authority shall have access to the results of the noise monitoring at any time.
8. Throughout the loading, rigging and dismantling days, no amplified sounds shall be played through the speakers external to the stadium, except for operational and emergency announcements. On Event days, low level background music can be played as entertainment to queuing crowds between the hours of 1100 and 1900. These levels would be discussed and agreed with Environmental Control before any Event takes place at the Stadium. Background music shall cease once the Event has started.

- 3
9. No sound checks or rehearsals shall commence before 0900 and they shall not continue after 2100 so as not to cause any undue disturbance to Existing Community Sites and Existing Noise-Sensitive Premises.

186493

Appendix 4



**Boxted Rd
Mile End
Colchester**

June 24, 2008

Dear Sirs,

I am writing to you in connection to licensing application 17803 by Colchester United Football Club Ltd for the new Community Stadium site.

As a local resident I wish to object to the extended hours of this application. This is a residential area. This application is not in keeping with the local area. The hours are excessive, and I would suggest unnecessary as part of a general licence application for a football stadium. Extended hours should be dealt with on a case by case basis and should not be the norm.

As the Colchester council only requires police and steward presence during match days, alcohol consumption outside of these hours will lead to major disturbance to the local residents, especially as the police are employed dealing with late night drinking in Colchester Town centre.

I do recognise that as a community stadium a licence application is required. This should be in line with the existing licence for Colchester United Football Club at Layer Road, i.e. 10:00 am to 23:00 Mon to Sat and 12:00 to 22:30 Sundays.

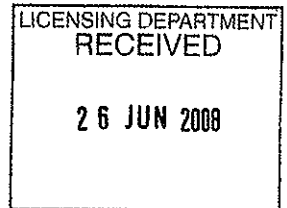
Yours truly,

cc. M. GROSS
cc. ATOMEL.

1000-1
Boxted Road
Colchester
Essex

24th June 2008

Colchester Borough Council Licensing Authority
P O Box 889
Town Hall
Colchester
Essex CO1 1FL



Dear Sirs,

Re:- Application No. 17803 by Colchester United FC for Community Stadium,
United Way, Colchester, CO3 5UH

As an interested party living in close proximity to the stadium and having today viewed the application, we are concerned over the potential effect and the degree of impact these proposed operations may have on the neighbourhood and ourselves in particular.

We hope that conditions are imposed to provide the necessary protection for local residents whose lives can be adversely affected by disturbance and anti social behaviour often associated with the conduct of some people visiting places of entertainment especially when alcohol fuelled.

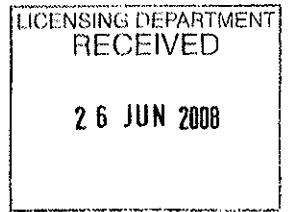
We understand controls are in place to prevent crime and disorder on match days but outside of these hours reliance appears to rest on CCTV and door supervisors. As late night drinking is centred on the town centre presumably this is where most of the police resources are employed. Problems would be minimised if the excessive operating hours requested were restricted to 10.00 – 23.00 Monday to Friday and 12.00 – 22.30 Sundays as per the existing licence covering the Layer Road site.

We also believe there could be a potential public nuisance if these premises were allowed to operate throughout the night into the early hours with customers arriving and leaving, increased vehicle movements, parking issues, sound and vibration from amplified music, etc.. Especially as the application states 'late night refreshments consumed indoors and outdoors' and alcohol served on or off the premises'. Special events requesting extended hours could be applied for on an 'as required' basis.

This briefly outlines our concerns and why we oppose the application if no conditions are stipulated with regard to potential public nuisance and crime and disorder issues.

Yours faithfully,

ACCOMMODATION ROAD
 BOXTED
 COLCHESTER
 ESSEX
 CO4



24-6-08

Dear Sir/Madam

I have lived in Boxted all my life (boys). Its bad enough having the football stadium so close.

I do not want a 24 hrs licence to go through as well so I do object, when do people sleep!!

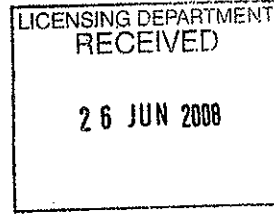
As it is I feel its a blot on the landscape, after we have all those lovely green fields for years.

The stadium is now a light all night. I have to close my curtain at night as the light from it keeps me awake. I have never had to do that before. Colchester is getting nearer what a pity.

Yours sincerely

Boxted Road, Colchester Essex.

Licensing Authority,
Colchester Borough Council,
P.O Box 889,
Town Hall,
Colchester Essex,
CO1 1FL.



30th June 2007.

Dear Sir,

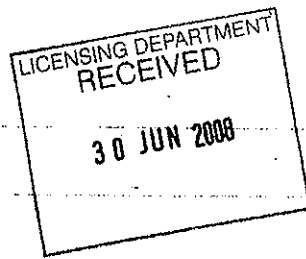
Colchester United Football Club Ltd..Licence Application Notice.

With reference to the application that has been made for the Community Stadium, I wish to formally object to the hours that have been requested to allow for the performance of entertainments and the provision of alcohol.

The Stadium has been built in the residential area of Mile End, so due consideration must be given to those living in close proximity to the facility, and the disturbances that could be caused by late-night or early-morning performances and functions.

I understand that the former football ground licence was allowed only between the hours of 10.00am to 11.00pm Monday to Saturday and 11.00am to 22.30 on Sundays. My view is that these hours would more appropriate in a residential area, perhaps with the option that the Football Club could make a separate application when there are future special events planned.

Your faithfully,



Basted Road

COMMUNITY STADIUM LICENCING APPLICATION

Dear Sir,

I am writing to voice my concerns regarding the applications for licences to sell alcohol at the new stadium at Cuckoo Farm.

I am of the opinion that the existing cover at Layer Road would be quite sufficient.

My main concern however, is level of noise from loud music, which according to the application could go on all day and all night. This I consider quite unacceptable, as I am sure you would if you lived where I do.

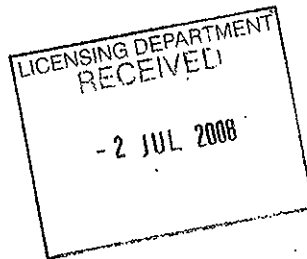
m

v

y

I hope therefore that the licences when granted will contain the necessary conditions to keep the noise emissions from music within acceptable levels.

Yours faithfully



18706

Boxted Road,
Mile End,
COLCHESTER

Colchester Borough Council
Licencing Authority
Town Hall
Colchester

Tel.

29th June 2008

Dear Sir,

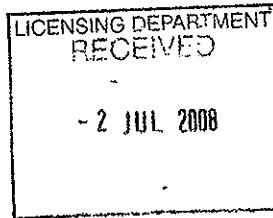
I wish to lodge an official objection to the proposed licencing application made by Colchester United at the new Community Stadium. I feel that the current licence is more than adequate and that a new licence to serve alcohol 24 hours a day, seven days a week, is not in the interests of the wider community. As local residents, we do not wish to be disturbed at any time of the night by large numbers of alcohol-fuelled 'visitors' leaving the stadium. We therefore hope that the council will consider carefully the needs of all Colchester residents before granting such a licence.

Yours sincerely,

COLCHESTER BOROUGH COUNCIL
LICENSING AUTHORITY
P.O. BOX 889
TOWN HALL
COLCHESTER
CO1 1FL

DOXIED MAN
COLCHESTER

187005



30th JUNE 2008

DEAR SIRS

Re: Community Stadium Licensing Application

I write to object to the application made by Colchester United Football Club Limited for a premises and liquor license in respect of the above. My objections are as follows:

1. Extended hours drinking will predictably give rise to Anti-social behaviour, hooliganism and noise and public nuisance in the area. Boaked Road is a quiet semi-rural residential environment and will be used by persons attending the stadium as a main route. There are a significant number of elderly residents living close to the stadium whose lives will be blighted if permission were given.
2. The license should be limited to the terms of the existing license held by Colchester United in respect of their existing ground at Layer Road, Colchester. If the new stadium were permitted to operate as a major regional entertainment centre, this would attract revellers from all over the Eastern Counties and London, which again would adversely affect local residents to a very significant degree.
3. Pricing of the premises over such extended hours and functions is likely to be a major drain on local Police resources and will result in reduced Police cover elsewhere in the Division.

I do not regard these objections as exhaustive and I am appalled that such an application has been made. I ask that you take my objections into account when reaching a decision.

Yours faithfully,

187174

LICENSING DEPARTMENT
RECEIVED
- 8 JUL 2008

MILE END
COLCHESTER
ESSEX

LICENSING DEPARTMENT
RECEIVED
- 3 JUL 2008

02-07-2008

RE

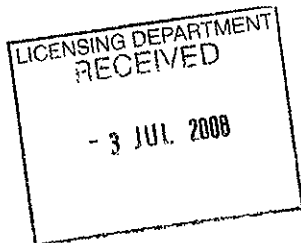
COMMUNITY STADIUM LICENSING APPLICATION

Dear Sir,

I would like to register most strongly my objections to the application of the proposed licensing hours 23.00-5.00 Monday to Sunday

I feel that the noise and traffic pollution would be extremely upsetting to local residents in such a rural area, plus, the effects of such late drinking hour noise can carry much more at night, perhaps 23.00-2.00 would be more reasonable and acceptable

Yours faithfully



187176

Mile End
Colchester

2nd July 2008

Colchester Borough Council Licensing Authority,
P.O. Box 889,
Town Hall,
Colchester, CO1 1FL.

Dear Sirs,

The Community Stadium

It was only by chance that the undersigned were fortunately able to observe the notice posted at the site entrance to the new Community Stadium in Boxted Road, in time to present our objection within the due date. For the majority of Mile End residents this is not the normal location where one would expect to stumble upon information so pertinent to their environment. Being made aware of an application for a new premises license for entertainments, and the supply of alcohol affecting such a large populace, solely by such a method, has caused us great concern.

We are not aware of any other public notification, and to our knowledge neither has there been any reference to such an application to the Council, through distribution in our neighbourhood.

We can assure you that we are situated close enough to the Stadium to be directly affected by excessive noise emanating from that venue, and we should have received some communication from the authorities outlining the proposals.

May we remind the Council that in the early planning stages, when the site was regarded as part of the whole proposed development of Severalls, including Cuckoo Farm, it was stated in very firm terms at the time, that only four concerts would be allowed to be performed per annum. Our interpretation of the present application is for a completely open range of entertainments, including the supply of alcohol, almost on a 24/7 basis throughout the year.

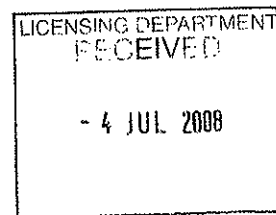
This is quite an intolerable request and we appeal to the Licensing Authority to limit their granting of a Licence under the 2003 Act, to a considerable lesser degree.

Once granted this would become an ongoing situation, and one that will over time, become an unbearable blot on the community. The introduction of League football matches in the Mile End area will inevitably cause a huge change in the environment, but this we must accept. However, the further involvement of other forms of social events in the proposed scale is bound to create major concerns.

As a consequence, we would implore you to give serious consideration to local residents, by granting a licence that would restrict usage to more sensible and acceptable limits.

Yours faithfully,

and



Boxted Road
Colchester

July 2nd 2008

To Whom It May Concern:

Re: Colchester United Football Club application for new premises license, Community Stadium, United Way, Colchester, to allow for:

'Performance of plays and films; indoor sporting events; boxing or wrestling entertainment; live music; recorded music; performance of dancing; making music and similar entertainment; and supply of alcohol between the hours of 0001 to 0000 Monday to Sunday and provision of late night refreshment between the hours of 2300 to 0500 Monday to Sunday.'

As residents of Boxted Road situated opposite the new stadium, we are extremely anxious about this application and the implications it has on our community should it be granted.

We currently enjoy living in a peaceful semi-rural neighbourhood with little noise affecting our daily lives; the consequence of this license being granted is causing huge worry to our neighbours and us.

The proposed application is basically requesting freedom for the stadium organiser to open for business all day, every day throughout the year. We feel that this is unacceptable and unreasonable for a facility such as this, located so close to a residential area.

Under the previous license, we understand that Colchester United Football Club was allowed to serve drinks until 2300 hours which is a much more reasonable limit.

We are not against the Community Stadium, nor are we football supporters but we look forward to visiting and using some facilities at the new stadium. We do feel though, that it is grossly unfair to allow such anti-social opening hours, which would bring associated noise from performances, traffic and visitors into the early hours of the morning.

To conclude, we are opposed to the license in its current form and would ask that Colchester United Football Club limit the license to more sociable working hours.

Yours faithfully

10120
Mandy Wood

From:
Sent: 04 July 2008 08:05
To: Licensing
Subject: Objection to Colchester United's application for a 24 hour drinking licence at the Community Stadium

Dear Sirs

Please treat this as a formal objection to the above licensing application.

Colchester United's application for the 24 hour licence should be rejected by the Licensing Committee on the following grounds:

1. The Council should not be seen to be encouraging 24 hour a day consumption of alcohol. Central Government is currently reconsidering its decision to allow 24 hour licences in view of the increased anti social behaviour it has generated around the country - including - on a frightening scale - in central Colchester. As a matter of policy the application should therefore be refused. A licence until 11pm is perfectly adequate with the opportunity to apply for extensions for specific events.
2. Travel: the Stadium is some way out of town and people will inevitably travel to the stadium by car. If people are encouraged to stay late by late night (or all night) bars there will be disturbance and noise caused to nearby residents by traffic to and from the stadium and the inherent risk of people being tempted to drink and drive. Even if shuttle buses are laid on people will not necessarily use them and the buses themselves will cause nuisance travelling to and from the stadium late at night and (potentially) throughout the night.
3. Live events: We believe the application is a precursor to seeking to increase the number of late night "live" events at the Stadium. The Council has already committed as part of the planning process to limit these events to no more than 3 a year. If this licensing application is allowed it may well be used to support a larger number of late night live events leading to further noise nuisance to nearby residents.
4. Human Rights Act 1998, Article 8 - right to respect for private and family home life: the application has human rights implications which the Council must consider and on which it should take legal advice. The stadium is close to private houses and the disturbance which will inevitably follow as a result of late night movements of traffic and noise from the events themselves will impact on local residents' right to respect for their home life and their privacy. Similar restrictions as applied at Layer Road to protect the rights of residents to freedom from noise and other disturbance should apply to the new Stadium. The human rights Act protects individuals rights. The fact that the number of local residents around the new Stadium is less than around Layer Road is irrelevant for the purposes of the Human Rights Act and, specifically, interference with residents' Article 8 rights.

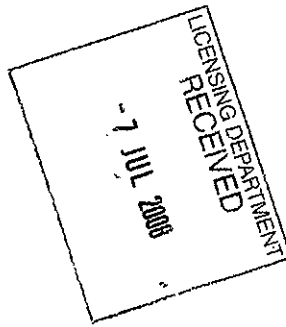
Please acknowledge receipt of this objection and confirm that it will be considered by the Licensing Committee.

Yours sincerely

Straight Road
Boxted
Essex

This email is intended for the addressee named within only.
It may contain legally privileged or confidential information.
If you are not the named individual you should not read this email and if you do so, you must not under any circumstances make use of the information therein.
If you have read this email and it is not addressed to you, please notify 'IT@devonshires.co.uk' and confirm that it has been deleted from your system and no

187374



Whitebeam Close
Mile End
Colchester

5 July 2008

Colchester Borough Council Licencing Authority
PO Box 889
Town Hall
Colchester
CO1 1FL

Dear Sirs

RE: COMMUNITY STADIUM LICENCING APPLICATION

My husband and I live off Boxted Road and we were very disturbed to learn that an application has been submitted for a late licence at the new Community Stadium.

We wish to advise the Licencing Authority that we object vehemently to the above application on the following grounds:-

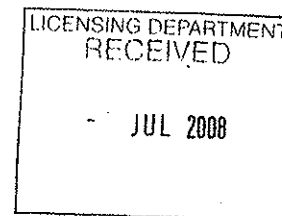
- (i) The Stadium abuts a main road which leads to a number of residential areas, including our own estate. These areas are quiet and peaceful. We believe our amenity would be adversely affected by noise and disturbance arising from the events which will be permitted under the proposed licence. We are particularly concerned for the wellbeing of the children on our estate. We ourselves have a 22 month old child whom we fear will suffer as a result of interruptions to his sleep at nighttime.
- (ii) The lack of public transport is also of particular concern to us. This will result in more private vehicles regularly accessing the Stadium at night which will generate noise. We also fear there is a danger that some drivers may be too easily tempted to drive whilst under the influence of alcohol. This is unacceptable, particularly given the Stadium's close proximity to a number of residential areas.
- (iii) It is an unfortunate fact of life that excessive alcohol consumption can lead to crime and disorder. Whilst we have every confidence in the Stadium owner's ability to control any such problems within the Stadium itself, we do not believe there will be any effective methods of maintaining this control/policing once patrons are off site. Again, having regard particularly to the lack of available public transport in the area, we are very

4

worried about the possibility of criminal damage and public disorder ensuing in these nearby residential estates whilst patrons make their way from the Stadium to other areas.

We ask that the Licencing Authority reject this application for the reasons described above.

Yours faithfully



Boxted Road
Colchester
Essex

4 July 2008

Dear Sirs

**Licensing Act 2003 Notice
Colchester United Football Club**

We write with reference to the attached notice which we only received last week, surely we should have had more notice of this.

We do not agree with the licensing of the above premises. What was once a "nice" part of Colchester is going to be turned into a horrible and loud part of Colchester and now you intend to filled with alcohol, have you not noticed what Colchester town centre turns into after a night of drinking? Are you aware of the problems the police and the residents in town have to endure?

Town has enough problems with binge drinking especially at weekends do we need any more venues that serve alcohol, especially situated where the stadium is. There are no transport facilities to take people home. Again what about the quality of life we expected when we moved to Colchester. It is all being ruined because the council wants to make money.

We certainly *do* oppose on the grounds of noise pollution and light pollution but it will make no difference as this council does not take any notice at all of its residents, as we objected to the building of the stadium, we wrote to the council but never got a response.

It makes us shudder to think what this area is going to turn into after you have build on all our green spaces, provided roads for all the cars to travel on and provided alcohol for all the people. Not one person in your council has a thought of the effect on the environment, the pollution (both light and noise) and the wildlife that this also affects.

We had also suffered from your building contractors who built the stadium drilling into our water supply and we had no water for a day, mistakes happen we understand that but we did not even get an apology. The little people simply do not matter. You know that the council can make money from the selling of alcohol and of course you will agree to the licensing of the stadium, obviously people do not know how to have fun anymore without using alcohol!

The road has been ruined by all the lorries and the amount of traffic travelling on Boxted Road due to the building of the stadium. We do not know how we will cope with all the excess traffic that stadium will cause, not doubt you will be building more roads and extending roads and getting rid of more green spaces, without a thought to the wildlife.

To be honest, we know that no-body in the council cares what we say but we thought we should let you know that we are not happy about the stadium and are certainly not happy for alcohol to be served, unless people are going to act responsible and not abuse alcohol. Can you guarantee this?

We would confirm AGAIN that we do not agree with the licensing of the stadium; but then again we did not agree with the stadium being built but you never listened to us on that either. I am sure the police will appreciate dealing with the people in town and being called the stadium at the same time on a Saturday evening.

Yours faithfully

Dear Neighbour

For your information, the following is a transcription of a notice which can be viewed at the stadium site entrance on Boxed Road. You may wish to comment.

Licensing Act 2003 Notice

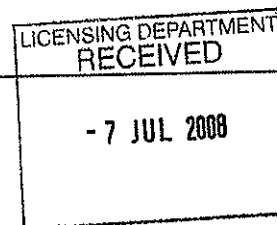
Notice is hereby given that Colchester United Football Club Limited has applied in respect of the Community Stadium, United Way, Colchester, CO3 3UH for a new premises licence under the Licensing Act 2003 to allow for:

Performance of plays and films; indoor sporting events; boxing or wrestling entertainment; live music, recorded music, performance of dancing, making music and similar entertainment; and supply of alcohol between the hours of 0001 to 0000 Monday to Sunday and provision of late night refreshment between the hours of 2300 to 0000 Monday to Sunday.

Representation to this application must be made in writing by 7th July 2003 to the Colchester Borough Council Licensing Authority at P O Box 888, Town Hall, Colchester, CO1 1PL where the Register of Licensing Applications can be inspected between 0900 and 1700 Monday to Friday.

It is an offence on summary conviction to knowingly or recklessly make a false statement in connection with this application, the maximum fine being £5,000.

10th June 2003



Boxted Road
Mile End
COLCHESTER

4 July 2008

Colchester Borough Council Licensing Authority
P O Box 889,
Town Hall,
Colchester,
CO1 1FL

Colchester United Football Club Limited new premises license

Dear Sirs,

I wish to make representations in respect of the above application for a new premises license on the following grounds:-

1. **Prevention of crime and disorder**
I am concerned about drink driving occurring from late night events or people causing damage walking home late at night drunk.
2. **Public safety**
I am concerned about an increase in anti-social behaviour and violence in a residential neighbourhood which at present is a low crime area.
3. **Prevention of public nuisance**
The increase in the number of events over seven days and the extended hours would cause extra traffic and increased noise from the events which would be a public nuisance in what is now a quiet residential area.

Yours Faithfully,

187372



Boxted Road
COLCHESTER

5TH July 2008

Colchester Borough Council Licensing Authority
P.O. Box 889
Town Hall
COLCHESTER
CO1 1FL

Dear Sirs

**Re: Licensing Application No18703 by Colchester United Football Club Ltd., for
Community Stadium, United Way Colchester CO3 5UH**

We are writing to you as long time residents of Boxted Road Mile End, with regard to the above mentioned Licensing Application.

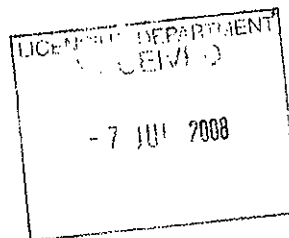
The new Stadium is situated in close proximity to our Bungalow in Boxted Road and over the years this has been a semi-rural quiet road on the edge of town which has of recent years seen more housing development along the road and a large Hospital at the end of the culdesac quite close to the Stadium.

Although we realize that a licensing application would have to be provided for the Stadium we object most strongly to the length of hours requested of 00.01 to 00.00 Monday to Sunday and to the provision of late night refreshment between the hours of 23.00 to 05.00 Monday to Sunday. We feel that the hours at Layer Road of 10.00 to 23.00 Mon. to Sat. and 12.00 noon to 22.30 on Sundays were quite adequate both then and in the future at the Stadium.

We understand that there will be pedestrian access to the Stadium in Boxted Road and this could lead to noise and possibly vandalism in the early hours of the morning when people will be exiting the site. The Stadium will inevitably bring a certain amount of disruption to our lives in our retirement years and whilst we have been accepting of this we feel it unreasonable to expect ourselves or any other local people to have their rest disturbed in the early hours of the morning as well.

Yours sincerely

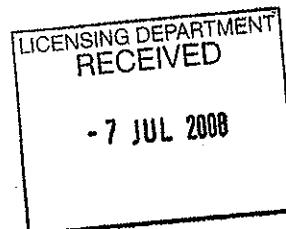
File ref 187397



Straight Road
Boxted

5th July 2008

Colchester Borough Council Licensing Authority
PO BOX 889
Town Hall
Colchester
CO1 1FL



Dear Sirs

Re: New Premises Licence Application by Colchester Community Stadium, United Way. (Supply of Alcohol between hours of 00:01 – 00:00 Monday to Sunday and the provision of late night refreshments between the hours of 23:00 to 05:00 hrs Monday to Sunday)

We would like to register our objection to the above application, as discussed by our points below.

We are currently experiencing noise pollution from the stadium PA system, which is of concern as the stadium is not yet fully functioning. We would have expected a modern stadium to have a directional sound system to minimise noise contamination and local disturbance. By granting approval of the licence application local residents will be facing a sizeable increase in noise pollution through the proposed late night entertainments. A 24 hr licence will result in a detrimental impact that we feel is unacceptable to our family life. As Boxted remains a rural environment we would also request that the licensing committee considers the impact of noise pollution on local livestock.

We have grave concerns regarding the impact of stadium traffic on our rural environment, as currently no additional parking measures have been confirmed. We find it totally unacceptable for any parking to take place along Straight Road Boxted, (which currently has no parking restrictions) especially as this has the potential to take place 24 hrs a day, if the current licence application is approved. Please can the committee consider that the Straight Road remains a rural environment with an absence of both pavements and street lighting. We feel therefore that until acceptable transport plans are in place that this licence application would be both damaging and disruptive to local residents

We would like to note that we are not objecting to licence applications by the stadium per se, but our concerns relate specifically to the hours proposed above and the impact of the potential 24 hour stadium use on local residents.

Please can receipt of this objection be acknowledged.

Yours sincerely

file ref 187438

LICENSING DEPARTMENT
RECEIVED
- 7 JUL 2008

Colchester Borough Licensing Dept
PO Box 889
Town Hall
Colchester
CO1 1FL

Boxted Road
Mile End
Colchester

Date: 7th July 2008

Licensing Application 17803 - Colchester United Football Club (New Stadium Site)

Dear Sirs,

We have returned from our holidays this morning to find that a Licensing application has been submitted by Colchester United for the new Community Stadium site. As the deadline for objections is today I have hand delivered this letter of objection to the town hall today in order to comply with the deadline for receiving objections.

I appreciate the stadium complex will need to apply to have licensing requirements for the sale of alcohol, however this stadium is located very close to residential properties (our home being the nearest) and as a local resident I would ask the committee to consider the need for the club to extend its licensing hours beyond those it currently enjoys at Layer Road. It is not acceptable, in a residential area to have the extended hours to 05.00am. The application is not in keeping with a residential area and it is not in the interests of local residents, who will be the ones who will suffer from any excessive noise or disturbance throughout the night. The hours being applied for are excessive for a general application and any extended hours required for special events should be dealt with on a case by case basis.

As the Colchester council only requires police and steward presence during match days, alcohol consumption outside of these hours will lead to major disturbance to the local residents, especially as the police are employed dealing with late night drinking in Colchester Town centre.

I ask that the Licensing Committee recommend and grant a license that is in line with the existing license that applies to the Layer Road Football Ground, i.e. 10:00 am to 23:00 Mon to Sat and 12:00 to 22:30 Sundays.

Finally, it should be a requirement that any license agreement includes the provision for the licensee to install, monitor and maintain suitably approved noise monitoring devises where the decibel levels from music and entertainment equipment are kept to a level that is in keeping with a residential area.. It is essential that this is properly managed to ensure noise does not exceed the levels where it becomes a nuisance to those out side the venue.

Yours sincerely,

Objection to Licensing

- 3rd May 2008

From: Myland Parish Council
Sent: 07 July 2008 14:54
To: Licensing Committee
Subject: Community Stadium - License Application

Attachments: Licence Application - Community Stadium.doc



Licence Application
 - Communit...

Myland Parish Council response to the Licence Application in respect of the Community Stadium, United Way, Colchester CO3 5UH, applied for by Colchester United Football Club Limited, dated 10th June 2008.

Myland Parish Council objects to this application and would like to comment as follows:

1. Notice of Planning Decision application No:O/COL/01/1622

1.1 Condition 6 states that approval is primarily for Class D2 use. There is no reference to Drinking establishments (A4 use) in the secondary uses. It would therefore follow that a separate application for A4 use should be required.

1.2 Condition 28 states:

" No customer shall enter any Class A3 or A5 premises before 10:00 hours on any day, no customer shall remain on the premises after 23:00 hours on any day nor shall any food or drink be provided to customers off the premises after these times except with the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of the locality"

The Parish Council feels that this condition is fair and reasonable and should be adhered to.

It is felt that the requested hours which would enable the licensee to operate i.e. to supply food and drink, including alcohol, 24hours a day, 7days a week, as applied for by Colchester United Football Club Limited, are neither reasonable, nor fair, nor do they afford any protection to the amenity of the locality for the following reasons:

1.3 The prevention of Crime and Disorder / Public Nuisance

It is felt that

- Traffic movements and disturbance from vehicle lights and noise from what could be several hundred people in the early hours of the morning is anti social and unacceptable and we feel is not in keeping with the spirit of the stadium as a community facility.

- Anti social behaviour from individuals leaving the building late night will be difficult to police and may constitute a threat to personal safety and the safety of the property of local residence.

2. Conditions requiring clarification

It is important for Myland Parish Council to allay the concerns of our local resident and to this end we would like clarification on the following:

2.1 It is unclear as to what areas of the stadium facilities this licence will apply. We note from condition 5 that 10,400sq meters can be used for Class A3 activities. Will this licence cover all this area?

2.2 How will this licence affect other operators choosing to lease space at the stadium e.g. a community café/bar or restaurant?

2.3 What will be the maximum number of individuals allowed on the premises at any one time including staff for events other than football matches.

2.4 Will movement within the stadium be restricted? If so how will this be managed?

2.5 Re Condition 29 No more than three concerts/musical events shall take place, could you please define a musical event verses an event that has music, and what other events will attract specific restrictions or require any individual licensing applications?

2.5 Re condition 26, what conditions will be placed on the playing of amplified noise.

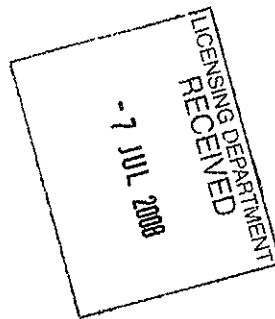
2.6 Will the conditions noted in condition 27 with regard to deliveries of goods still apply?

A word version of the above is also attached.

Regards

Clerk & RFO
Myland Parish Council

181515
Appendix 6



Colchester Borough Council Licensing Authority
PO Box 889
Town Hall
Colchester
CO1 1FL

5 July 2008

Dear Sirs,

Re: Colchester United Football Club application for new premises license, Community Stadium, United Way, Colchester, to allow for:

'Performance of plays and films; indoor sporting events; boxing or wrestling entertainment; live music; recorded music; performance of dancing; making music and similar entertainment; and supply of alcohol between the hours of 0001 to 0000 Monday to Sunday and provision of late night refreshment between the hours of 2300 to 0500 Monday to Sunday.'

We are opposed to this application in its current form and would ask that Colchester United Football Club limit the license to more sociable working hours.

As part of the community of Mile End in Boxted Road, we wish to make our objections to this license application being granted on the following grounds:

- We feel that it is unreasonable and unacceptable for a facility such as this to be open for business to 0500hrs every day throughout the year, given its location, within a semi-rural residential area.
- Such anti-social opening hours will have significant implications for this semi-rural neighbourhood in relation to associated noise from performances, traffic and visitors into the early hours of the morning as a the consequence of this license being granted.
- The serving of alcohol until 0500 has the potential to encourage anti-social behaviour and associated alcohol related issues such as public disorder and vandalism in a semi-rural residential area.

We appreciate the need for an entertainments and alcohol license. We understand that under the previous license Colchester United Football Club was allowed to serve drinks until 2300 hours, which is a much more reasonable limit. Occasional extensions would not seem to be an unreasonable alternative approach.

Yours faithfully,

Chairperson

Boxted Road Colchester Essex

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