

Licensing Sub-Committee Hearings Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ
Friday, 19 May 2017 at 10:00**

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

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published five 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. 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.

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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 persons or their representatives and 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 other 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, other persons, 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, other persons, 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.

COLCHESTER BOROUGH COUNCIL
Licensing Sub-Committee Hearings
Friday, 19 May 2017 at 10:00

Member:

Dave Harris - Member, Mike Hogg - Member, Patricia Moore - Member

Substitutes:

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

AGENDA - Part A
(open to the public including the press)

Members of the public may wish to note that Agenda items 1 to 4 are normally brief.

1 Appointment of Chairman

To appoint a Chairman for the meeting.

2 Welcome and Announcements

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

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

- action in the event of an emergency;
- mobile phones switched to silent;
- the audio-recording of meetings;
- location of toilets;
- introduction of members of the meeting.

3 Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

4 Declarations of Interest

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

5 Minutes

To confirm as a correct record the minutes of the meetings held on the 18 November 2016 and 16 December 2016

18 November 2016 9 - 12

16 December 2016 13 - 16

6 **Tiptree Press Club** 17 - 52
See report by Head of Professional Services

Part B

(not open to the public including the press)

7 Exclusion of the Public (not Scrutiny or Executive)

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

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website: www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

18 November 2016

MINUTES OF PROCEEDINGS

At a meeting of the Licensing Sub-Committee held on 18 November 2015 at 10.00am in the Grand Jury Room, Colchester Borough Council, Town Hall, High Street, Colchester

Present: - Councillor Buston
Councillor Cope
Councillor Harris

1. Membership

RESOLVED that Councillor Cope be appointed Chairman.

2. Licensing Application

The Head of Professional Services submitted a report in respect of the new application for a premises licence which had been made by BP Oil UK Limited, in accordance with the provisions of the Licensing Act 2003.

- Eastwood SF Connect, Ipswich Road, Colchester

In Attendance

Mr Botkai, solicitor for the applicant

Mr McCree, BP

Mr Vandepeer, BP

Mr Rodley, Resident

Mr Farr, Resident

Mrs Chidgey, Democratic Services Officer

Mrs Gentry, Democratic Services Officer

Mrs Ozono, Legal Services

Mr Ruder, Licensing Food Safety Manager

Mrs White, Licensing & Committee Co-Ordinator

Mr Ruder outlined the application and explained that in response to objections that had been lodged, the applicant had amended the application so that the hours sought were in line with the planning consent for the site which permitted operating hours of 07.00 to 23.00 Mondays to Sundays. As a result of these changes and a minor change to the condition relating to CCTV, the objections lodged by both Environmental Protection and the Licensing Authority, acting as a Responsible Authority, had been withdrawn. Representations from a number of local residents had also been withdrawn although some had confirmed their wish to maintain their objection and these letters together with the representations of those who had not responded to the amended application were included in the paperwork before the

Sub-Committee. It was noted that Late Night Refreshment had been removed from the application and the only licensable activity now requested was the sale of alcohol.

Mr Botkai, speaking on behalf of the applicant outlined the application and gave a brief history of the site. The site had formerly had a small kiosk type shop attached to the petrol filling station and this had a premises licence permitting the sale of alcohol from 08.00 to 23.00 Mondays to Saturdays and 08.00 to 22.30 on Sundays. Mr Botkai made reference to the Section 182 Guidance which stated that the premises licence of a shop should generally match its trading hours, unless circumstances dictated otherwise, which in this case were defined under planning as 07.00 to 23.00 Mondays to Sundays. There was discussion on the question of the terminal hour of the premises. The original application indicated that the premises would be open 24 hours a day; this had been changed to reflect the planning hours. It was noted that whilst a number of the representations commented on and objected to the opening hours, this was a matter more properly dealt with under planning legislation which had determined the operating hours in this case.

In response to questions from the Sub-Committee Mr Botkai outlined the applicant's policy on litter, engagement with residents and noise control. He confirmed that BP wished to work with residents and to be good neighbours; it would take the appropriate action in the event that there were problems and agreed to an ongoing dialogue with residents so that any problems could be quickly dealt with. Mr Botkai expressed an unwillingness to commit BP to a litter picking agreement at this stage as it was not known if there would be a problem and, in the event there was, what would be required to resolve the issue. However he gave the assurance that BP would be keen to protect its licence and therefore would be prompt to deal with any issues that might occur. However he gave the assurance that BP would be keen to protect its licence and therefore would be prompt to deal with any issues that might occur.

Mr Rodley then addressed the Sub-Committee expanding on the points made in his letter. He mentioned the problems which had occurred under the previous tenants and that the situation had improved since the premises had been shut for refurbishment. It was noted however that rubbish was still being dropped in proximity to Mr Rodley's house, indicating that the problems were not solely attributable to the petrol station shop. Mr Rodley also mentioned the problem of groups of youths congregating and the anti-social behaviour which occurred.

RESOLVED that the application, as amended, be granted to permit the supply of alcohol off the premises Monday to Sundays from 07.00 to 23.00 subject to the following additional condition –

All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales, such training to include recognising the signs of intoxications:

- Induction training must be completed and documented prior to the sale of alcohol by the staff member.
- Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

Reasons for the determination

In arriving at the decision the Sub-Committee considered each point very carefully. It noted the representations and the evidence presented by the applicant and objector under the Licensing Act 2003 and had regard to the Section 182 Guidance and to its own licensing policy.

The Sub-Committee noted the applicants stated willingness and offer to establish and maintain a constructive dialogue with local residents to ensure any matters of concern were addressed and their offer to circulate a telephone number to local residents which could be used to raise matters of concern.

The Sub-Committee acknowledged that conditions could only be imposed that sought to manage the behaviour of customers when they were on the premises and within the control of the licensee or within the immediate vicinity of the premises. It noted the residents' concern that the opening of the premises was likely to result in an increase in the amount of litter in the area. It also noted that litter was still being dropped although the site was currently shut. The Sub-Committee had sympathy for the concerns of the residents in relation to litter and other issues but was mindful of its duties under the Licensing Act. The Act limited Sub-Committee's consideration to the likely effect the granting of the application to permit the selling of alcohol on the premises would have on the four licensing objectives. It could not consider wider matters which came under the remit of planning nor could it add conditions to the premises licence to control general litter that might be dropped by patrons of the premises.

The Sub-Committee was mindful that its decision must be based on evidence and must be an appropriate and proportionate response aimed at the promotion of the licensing objectives. The Sub-Committee therefore determined that it was appropriate to grant the application subject to the addition of the condition as set out.

COLCHESTER BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

16 December 2016

MINUTES OF PROCEEDINGS

At a meeting of the Licensing Sub-Committee held on 16 December 2016 at 10.00am in the Grand Jury Room, Colchester Borough Council, Town Hall, High Street, Colchester

Present: - Councillor Buston
Councillor Cope
Councillor Hogg

1. Membership

RESOLVED that Councillor Cope be appointed Chairman.

2. Declarations of Interest

Councillor Hogg (in respect of his position as a personal licence holder and his position at the Oak Tree Centre) declared his non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure 7(5).

3. Licensing Application

The Head of Professional Services submitted a report in relation to the following premises licence variation application for determination by the Sub-Committee, in accordance with the provisions of the Licensing Act 2003.

- **Yates, 1-3 High Street, Colchester**

The Sub-Committee considered objections to the variation of a premises licence application which had been received in respect of Yates at 1-3 High Street, Colchester to permit –

The provision of films, performance of live and recorded music and anything of a similar description indoors; and to permit the sale of alcohol on and off the premises –

- Fridays to Saturdays from 10.00 to 03.00

The provision of late night refreshment on and off the premises –

- Fridays to Saturdays from 23.00 to 03.00

Vary the layout of the premises in accordance with the plan at Appendix 2.

To amend the following conditions (by the addition of the words marked in bold)

Annex 4 Condition 1 – Crime and Disorder - Where the premises open for the sale of alcohol until 02:00 **or later** there will be a minimum of 2 door supervisors on duty from 21:00 until close and the remaining number to be determined by risk assessment and at all other times by risk assessment in addition.

Annex 4 Condition 3 – Public Nuisance - 3. Windows and doors to be **kept** closed by 23:00 to reduce noise levels for regulated entertainment, **except for access and egress**.

Annex 4 Conditions 5 – Public Nuisance - 5. No bottles and glasses to be taken off the premises **except for consumption in any external area**.

In Attendance

Ms S Taylor, Solicitor for the applicant, Poppleston Allen
Ms H Cardy, Poppleston Allen
Mr C Wilson, Area Manager for Stonegate Pub Company Ltd
Mr P Sparham-Simpson, Designated Premises Supervisor, Yates
Mrs S Harrington, Licensing Authority
Ms A Westbrook, Director, Balcerne Gardens Trust
Mrs A Ozono, Legal Services
Mr J Ruder, Licensing, Food and Safety Manager
Mrs White, Licensing Officer
Mrs Gentry, Democratic Services Officer
Mr Clifford, Democratic Services Officer

Mr Ruder outlined the application to which objections had been lodged by local residents from the Balcerne Garden Trust Retirement Complex and the Licensing Authority, acting in its capacity as a responsible authority. He highlighted that the premises were located in the Old Town Zone.

Ms Taylor outlined the application and explained that the additional hours were being sought at the request of customers who wished to stay in the premises a little longer than current hours permitted and there was no intention to change the way the premises was operating. The extension sought was to be open on Fridays to Saturdays until 03.00, but not allowing anymore customers in from 02.00, and to permit the provision of late night refreshment on and off the premises Fridays to Saturdays until 03.00.

The applicant was unaware of any problems with the operation of the premises and therefore did not consider that the extension was likely to undermine the licensing objectives. Ms Taylor had also asked that an exception should be made to the Licensing Policy as the premises had successfully operated the requested hours on a number of occasions using Temporary Event Notices (TENs) The applicant also referred to the judgement in the Brewdog case, which demonstrated that special polices as applied in the Old Town Zone, did not prevent the extension of hours and that each case need to be judged on its merits. The Police were supportive of the application for extended hours. It was not anticipated that the change in hours would increase the number of people in the area but rather that it would help prevent migration between venues by keeping patrons in the premises until it closed In addition, the extension in hours would lead to a more gradual dispersal of customers, which would lessen the impact on local residents. Reference was made to the fact that later hours were being operated by other premises in the area.

In response to questions from the members of the Sub-Committee Ms Taylor responded that no additional patrons would be let in from 02.00, the garden area will be closed at 01.00 as was current practice and that there had been no apparent increase in problems in the area as a result of the TENs that had been implemented.

Mrs Harrington addressed the Sub-Committee on behalf of the Licensing Authority. The Licensing Authority had no issue with the way the premises were currently operated. However, the hours requested were outside of those outlined in the Policy for the Old Town Zone and as such the Policy indicated that exceptional circumstances should be demonstrated to justify departure from the Policy. No such exceptional circumstances had been demonstrated by the applicant.

Ms Westbrook, Director of Balkerne Gardens Trust, then addressed the Sub-Committee on behalf of the residents of Balkerne Garden Trust. She outlined the problems of noise and anti-social behaviour experienced by elderly residents living at the Trust. This caused real stress to residents and the Trust had had to invest a significant sum in a CCTV system as a consequence. Ms Westbrook told the Sub-Committee that Zone Wardens and Police are called on a regular basis and most problems happen between 01.00 – 03.00. Ms Westbrook acknowledged that she could not categorically attribute specific events to patrons from Yates but the area around the back of Yates did cause problems and if longer hours are granted, it could cause more issues.

RESOLVED that the application be refused with the following exception –

- The layout of the premises be varied in accordance with the plan attached to the variation application and shown at appendix 2 to the report.

Reasons for the determination

In arriving at the decision the Sub-Committee considered each point very carefully. It noted the representations and the evidence presented by the Applicant and Objectors under the Licensing Act 2003 and had regard to the Section 182 Guidance and to its own Licensing Policy.

The Sub-Committee found that the premises was located within a mixed commercial/residential area and that its primary focus was the sale of alcohol. It also found that the premises was located in a noise sensitive location with residential accommodation in close proximity to the venue and its garden.

The premises was located in the Old Town Zone which meant it was located in an area where the promotion of the licensing objectives was being undermined as a consequence of the operation of licensed premises in the area.

The Sub-Committee had regard to the submission of the Licensing Authority that the hours sought in the application were contrary to those set out in the Council's Statement of Licensing Policy. It was also mindful of the authorities and precedents presented by the applicant including the need to consider each case on its own merits.

The Sub-Committee considered the evidence presented by Ms Westbrook, Director of the Balkerne Gardens Trust on behalf of the Balkerne Garden Trust retirement complex situate adjacent to the premises. It was noted that the problems in the area were such that the Trust were required to contact the Zone Wardens on a regular basis and that it had been necessary for the Trust to install CCTV because of anti-social behaviour in the area which affected its residents notably between 0100 and 03.00. The Sub-Committee considered the point made by the Applicant that such behaviour could not be directly attributable to the patrons of any particular premises but had further regard to the fact that the area was under stress and a special policy had had to be put in place by the Licensing Authority for the

protection of residents to address, inter alia, that issue and the prevention of Public Nuisance.

The Sub-Committee considered the point made by the Applicant that an exception should be made to the Licensing Policy as the premises had operated the requested hours using TENs and, noted its claim that there had been no apparent increase in problems in the area as a result of them. On questioning, Ms Westbrook was unable to confirm whether there had been problems on the nights in question as she was not aware of the dates and therefore unable to link events with the date of the TENs.

The Sub-Committee noted the Applicant's point that other premises within the town operated to the requested hours of 03.00 closing at 03.30. The Sub-Committee further noted the offer of additional conditions in the event that the licence was granted including a last entry restriction time of 02.00.

The Sub-Committee noted that the premises was well run and had a good working relationship with both the licensing team and the Police but considered this was no more than was expected of a well-run establishment and did not demonstrate exceptional circumstances. The conditions offered by the Applicant on the operating schedule were again those to be expected of a well-run premises. It placed little weight on the submission that other premises in the town operated the requested hours as the Sub-Committee was required to consider each case on its own merits and the operating hours of other premises was not therefore considered to be relevant.

The Sub-Committee noted the comments of the Applicant to the effect that it had received positive encouragement from the Police for the submission of the application for extended hours - but the Sub-Committee did not find that there was any evidence presented to support this contention, save the claim made by the Applicant.

Licensing Sub-Committee	19 May 2017
Tiptree Press Club	FOR GENERAL RELEASE

Purpose of the Report	To determine an application for a new premises licence under the Licensing Act 2003, for the Tiptree Press Club
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1. Application

Applicant and Premises	
Application Type	New Premises (ref M/ 091358)
Applicant	Janet Williams
Premises	Tiptree Press Club
Premises Address	2A Grove Road Tiptree Colchester
Premises description	Social family members club with outside roof area
Ward	Tiptree

Proposed licensable activities and hours

Performance of Live Music							
Indoors/Outdoors or both			Indoors		Outdoors	Both	
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start						20.30	
End						23.00	
Seasonal variations							
Non-standard timings							

Performance of Recorded Music							
Indoors/Outdoors or both			Indoors		Outdoors	Both	
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	12.00	12.00	12.00	12.00	12.00	12.00	12.00
End	23.00	23.00	23.00	23.00	01.00	01.00	23.00
Seasonal variations							
Non-standard timings							

Indoor Sporting Events							
Indoors			Indoors		Outdoors	Both	
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	12.00	12.00	12.00	12.00	12.00	12.00	12.00
End	23.00	23.00	23.00	23.00	23.00	23.00	23.00
Seasonal variations							
Non-standard timings							

Provision of late night refreshment							
Indoors/Outdoors or both			Indoors		Outdoors	Both	
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start					23.00	23.00	
End					01.00	01.00	
Seasonal variations							
Non-standard timings							

Supply of alcohol							
On / Off the premises or both			On sales		Off sales	Both	
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	12.00	12.00	12.00	12.00	12.00	12.00	12.00
End	23.00	23.00	23.00	23.00	01.00	01.00	23.00
Seasonal variations							
Non-standard timings		Christmas Eve and New Year's Eve – 12.00 to 01.00					

Hours the premises are open to the public							
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	12.00	12.00	12.00	12.00	12.00	12.00	12.00
End	23.00	23.00	23.00	23.00	01.00	01.00	23.00
Seasonal variations							
Non-standard timings		Christmas Eve and New Year's Eve – 12.00 to 01.00					

2. Conditions

Offered on the operating schedule	
1.	Employ additional staff when needed
2.	Provide adequate lighting outside the premises.
3.	CCTV cameras inside and outside the premises.
4.	Stairway will be kept clear and well lit.
5.	Aware of noise levels for local residents.
6.	All children must be accompanied by an adult.

2. Representations

Environmental Protection		Appendix 3a
Local Residents		Appendix 3b

3. Policy Context

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

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

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

2.6 The Licensing Authority considers it extremely important that licensed premises operate as good neighbours within their community. Operators of licensed premises are encouraged to consult with local residents and businesses prior to submitting applications to ensure they are aware of, and can address, any needs or concerns they may have.

2.9 Applicants are expected to consider all the policies relevant to their application; these include general policies, key factors and where appropriate special policies.

KF2 - The location of licensed premises

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

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

3.18 There is the need to balance the needs of residents with that of the night time economy. Licensees should consider how their premises could impact upon the needs of local residents and businesses. Particular consideration is expected to be given to:

Prevention of noise or vibration escaping from the premises due to volume of

music or plant and machinery noise

Prevention of noise disturbance from people entering and leaving the premises (e.g. queue management, dispersal policy)

Prevention of disturbance by people outside the premises (e.g. smoking areas)

Litter from the premises (This issue is considered particularly relevant in respect of late night takeaways and smoking-related litter outside of licensed premises)

Disturbance caused by deliveries and collections at the premises including waste and bottle collection

Departures from Policy

2.18 This Policy sets out the Licensing Authority's vision for the regulation of licensed premises throughout the Borough and outlines the standards expected in order to ensure the promotion of the licensing objectives. The Licensing Authority may depart from the policy should it consider doing so would benefit the promotion of the licensing objectives. However, it is expected that any such departure would only be in exceptional circumstances.

9.11 Exceptional circumstances will not include the quality of management or size of venue.

4. Background Information

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

Representations in respect of the application were received from Environmental Protection, the Licensing Authority, acting in its capacity as a responsible authority, and a local resident. Conditions were also requested by Child Protection. The representation of the Licensing Authority has been withdrawn following discussions with the applicant and the acceptance of the conditions attached at Appendix 4; these conditions also include those requested by Child Protection.

5. Options available to the Sub-Committee

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

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

Appendices

Appendix 1	Application
Appendix 2	Premises plans and location plan
Appendix 3	Responsible authorities/other bodies representations and supporting documentation
Appendix 4	Agreed conditions
Appendix 5	Club rules

Report Author

John Ruder, Licensing Manager	email jon.ruder@colchester.gov.uk telephone 01206 282840
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[Insert name and address of relevant licensing authority and its reference number (optional).]

**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 Janet Williams

(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 Tiptree Press Club 2a Grove Road Tiptree			
Post town	Colchester	Postcode	CO5 0JP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£7100

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input 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 ☐ please complete section (B)
- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

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 checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Williams			First names Janet		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		[REDACTED]			
Post town	Essex			Postcode	[REDACTED]
Daytime	[REDACTED]		[REDACTED]		
E-mail address (optional)	[REDACTED]				

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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
2	1	0	4	2	0	1	7

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

DD		MM		YYYY			

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

Social family members club with outside roof garden

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon	12.00	23.00	
			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue	12.00	23.00	
Wed	12.00	23.00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur	12.00	23.00	
Fri	12.00	23.00	
Sat	12.00	23.00	
Sun	12.00	23.00	

D

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

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 checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
			State any seasonal variations for the performance of live music (please read guidance note 4)			
Wed						
Thur						
			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)			
Fri						
Sat	20.30	23.00				
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Juke box		
Mon	12.00	23.00			
Tue	12.00	23.00			
Wed	12.00	23.00			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	12.00	23.00			
Fri	12.00	01.00			
Sat	12.00	01.00			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	12.00	23.00			

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

H

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




I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Wed						
Thur						
			<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)			
Fri	23.00	01.00				
Sat	23.00	01.00				
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	12.00	23.00			
Tue	12.00	23.00			
Wed	12.00	23.00			
Thur	12.00	23.00			
Fri	12.00	01.00			
			<u>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</u> (please read guidance note 5) Christmas Eve & New Years Eve - 12.00 to 01.00		
Sat	12.00	01.00			
Sun	12.00	23.00			

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

Name	
Janet Williams	
	
Postcode	
	
In process of applying	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	12.00	23.00	
Tue	12.00	23.00	
Wed	12.00	23.00	
Thur	12.00	23.00	
Fri	12.00	01.00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) Christmas Eve & New Years Eve - 12.00 to 01.00
Sat	12.00	01.00	
Sun	12.00	23.00	

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

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

Employ additional staff when needed
Provide adequate lighting outside

b) The prevention of crime and disorder

CCTV cameras inside and outside the premises

c) Public safety

Stairway will be kept clear and well lit

d) The prevention of public nuisance

Aware of noise levels for local residents

e) The protection of children from harm

All children must be accompanied by an adult

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	Janet Williams
Date	24/03/2017
Capacity	Owner

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)

Post town

Postcode

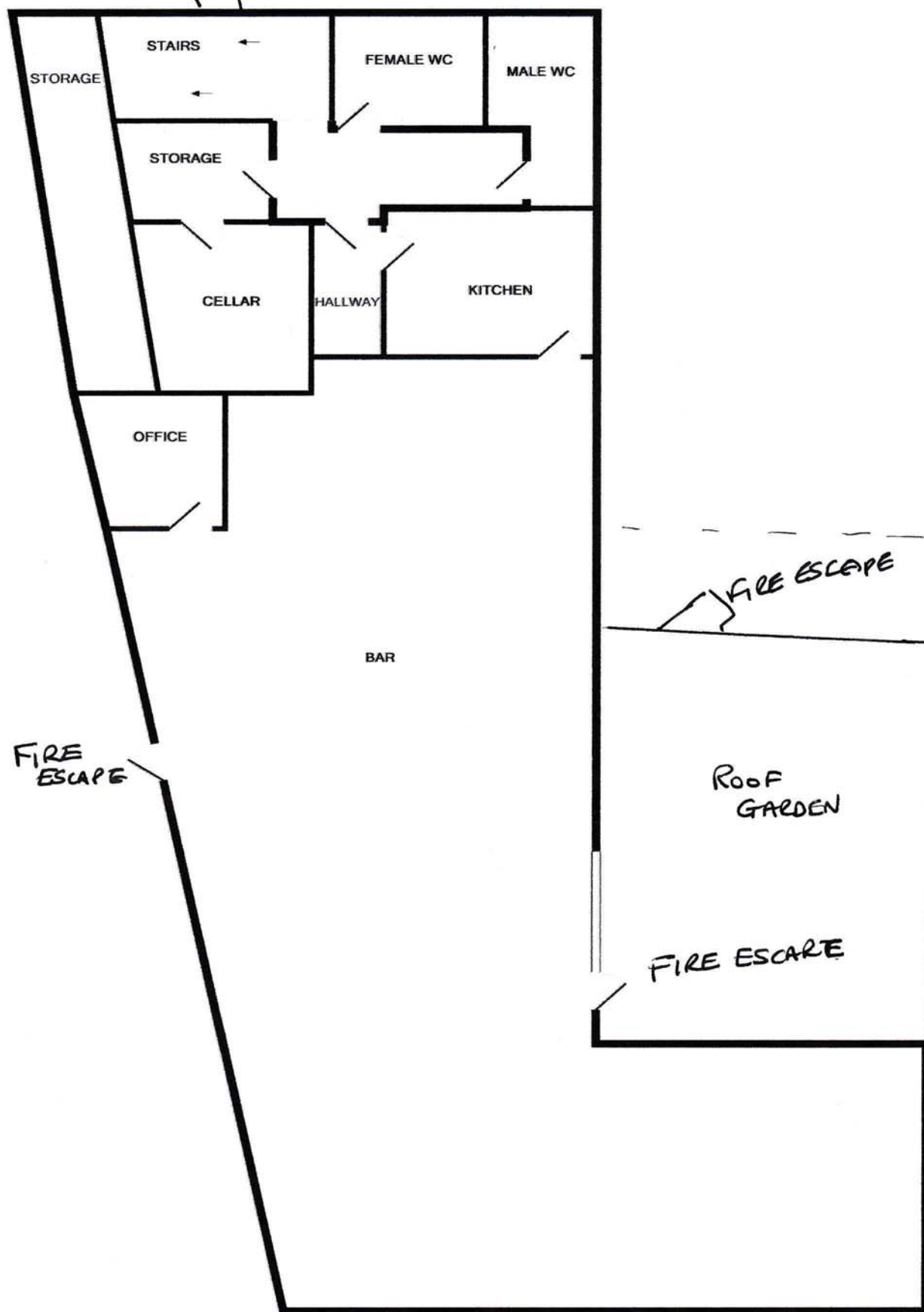
Telephone number (if any)

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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

First Floor



NOT TO SCALE FOR IDENTIFICATION PURPOSES ONLY



Premises Location Plan

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Application Reference: 091358

Premises Address: Tiptree Press Club, 2A Grove Road, Tiptree, Colchester, CO5 0JP

Date Produced: 3 May 2017

(Map Not to Scale)

Consultation Response

Environmental Protection Officer:

Licensing Reference No: 091358

Ward: Tiptree

Location: Tiptree Press Club 2A Grove Road, Tiptree, Colchester, CO5 0JP

Details: Premises Licence Application

Scheduled Response Date: 21st April 2017

Environmental Protection's Comments: -

The following comments are made in respect of the "Prevention of Public Nuisance" licensing objective

This service has concerns that the following licensable activities applied for will not meet the above licensing objective and will cause public nuisance to the occupants of surrounding residential dwellings;

Indoor Recorded Music	- As applied for
Indoor Live Music	- As applied for
Opening Hours	- After 23:00 Hours on a Friday and Saturday Night
Supply of Alcohol	- After 23:00 Hours on a Friday and Saturday Night
Late night Refreshment	- After 23:00 Hours on a Friday and Saturday Night

Use of the outdoor patio/roof garden area is within approximately 2 metres of residential bedrooms and use for large numbers of people drinking will cause nuisance and allow noise breakout from regulated entertainment during access and egress.

The suggested condition in the operating schedule under d) The prevention of public nuisance is not a satisfactory condition that will achieve the aims of the licensing objective.

There are planning conditions on the premises (permission 95/1456) that restrict the hours of use to 23:00. An application (number 07/2184) to vary those hours to allow later opening times was refused in October 2007 to protect the amenity of nearby residents. The permission that authorised access to the outside patio area (permission 07/01859) prohibits the use of the outside area for consumption of alcohol after 23:00, requires an opaque privacy screen, fixed non openable windows and the installation of a sound limiting device. The premises license application is outside of the permitted use under the premises planning permission.

Noise Complaints were received about the operation of this premises (Then called The Sportsman) in January 2017. A visit by the weekend noise service witnessed noise that would amount to a statutory nuisance caused by loud music and talking from within the bar area directly transmitting through the party wall to an attached dwelling, music noise breakout from the doors and windows to the patio area and noise from people on the patio area that was clearly audible around the premises and in the bedrooms of a nearby residential dwelling. The Sportsman closed down soon after these complaints and no further action could therefore be taken.

I understand the premises has now changed ownership and that the applicant was aware of noise problems and works were carried out to improve the sound insulation, although I was told that no acoustic survey had been conducted to inform the amount and nature of works required to reduce sound transmission and noise breakout from the premises when regulated entertainment is taking place. The

contractor informed me he had carried out similar works successfully before and he deemed them sufficient to resolve the problem.

The premises operated under a TENS on Saturday the 15th April 2017. Officers from the weekend noise service monitored noise from the premises from 22:00 to 22:30 hours while a live band was playing.

The following observations were made;

- Officers *"Could clearly hear the music around the whole block. The windows were open in the venue"*
- Inside a neighbouring dwelling *"The noise was unreasonably loud in living room could hear it above tv."*
- *"In the bedroom even louder. I could feel the bass tones through the floor. Plainly hear people in smoking area and music from the band as door was open all the time."*
- *"The levels if continuing were clearly going to be an issue and if there isn't anything put in place to control the music and door management I would be satisfied that a nuisance existed at the nearest residential premises."*
- The officer also discussed the use of the outside patio area and informally discussed possible restrictions on the numbers of people permitted in the area at any one time with the license holder.

The evidence suggests that the works to improve the sound insulation have not been successful in terms of preventing music noise transmitting to adjoining dwellings, although the works may have been successful at preventing normal conversation noise from within the bar area causing a problem. The transmission appears to be airborne through the party wall and structure Bourne if the bass tones could be felt through the floor. This gives me concern that the premises in its current condition is not suitable to contain noise from regulated entertainment at any time of the day even if operating to the hours specified in the Live music act (The officer considered that nuisance would be caused prior to 23:00 hours).

Music noise breakout from open doors and windows was sufficient to cause nuisance.

People noise from the patio (Smoking area) were clearly audible within bedrooms and therefore sufficient to cause nuisance.

I therefore object to the license as applied for.

Signed: Chris Cornish Bsc (Hons) MCIEH
Environmental Protection Officer

Date: 19th April 2017

SCANNED

12 APR 2017



Colchester borough council licensing authority
Po box 889
Rowan House
33 Sheepen Road
Colchester
co3 3wg
Date 01/4/2017
Dear sirs or madam

Applicant - Janet Williams

Name and postal address of the premises- Tiptree press club 2a grove road Tiptree CO5 OJP
Formerly the Sportsman

I am writing to my objection to the application for a premises licence by Janet Williams at the club above due to the amount of noise and stress it will cause my children and myself.

I have owned this property since May 2005 the club next door was originally an old man's club.

In 2007 this property then was turned in to a sports bar, live music since then I have had many occasions where I had to complain to the previous owners, about noise especially coming through the walls.

I found the owner then very unapproachable. Rather than cause any retaliation or not wanting to receive it I did on numbers of occasion complain to them, through text or facebook messenger. In 2007 or around then a patio area was built 2 metres away from my bedroom window which was really built for smokers which again is unfair and not healthy. Their is restrictions on the use of this until 10pm which again was never adhered to causing distress, many times people would be out their until 3am being noisy, with us being unable to sleep.

How planning was ever given to this monstrous looking smoking area is beyond me not only has this ruined the view at the rear of my property its a health hazard. Also iv never been able to open the windows due to smoke and noise.

I have also put the property on the market twice over the past 12 years and unable to sell due to the noise and the patio area that has destroyed the view from my property.

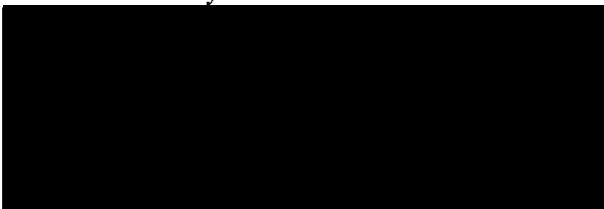
Therefore I am objecting vigorously unless major restrictions are put in place especially noise and the smoking area they call a patio.

No one should feel they have to spend weekends out because the noise is unbearable.

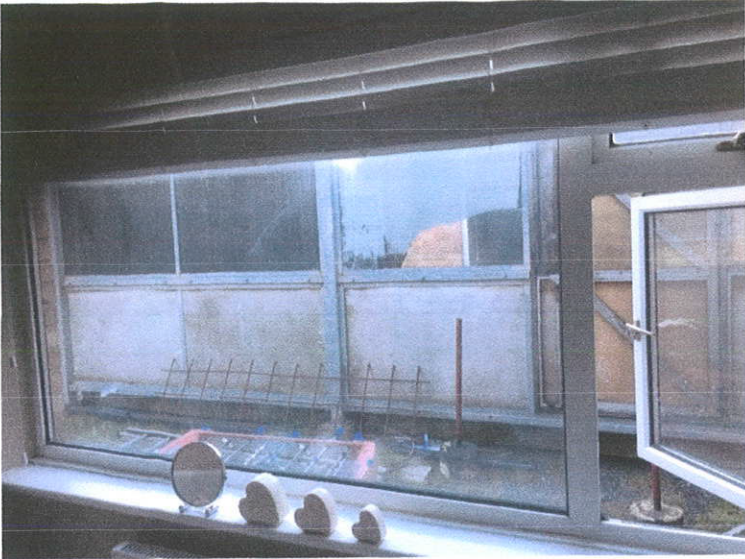
We have already had environment health visit the property while live music was playing and they said the music was far to loud and unbearable.

I look forward to hearing from yourself s

Yours sincerely



**The view of their smoking area
from my rear bedroom
window!!**



**The view of their smoking area
from my rear bedroom
window!!**



Applicant- Janet Williams
2 a grove Road, Tiptree
CO5 0JP.

1. The Club rules must be adhered to at all times. Any changes to the Club rules must be submitted to the Police and Licensing Authority for approval.
2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the Licensing Authority. The log must record details of the incident, date, time, the staff who dealt with it, the action taken, the outcome, and whether the emergency services were called. The incident log must record incidents in relation to -
 - (a) all crimes reported to the venue, or by the venue to the Police
 - (b) all ejections of customers
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all refusals of entry
 - (f) seizures of drugs, offensive weapons, fraudulent ID or other items
 - (g) any faults in the CCTV system, searching equipment or scanning equipment
 - (h) the date and time of the refused alcohol sale and the name of the member of staff who refused the sale.
 - (i) any faults in the CCTV system, searching equipment or scanning equipment
 - (j) any visit by a relevant authority or emergency service
 - (k) times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.
3. All staff shall be trained in relevant age restrictions in respect of products, recognising signs of drunkenness, how to refuse service, the premises' duty of care, company policies and reporting procedures, action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services, and the conditions in force under this licence; this is to ensure that there is no underage drinking, drunkenness on the premise or in public, use of drugs, violent and anti-social behaviour and to ensure the protection of children from harm.
4. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater 12 monthly intervals. Training records must be made available for inspection upon

request by a Police officer or an authorised officer of Colchester Borough Council.

5. The premises must install, operate and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras must continually record while the premises are open to the public and recording must be kept available and unedited for a minimum of 31 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system be able to produce/download/burn CCTV images upon request by a Police officer or an authorised officer of the Licensing Authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums must be provided.
6. Customers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, must not be permitted to take drinks or glass containers with them.
7. Staff shall monitor customers smoking outside the premises on a regular basis and ensure customers do not cause a public nuisance.
8. No deliveries or collections relating to licensable activities at the premises will take place between 19.00 and 08.00 hours.
9. Notices must be prominently displayed at all exits requesting customers to respect the needs of local residents and leave the area quietly.
10. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram.

Agreed with Child Protection

1. All children under the age of 18 must be accompanied by an adult.
2. Anyone purchasing alcohol who has a minor in their company will be observed via CCTV cameras located in the club to ensure that alcohol is not passed to the minor.
3. No children are allowed in the bar area.

Club rules

Tue 25/04/2017 18:49

To: Sarah White <Sarah.White@colchester.gov.uk>;

Terms and Conditions of Club Membership

In return for your membership fee you will receive the following great benefits. Membership Applications are available behind the bar.

1. The club's competitive bar prices.
2. Full entertainment programme is included in your membership.
3. You will be permitted to sign in 4 guests for a small entry fee for non-members.
4. Access to all of our facilities- Live Sky Sports, Pool, Darts, Juke Box, Lounge and Garden Area.
5. Take part in our weekly club prize games.

We are a family friendly club. In order to become a member you will be required to complete a short application form proposed and seconded by an existing member. Your application is then forwarded to the committee for approval. We do this to ensure that all of our members are credible and of good character. Your application must be accompanied by a passport photo and the correct fee. Subscriptions run from 1st May each year.

Membership Rules:

- Only existing full members can attend the club in their own right.
- Other adult visitors (Over 18) may also attend the club providing they are signed in by a member into the club at the same time.
- Children under 16 may be brought into the club must be supervised at all times. They are not allowed to play on the fruit machine at any time.
- Children under 16 may not approach the bar area at any time.
- Children under 14 are not permitted to play on the Pool Table or Dart Boards.
- Any bad behaviour will not be tolerated including foul or abusive language, those behaving badly will be asked to leave the club and may render themselves liable to forfeiture of membership or otherwise be banned from the club.
- We do not tolerate the use of any drugs, any member or visitor found consuming drugs on the premises will be asked to leave immediately and membership will be forfeited with immediate effect.
- Normal licensing rules apply regarding sale of intoxicating liquor, gambling etc.
- Members and guests are welcome to functions, although on some occasions that are expected to be fully subscribed by members the function may not be open to visitors.
- Certain events may carry a ticket charge for non members to cover event costs.
- The Committee accepts no liability or responsibility for loss or damage to persons or personal possessions whilst using the premises and the car park.
- The Committee has the right to refuse anyone entry.
- The Committee has the right to decline membership applications.
- The Committee reserve the right to revise membership costs, beverage and food prices as and when circumstances dictate.
- Visitors signed in must sign the visitors book. The person signing them in must remain with them in the club at all times.
- NOTE: Members who introduce a guest who misbehaves renders themselves liable to forfeiture of membership.
- Members are NOT permitted to bring dogs onto the premises.

Safety: All visitors to the club should acquaint themselves with the location of emergency exits and should vacate the building immediately should the emergency alarm sound or other instruction be given to vacate the building.

Regards

Janet Williams