

# Licensing Sub-Committee Hearings Meeting

**Council Chamber, Town Hall, High Street,  
Colchester, CO1 1PJ**

**Friday, 25 November 2016 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](http://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.

### **Audio Recording, Mobile phones and other devices**

The Council audio records all its public meetings and makes the recordings available on the Council's website. Audio recording, photography and filming of meetings by members of the public is also permitted. The discreet use of phones, tablets, laptops, cameras and other such devices is permitted at all meetings of the Council. It is not permitted to use voice or camera flash functionality and devices must be kept on silent mode. Councillors are permitted to use devices to receive messages and to access papers and information via the internet and but not to vie or participate in social media.

### **Access**

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, 21 Trinity Square, Colchester or telephone (01206) 282222 or textphone 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

### **Facilities**

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

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telephone (01206) 282222 or textphone 18001 followed by the full number you wish to call

e-mail: [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)

[www.colchester.gov.uk](http://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 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, 25 November 2016 at 10:00**

**Member:**

Nick Cope - Member, Dave Harris - Member, Mike Hogg - 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 5 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 After Office Hours - Application to vary the premises licence** 9 - 54

See report by the Head of Professional Services.

**6 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).

## **Part B**

(not open to the public including the press)

e-mail: [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)  
website: [www.colchester.gov.uk](http://www.colchester.gov.uk)





<b>Licensing Sub-Committee</b>	<b>25 November 2016</b>
<b>After Office Hours</b>	<b>FOR GENERAL RELEASE</b>

<b>Purpose of the Report</b>	To determine an application for the variation of a premises licence under the Licensing Act 2003 for After Office Hours
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## 1. Application

<b>Applicant and Premises</b>	
Application Type	Variation application (ref M/090250)
Applicant	Mr Marc Innes
Premises	After Office Hours
Premises Address	128 High Street Colchester
Premises description	Bar
Ward	Castle

## Proposed licensable activities and hours

<b>Performance of Recorded Music</b>							
<b>Indoors/Outdoors or both</b>			<b>Indoors</b>		<b>Outdoors</b>	<b>Both</b>	
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start				10.00	10.00	10.00	
End				02.00	02.00	02.00	
Seasonal variations							
Non-standard timings			An additional hour to be permitted on the occasion of British Summertime				

<b>Provision of late night refreshment</b>							
<b>Indoors/Outdoors or both</b>			<b>Indoors</b>		<b>Outdoors</b>	<b>Both</b>	
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start				23.00	23.00	23.00	
End				02.00	02.00	02.00	
Seasonal variations							
Non-standard timings			An additional hour to be permitted on the occasion of British Summertime				

<b>Supply of alcohol</b>							
<b>On / Off the premises or both</b>			<b>On sales</b>		<b>Off sales</b>		<b>Both</b>
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start				10.00	10.00	10.00	
End				02.00	02.00	02.00	
Seasonal variations							
Non-standard timings		An additional hour to be permitted on the occasion of British Summertime					

<b>Hours the premises are open to the public</b>							
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start				10.00	10.00	10.00	
End				02.30	02.30	02.30	
Seasonal variations							
Non-standard timings		An additional hour to be permitted on the occasion of British Summertime					

<b>Changes to the Conditions</b>	
<ul style="list-style-type: none"> <li>To remove the condition requiring all customers to be over 21 and to replace with a condition stating all children must vacate the premises by 20.00.</li> <li>To remove the condition – Free drinking water to be available at all times.</li> </ul>	

## 2. Representations

Responsible Authority	Licensing Authority	Appendix 3a
Local Residents and Dutch Quarter Association		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.

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

policies.

### **Special Policy for Colchester's Old Town Zone**

The application is in an area where the Council has adopted a special policy, known as the Old Town Zone Policy. This means that in the area in which the premises is situated, there is evidence of problems associated with operation of licensed premises and the promotion of the licensing objectives is being undermined. Regard must therefore be given to Section 9 of the Policy.

### **Departures from Policy**

2.17 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

The application in front of the Sub-Committee has been reduced in scale by the applicants and now seeks to extend the hours for licensable activities on Thursdays, Fridays and Saturdays only. This change is reflected in the amended application plan attached at Appendix 1.

The applicant has further reduced the application by removing the request to extend the hours for live music.

The following information has been supplied in support of the application -

It is acknowledged that the variation submitted for After Office Hours, 128 High Street, Colchester, brings it within your special policy for the old town zone. Significant discussion has taken place with the Police Licensing Officer who has also, I believe, been in contact with the Council's Licensing Department.

In addition to the amendments to the Licence I can confirm that these premises have been operating without difficulty for some years and there is no proposal to amend the way they are currently operating save for the fact they would like some flexibility to remain open a little later and provide the facility for customers wishing to stay out later to have somewhere to go which isn't a traditional nightclub.

Whilst the premises have no history of disorderly behaviour staff are trained in respect of preventing underage sales and drunkenness and managing and resolving conflict. Staff training is documented and those documents are available upon the request of the Responsible Authorities. Door staff are appointed on a risk assessed basis and written records are kept of any door supervisors on duty.

All staff are notified of the policy with regard to identifying and refusing underage sales and records are retained of all refusals.

Access to the premises is not permitted to anybody who is visibly intoxicated and alcohol free options are readily available.

A digital CCTV system is installed and there is a policy in place to ensure that drinking vessels are not left unattended and are efficiently collected.

The premises participate in community initiatives and have a positive relationship with their neighbours. The mobile contact number for the DPS is made available to local residents. There are policies for the dispersal of customers and the premises have a winding down period to encourage customers to leave the premises gradually and quietly. The premises could use a dedicated taxi calling service which operates a call back facility but you should note that there is a taxi rank opposite them.

The premises already operate Challenge 25.

They are an established business which over the years has formed a positive relationship with the Responsible Authorities. They continue to be a well-run and professional business within the town providing a valuable amenity to customers.

In addition, in relation to the representation from Councillor Ellis you will note that he comments on there being an argument for extended Licences at the weekend and you will note that the application has been amended accordingly. I also note that concerns are raised by local residents with regard to live music and having consulted with my client he has advised that he has no difficulty in his provision of live music remaining as per his current Licence and removing this aspect of the variation.

As a result of the changes made to the application, Councillor Ellis withdrew his objection to the application.

## **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 plan and location plan
Appendix 3	Responsible Authorities and other bodies representations and supporting documentation
Appendix 4	Premises Licence

## Report Author

John Ruder, Licensing Manager	email <a href="mailto:jon.ruder@colchester.gov.uk">jon.ruder@colchester.gov.uk</a> telephone 01206 282840
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**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

IWE Marc Innes

*(Insert name(s) of applicant)*

**Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.**

**Premises Licence Number**

004827

**Part 1 – Premises Details**

**Postal address of premises or, if none, ordnance survey map reference or description**

After Office Hours

128 High Street

<b>Post Town</b>	Colchester	<b>Postcode</b>	CO1 1BA
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Telephone number at premises	
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Non-domestic rateable value of premises	£33,500.00
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**Part 2 - Applicant Details**

<b>Daytime contact telephone number</b>	
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<b>E-mail address (optional)</b>	
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<b>Current postal address if different from premises address</b>	24-25 North Hill
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<b>Post Town</b>	Colchester	<b>Postcode</b>	CO1 1EG
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### Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? ☒ Yes ☐ No

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Please describe briefly the nature of the proposed variation** (please read guidance note 1)

Application is made

- to amend the terminal hour for live music to 01:00 daily.
- to amend the terminal hour for all licensable activities to 02:00 on a Thursday, Friday and Saturday and also on a Sunday which precedes a statutory bank holiday.
- to remove the condition requiring all customers to be over 21 and to permit children on the premises until 18:00 daily.
- to remove those conditions duplicated by the mandatory conditions.

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



#### **Part 4 Operating Schedule**

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

##### **Provision of regulated entertainment**

Please tick yes

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

**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 K, L and M**

A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

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

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) Application is made for an additional hour to be permitted on the occasion of British Summertime		
Sun					
			Application is also made to enable Licensable activities to terminate at 01:00 on a Sunday (preceding a statutory bank holiday)		

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur	10:00	02:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun					
			<b>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</b> (please read guidance note 5) Application is made for an additional hour to be permitted on the occasion of British Summertime Application is also made to enable Licensable activities to terminate at 02:00 on a Sunday (preceding a statutory bank holiday)		

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					



<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>	
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)	
Wed				
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)	
Fri				
Sat			<b>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</b> (please read guidance note 5)	
Sun				

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed						
Thur	23:00	02:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)			
Fri	23:00	02:00				
Sat	23:00	02:00				
Sun						
			<b>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</b> (please read guidance note 5)			
			Application is made for an additional hour to be permitted on the occasion of British Summertime			
			Application is also made to enable Licensable activities to terminate at 02:00 on a Sunday (preceding a statutory bank holiday)			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur	10:00	02:00	<b>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</b> (please read guidance note 5) Application is made for an additional hour to be permitted on the occasion of British Summertime. Application is also made to enable Licensable activities to terminate at 02:00 on a Sunday (preceding a statutory bank holiday)		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun					

K

<p><b>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</b> (please read guidance note 8)</p> <p>None</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur	10:00	02:30	
Fri	10:00	02:30	<b><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></b> (please read guidance note 5) Application is made for an additional hour to be permitted on the occasion of British Summertime Application is also made for the premises to close at 02:30 on a Sunday preceding a statutory bank holiday.
Sat	10:00	02:30	
Sun			

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

Application is made

- to remove the condition requiring all customers to be over 21 and to replace with a condition stating all children must vacate the premises by 18:00.
- to remove those conditions duplicated by the mandatory conditions. A copy of the current licence indicating those conditions to be removed accompanies this application.

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

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

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

We have not enclosed the original Premises Licence as this is currently with the Council following a recent application.

**M-** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

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

Please note this application may be amended during the application period to reflect any agreements that may be reached with the responsible authorities and interested parties.

No additional steps have been identified as necessary to promote the licensing objectives as the current licence conditions already require door staff and in addition the premises have CCTV.

The premises are requesting the flexibility to open later on occasions when trade allows and are not proposing to significantly change the way they operate, albeit they wish to become more family friendly during the day.

**b) The prevention of crime and disorder**

Consultation has taken place with Police Licensing and the Council Licensing Officer.

The applicant has carefully considered and is cognisant of the Council's Special Policy for Colchester's Old Town Zone and recognises the importance of cooperating with the statutory authorities. The applicant considers that the Licensing objectives can continue to be upheld whilst providing improvement diversity of amenity within the area and also enabling customers the opportunity to continue their evening a little later in premises that are not operated as a traditional nightclub.

**c) Public safety**

The premises continue to comply with the various regulations which apply and will continue to consult and cooperate with the responsible authorities in this regard.

**d) The prevention of public nuisance**

The Premises Licence Holder will actively seek the advice of the Environmental Protection Officer to ensure that there are no future issues with public nuisance caused by sound escaping from the premises. It is already required that doors/windows be kept closed and any further reasonable requirements will be implemented.

**e) The protection of children from harm**

The premises will operate Challenge 25 and any children on the premises will vacate by 18:00.

**Checklist:**

Please tick to indicate agreement

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

**IT IS AN OFFENCE, LIABLE ON 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 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) 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	
Capacity	

**Where the premises licence is jointly held, signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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	

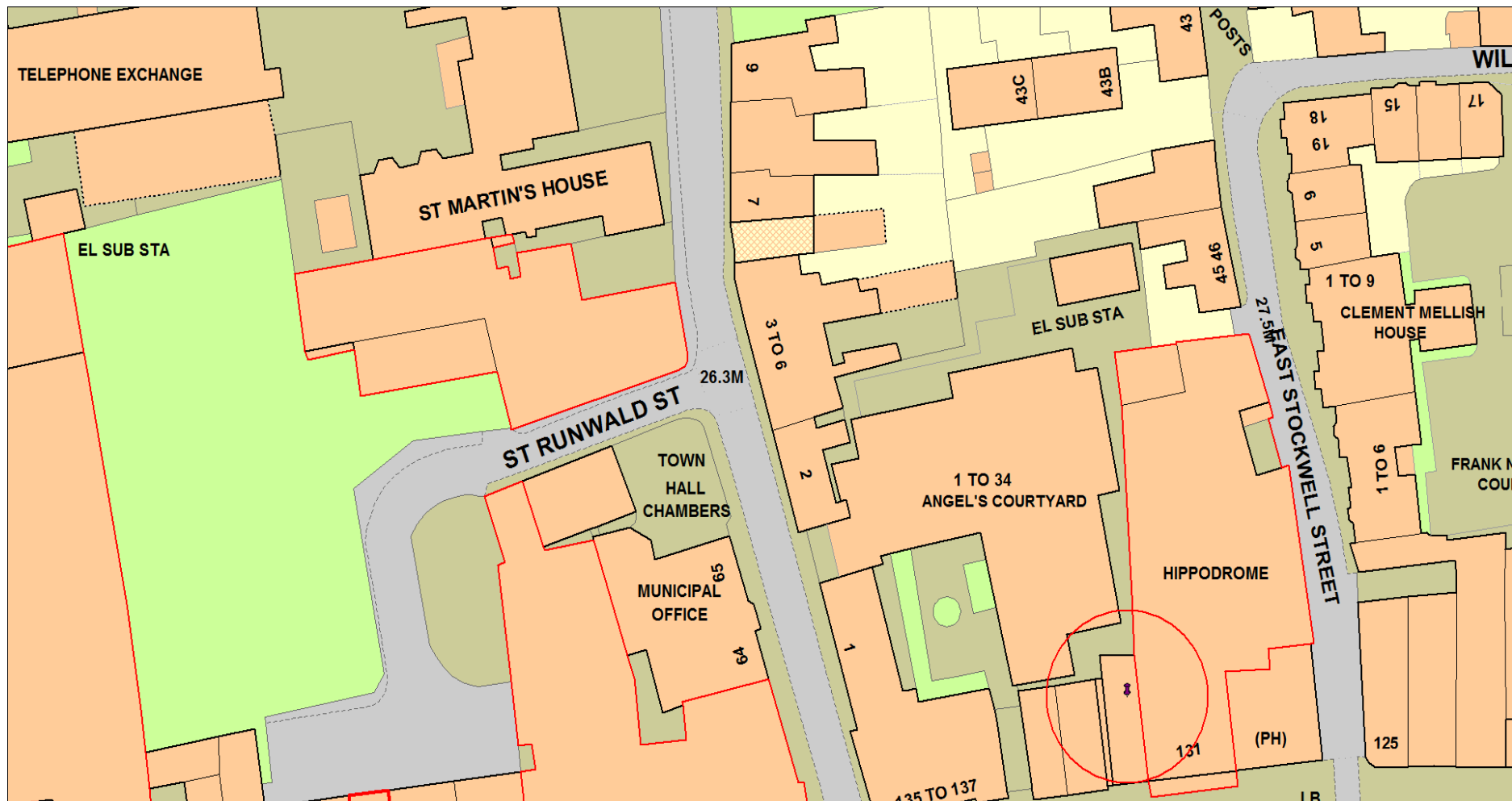
**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Karen Cochrane  
 Flint Bishop LLP  
 St. Michael's Court  
 St. Michael's Lane  
 Derby  
 DE1 3HQ

Telephone number (if any)	01332 226148
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**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**

karen.cochrane@flintbishop.co.uk



## Premises Location Plan

© Crown copyright and database rights 2015 Ordnance Survey 100023706.

**Application Reference:** 090250

**Premises Address:** After Office Hours, 128 High Street, Colchester, CO1 1SP

**Date Produced:** 14 November 2016

(Map Not to Scale)





## Licensing Authority – Representation

Premises Name	Premises Address
After Office Hours	128 High Street Colchester CO1 1SP

### Licensing Objectives affected

Failure to address the requirements of the Policy will undermine the following licensing objectives –

- Prevention of public nuisance

### Licensing Authority Representation

The Licensing Authority objects to this application on the following grounds –

- It is contrary to the Council Borough Council Statement of Licensing Policy 2016-2021.
- The application does not demonstrate exceptional circumstances that would justify a departure from the current Policy, and more particularly, there are no measures listed in the operating schedule to mitigate against possible harm.
- Failure to address the requirements of the policy will result in the licensing objectives of the prevention of public nuisance being undermined.

### Policy References

The premises is located within Colchester's Old Town Zone which is subject to a special policy. Section 9 of the Policy refers.

*Having regard to the issues within the Old Town Zone the Licensing Authority has also set out particular matters to which it expects operators to pay attention in order to ensure their operation will not add to problems in the area. Any applications which fail to address all appropriate matters may be refused or have conditions applied to comply with the policy measures.*

## **After Office Hours – Representations**

Environmental & Protection Services

Colchester Borough Council

Rowan House, 33 Sheepen Road,

Colchester, Essex, CO3 3WG

26th October 2016

Application for variation of licence

After Office Hours, High Street, Colchester

The Dutch Quarter Association objects to the application for later opening hours for the above premises on the following grounds: Prevention of Public Nuisance,

Dutch Quarter residents continue to experience disturbance late at night caused by the night time activities associated with late opening clubs, pubs and fast food takeaways in the town centre.

The granting of this application, especially because the premises is located next to ATIK ( Liquid/Envy) nightclub can only make these problems worse.

We are particularly concerned about the licence application for live music and whether this premises has sufficient sound proofing to prevent noise outbreak.

We anticipate that another late night venue would place a further burden on the already over stretched resources of the Police.

Dimitri Murray

Dutch Quarter Association

---

Dear Licensing Committee,

I am writing to you to express my agreement with                      email below.

Fred (cc'd) and I have been living in East Stockwell Street for over a year and feel that the broken glass and litter produced by After Office Hours is unacceptable. I regularly have to pick pieces of broken glass out of my shoes. It certainly isn't safe for my neighbours that have children and / or dogs in the area.

I love living in the Dutch Quarter but have been put off by the anti social behaviour that is encouraged by places like After Office Hours. I often use the bars in town such as vbar and 3 wise monkeys but they at least clean up the streets and are not in residential areas. As our buildings are not permitted to put in double glazing, as most of the houses in the street are Grade

It listed, the noise disturbance is an issue. I am so glad ICE is no longer open as this area is not the place for a bar/night club.

Help us reserve our town and history and try to bring peace to this residential area. I am a first time buyer and plan to stay in this area, I would be extremely disappointed if the disrespectful behaviour to residence and litter does not improve.

Thank you for your time.

Kind regards,

---

Date: Wed, Oct 26, 2016 at 12:47 PM

Subject: Objection to Extended Opening Hours of After Office Hours

Dear Licensing Committee,

I am writing to object to the request for extended opening hours by 'After Office Hours'.

As a resident of East Stockwell Street, I know for a fact this will be detrimental to the Dutch Quarter and will not benefit the residents in any way.

Regardless of the potential of noise pollution from music and drunk people, who we know from experience, have no volume control after a few drinks, please see attached a couple of photographs of East Stockwell Street by 'After Office Hours'.

'After Office Hours' prove on a weekly basis that they have no care or respect for the local area, which more and more people are choosing to live in. Most mornings, we are subjected to rubbish, empty and often broken glass, vomit and worse. No effort is ever made by the owners of 'After Office Hours' to clear up the mess their establishment helps to create. Since 2012, many of the buildings in the Dutch Quarter that were occupied by businesses are now becoming homes for people, many of whom have children. It is already a foul walk from the Dutch Quarter to the High Street for residents and visitors. This area is a unique place and should be being protected. The town does not need another place with a late licence. The town gains very little from this. It adds to the litter, the anti social behaviour, the reputation as a place to get drunk, puts a strain on the SOS Bus and Police. The only group to gain from this would be 'After Office Hours' and I really hope the Licensing Department will look at the bigger picture here.

Regards,

---

**Sent:** 27 October 2016 19:55:53

**To:** Licensing.Committee

**Subject:** AOH (MO90250)

To whom it may concern,

As residents of the Dutch Quarter we would like to object to the variation in licence sought by After Office Hours (AOH).

We do not believe that our community would benefit from this particular establishment, which is located on the corner of the High Street and East Stockwell Street, having extended opening hours to serve alcohol and refreshments until 02:00 as well as the ability to host live music (until 01:00) or recorded music (until 02:00). Indeed sitting as it does at the entrance to the Dutch Quarter it would provide an unwelcome and intimidating atmosphere for pedestrians and other passers-by to navigate. The area, which is dimly lit, already suffers from public nuisance such as urinating in the street, litter and vomiting. Such antisocial behaviour would only increase as a consequence of extended opening hours.

Furthermore, the disturbance from AOH both in terms of music whether recorded or live and the from the ingress and egress of clients would have a detrimental effect on this historic neighbourhood especially given this increased likelihood of antisocial behaviour in what is a primarily residential area.

Yours,

---

Sent: 27 October 2016 16:02

> To: Licensing.Committee <Licensing.Committee@colchester.gov.uk>

> Subject: Variation of licensing order Out of Office Hours

> I live at 43b east Stockwell street at the junction with Williams Walk and am opposing any extension of the license for Out Of Office Hours. The street is filthy littered with debris from cigarettes, takeaways, vomit, urine etc not to mention broken glass. Daily I have to walk/drive through this. Clearly the council have inadequate resources to maintain the cleanliness of my street - it is like living in a sewer. The police seem unable to control the volatile drunken louts that leave the street in this mess.

>

> This is a lead road to the Dutch Quarter -a street that tourists visit regularly. What picture do they take away of Colchester? It's time for the council to consider the residents and improve the town for those of us who live here and clean up the dump that Colchester currently is. Make it a destination that people want to come to.

>

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I feel the longer hours will increase the amount of disgusting debris and disturb my life and sleep even further. If you cannot deal with what is already an issue. Longer hours for more drinking, takeaways etc after leaving the venue will result in additional issues which you clearly cannot police.

I would like you to speak to any visitors to Colchester and also residents and without exception you will find that I am not alone in feeling that Colchester is dirty and shabby. You can make a small move to rectify this by declining this request to extend the hours for out of office venue.

Please tell me what more you require from me.

Regards



# Colchester Borough Council

## Premises Licence

Granted under the Licensing Act 2003 s18

Colchester Borough Council  
Licensing Team  
PO Box 889  
Rowan House, 33 Sheepen Road  
Colchester CO3 3WG

Premises licence number: 004827

### PART 1 - PREMISES DETAILS

After Office Hours  
128 High Street  
Colchester

Post town:

Post code: CO1 1SP

Telephone number at premises: 01206 564367

Date Licence Granted: 3 October 2005

### Regulated Activities authorised by this licence:

Performance of Plays	
Film Exhibitions	
Indoor Sporting Events	
Boxing or Wrestling Entertainment	
Performance of Live Music	Licensed
Playing of Recorded Music	Licensed
Performance of Dance	
Other Music or Dance Entertainment (see Schedule)	
Facilities for Making Music	
Facilities for Dancing	
Other Facilities for Music & Dance	Licensed
Late Night Refreshment	Licensed
Sale by Retail of Alcohol	Licensed

The times the licence authorises the carrying out of licensable activities:		
a) The sale by retail of alcohol :-		
Monday	10.00 to 01.00	
Tuesday	10.00 to 01.00	
Wednesday	10.00 to 01.00	
Thursday	10.00 to 01.00	
Friday	10.00 to 01.30	
Saturday	10.00 to 01.30	
Sunday	10.00 to 23.30	
Seasonal Variations		
Non-Standard Times	New Years Eve and New Years Day- the period between the standard finish time of the authorised period starting on New Years Eve and the standard start time on New Years Day.	
On/Off Premises	Alcohol may be served ON and OFF the premises	
Further Details		
b) The provision of regulated entertainment and entertainment facilities: –		
	Performance of Plays	Exhibition of Films
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		
Seasonal Variations		
Non-Standard Times		
Indoors/Outdoors		
Further Details		
	Indoor Sporting Events	Boxing or Wrestling Entertainment
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		
Seasonal Variations		
Non-Standard Times		
Indoors/Outdoors		
Further Details		
	Performance of Live Music	Playing of Recorded Music
Monday	19.00 to 00.00	10.00 to 01.00
Tuesday	19.00 to 00.00	10.00 to 01.00
Wednesday	19.00 to 00.00	10.00 to 01.00
Thursday	19.00 to 00.00	10.00 to 01.00
Friday	19.00 to 00.00	10.00 to 01.30

<b>Saturday</b>	19.00 to 00.00	10.00 to 01.30
<b>Sunday</b>	19.00 to 00.00	10.00 to 23.30
<b>Seasonal Variations</b>		
<b>Non-Standard Times</b>	New Years Eve and New Years Day- the period between the standard finish time of the authorised period starting on New Years Eve and the standard start time on New Years Day.	New Years Eve and New Years Day - the period between the authorised period starting on New Years Eve and the standard start time on New Years Day.
<b>Indoors/Outdoors</b>	Activity may take place INDOORS	Activity may take place INDOORS
<b>Further Details</b>	Amplified and/or unamplified live music limited to three entertainers.	Amplified/unamplified music ancillary to the sale of alcohol.

	Performance of Dance	Other Music or Dance Entertainment
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		
Seasonal Variations		
Non-Standard Times		
Indoors/Outdoors		
Further Details		
	Facilities for Making Music	Facilities for Dancing
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		
Seasonal Variations		
Non-Standard Times		
Indoors/Outdoors		
Further Details		
	Other Facilities for Music & Dance	Late Night Refreshment
Monday	10.00 to 01.00	23.00 to 01.00
Tuesday	10.00 to 01.00	23.00 to 01.00
Wednesday	10.00 to 01.00	23.00 to 01.00
Thursday	10.00 to 01.00	23.00 to 01.00
Friday	10.00 to 01.30	23.00 to 01.30
Saturday	10.00 to 01.30	23.00 to 01.30
Sunday	10.00 to 23.30	23.00 to 23.30
Seasonal Variations		
Non-Standard Times	New Years Eve and New Years Day- the period between the standard finish time of the authorised period starting on New Years Eve and the standard start time on New Years Day.	New Years Eve and New Years Day - the period between the standard finish time of the authorised period starting on New Years Eve and the standard start time on New Years Day.
Indoors/Outdoors	Activity may take place INDOORS	Late night refreshments may be consumed INDOORS
Further Details	Ancillary to the sale of alcohol.	Ancillary to the sale of alcohol in Section M.



<b>The Opening Hours of the Premises</b>	
<b>Monday</b>	10.00 to 01.30
<b>Tuesday</b>	10.00 to 01.30
<b>Wednesday</b>	10.00 to 01.30
<b>Thursday</b>	10.00 to 01.30
<b>Friday</b>	10.00 to 02.00
<b>Saturday</b>	10.00 to 02.00
<b>Sunday</b>	10.00 to 00.00
<b>Seasonal Variations</b>	
<b>Non-Standard Times</b>	New Years Eve and New Years Day - the period between the standard finish time of the authorised period starting on New Years Eve and the standard start time on New Years Day.

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol may be served ON and OFF the premises

<b>PART 2</b>	
<b>Name, (registered) address, telephone number and e-mail (where relevant) of holder(s) of premises licence</b>	
<b>Licence Holder 1</b>	<b>Licence Holder 2</b>
Mr Marc Nigel Innes  After Office Hours 128 High Street Colchester CO1 1SP Tel: 01206 564367 E-mail: marcinn03@hotmail.com	Tel: E-mail:

<b>Registered number of holder; for example, company number, charity number (where applicable):</b>
-----------------------------------------------------------------------------------------------------

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
Mr Marc Nigel Innes After Office Hours 128 High Street Colchester CO1 1SP  Tel: 01206 564367

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:</b>
077423 Colchester BC



Beverley Jones – Head of Professional Services

28 September 2016

**Date of Issue**

## **Annex 1 – Mandatory Conditions**

### **All supplies of alcohol**

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

### **Drinks promotions**

3(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

3(2) In this paragraph, an irresponsible promotion means one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

- a. games or other activities which require or encourage, or are designed to require or encourage, individuals to –
  - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e. dispensing alcohol directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).

### **Provision of water**

4. The responsible person must ensure that free portable water is provided on request to customers where it is reasonably available.

### **Age verification policy**

5(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

5(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

5(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- a. a holographic mark; or

- b. an ultraviolet feature.

### **Alcoholic drink measures**

6. The responsible person must ensure that—

- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml; and
- b. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c. where a customer does not in relation to the sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

### **Minimum Drinks Pricing**

7(1). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

7(2) For the purposes of the condition set out in paragraph (1)-

- a. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- b. “permitted price” is the price found by applying the formula-  
$$P=D+(D \times V)$$

Where –

  - (i) P is the permitted price
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of alcohol;
- c. “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
  - (i) The holder of the premises licence
  - (ii) The designated premises supervisor (if any) in respect of such a licence, or
  - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the members or officer to prevent the supply in question; and
- e. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

7(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7(4)(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) or paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

7(4)(2) The permitted price which would apply on the first day applied to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Door supervision**

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

**Exhibition of films**

9(1). Any exhibition of films must be screened in accordance with the category issued by the British Board of Film Classification (BBFC) certification.

9(2). Admission of persons under the age of 18 shall be restricted in accordance with any recommendation made by the above film classification body and any guidance issued under the licensing authority's Statement of Licensing Policy.

## **Annex 2 – Embedded Restrictions**

### **Annex 3 – Conditions Carried Forward on Conversion**

## **Annex 4 – Conditions Consistent with the Operating Schedule**

### **Conditions Offered by Applicant in the Operating Schedule**

1. Amplified and/or un-amplified live music limited to three entertainers.

#### **General - all objectives**

In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

2. The interior of the premises is well lit, airy and bright.

3. The outside of the premises is well lit.

4. Door staff on duty.

5. Member of pubwatch scheme.

6. Regular staff meetings.

#### **Prevention of Crime & Disorder**

7. No drink promotions or happy hours.

8. All interior trading areas are visible to staff from behind the bar servery.

9. The toilets access is clearly visible from the bar servery and the toilets are checked regularly.

10. The licensee/staff monitor customers' behaviour, especially during busy periods.

11. There is always a minimum of 2 staff on duty at any one time.

#### **Public Safety**

12. Premises has a fire alarm which is maintained.

13. Emergency lighting is installed and maintained on the premises.

14. Fire extinguishers are installed and maintained.

15. Staff trained in first aid.

16. Gas and electrical certificates are in place and appliances are tested annually.

#### **Prevention of Public Nuisance**

17. Management have control of the music system.



18. At the end of each evening a member of staff will stand at the exit door to ensure that they depart in a quiet and orderly manner.

### **Protection of Children**

19. Management regularly walk around the Premises.

## **Annex 5 – Conditions Agreed with Responsible Authorities**

Environmental Control - Agreed 25 October 2005

1. All external doors/windows must be kept closed, other than for access and egress, in all rooms when events involving regulated entertainment are taking place.
2. Prominent and clear notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

## **Annex 6 – Conditions Attached after a Hearing by the Licensing Authority**

Offered by the applicant at the hearing - 25 November 2005

1. The seating area on the pavement at the front of the premises should be closed at 23.00 and tables and chairs should be removed from this area.
2. Toughened drinking glasses to be used at all times.
3. Free drinking water to be available at all times.







