



Licensing Sub-Committee	26 February 2016
The Pavilion	FOR GENERAL RELEASE

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

Applicant and Premises	
Application Type	New Premises (ref M087819)
Applicant	Elysium Leisure Ltd
Premises	The Pavilion
Premises Address	20-21 Middleborough, Colchester
Premises description	Proposed Restaurant/Bar
Ward	Castle

Proposed licensable activities and hours

Provision of films							
Indoors/Outdoors or both			Indoors		Outdoors		Both
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	07.00	07.00	07.00	07.00	07.00	07.00	07.00
End	02.00	02.00	02.00	03.00	03.00	03.00	02.00
Seasonal variations							
Non-standard timings			Sundays preceding Bank Holiday Mondays, Christmas Eve, New Year's Eve, Good Friday 07.00 to 03.00				

Performance of Live Music							
Indoors/Outdoors or both			Indoors		Outdoors		Both
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	07.00	07.00	07.00	07.00	07.00	07.00	07.00
End	02.00	02.00	02.00	03.00	03.00	03.00	02.00
Seasonal variations							
Non-standard timings			Sundays preceding Bank Holiday Mondays, Christmas Eve, New Year's Eve, Good Friday 07.00 to 03.00				

Performance of Recorded Music							
Indoors/Outdoors or both			Indoors		Outdoors		Both
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	07.00	07.00	07.00	07.00	07.00	07.00	07.00
End	02.00	02.00	02.00	03.00	03.00	03.00	02.00
Seasonal variations							
Non-standard timings			Sundays preceding Bank Holiday Mondays, Christmas Eve, New Year's Eve, Good Friday 07.00 to 03.00				

Performances of Dance							
Indoors/Outdoors or both			Indoors		Outdoors		Both
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	07.00	07.00	07.00	07.00	07.00	07.00	07.00
End	02.00	02.00	02.00	03.00	03.00	03.00	02.00
Seasonal variations							
Non-standard timings			Sundays preceding Bank Holiday Mondays, Christmas Eve, New Year's Eve, Good Friday 07.00 to 03.00				

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	23.00	23.00	23.00	23.00	23.00
End	02.00	02.00	02.00	03.00	03.00	03.00	02.00
Seasonal variations							
Non-standard timings			Sundays preceding Bank Holiday Mondays, Christmas Eve, New Year's Eve, Good Friday 23.00 to 03.00				

Supply of alcohol							
On / Off the premises or both			On sales		Off sales		Both
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	07.00	07.00	07.00	07.00	07.00	07.00	07.00
End	02.00	02.00	02.00	03.00	03.00	03.00	02.00
Seasonal variations							
Non-standard timings			Sundays preceding Bank Holiday Mondays, Christmas Eve, New Year's Eve, Good Friday 07.00 to 03.00				

Hours the premises are open to the public							
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Start	07.00	07.00	07.00	07.00	07.00	07.00	07.00
End	02.30	02.30	02.30	03.30	03.30	03.30	02.30
Seasonal variations							
Non-standard timings			Sundays preceding Bank Holiday Mondays, Christmas Eve, New Year's Eve, Good Friday 07.00 to 03.30				

2. Conditions

Offered on the operating schedule

1. Training will be given to all staff to ensure that drunken and anti-social guests are appropriately dealt with.
2. A high quality CCTV system will be fitted with cameras throughout the premises. Tapes/discs will be kept for 31 days.
3. Sufficient staff will be trained in the use of the CCTV system.
4. The premises have been fitted out in line with current and up to date British Building Regulation Standards for fire safety.
5. The perimeter of the building will be well illuminated.
6. Polite signs to be placed at all exits from the premises encouraging customers to be quite on leaving the premises and area and to respect the rights of people living nearby and on the route home. The same encouragement to be given to the bar and door staff at the end of the evening
7. A noise limiting device shall be installed, fitted and maintained in such a manner as to control the source of amplified music at the premises. The noise limiting device shall be connected to all permanent music and public address equipment and all available mains and power sockets within the area of the music equipment. Once set such a device should be inaccessible to the staff.
8. Amplified sound shall not be audible at the boundary of any noise sensitive premises.
9. Customers shall not be permitted to congregate and consume alcohol sold or supplied by the premises within the vicinity of the premises. The removal of alcohol shall be prevented if it is intended for such purpose.
10. All young children will be accompanied by an adult at all times.

2. Representations

Licensing Authority	Sally Harrington, Licensing Service Manager	Appendix 3a
Environmental Protection	Rita Parkin/Sam Riley, Environmental Protection Officer	Appendix 3b
Local Residents		Appendix 3c
Colchester Civic Society	Austin Baines, Secretary to Colchester Civic Society	Appendix 3d

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 premises, known as the River Lodge, is currently operating under premises licence M004188. A copy of this licence is shown at Appendix 4.

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	Premises Licence for River Lodge

Report Author

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