

12 March 2014

Dear Councillor

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE**

An extraordinary meeting of the Licensing and Environmental Health Committee will be held in the Committee Room, Council Offices, London Road, Saffron Walden on Thursday 20 March 2014 at 2.30pm.

Yours faithfully

JOHN MITCHELL

Chief Executive

**A G E N D A  
PART I**

1	Apologies for absence and declarations of interest.	
2	Application for the grant of a Premises Licence – Sugars Café Bar, Unit 6 Priors Green, Bennett Canfield	p.3

To: Councillors **D Perry** (Chairman), H Asker, J Davey, J Freeman, **E Hicks**, J Loughlin, M Lemon, D Morson, **V Ranger**, J Salmon and **A Walters**.

**Only those councillors whose names are shown in bold are required to attend.**

Lead Officer: Michael Perry (01799) 510416

Democratic Services Officer: Adam Rees (01799) 510548

## **MEETINGS AND THE PUBLIC**

Members of the public are welcome to attend any of the Council's Cabinet or Committee meetings and listen to the debate. All agendas, reports and minutes can be viewed on the Council's website [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk).

Members of the public and representatives of parish and town councils are now permitted to speak or ask questions at any of these meetings. You will need to register with the Democratic Services Officer by midday two working days before the meeting. An explanatory leaflet has been prepared which details the procedure and is available from the Council offices at Saffron Walden.

A different scheme is applicable to meetings of the Planning Committee and you should refer to the relevant information for further details.

Please note that meetings of working groups and task groups are not held in public and the access to information rules do not apply to these meetings.

The agenda is split into two parts. Most of the business is dealt with in Part 1 which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

You are entitled to see any of the background papers that are listed at the end of each report.

If you want to inspect background papers or speak before a meeting please contact either Peter Snow on 01799 510430, Maggie Cox on 01799 510433 or Rebecca Dobson on 01799 510433, or by fax on 01799 510550.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

## **FACILITIES FOR PEOPLE WITH DISABILITIES**

The Council Offices has facilities for wheelchair users, including lifts and toilets. The Council Chamber has an induction loop so that those who have hearing difficulties can hear the debate. If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact Peter Snow on 01799 510430 or email [psnow@uttlesford.gov.uk](mailto:psnow@uttlesford.gov.uk) as soon as possible prior to the meeting.

## **FIRE/EMERGENCY EVACUATION PROCEDURE**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest designated fire exit. You will be directed to the nearest exit by a designated officer. It is vital you follow their instructions.

- You should proceed calmly, do not run and do not use the lifts.
- Do not stop to collect personal belongings.
- Once you are outside, please make your way to the flagpole near the visitor car park. Do not wait immediately next to the building.
- Do not re-enter the building until told to do so.

**Committee:** Licensing Committee

**Agenda Item**

**Date:** 20 March 2014

**2**

**Title:** Application for the grant of a Premises Licence – Sugars Café Bar, Unit 6 Priors Green, Bennett Canfield

**Author:** Murray Hardy, Licensing Officer.

Item for decision

### Summary

1. This report sets out an application for the grant of a Premises Licence in respect of the above. Representations have been made to this application so therefore this matter has been deferred to the Committee for deliberation.

### Recommendations

2. The application is determined

In the event of an appeal against the decision of the Licensing Authority, then a member is nominated to represent the Authority at Court.

### Background Papers

3. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Operating Schedule  
Representations from interested party  
Location of premises  
Plan of premises

### Impact

- 4.

Communication/ Consultation	Details of this application were conveyed to Members of Uttlesford District Council, The Parish Council and the application was published on the Uttlesford District Council Website.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	Under Article 1 First Protocol to the European peaceful enjoyment of their possessions which includes property. This right may be interfered with if necessary to control the use of property in accordance with the general interest. The

	<p>imposition of conditions under the Licensing Act 2003 is a legitimate interference with this right in this context.</p> <p>In the event that an applicant, responsible authority or interested party is dissatisfied with the decision of the committee there is a right of appeal to the Magistrates Court.</p>
Sustainability	None
Ward-specific impacts	Takeley and The Canfields being the ward within which the premises are situated
Workforce/Workplace	None

### Situation

5. Sugars Café Bar is situated at Unit 6 The Local Centre, Priors Green, Bennett Canfield. It is adjacent to other retail units and overlooks a communal parking area.
6. In accordance with the Licensing Act 2003 where an applicant applies for the grant of a Premises Licence then included in the accompanying documents must be an operating schedule. This demonstrates how the licensing objectives will be met and also seeks to outline what licensable activities are being sought.
7. The licensable activities being sought are listed below:-
  - (a) Live Music (Indoors Only)
 

Thursday to Saturday	7pm to 11.30pm
Sunday	12 noon to 10pm
  - (b) Recorded Music (Indoors Only)
 

Monday to Wednesday	7pm to 11pm
Thursday and Friday	7pm to 11.30pm
Saturday	12 noon to 11.30pm
Sunday	12 noon to 11pm
  - (c) The sale of alcohol by retail for consumption both on and off the premises
 

Monday to Thursday	7am to 11.45pm
Friday and Saturday	7am to 12 midnight
Sunday	7am to 11pm
  - (d) The hours the premises are open to the public
 

Monday to Thursday	7am to 12.15am
Friday and Saturday	7am to 12.30am

Sunday

7am to 11.30pm

8. The operating schedule indicates that the following measures will be adopted in order to promote the licensing objective regarding the prevention of crime and disorder:-

CCTV will be present in the public areas of the premises, and full time staff will be given training regarding CCTV. A zero tolerance approach to drugs will be adopted and again staff will be given training in this regard. Any customer who appears intoxicated will be refused alcohol and if required they will be asked to leave the premises. Any groups or individuals who are being rowdy will be politely asked to respect the neighbourhood, with particular reference to closing time. Anybody found committing a crime will be reported to the Police.

9. The operating schedule indicates that the following measures will be adopted in order to promote the licensing objective regarding public safety:-

Challenge 25 will operate at the premises and anybody who cannot provide appropriate identification will be refused the sale of alcohol. A zero tolerance approach to drugs will be adopted and offenders will be reported to the Police. CCTV will monitor activities in the bar and café area. Anybody who appears to be intoxicated will be refused the sale of alcohol, and any known alcoholics will be refused alcohol. There will be no irresponsible alcohol promotions and small measures will be available.

10. The operating schedule indicates the following measures will be adopted in order to promote the licensing objective regarding the prevention of public nuisance.

Customers leaving the premises will be engaged by staff and made aware they are in a residential development so to respect our neighbour's. Closing time will be staggered so as to prevent a mass exit from the premises. Any customer that disregards these measures will be engaged further by the designated premises supervisor or a trained member of staff. Any customers on the premises that start to become overly intoxicated will be refused the further sale of alcohol.

11. The operating schedule indicates that the following measures will be taken in order to promote the licensing objective regarding the protection of children from harm.

Staff selling alcohol at the premises will be given regular training and on occasion will be tested in the terms of the Challenge 25 policy. If a voluntary test purchasing campaign is launched the applicant will volunteer the business. The challenge 25 policy will be clearly displayed and appropriate measures will be taken if staff fails to maintain this stance. New or inexperienced staff will be provided with training and will be supervised. CCTV of the bar area will be monitored regularly.

12. Copies of this application have been served on all of the statutory bodies which have attracted no representations.

13. Representations have been received from an interested party based on the licensing objectives that relates to public safety, the prevention of public nuisance and the protection of children from harm.

14. In carrying out the statutory function, the Licensing Authority must promote the licensing objectives as defined in the Licensing Act 2003:-

The prevention of crime and disorder  
Public safety  
The prevention of public nuisance  
The protection of children from harm

15. The decision that the Committee can make for this application is to

Grant the application  
Modify the application by inserting conditions  
Remove a licensable activity from the application  
Refuse to specify a person in the licence as the designated premises supervisor  
Reject the application

16. When determining an application due regard should be given to the Council's licensing policy and the Secretary of State's Guidance issued in accordance of the Act.

17. The relevant sections of the Council's licensing policy are:-

4.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. If representations are made applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified, and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

4.2 When addressing the issue of public safety, an applicant should consider those factors that impact on the standards of public safety. These may include:

- The occupancy capacity of the premises
- The age, design and layout of the premises, including means of escape in the event of fire.
- The nature of the licensable activities to be provided, in particular the sale or supply of alcohol, and/or the provision of music and dancing and including whether those are of a temporary or permanent nature.
- The hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different).
- Customer profile (e.g. age, disability).
- The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.

4.3 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, in the event that representations are received, having regard to their particular type of premises and/or activities:

- Suitable and sufficient risk assessments
- Effective and responsible management of premises
- Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- Adoption of best practice guidance (e.g. Guide to Fire Precautions in Existing Places of Entertainment and Like premises, The Event safety Guide, Safety in Pubs published by BBPA)
- Provision of effective CCTV in and around the premises
- Provision of toughened or plastic drinking vessels
- Implementation of crowd management measures
- Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety

5.1 Licensed premises have a significant potential to adversely impact on communities through public nuisances that arise from their operation. The Licensing Authority wishes to proactively maintain and protect the amenity of residents and other businesses from the potential consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide

5.2 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area

5.3 Applicants need to be clear that the Licensing Authority may apply stricter conditions, including controls on licensing hours where licensed premises are in or near residential areas and where relevant representations have been received. Conversely premises which can demonstrate that they have effective measures planned to prevent public nuisance, may be suitable for 24 hour opening

5.5 The Licensing Authority does recognise that in some circumstances flexible licensing hours may help to avoid concentrations of customers leaving premises simultaneously and could reduce the potential for disorder. It also recognises that licensing hours should not inhibit the development of safe evening and night time local economies. However, the Authority will always seek to balance their decisions with the duty to promote the four licensing objectives and the rights of residents to peace and quiet.

5.6 If representations are made applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been

identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events

5.7 When addressing the issue of prevention of public nuisance, the applicant should consider those factors that impact on the likelihood of public nuisance. These may include:

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship
- the hours during which the licensable activities will be carried out particularly between 23.00 and 07.00 hours
- the closing time of the premises
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside the premises
- the design and layout of premises and in particular the presence of noise limiting features
- the occupancy capacity of the premises
- the availability of public transport

Applicants for licences which include regulated entertainment will be aware of the potential of such entertainment to cause a public nuisance by reason of noise from the premises. If representations are made or a review is called for the Authority may consider imposing a condition to the effect that the licence shall take measures to ensure that music will not exceed a prescribed decibel limit at the boundaries of certain properties or within a location described in the condition. What may be an acceptable level of noise may vary from location to location or depending on that time of day as perception of noise is affected by background noise levels. Directions given under the Noise Act 1996 provide that the permitted level for the purposes of that Act is 34 decibels where the underlying noise level does not exceed 24 decibels or 10 decibels above underlying noise levels in any other case. In the event that representations are received and the Authority concludes that a noise limiting condition is required the starting point for such a condition would be 34 decibels. If an applicant wishes to contend that a higher limit is appropriate then the Authority would expect the applicant to provide a noise survey to support such a contention.

6.1 The protection of children from harm is a most important issue. While it is hoped that family friendly premises will thrive, the risk to children remains a paramount consideration when determining applications.

6.2 The general relaxation in the Licensing Act giving accompanied children greater access to licensed premises is a positive step, aimed at bringing about a social change in family friendly leisure. Clearly this relaxation places additional responsibilities upon licence holders. However, it is also recognised that parents and others accompanying children also have responsibilities.



- 6.4 The Licensing Authority considers that there should be no presumption of giving or preventing children's access to licensed premises. The licensing Authority will rarely impose bans on access to children. If representations are made then in exceptional circumstances, conditions restricting access or excluding children completely may be considered necessary. Where no licensing restriction is necessary, admission of children will remain entirely a matter for the discretion of the individual licensee or club or person who has given a temporary notice.
- 6.5 If representations are made applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events.
- 6.7 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedule. In the event of representations are received, having regard to their particular type of premises and/or activities. These examples can be adopted in any combination:
- Effective and responsible management of the premises
  - Provision of a sufficient number of people employed or engaged to secure the protection of children from harm
  - Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
  - Adoption of best practice guidance (Public Places Charter, The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks)
  - Limitations on the hours when children may be present, in all or parts of the premises
  - Limitations or exclusions by age when certain activities are taking place
  - Imposition of requirements for children to be accompanied by an adult
  - Measures to ensure children do not purchase, acquire or consume alcohol
  - Measures to ensure children are not exposed to incidences of violence or disorder
18. The relevant sections of the guidance issued by the Secretary of State are:-
- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime

and disorder objective. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness of hygiene.

- 2.11 Licence holders should make provision to ensure that premises users safely leave their premises.

Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

- 2.20 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from the premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden on smaller venues.

- 2.22 Where applications have given rise to representations, for appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address and disturbance anticipated as customers enter and leave.

- 2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

- 2.25 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider

harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment)

- 2.28 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter premises. Consideration should also be given to the proximity of premises such as schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at the premises, is not displayed at a time when children are likely to be near the premises.
  - 2.29 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
19. If the Committee in their discretion wishes to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relative to the presentations received. Equally, the Committee cannot impose conditions that duplicate the effect of existing legislation.

## Risk Analysis

20.

Risk	Likelihood	Impact	Mitigating actions
1 Either no conditions are attached to the licence or the conditions do not satisfactorily achieve the licensing objectives for public safety, the prevention of public nuisance and the protection of children from harm.	2 There is a possibility that local residents will suffer from crime and disorder and public nuisance even if what appears to be appropriate conditions are imposed.	2 Due to the availability of the review procedure any inconvenience which may be suffered by local residents would be relatively short lived.	In the event of complaints of crime and disorder or noise nuisance being received then Essex Police and/or Environmental Health Officers monitor the situation and apply for a review of the licence if it is considered necessary.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

# Uttlesford District Council



## 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 MICHELLE ANDREA GRIMA  
 (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			
UNIT 6, PRIORS GREEN LOCAL CENTRE BENNETT CANNFIELD			
Post town	DUNMOW	Postcode	CM6 1YE
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ AWAITING OUTCOME OF ASSESSMENT	

#### 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 * | <input type="checkbox"/> please complete section (B)            |
| 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  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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 <i>GRIMA</i>			First names <i>MICHELLE ANDREA</i>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		<i>REDACTED</i>			
Post town	<i>UNNOWN</i>			Postcode	
Daytime contact telephone number			<i>REDACTED</i>		
E-mail address (optional)		<i>REDACTED</i>			

**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
	03	2014

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)

A 1000 SQUARE FEET PURPOSE BUILT RETAIL UNIT IN A PARADE OF 7 SHOPS (TOTAL) SITUATED ON THE NEW PRIORS GREEN HOUSING ESTATE. THE UNIT WILL OPERATE AS A CAFÉ BAR SERVING HOT & COLD FOOD AND BEVERAGES. WITHIN THE UNIT WILL BE A PURPOSE BUILT COUNTER / BAR FOR THE SALE OF TEAS & COFFEES AND OTHER NON-ALCOHOLIC DRINKS, AS WELL AS BEERS, WINES AND SPIRITS. A FULLY EQUIPPED KITCHEN AND DILETS WILL BE PROVIDED TOWARDS THE REAR OF THE UNIT. THE PARADE OF SHOPS BENEFIT FROM A GO SPACE CAR PARK INFRONT OF THE PREMISES, WITH TREES TO THE REAR. THE PARADE IS POSITIONED BETWEEN THE NEW TAKELEY PRIMARY SCHOOL (TO WEST) AND PRIORS GREEN COMMUNITY CENTRE (TO EAST).

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**

<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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				<b>Please give further details here</b> (please read guidance note 3)	
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
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**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films 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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<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 exhibition of films</u></b> (please read guidance note 4)		
Thur					
Fri					
			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events 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			<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)
Fri			
Sat			
Sun			

**D**

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

E

Live music Standard days and timings (please read guidance note 6)			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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3) WE WISH TO PROMOTE LOCAL MUSICAL TALENT ON OCCASIONS WITHIN THE PREMISES. THIS MAY BE A LOCAL JAZZ GROUP OR GUITARIST, FOR EXAMPLE, HOWEVER THE SIZE OF THE PREMISES DICTATES THAT ANY PERFORMANCES WILL BE RESTRICTED TO 3 OR 4 MUSICIANS IN TOTAL. SOME AMPLIFICATION WILL BE REQUIRED.	Both	<input type="checkbox"/>
Tue					
Wed				<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4) CHRISTMAS EVE : 19.00 TO 00.30 NEW YEARS EVE : 19.00 TO 01.00 BANK HOLIDAY WEEKENDS : 12.00 TO 00.30 (INCL. GOOD FRIDAY) BANK HOLIDAYS (MONDAYS) : 12.00 TO 22.00	
Thur	19.00	23.30			
Fri	19.00	23.30		<b>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</b> (please read guidance note 5)	
Sat	19.00	23.30			
Sun	12.00	22.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	19.00	23.00	<b><u>Please give further details here</u></b> (please read guidance note 3) OCCASIONAL DISCO OR KARAOKE WHICH WILL BE PRE-BOOKED	Both	<input type="checkbox"/>
Tue	19.00	23.00			
Wed	19.00	23.00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4) CHRISTMAS EVE : 19.00 TO 00.30 NEW YEARS EVE : 19.00 TO 01.00 BANK HOLIDAY WEEKENDS : 12.00 TO 00.30 (INC. GOOD FRIDAY) BANK HOLIDAYS (MONDAYS) : 12.00 TO 22.00		
Thur	19.00	23.30			
Fri	19.00	23.30	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	12.00	23.30			
Sun	12.00	23.00			

**G**

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<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 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 provision of late night refreshment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

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</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	07.00	23.45	CHRISTMAS EVE : 07.00 TO 01.00 NEW YEARS EVE : 07.00 TO 01.00 BANK HOLIDAY WEEKENDS : 07.00 TO 01.00 (INC. GOOD FRIDAY) BANK HOLIDAYS (MONDAYS) : 07.00 TO 23.45		
Tue	07.00	23.45			
Wed	07.00	23.45			
Thur	07.00	23.45			
Fri	07.00	23.00			
Sat	07.00	00.00			
Sun	07.00	23.00			
			<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)		

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

Name	MICHELLE ANDREA GRIMA
Address	REDACTED
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	UTTLESFORD DISTRICT COUNCIL

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).**

NO ADULT ENTERTAINMENT WILL BE PROVIDED

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07.00	00.15	CHRISTMAS EVE : 07.00 TO 01.30 NEW YEARS EVE : 07.00 TO 01.30 BANK HOLIDAY WEEKENDS : 07.00 TO 01.30 (INC. GOOD FRIDAY) BANK HOLIDAYS (MONDAYS) : 07.00 TO 00.15
Tue	07.00	00.15	
Wed	07.00	00.15	
Thur	07.00	00.15	
Fri	07.00	00.30	
Sat	07.00	00.30	
Sun	07.00	<del>00.15</del> 23.30	

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)**

**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)**

IN ORDER TO ENSURE ALL FOUR LICENSING OBJECTIVES ARE PROMOTED AT ALL TIMES, A DESIGNATED PREMISES SUPERVISOR WILL BE APPOINTED, WHO WILL ALSO HOLD A PERSONAL LICENCE. ALL STAFF WHO WILL SERVE THE PUBLIC WILL BE GIVEN TRAINING ON THE OBJECTIVES, AND AFTER A PROBATION PERIOD WILL BE ENCOURAGED TO ACHIEVE THEIR OWN PERSONAL LICENCE. REASONABLE STEPS WILL BE TAKEN AT ALL TIMES TO PREVENT ANY BREACH OF THE OBJECTIVES.

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

CCTV WILL BE PRESENT IN THE PUBLIC AREAS OF THE PREMISES, AND FULL TIME STAFF WILL BE GIVEN TRAINING IN THIS. A ZERO TOLERANCE APPROACH TO DRUGS WILL BE ADOPTED, AND AGAIN STAFF WILL BE GIVEN TRAINING IN THIS REGARD. ANY CUSTOMER WHO APPEARS INTOXICATED WILL BE REFUSED ALCOHOL AND IF REQUESTED THEY WILL BE ASKED TO LEAVE THE PREMISES. ANY GROUPS OR INDIVIDUALS WHO ARE BEING ROWDY WILL BE POLITELY ASKED TO RESPECT THE NEIGHBOURHOOD, WITH PARTICULAR REFERENCE TO CLOSING TIME. ANYBODY FOUND COMMITTING A CRIME WILL BE REPORTED TO THE POLICE.

**c) Public safety**

'CHALLENGE 25' WILL OPERATE AT THE PREMISES, AND ANYBODY WHO CANNOT PROVIDE APPROPRIATE IDENTIFICATION WILL BE REFUSED THE SALE OF ALCOHOL. A ZERO TOLERANCE APPROACH TO DRUGS WILL BE ADOPTED AND OFFENDERS WILL BE REPORTED TO THE POLICE. CCTV WILL MONITOR ACTIVITIES IN THE BAR AND CAFÉ AREA. ANYBODY WHO APPEARS INTOXICATED WILL BE REFUSED THE SALE OF ALCOHOL, AND ANY 'KNOWN' ALCOHOLICS WILL ALSO BE REFUSED ALCOHOL. THERE WILL BE NO IRRESPONSIBLE ALCOHOL PROMOTIONS, AND SMALL MEASURES WILL BE AVAILABLE.

**d) The prevention of public nuisance**

CUSTOMERS LEAVING THE PREMISES WILL BE ENGAGED BY STAFF AND MADE AWARE THEY ARE IN A RESIDENTIAL DEVELOPMENT, SO TO RESPECT OUR NEIGHBOURS. CLOSING TIME WILL BE STAGGERED, SO AS TO PREVENT 'MASS EXIT' FROM THE PREMISES. ANY CUSTOMER THAT DISREGARDS THESE MEASURES WILL BE ENGAGED FURTHER BY THE DESIGNATED PREMISES SUPERVISOR OR A TRAINED MEMBER OF STAFF. ANY CUSTOMERS ON THE PREMISES THAT START TO BECOME OVERLY INTOXICATED WILL BE REFUSED THE FURTHER SALE OF ALCOHOL.

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

STAFF SELLING ALCOHOL AT THE PREMISES WILL BE GIVEN REGULAR TRAINING AND ON OCCASION WILL BE TESTED IN TERMS OF THE 'CHALLENGE 25' POLICY. IF A VOLUNTARY TEST PURCHASING CAMPAIGN IS LAUNCHED, I WILL VOLUNTEER THE BUSINESS. THE 'CHALLENGE 25' POLICY WILL BE CLEARLY DISPLAYED AND APPROPRIATE MEASURES WILL BE TAKEN IF STAFF FAIL TO MAINTAIN THIS STANCE. NEW OR INEXPERIENCED STAFF WILL BE PROVIDED WITH TRAINING AND WILL BE SUPERVISED. CCTV OF THE BAR AREA WILL BE MONITORED REGULARLY.

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.

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**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	REDACTED
Date	3/2/14
Capacity	OWNER OF SULAR'S CAFE BAR AND DESIGNATED PREMISES SUPERVISOR.

**For joint applications, signature of 2<sup>nd</sup> applicant 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	

## Amanda Turner

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**From:** jane heskey <takeley.pc@ntlworld.com>  
**Sent:** 03 March 2014 16:05  
**To:** Licensing  
**Subject:** License Application - Sugar Cafe, Priors Green  
**Attachments:** License Application - Sugar Cafe, Priors Green - March 2014.doc

FOA: Murray Hardy  
Licensing Officer

Please see attached representation from Takeley PC.

*Jane Heskey*

Clerk to Takeley Parish Council  
Email:takeley.pc@ntlworld.com



# TAKELEY PARISH COUNCIL

Station House, Sycamore Close, Takeley, Essex, CM22 6QA

[www.takeleypc.co.uk](http://www.takeleypc.co.uk)

Mr. Murray Hardy,  
Licensing Officer  
Uttlesford District Council,  
Council Offices,  
London Road,  
Saffron Walden,  
Essex CB11 4ER

28th February 2014

## **SUGAR CAFE & BAR, UNIT 6 PRIORS GREEN LOCAL CENTRE**

In response to the application for a licence for the above premises, Takeley Parish Council (TPC) makes representation as follows:-

Whilst TPC supports the use of the premises as a daytime cafe to provide a facility for local residents, TPC **objects to a licensed 'bar'** and the sale of alcohol and a food takeaway facility should be prohibited for the following reasons:

### **1. Public safety**

The site is adjacent to Takeley Primary School. The school, community hall, and retail units share a communal parking area (68 spaces). Any function that promotes more than very short stay parking will overburden already pressurised parking facilities, which would risk public safety.

During morning and afternoon periods (Mon-Friday term time) primary age children are within the car park area. The school has no on site parent parking or drop off/pick up point. The local centre communal car park is the designated stopping place for parents that drive to school. It is imperative that the safety of children walking in the car park area is paramount.

There are insufficient parking spaces in the communal car park to provide for long stay (1 hour +) parking. The impact of extended stay parking in the car park would lead to additional congestion on the local roads (Bennet Canfield etc) which is already problematic. Bennet Canfield is a main artery through the development which carries much of the local traffic and is also the bus route. It is therefore vital to prevent parked cars on the highway to protect public safety; specifically children travelling/walking to/from school.

### **2. The prevention of public nuisance**

Granting of an alcohol license is not appropriate in this densely populated residential area; which includes the adjacent primary school site. The proposed extended opening hours and resultant late night use of the car park will create a level of noise that is inappropriate for a densely populated residential area.

### **3. The protection of children from harm**

As per item 1.

### **4. Prevention of crime & disorder**

Granting of an alcohol license is not appropriate in this densely populated residential area; which includes the adjacent primary school site.

TPC recommend that UDC officers/ Licensing Committee undertake a site visit to appreciate the close proximity of Takeley Primary School and dwellings.

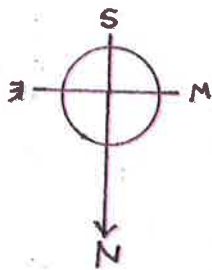
*Jane Heskey*

Jane Heskey  
Clerk to Takeley Parish Council  
Phone: 020 8270 1149  
Email: [Takeley.pc@ntlworld.com](mailto:Takeley.pc@ntlworld.com)

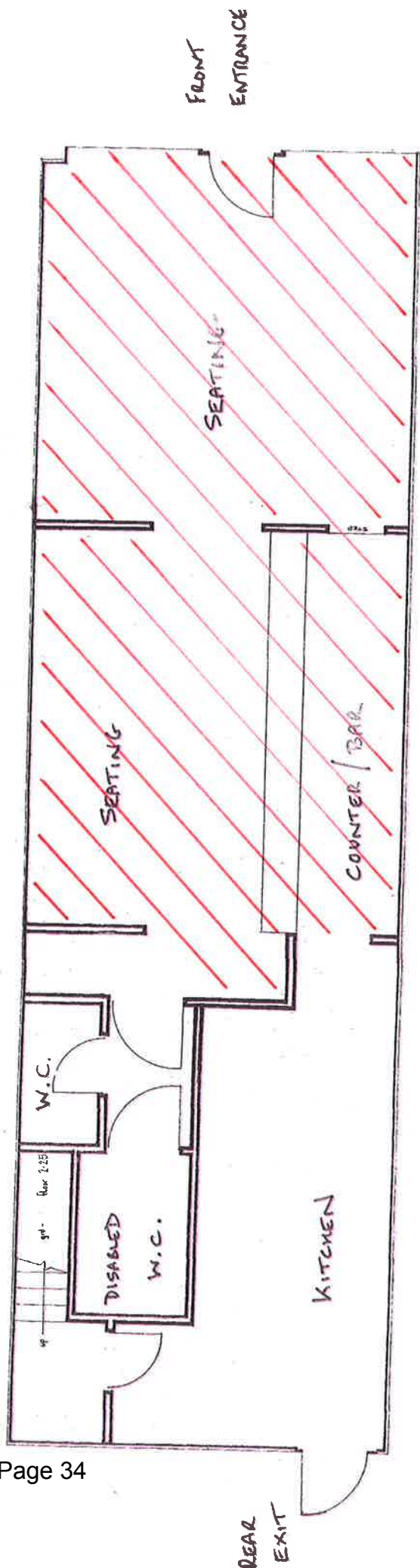
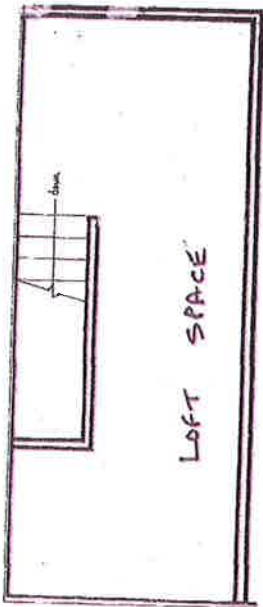




SUGARS CAFÉ BAR  
 UNIT 6, PRIORS GREEN LOCAL  
 CENTRE, BENNETT CANNED, DUNMOW  
 GROUND FLOOR & LOFT PLAN  
 - PREMISES LICENCE APPLICATION  
 3 FEBRUARY 2014



SCALE  
 100.0  
 1 Metre



TOTAL FLOOR SPACE 990 SQ. FEET