



## Public Document Pack

# Uttlesford District Council

Chief Executive: Peter Holt

## Licensing Panel Hearing

**Date:** Monday, 14th November, 2022

**Time:** 2.00 pm

**Venue:** Council Chamber - Council Offices, London Road, Saffron Walden,  
CB11 4ER

**Chairman:** **Councillor P Lavelle**

**Members:** Councillors M Caton, A Dean, G Driscoll, R Freeman (Vice-Chair),  
P Lees, J Lodge, L Pepper, **G Smith** and **M Tayler**

# **AGENDA**

## **PART 1**

### **Open to Public and Press**

**1 Apologies for Absence and Declarations of Interest**

To receive any apologies for absence and declarations of interest.

**2 Application for a Premises Licence**

3 - 74

To consider the application for a premises licence for Stone and Coal, Warwicks, White Roding.

**For information about this meeting please contact Democratic Services**

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# Agenda Item 2

**Committee:** Licensing and Environmental Health Committee

**Date:** 14 November 2022

**Title:** Application for a Premises Licence  
Stone & Coal, Warwicks, White Roding, Dunmow,  
CM6 1RU

**Report Author:** Karen James, Licensing Support Officer

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## Summary

1. The application before the panel today is for the grant of a Premises Licence for Stone and Coal. The application is dated 30 September 2022 and is made by New Horizon Events Co. This report sets out details of that application for the Premises Licence in respect of Warwicks, White Roding, Dunmow, CM6 1RU. Representations have been made in response to this application by: Richard & Phillipa Marriage, Chris & Judy Strong, Michael & Jeanette McNamara, Cllr Mark Lemon and Natalie North, as well as letters in support from Mr & Mrs Stavri, Sascha Chaston, Mr N Deakin, Nikki & Paul Flood, Mr Richard Connor and Gary Swaile. As a consequence of these responses the matter has been referred to the Committee for adjudication.
2. Warwicks is situated in the village of White Roding. Plans showing the layout and location of the premises are attached as Appendix B.
3. The options open to the Committee are set out by law, and are:
  - To grant the application
  - To modify the application by inserting conditions
  - To reject the whole or part of the application

## Recommendations

4. The application is determined

## Financial Implications

5. None

## Background Papers

- A. Premises Licence Application (Appendix A)
- B. Plans of the Premises (Appendix B)
- C. Representations from Richard & Phillipa Marriage –White Roding (Appendix C)
- D. Representations from Michael & Jeanette McNamara –Leaden Roding (Appendix D)
- E. Representations from Chris & Judy Strong–White Roding (Appendix E)
- F. Representations from Cllr Mark Lemon– Cllr for Hatfield Heath (Appendix F)
- G. Representation from Natalie North - White Roding (Appendix G)
- H. Notice of support from Mr & Mrs Stavri –White Roding (Appendix H)
- I. Notice of support from Sascha Chaston –White Roding (Appendix I)
- J. Notice of support from Mr N Deakin –White Roding (Appendix J)

- K. Notice of support from Nikki & Paul Flood –White Roding (Appendix K)
- L. Notice of support Mr Richard Connor – Hatfield Heath (Appendix L)
- M. Notice of support from Mr Gary Swaile –Sheering (Appendix M)
- N. No Objection from the Police but requesting standard conditions imposed. (Appendix N)
- O. Responses from Planning and Environmental Health & Protection Teams (Appendix O)
- P. Uttlesford District Council Statement of Licensing Act 2003 Policy 2017 –22 (Appendix P)

## Impact

Communication/Consultation	Details of the application was conveyed to all relevant responsible authorities. A blue public notice was displayed on the premises for the required timeframe and a public notice was placed in a local publication circulated within the area of the premises.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	Under Article 1 First Protocol to the European Convention on Human Rights everyone is entitled to 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 imposition of conditions under the Licensing Act 2003 is a legitimate interference with this right in this context. 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
Sustainability	None
Ward-specific impacts	'The Rodings' being the ward within which the premises are situated
Workforce/Workplace	None

## Situation

6. This premises is in the grounds of a residential home. The applicants are trading as café during the day and an outdoor restaurant during the evening. 7 previous events involving the sale of alcohol have been covered by Temporary Event Notices, which have all passed without incident or any direct complaint to either the Police or Environmental Health at the time. The applicant would also like to be able to facilitate occasional private events, and any additional licensing activities/times required, will be covered by application of a Temporary Event Notice. The premises will be open from 08:00 every day till the evening 7 days a week. The premises is situated in the



rural village of White Roding, Dunmow. There are no immediate residential properties bordering the restaurant site, though there are other residential premises in the vicinity. The proposed licensable activities and times can be read on page 5 of the application form. (Appendix A). At the end of the consultation period the applicant offered the opportunity for a mediation meeting to those individuals opposing his application, to try and resolve some of the issues raised. This offer was rejected in writing by Mr & Mrs McNamara, Mr & Mrs Strong and accepted by Mr & Mrs Marriage only on the condition that planning permission had already been granted.

7. The proposed licensable activities are below:
  - i. Recorded Music
  - ii. Late night Refreshment
  - iii. Supply of Alcohol
8. Copies of this application have been served on all the statutory bodies and this did attract correspondence from Essex Police based on the Crime and Disorder and Protecting Children from Harm objectives. An agreement was reached to add conditions (Appendix L) and comments from Uttlesford Planning and Environmental Health (Appendix O)
9. The statutory notices attracted representations listed in the background papers.
10. In carrying out its statutory function, the Licensing Authority must promote the licensing objectives as set out in the Licensing Act 2003. These are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
11. There is no hierarchy of importance among the objectives, and all must be given equal weight.
12. The decisions that the Committee can make in respect of this application are to:
  - Grant the application
  - Modify the application by inserting conditions
  - Reject the whole or part of the application
13. 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 with the 2003 Act.
14. The Secretary of State's Guidance provides at paragraphs 10.8 and 10.10 the following assistance for members:
  - 10.8 "The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more

of the four licensing objectives. In order to promote the crime prevention licensing objective conditions must be included that are aimed at preventing illegal working in licensed premises.”

10.10 “The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions.”

15. If the Committee’s decision is to impose conditions, the only conditions that can be imposed are those that are necessary and proportionate to promote the licensing objective relevant to the representations received. Furthermore, the Committee should not impose conditions that duplicate the effect of existing legislation.

<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigating Actions</b>
1 Either no conditions are attached to the licence, or the conditions do not satisfactorily achieve the licensing objectives the prevention of public nuisance	2 There is a possibility that local residents will suffer from public nuisance even if what appears to be appropriate conditions are imposed.	2 Due to the availability of the review procedure and inconvenience which may be suffered by local residents would be relatively short lived.	In light of the objections received to this application members should consider if this meets the licensing objectives

- 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 SAMMY JAMES FORWAY

*(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			
WARWICKS WHITE RODING			
<b>Post town</b>	DUNMOW	<b>Postcode</b>	CM6 1RU

Telephone number at premises (if any)	07717 756 140
Non-domestic <a href="#">rateable</a> value of premises	£ NIL

#### Part 2 - Applicant details

Please state whether you are applying for a premises [licence](#) as **Please tick as appropriate**

- a) an individual or individuals \*  please complete section (A)

- b) a person other than an individual \*
- i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  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 (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	<u>Ms</u> <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>	I am 18 years old or over <input type="checkbox"/>		Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	<u>Ms</u> <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					

Post town		Postcode	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**(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 NEW HORIZON EVENTS CO LTD
Address FLAT 34 25 ROBSART STREET LONDON SW9 0FA
Registered number (where applicable) 12445286
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 07717 756 140
E-mail address (optional) INFO@EVENTHORIZON.EVENTS

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	1	1
0	2	0
2	2	2

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)

THE PREMISES IS A POP UP CAFÉ DURING THE DAY AND RESTAURANT IN THE EVENING SITUATED OUTDOORS, AT THE BACK END OF OUR PRIVATE GARDEN. IT IS FENCED OFF WITH IT'S OWN ENTRANCE AND FACILITIES.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finis h		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
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 6)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finis h	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			<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 6)
<u>Thur</u>			
Fri			
Sat			
Sun			

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finis h			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

## E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finis h		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Wed			<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 6)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri			<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 6) OCCASIONAL RECORDED MUSIC PLAYED AT A REASONABLE LEVEL WHEN THE AREA IS HIRED FOR PRIVATE EVENTS E.G. WEDDING RECEPTIONS, BIRTHDAYS, PRIVATE DINNERS, CHRISTMAS, NEW YEARS EVE ETC. E.G. TO 2AM ON THURSDAY, FRIDAY, SATURDAY.		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
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 6)		
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 7)			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 3)	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 4)		
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 5)		
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 6)		
Sun					



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of <u>late night</u> refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the provision of <u>late night</u> refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of <u>late night</u> refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6) OCCASIONAL <u>LATE NIGHT</u> REFRESHMENT WHEN THE AREA IS HIRED FOR PRIVATE EVENTS E.G. WEDDING RECEPTIONS, BIRTHDAYS, PRIVATE DINNERS E.G. TO 2AM OR HOLIDAYS SUCH AS CHRISTMAS, NEW YEARS EVE E.G. TO 3AM.		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	<u>Finis</u> h		Both	<input checked="" type="checkbox"/>
Mon	11.00	23.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) WE WILL FOCUS ON TAKE AWAYS DURING THE WINTER MONTHS DUE TO THE OUTDOOR NATURE OF THE BUSINESS. WE WOULD LIKE TO INCLUDE THE PURCHASE OF ALCOHOL WITH FOOD ORDERS ONLY – FOR COLLECTION TO BE CONSUMED OFF PREMSIS.		
Tue	11.00	23.00			
Wed	11.00	23.00			
<u>Thur</u>	11.00	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 6)		
Fri	11.00	00.00			
Sat	09.00	00.00			
Sun	09.00	22.30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b> SAMMY JAMES FORWAY	
<b>Date of birth</b> 29/6/1975	
<b>Address</b> WARWICKS WHITE RODING DUNMOW	
<b>Postcode</b>	CM6 1RU
<b>Personal licence number (if known)</b> 843041	
<b>Issuing licensing authority (if known)</b> SOUTHWARK 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 9).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance <a href="#">note 7</a> )			<b>State any seasonal variations</b> (please read guidance note 5)  <b>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</b> (please read guidance <a href="#">note 6</a> ) OCCASIONAL LATE NIGHTS WHEN THE AREA IS HIRED FOR PRIVATE EVENTS E.G. WEDDING RECEPTIONS, BIRTHDAYS, PRIVATE DINNERS E.G. TO 2AM OR HOLIDAYS SUCH AS CHRISTMAS, NEW YEARS EVE <a href="#">E.G.</a> TO 3AM.
Day	Start	Finish	
Mon	08.00	23.00	
Tue	08.00	23.00	
Wed	08.00	23.00	
Thur	08.00	23.00	
Fri	08.00	00.00	
Sat	09.00	00.00	
Sun	09.00	22.30	

## 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 10)

WE WILL PROMOTE THE STRICT TIMINGS AND THE USE OF REASONABLE LEVEL OF MUSIC BEFORE BOOKING AN EVENT.  
EACH PRIVATE EVENT COMES WITH AN EVENT RUNNING SHEET STIPULATING THE PARAMETERS OF THE EVENT SIGNED BY THE CLIENT AT THE TIME OF BOOKING.  
WE WILL HAVE SIGNS AROUND THE BAR AND ON OUR MENUS WITH LAST ORDER TIMES.  
WE SELL 125MLS AND 175 MILS OF WINE AND SCHOONER SIZE BEERS ONLY.  
A PERSONAL LICENSE HOLDER WILL BE ON THE PREMISES AT NIGHT TIME.

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

WE WILL HAVE SIGNS SHOWING THE AGE RESTRICTION FOR THE SALE OF ALCOHOL IN LINE WITH THE LEGAL REQUIREMENTS.  
WE ENCOURAGE THE USE OF TAXIS TO AND FROM THE VENUE VIA OUR WEBSITE AND AT ANY EVENT BOOKING.  
WE TRAIN OUR STAFF TO MONITOR THE CONSUMPTION OF ALCOHOL PER CUSTOMER AND CLIENT.  
ALL OF OUR STAFF WILL BE FROM THE HOSPITALITY SECTOR AND FULLY TRAINED IN RESTAURANT AND BAR ETIQUETTE VIA OUR TRAINING MANUAL.

**c) Public safety**

WE WILL HAVE SIGNS SHOWING THE AGE RESTRICTION FOR THE SALE OF ALCOHOL IN LINE WITH THE LEGAL REQUIREMENTS.  
WE ENCOURAGE THE USE OF TAXIS TO AND FROM THE VENUE VIA OUR WEBSITE AND AT ANY EVENT BOOKING.  
WE TRAIN OUR STAFF TO MONITOR THE CONSUMPTION OF ALCOHOL PER CUSTOMER AND CLIENT.

**d) The prevention of public nuisance**

WE WILL HAVE SIGNS SHOWING THE AGE RESTRICTIONS FOR THE SALE OF ALCOHOL IN LINE WITH THE LEGAL REQUIREMENTS.  
WE ENCOURAGE THE USE OF TAXIS TO AND FROM THE VENUE VIA OUR WEBSITE AND AT ANY EVENT BOOKING.  
WE TRAIN OUR STAFF TO MONITOR THE CONSUMPTION OF ALCOHOL PER CUSTOMER AND CLIENT.  
WE WILL ENCOURAGE OUR GUESTS TO LEAVE IN AN ORDERLY AND QUIET FASHION.

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

NO CHILDREN WILL BE ALLOWED ON THE PREMISES AT LATE NIGHT EVENTS UNLESS A WEDDING RECEPTION.  
ALL CHILDREN HAVE TO BE ACCOMPANIED BY AN ADULT.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS**

**APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li></ul>
Signature	
Date	
Capacity	



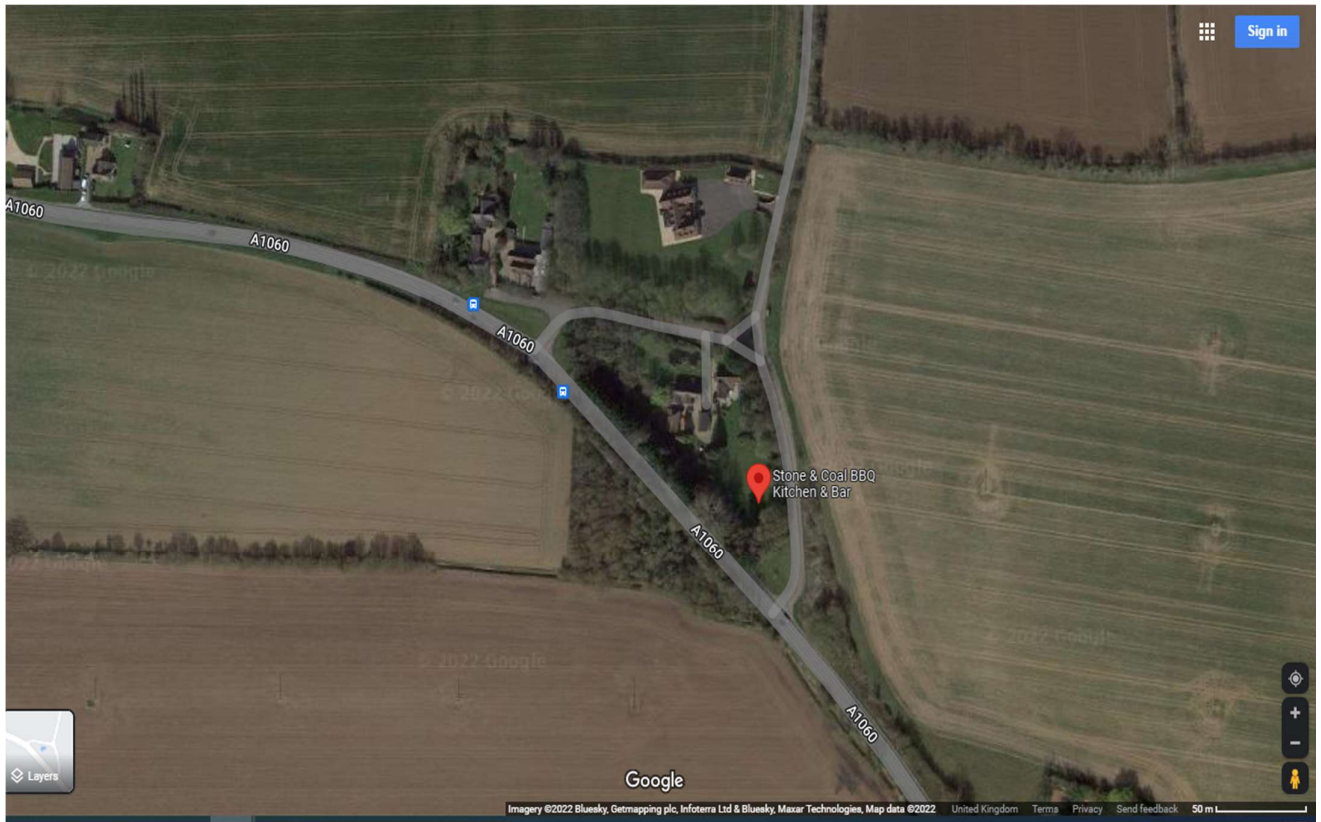
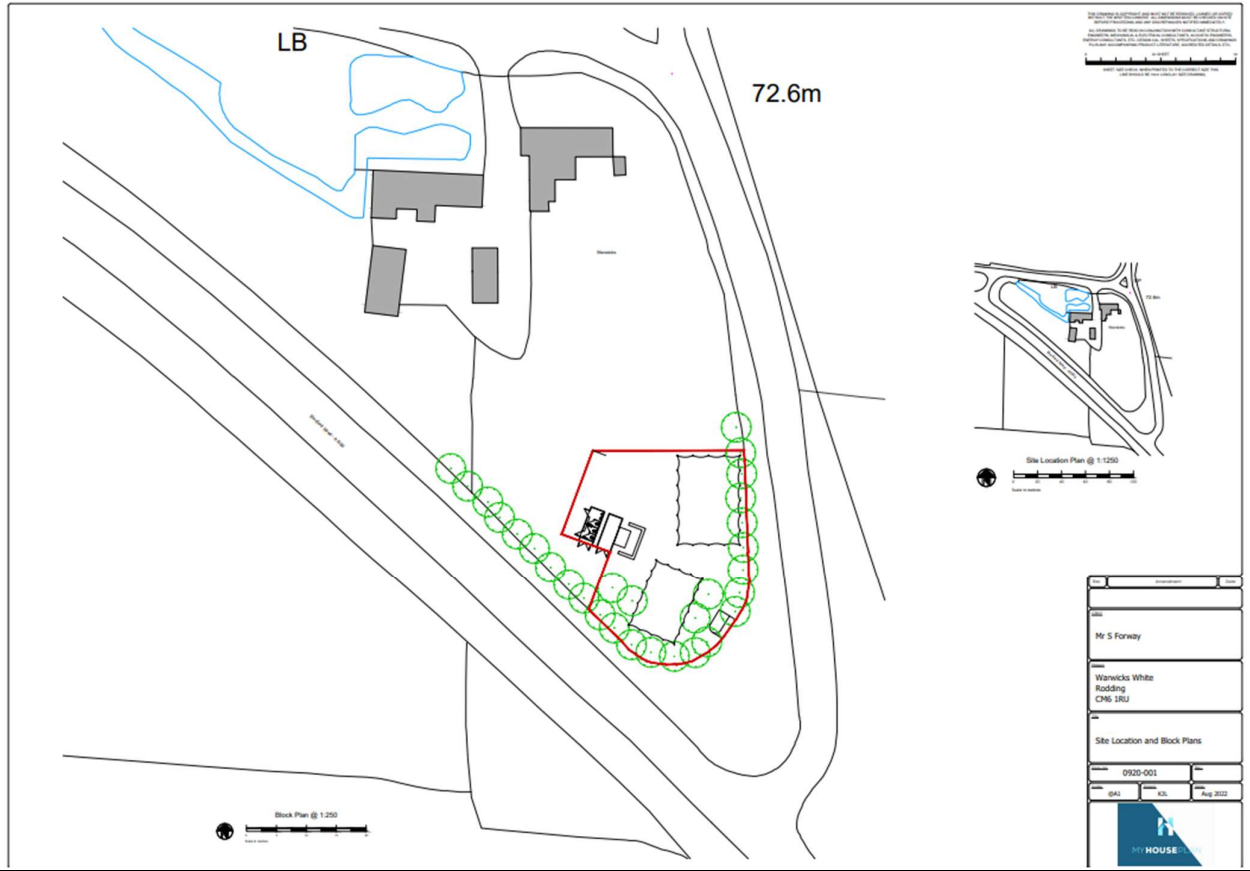
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) SAMMY JAMES FORWAY WARWICKS WHITE RODING			
Post town	DUNMOW	Postcode	CM6 1RU
Telephone number (if any)	07717 756 140		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) INFO@EVENTHORIZON.EVENTS			







Dear Sir/Madam

We are writing to object to the application for a drinks and food licence by New Horizons Events Ltd at Warwicks, White Roding ,CM6 1RU.

Uttlesford licencing policy states “ applications for premises licences for permanent commercial premises should normally be from businesses with appropriate planning consent for the property concerned.”

As far as we are aware the applicants have no planning permission to run a restaurant at this site and should be considered as a commercial premises considering the application is made by a Limited Company.

The applicant’s completion of Box F on the form asks for “OCCASIONAL RECORDED MUSIC PLAYED AT A REASONABLE LEVEL WHEN THE AREA IS HIRED FOR PRIVATE EVENTS E.G. WEDDING RECEPTIONS, BIRTHDAYS, PRIVATE DINNERS, CHRISTMAS, NEW YEARS EVE ETC. E.G. TO 2AM ON THURSDAY, FRIDAY, SATURDAY”. This is virtually a licence to do what they like when they like with no limits on number of occasions or what a reasonable noise level might be.

Uttlesford licencing policy lists as one of its four objectives being to control the Prevention of Public Nuisance. In particular 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.

There are residential properties close to the site and with no control over noise levels considerable nuisance will be caused.

There appears to be no provision made for parking for guests, staff etc and no provision made concerning deliveries to and from the site. This will further lead to nuisance being caused to the nearest neighbours and the general public use of the local highways.

In conclusion this application for a drinks,food and music licence should be refused.

Richard and Philippa Marriage  
White Roding.

Dear Karen

Further to our telephone conversation on 14th October 2022 please accept this email officially expressing our great concerns on the application for the above business.

We live at CM6 1RE and although we are sited as being in the Parish of Leaden Roding we wasn't notified of their plans and applications and this was explained to you on the telephone when we asked why wasn't we notified as we are adjacent to Stone & Coal and have already been inconvenienced by them and their customers.

They have opened up a business without any due care or attention to their neighbours and surrounding properties in this rural hamlet which we have lived in very peacefully over the years. We are greatly concerned about the noise pollution as it is an open structure, the parking element as the main road is a very busy road plus the parking around Warwick's corner and the access for large or emergency vehicles. Adding to our concerns is the trading hours that they have applied for and what that will attract not only in the way of noise disturbance it will cause and also the kind of customer that it will attract in the early hours of the morning!

We understand Stone & Coal do not have a license to serve alcohol but they have already posted on social media pictures of cocktails which are being served so that confirms to us that they feel that they are above the law and will do as they please.

Please consider the impact this business has already caused to the surrounding community and what it will cause going forward before you make your decision.

Yours sincerely

Michael & Jeanette McNamara

## APPENDIX E

20.10.2022

White Roding

Dunmow

Essex CM6 1RU

### OBJECTION

Proposed Licensee Stone & Coal, Warwicks, Warwicks Corner, White Roding, Dunmow, Essex CM6 1RU

Sir/Madam,

In accordance with the Licensing Act 2003 I wish to make representations regarding the proposed above application in accordance to Licensing objectives. However firstly we wish to set out the background:

#### Background

The Applicant without planning permission or consent has established a pop-up bar, café and bbq (pop-up). He continues to be in flagrant breach of planning laws although it is his expressed intention to eventually have a restaurant built on that site. Consequently the premises have not been subject to Health & Safety Executive inspections to ensure the safety of staff and members of the public; there is no disabled access or facilities in breach of the Equalities Act 2010; there is no fire escape route to protect members of the public (especially given he uses live flames and coals, despite the drought conditions the area has faced with Essex Fire Services having to have battles to put out fires during this drought period); there has been no Fire Service inspection; there has been no Police inspection of the premises; there are no Public Liability Certificates suitably displayed as a Limited Company; there is no apparent appropriate waste disposal for commercial waste; and although having traded from the premises in breach of planning since March Environmental Health has only just visited - accordingly the proposed Licensee demonstrates utter contempt for legislation and by-laws. I find it staggering that a Licensing Officer of the Authority believe they can legally issue a Licence to a premises which is not lawful. It is of deep concern that the proposed Licensee having breached all requirements of him is deemed a fit and proper person to have been granted a temporary licence let alone applying for a permanent licence which will clearly be detrimental to the community.

#### Relevant Representations

##### The Prevention of Crime and Disorder

It is evident that we will be subject to drunk and disorderly behaviour in an environment where alcohol and possibly other substances are involved. This is not an acceptable risk to be placed on existing residents as the proposed activity will increase numbers of people, vehicles and other nuisances including urinating in a public place due to the lack of appropriate toilet facilities.

The proposed Licensee demonstrates a disregard for local residents especially having hosted numerous noisy events.

Because of the rural nature of Stone & Coal it makes it untenable for police officers to meaningfully police and support the local communities against possible crime. The police would also have to travel substantial distances in relation to public order offences or disturbance, in other words they could not respond to a major incident rapidly in case of, for example, an affray.

### Public Safety

It is evident from the Authorities own planners that Stone & Coal have neither attempted nor succeeded in obtaining planning permission. All of its conduct and activities are therefore against the Law. We will again re-iterate it is deeply troubling that officers of the Authority have been granting temporary licences without ascertaining the lawful status of Stone & Coal and the public safety as a consequence. As previously stated there is no appropriate entrance or exit and no planning in relation to a fire. It should be noted Warwicks is a Grade II listed thatched cottage which could easily be set on fire by the activities of Stone & Coal. It ignores the greater safety to the public of an unforeseen wild fire given we are surrounded by farmland, shrubberies, hedgerows and mature trees. Many of the premises in close vicinity of Warwicks are timber clad (clapper board, wattle & daub etc) therefore placing residents life and safety at risk. There is no appropriate parking and cars are currently parked randomly which also raises a public safety issue as it blocks roads and escape routes. Furthermore there are no appropriate footpaths or street lighting and people could fall and injure themselves especially if intoxicated. It is also troubling if a car should catch on fire given they are parked close to the barbeque coals. The proposed Licensee's current conduct has put residents lives at risk especially given HSE, the Fire Service and/or the Police Service have not inspected the suitability and safety of an unlawful pop-up café, bar, bbq.

### The Prevention of Public Nuisance

The Licensing Officer to date has shown little regards to the public nuisance caused to residents in a quiet rural community when granting temporary licences. Their decision making is flawed in any circumstance as the proposed Licensee is operating without planning consent so the issuing of the licence in our view could be subject to Judicial Review. Currently we are disturbed by the noise of music; loud voices which carry in a very quiet rural community close to our property and garden. The proposed principle hours of the business late at night is clearly not compatible with this location. There is limited parking available and their customers already cause a nuisance regarding parking. The premises has no parking facilities on its own property, instead customers are parking on grass verges, other people's curtilage and blocking country lanes which provide us, but more importantly, emergency services with access to villagers. The proposed licence suggests a future intent to create a night club which is highly inappropriate for the area and/or an events venue, again all without planning permission of course. The frequent customers who cause a public nuisance with or without intent considerable alarm and distress to those having to tolerate the noise and disruption to people's daily lives. It is also not clear of what additional noises will occur due to the clearing of commercial waste including large amounts of bottles and cans. We are deeply troubled that this licensing application could have even been considered on a premises without appropriate inspections or planning consent.

### The Protection of Children from Harm

We are reliably informed that the noise nuisance from the proposed Licensee is negatively impacting on children and their sleep. Children need to go to school and cannot benefit from appropriate education if too tired. Moreover vehicles parking inappropriately, driving too fast on country lanes and being oblivious to children playing on bikes as they do now has been ignored. Children will also be subject to observing inappropriate adult behaviour worsened by alcohol consumption which is likely to cause them alarm and distress.

Finally, in conclusion, the licence application is wholly inappropriate but moreover cannot be issued as the premises has no planning permission and the current temporary licence for 29<sup>th</sup> October 2022 needs to be revoked immediately as one cannot licence an event on a premises which has no planning consent and is subject to ongoing enforcement. The failure of officers from different departments to liaise between themselves, the Police, HSE and Fire Service let alone the community is simply inappropriate and unacceptable practice. In cause and effect it is unreasonable and amounts to a failure in statutory duties. One cannot undertake decisions in isolation in cases such as these but collectively together. We are aware that the proposed Licensee, like ourselves, will have the right of review at the local Magistrates Court.

Yours faithfully,

Chris and Judy Strong

Dear Sir/Madam,

I wish to object to an Alcohol Licence Application for Warwick's White Roding Essex.

**Prevention of Crime and Disorder.**

Unacceptable behaviour due to sale of Alcohol.(Drunk and disorderly)

No parking available for Diners-cars are parked in narrow rural roads or on other peoples property!

Due to the isolated rural area it is difficult for police to access quickly in an emergency....

**Public Safety**

Stone and Cole have not obtained Planning permission for this establishment. Therefore it's activities and conduct are against the law,

There is no planning of entrances and exits or indeed in relation to Fire regulations. To my knowledge it has not been inspected by either the Fire or Police Service. There are many safety issues when dealing with an unlawful pop-up Cafe, bar and bbq! (Particularly the Kitchen and Bar)

**Prevention of Public Nuisance.**

Currently local residents are disturbed by loud voices and music, bare in mind this is an open air establishment with only canvas sheets overhead! This licence can be until very late or the early hours....Noisy people and their vehicles disturb local residents.....

**The Protection of Children from Harm**

I have been informed that local children are not able to sleep due to the loud voices and on occasions music coming from the gardens of Warwicks also cars park in dangerous positions during the day where children could get hurt whilst playing on their bikes locally.

I do feel that this establishment needs to get planning permission and have inspections that are necessary when opening a place where food is prepared and sold. This should be done before an alcohol licence is issued and some thought given to local residents who chose their homes to enjoy the peace and quiet of the countryside.

Yours sincerely

ClIr Mark Lemon

White Roding

Dunmow

Essex

Cm6 1RY

OBJECTION

Proposed Licensee Stone & Coal, Warwicks, Warwicks Corner, White Roding, Dunmow, Essex CM6 1RU

Sir/Madam,

In accordance with the Licensing Act 2003 I wish to make representations regarding the proposed above application in accordance to Licensing objectives. However firstly we wish to set out the background:

Background

The Applicant without planning permission or consent has established a pop-up bar, café and bbq (pop-up). He continues to be in flagrant breach of planning laws although it is his expressed intention to eventually have a restaurant built on that site. Consequently the premises have not been subject to Health & Safety Executive inspections to ensure the safety of staff and members of the public; there is no disabled access or facilities in breach of the Equalities Act 2010; there is no fire escape route to protect members of the public (especially given he uses live flames and coals, despite the drought conditions the area has faced with Essex Fire Services having to have battles to put out fires during this drought period); there has been no Fire Service inspection; there has been no Police inspection of the premises; there are no Public Liability Certificates suitably displayed as a Limited Company; there is no apparent appropriate waste disposal for commercial waste; and although having traded from the premises in breach of planning since March Environmental Health has only just visited - accordingly the proposed Licensee demonstrates utter contempt for legislation and by-laws. I find it staggering that a Licensing Officer of the Authority believe they can legally issue a Licence to a premises which is not lawful. It is of deep concern that the proposed Licensee having breached all requirements of him is deemed a fit and proper person to have been granted a temporary licence let alone applying for a permanent licence which will clearly be detrimental to the community.

There is signage installed in the land surrounding the property which is an eyesore to both mine and other properties and also vehicles parked on grass verges at all times which I find unacceptable when entering and leaving my property.

I am also in the process of trying to sell my house and as my agent has to tell prospective buyers about any developments in the area it has actually stopped potential buyers from proceeding with the sale of my property as they do not intend to move to an area and subject their children to a place that hold events and where music will be playing until 3am in the morning.

Relevant Representations

The Prevention of Crime and Disorder

We will be subject to drunk and disorderly behaviour in an environment where alcohol and possibly other substances are involved. This is not an acceptable risk to be placed on existing residents as the proposed activity will increase numbers of people, vehicles and other nuisances including urinating in a public place due to the lack of appropriate toilet facilities.

The proposed Licensee demonstrates a disregard for local residents especially having hosted numerous noisy events already.

Because of the rural nature of Stone & Coal it makes it untenable for police officers to meaningfully police and support the local communities against possible crime. The police would also have to travel substantial distances in relation to public order offences or disturbance, in other words they could not respond to a major incident rapidly in case of, for example, an affray.

#### Public Safety

Stone & Coal have neither attempted nor succeeded in obtaining planning permission. Its conduct and activities are therefore against the Law. It is deeply troubling that officers of the Authority have been granting temporary licences without ascertaining the lawful status of Stone & Coal and the public safety as a consequence. There is no appropriate entrance or exit and no planning in relation to a fire. It should be noted Warwicks is a Grade II listed thatched cottage which could easily be set on fire by the activities of Stone & Coal. Many of the premises in close vicinity of Warwicks are timber clad and timber framed including my own property therefore placing residents life and safety at risk. There is no appropriate parking and cars are currently parked randomly which also raises a public safety issue as it blocks roads and escape routes. Furthermore there are no appropriate footpaths or street lighting and people could fall and injure themselves. The proposed Licensee's current conduct has put residents lives at risk especially given HSE, the Fire Service and/or the Police Service have not inspected the suitability and safety of an unlawful pop-up café, bar, bbq.

#### The Prevention of Public Nuisance

The Licensing Officer to date has shown little regards to the public nuisance caused to residents in a quiet rural community when granting temporary licences. Their decision making is flawed in any circumstance as the proposed Licensee is operating without planning consent so the issuing of the licence in our view could be subject to Judicial Review. Currently we are disturbed by the noise of music; loud voices which carry in a very quiet rural community close to our property and garden. The proposed principle hours of the business late at night is clearly not compatible with this location. There is limited parking available and their customers already cause a nuisance regarding parking. The premises has no parking facilities on its own property, instead customers are parking on grass verges, other people's curtilage and blocking country lanes which provide us, but more importantly, emergency services with access to villagers. The proposed licence suggests a future intent to create a night club which is highly inappropriate for the area and/or an events venue, again all without planning permission of course. The frequent customers who cause a public nuisance with or without intent considerable alarm and distress to those having to tolerate the noise and disruption to people's daily lives. It is also not clear of what additional noises will occur due to the clearing of commercial waste including large amounts of bottles and cans. We are deeply troubled that this licensing application could have even been considered on a premises without appropriate inspections or planning consent.

#### The Protection of Children from Harm

Granting this license will have an impact on the both mine and other children in the area that could normally play and walk out around the area. There will be vehicles parking inappropriately, driving too fast on country lanes and being oblivious to children playing on bikes. Children will also be subject to observing inappropriate adult behaviour worsened by alcohol consumption which is likely to cause them alarm and distress. There will be vehicles pulling in the turnings at all time through out the night with drop-offs and pick ups which will disrupt sleep.

Finally, in conclusion, the licence application is wholly inappropriate but moreover cannot be issued as the premises has no planning permission and the current temporary licence for 29<sup>th</sup> October 2022 needs to be revoked immediately as one cannot licence an event on a premises which has no planning consent and is subject to ongoing enforcement. The failure of officers from different departments to liaise between themselves, the Police, HSE and Fire Service let alone the community is simply inappropriate and unacceptable practice. In cause and effect it is unreasonable and amounts to a failure in statutory duties.

Yours faithfully,

Natalie North & James White



To whom it may concern ,

My Wife and I live in the village of White Roding and have done so for 8 years now.

We have enjoyed and continue to enjoy village life but only have limited options in regards to walking to local shops and a restaurant nearby.

We were very excited when we found a new cafe/restaurant called the daily grind very close to us which we have been visiting regularly.

On our last visit we was very upset when the owner told us he was having difficulty obtaining a licence to proceed further with the restaurant Stone & Coal !

Surely this restaurant is a positive for the village which at present does not have much in it.

The location of the premises is perfect for the public and the new business as it does not affect any residential buildings nearby because of its location.

I do hope the restaurant can proceed with its licence very soon and the owner and business has our full backing and support now and going forward .

Best regards,

Mr & Mrs Stavri

Chelmsford road

White Roding

CM6 1RF

Hello

I am a resident of White Roding village.

My address is.

I would like this email noted as support for any application made by the business, The Daily Grind.

I have visited the Daily Grind for coffee on numerous occasions. My son and his partner (in their early 20s) have also used for a 'coffee stop' regularly.

We love it and the potential for it to extend its business can only be a positive. With a food rating of 5 which gives confidence also.

We are all in agreement that White Roding needs the Daily Grind. A village needs to evolve, grow and keep with the times !

It is quite clear how much effort, enthusiasm, time and money has been put into making this a lovely spot to stop.

It's great to have a choice of places to go , for all ages.

A place that no doubt uses local businesses for its products and produce and perhaps hopefully may offer employment.

Surely at this time, especially, this can only be a positive.

Set in the perfect position, with no annoyance to anyone.

It has our full support.

Sascha Chaston

APPENDIX J

Date 21/10/22

Mr Deakin

White Roding, Essex CM6 1RF.

Ref THE DAILY GRIND in White Roding.

Attention Ms James, mail kjames@uttlesford.gov.uk

Reference to new social Café/restaurant in White Roding.

My statement, i am in favour of small businesses in rural settings.

Hello, I wish to make a clear statement of support of a new Café that has opened in our village, its called, The Daily Grind.

I was delighted when I discovered there was a new social café/restaurant opening and I popped along to investigate.

I can only say I was chuffed to find such a wholesome eatery set up on my doorstep, it is an excellent concept and is set out to be comfortable,

I have visited a few times now and have only praise for their efforts.

I am mid 60s so I am appreciative of a place that offers coffee n cake as well as a drink and a meal in civil pleasant surroundings.

I have however been made aware that a local group have decided it's not to their liking.

I for one will state that this Café/bar brings a much-needed social meeting place. I hope that whether or not this business survives will be decided by its own merits and not by a small group of villagers.

Please allow the council to carry out its civil duty and make the right decision.

Please let common sense prevail and allow this business a chance to progress.

Yours Mr M N Deakin

Hello

I am writing to you in support of a new local business that has recently opened up here in White Roding. Sammy Forway opened Stone and Coal earlier this year, we feel this lovely little restaurant is a well needed and welcome addition to White Roding village.

My husband and I have eaten there several times now for breakfast, lunch and dinner. Sammy has worked very hard to make sure that all his customers have a enjoyable experience and a very tasty meal which is cooked in his on-site kitchen. The restaurant itself is a delightful, quirky outdoor venue with a lovely vibe. There is ample parking outside, without any detrimental effect to local neighbours, lighting is very subtle and Sammy keeps music volumes to an acceptable level.

White Roding has long been in need of a local restaurant. We live in the heart of White Roding, a 25 minute walk from Stone and Coal and in the nicer weather have enjoyed a leisurely walk there for dinner and then walked home again, it is possible for local residents to walk as we ourselves have.

The food and atmosphere at Stone and Coal is very enjoyable, we have recommended it to many friends and have taken friends there for very enjoyable evenings out.

Your sincerely

Nikki and Paul Flood

Chelmsford Road

White Roding

CM6 1RG

Sent from my iPhone

To whom it may concern,

I am writing today in support of the continued viability of the new and innovative outside dining experience in White Roding. I support the application for an alcohol license at these premises.

As more people work from home it is vital to keep investing in our local communities to add experiences and grow our local economies. The Daily Grind coffee bar and the alfresco Stone & Coal restaurant have already become a much needed addition to our community – especially as we see local pubs redesignated as homes. The location of the business is perfect and offers a quiet rural setting. I understand that the few homes around the premises are in support of the licensing, so I am unsure as to why those more distant can oppose the licensing request and the support Stone & Coal needs to continue to be a viable business.

Richard Connor

Hatfield Heath

CM22 7DH

APPENDIX M

30.10.2022

To whom it may concern,

This is a letter of support for the Coal and Stone pop up barbecue kitchen and cafe. I have eaten here and can say that I feel it enhances the area by providing a nice place to eat and drink along a large section of road that has very little to offer the local community and travellers from Hatfield Heath to Chelmsford. It is bordered by three roads with two of them offering ample parking for the patrons of the eatery. It is not open every night so I can't imagine that it would be a nuisance to neighbouring properties and the fact that it is positioned on the opposite side to any property can only make it more discreet to them. I feel that the employment and services opportunity of this kitchen can only be of benefit to the wider community.

Yours faithfully Gary Swaile.

The Street  
Sheering  
Cm227ly.

Good morning,

In respect of the below application, we have engaged with the applicant and agreed conditions as per attached email and document. We wish to have the opportunity to present our observations should any other objections be received and a Hearing date set.

Kind regards



Netty Bryant - Licensing Officer Braintree and Uttlesford

☎ 101 (Ext: 406357) 📞 07817 155455

My working days are Monday to Wednesday.

✉ [licensing.braintree.and.uttlesford@essex.police.uk](mailto:licensing.braintree.and.uttlesford@essex.police.uk)

📍 Braintree Police Station | Blyths Meadow | Braintree | CM7 3DJ

**Staff training:**

- All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.
- Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.
- All staff employed in licensed areas of the premises shall have received training in the recognition of child sexual exploitation and the steps to be taken when such activity is suspected. Refresher training shall be carried out at least annually.
- Written training records shall be kept on the premises for a minimum of 12 months and made immediately available to police or licensing authority staff upon request.

**Challenge 25 Scheme:**

- A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) **and** is either a:
  - Proof of age card bearing the PASS Hologram;
  - Photocard driving licence;
  - Passport; or Ministry of Defence Identity Card.

- The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. Such signs shall be a minimum size of 200mm x 148mm.

**Incident log:**

An incident log shall be kept at the premises and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence.

The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least 12 months from the date of the last entry.

**Refusals record:**

- A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

- The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

**Takeaways:**

- Alcohol sales may only be made where a food sale takes place as part of the same transaction
- Age verification process in place at the point of purchase.
- At the point of delivery there must be age verification process in place (Challenge 25). To include any third-party delivery services used.



APPENDIX O

## MEMORANDUM

To: Licensing Section

From: Femi Nwanze

Ext No: 495

Interim Team Leader DM

Ref: UTT/22/2754/PE

Date: 28/10/2022

SUBJECT LICENSING ACT 2003

CONSULTATION ON NEW PREMISES LICENCE –

Warwicks

White Roding

Dunmow

Essex

CM6 1RU

---

Thank you for your consultation in respect of the above.

I can confirm that the site does not have planning permission for the use that is the subject of this application. The nature of the use proposed would require planning permission.

I hope this information is of use to you.

Dean Heritage

Director of Planning

26.10.2022

Hi,

Just to confirm in writing

Further to our discussions, with reference to Food safety and Health and Safety requirements, there are no comments / concerns / objections with regards to the application for a full premises licence at the above premises

Kind Regards

Jennie Duffy

Environmental Health Officer

Uttlesford District Council

Council Offices

London Road

Saffron Walden

Essex CB114ER

Tel: 01799510474 or 07976 071833

01.11.2022

Dear Karen,

Thank you for consulting with Environmental Health (Protection) regarding the prevention of public nuisance for a new premises licence application for a café by day /restaurant by night located at Stone & Coal, Warwicks, Poplars Lane, White Roding.

Public nuisance is given a statutory meaning in many pieces of legislation. In the context of noise, a public nuisance occurs when the act substantially interferes with the reasonable use of neighbouring land.

To ensure this does not occur I have been in contact with the applicant and a satisfactory noise management plan has been provided and is attached. It is noted that reference is made to live music within this plan. However, live music has not been applied for and it is understood that live music events will operate under a TEN as has occurred previously on several occasions this year. 1 complaint regarding noise has been received since the licence application was made and this is being investigated in accordance with our standard procedures.

I raise no objection to the application but suggest a condition be added to the licence following the hearing. The Premises Licence Holder must comply with the agreed Noise Management Plan at all times, during regulated entertainment.

Regards

*Andy Bonham*

*Senior Environmental Health Officer*

*Uttlesford District Council*

*London Road*

*Saffron Walden*

*Essex*

*CB11 4ER*

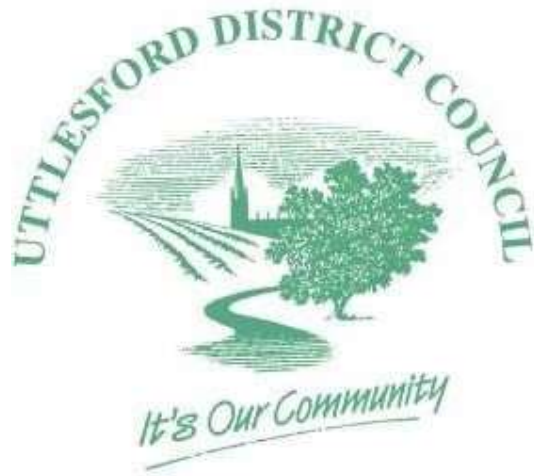
*Tel- 01799 510599*

E: [abonham@uttlesford.gov.uk](mailto:abonham@uttlesford.gov.uk)

# NOISE MANAGEMENT PLAN STONE & COAL

Restaurant & Bar potential Noise source	mitigation action plan
<input type="checkbox"/> <b>Outdoor Recorded Music noise</b>	<input type="checkbox"/> All recorded background music played during opening hours and food service will be played at a reasonable audible level, to allow our guests to hear each other speaking, whilst providing a background soundtrack. We will closely monitor the noise levels outside to boundaries of our neighbors properties to make sure this is inaudible and acceptable
<input type="checkbox"/> <b>Live music and performance noise potential</b>	<input type="checkbox"/> Live music will be a rare event at S&C but on the occasions we have live entertainment , we will make sure that we have vetted the artist-performer, and made sure they are suitable for our outside venue, we will also make any live performance adhere to our noise management rules, we will also have a noise limiter in place to make sure the levels do not accede what we believe to be an acceptable level. We will also only allow live music between 11am and 10.30pm on any opening day-event.
<input type="checkbox"/> <b>Customers &amp; Guests</b>	<p>Customers and guests will be asked to keep voice levels at a respectful level whilst inside and outside our venue, we will implement the ' three strikes ' rule, and ask</p>

	anyone that doesn't respect our noise restrictions to leave quietly
<input type="checkbox"/> <b>Signage and Notices</b>	<input type="checkbox"/> We will have a polite notice for our guests on the way out of the premises, To Leave Quietly, not to raise voices, slam car doors, or have on loud stereos whilst driving away from our establishment
<input type="checkbox"/> <b>Refuse collection &amp; Recycling</b>	<input type="checkbox"/> Our waste & recycling collections are on Tuesday morning around 10am, our waste is taken away by a professional waste disposal company at a reasonable hour as not to disturb any surrounding neighbours



STATEMENT OF LICENSING POLICY  
2017-2022

*If you require this information in any other format or language please  
contact the Licensing Department on 01799 510613 or at  
[licensing@uttlesford.gov.uk](mailto:licensing@uttlesford.gov.uk)*

# STATEMENT OF LICENSING POLICY

## 1.0 INTRODUCTION

### Introduction

- 1.1** This is the fifth Statement of Licensing Policy produced by Uttlesford District Council under the Licensing Act 2003, Since the adoption of the third statement the Act has been amended. The amendments expand the list of responsible authorities; extends the right to make representations with regard to applications and to seek reviews; reduces the evidential burden on licensing authorities by permitting them to take steps which they consider “appropriate” to the promotion of the licensing objectives rather than “necessary” for that purpose and amend the law relating to Temporary Events Notices. References in this statement to “the Act” are references to the Act as amended. This Statement sets out the general approach the Authority will be taking when making licensing decisions during the five year period up to December 2022.
- 1.2** Uttlesford District Council is the Licensing Authority under the Act and is responsible for granting premises licences, club premises certificates and personal licences and acknowledging temporary events notices in the District in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment. In doing so the Licensing Authority will carry out its functions in such a way as to promote the licensing objectives referred to at paragraph 1.4 below.
- 1.3** When applications for new or variations to licences or certificates are made the responsible authorities and others may make representations. If no representations are received a licence will be granted subject only to those conditions required by statute and those offered by the applicant in the operating schedule. If representations are received however the application must be considered by the Licensing Authority. When assessing applications in respect of which relevant representations have been received, the Licensing Authority must be satisfied that the measures proposed in the applicant’s operating schedule aim to achieve the promotion of the licensing objectives, as far as possible. Bold type refers to matters that the Licensing Authority expects to see addressed in the applicant’s operating schedule, where appropriate. Passages of text that are not in bold are provided to assist applicants to understand what the Licensing Authority is seeking to achieve, the factors that influence the achievement of that outcome and the control measures that could be implemented by the applicant to achieve that outcome. Although it is open to applicants to omit any of the suggested conditions, applicants should be aware that responsible authorities and others will scrutinize applications in the light of this policy. Failure to take account of the policy may therefore encourage representations.

- 1.4** It should be recognised that this policy covers a wide variety of premises and activities carried on in them including theatres, cinemas, restaurants, pubs, nightclubs, private members' clubs, village halls and community centres, as well as off-licences and late night food premises and vehicles selling hot food or hot drink after 11p.m. For this reason, this policy cannot detail all the factors that influence the achievement of the licensing objectives nor can this policy detail all the control measures that may be appropriate.

## **The Licensing Objectives**

- 1.5** The Act requires the Licensing Authority to carry out its various licensing functions to promote the four licensing objectives. These are:
- The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children from Harm
- 1.6** **In respect to the promotion of each of the four licensing objectives, if representations are received from responsible authorities or others applicants should provide appropriate evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Applicants should also consider whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to attract, larger audiences.**

## **Statement of Licensing Policy**

- 1.7** The Act further requires that the Licensing Authority publishes a 'Statement of Licensing Policy' that sets out the policies the Licensing Authority will generally apply to promote the licensing objectives when making decisions on applications made under the Act. Applicants should be aware that the Licensing Authority will only make decisions on applications where representations are made by relevant authorities or others.
- 1.8** This 'Statement of Licensing Policy' has been prepared in accordance with the provisions of the Act and having regard to the guidance issued under Section 182 of the Act. This Policy Statement was reviewed in July 2017,



circulated for consultation between July and October 2017 and was ratified by Full Council on 10 October 2017. It will take effect on 1 December 2017 and will remain in force for a period of not more than 5 years. It will be subject to regular review and further consultation prior to (date to be advised).

- 1.9** When making and publishing and applying its policy, the Licensing Authority must have regard to the Secretary of State's Guidance. The Licensing Authority may depart from this Licensing Policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the Licensing Objectives and if this situation arises the Licensing Authority will give full reasons for doing so.

## **Consultation**

- 1.10** There are a number of groups who have a stake in the leisure industry, including providers, customers, residents, businesses and enforcers, all of whom have views and concerns that require consideration as part of the licensing function and promotion of the licensing objectives. These are in addition to those authorities and agencies that the Council is statutorily required to consult with in accordance with Section 5(3) of the Licensing Act 2003

- 1.11** In developing this Policy, the Licensing Authority consulted widely. Along with the statutory consultees (the Chief Police Officer for the District, the Essex County Fire and Rescue Service and ,local representative for the Director of public Health in England) and persons/bodies representative of existing licence and certificate holders, the views of Ward councillors, Town and Parish Councils, Appropriate weight and consideration was given to the views of all those who responded to that consultation process.

## **Links to other Strategies**

- 1.12** In preparing the statement of licensing policy and this revision, the Licensing Authority has had regard to and consulted those involved in its local strategies on crime prevention, planning, transport, culture, tourism and economic development, provision of private hire vehicles and hackney carriages to ensure the proper co-ordination and integration of the aims and actions of these policies. Review and amendment of these strategies will be considered for their impact on this statement of licensing policy.

- 1.13** Further, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be appraised of the local employment situation and the need for new investment and employment, where appropriate.

- 1.15 The Licensing Authority recognises its responsibilities under the Equality Act 2010. The impact of this policy on those sharing protected characteristics will be monitored through Uttlesford District Council's equality scheme.

## **Regulated Entertainment**

- 1.16 Having regard to the Live Music Act 2012, Licensing Authority's Corporate plan and the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified in 1976, a diverse provision of cultural activities is welcomed for the benefit of communities. Where representations are made by responsible authorities or others the Licensing Authority will monitor the licensing of regulated entertainment, especially with regard to live music and dancing, theatrical performances, circuses, etc. to ensure that such events are promoted without unreasonable restrictions being imposed, which would discourage such events. Where representations are made the Licensing Authority will need to balance the natural concern to prevent disturbance in neighbourhoods with the wider cultural benefits, particularly the cultural benefits for children. Advice and guidance on this matter will be sought from the appropriate cultural and leisure services within Uttlesford District Council.

## **Applications**

- 1.17 When considering applications after receiving representations, the Licensing Authority will have regard to
- the Act, and the licensing objectives,
  - Government guidance issued under Section 182 of the Act,
  - any supporting regulations
  - this statement of licensing policy
- 1.18 This does not however undermine the rights of any person to apply under the Act for a variety of permissions nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act. Where such representations or a request for a review is made the application or review will be considered on its individual merits.
- 1.19 When following the receipt of representations the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its

licensing functions will be discharged separately from its functions as the local planning authority. **However, applications for premises licences for permanent commercial premises should normally be from businesses with appropriate planning consent for the property concerned.** (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary.) In some instances the conditions on a licence or certificate will be inconsistent with another consent (e.g. the closing time specified in a planning permission in respect of licensed premises may be different from that contained in the licence). In such circumstances **licence holders should be aware that the more restrictive condition is the one that applies.** Thus in the example given, if a planning permission required premises to close at 11 pm but the licence permits the premises to be open until midnight the planning permission prevails.

- 1.20 When one part of the Council seeks a premises licence from the Licensing Authority, the licensing committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they will be considered by the committee on its merits. Those making representations genuinely aggrieved by a positive decision in favour of a local authority application by the licensing authority may be entitled to appeal to the magistrates' court and thereby receive an independent review of any decision made.
- 1.21 In all cases, applicants and those making representations in respect of applications to the Licensing Authority have a right of appeal to the Magistrates' Court against the decisions of the Licensing Authority.
- 1.22 **Publicity for Applications**  
The Licensing Authority wishes to ensure that those entitled to make representations are aware of applications for licences and variations. When an application is made for a premises licence or a variation to such a licence in addition to the statutory publicity given to the application the Licensing Authority will notify the Town or Parish Council for the area within which the premises are situated. The Licensing Authority will also notify all district councillors and occupants of residential premises adjoining, opposite and to the rear of properties which are the subject of such applications.
- 1.23 Guidance will be available for applicants setting out the details of the application process, having regards to the Licensing Act 2003, as amended, the regulations, statutory guidance and local practice and procedures. It should be noted that incomplete applications will not be accepted but will be returned with an explanation as to why it is incomplete.

## **Representations**

- 1.24 The Chief Officer of Police, the Fire Authority, the Enforcing Authority for health and safety purposes, the local planning authority, the authority responsible for minimising or preventing the risk of pollution, the trading standards authority, the Children's safeguarding service, the Primary Care Trust for the District and the Licensing Authority are all known as 'Responsible Authorities'. These responsible authorities may make representations on applications, so far as they relate to the promotion of the four licensing objectives, and request reviews once licences have been granted.
- 1.25 Other parties are free to raise relevant representations. A representation would only be 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives. In addition, the representation must not be frivolous or vexatious, and in the case of reviews, not repetitious. If a party making representations does not live in or carry on a business in the vicinity of the premises and is unable to demonstrate that they would be affected by any licensable activities carried on at the premises their representations may be declined as being frivolous or vexatious.
- 1.26 Where relevant representations are made, the Licensing Authority must provide copies of those representations to the Applicant. The Licensing Authority accepts that in exceptional circumstances, where there is a genuine and well-founded fear of intimidation or violence, an Interested Party may not wish for his/ her personal details to be disclosed to the applicant
- 1.27 Where the Licensing Authority consider that a relevant representation has been made and that exceptional circumstances exist, details of the name and address may be withheld from the copy of the representation that is provided to the Applicant.
- 1.28 Representations should be made within 28 days of the day after the application is made to the Licensing Authority in order to be considered. If a representation is made outside of this period, it cannot be considered.

## **Conditions**

- 1.29 Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgements as to whether conditions may need to be attached to various authorisations, to secure achievement of the licensing objectives. Any conditions arising from the operating schedule or as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned and will cover matters that are within the control of individual licensees.

- 1.30 The Licensing Authority acknowledges that the licensing function cannot be used for the general control of the anti-social behaviour of individuals once they are beyond the direct control of the licensee of any premises concerned. However, other mechanisms may be utilised, where appropriate, to tackle unruly or unlawful behaviour of consumers when beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned. These include:
- (a) planning controls
  - (b) positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other departments of the local authority
  - (c) the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols
  - (d) powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly
  - (e) police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
  - (f) the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are under age or drunk
  - (g) the confiscation of alcohol from children and adults in designated areas
  - (h) Use of Police and/or Local Authority powers (under the Anti-Social Behaviour Crime and Policing Act 2014) to close down instantly for 24 hours up to a maximum of 48 hours any licensed premises or temporary events on grounds of disorder or the likelihood of disorder or noise emanating from premises causing a nuisance. police and/or local authority powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance
  - (i) the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question
  - (j) Action under the Violent Crime Reduction Act 2006.
- 1.31 If an applicant volunteers a prohibition or restriction in their operating schedule because their own risk assessment has determined such prohibition or restriction to be appropriate, such volunteered prohibitions or restrictions will become conditions attached to the licence, or certificate and will be enforceable as such.
- 1.32 The Licensing Authority recognises that where representations are made applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises, in order to avoid the imposition of disproportionate and other burdensome conditions on those premises. Standard conditions will therefore be avoided. Conditions

will be not be imposed that cannot be shown to be appropriate or proportionate for the promotion of the licensing objectives.

### **Delegation of Functions**

- 1.33 With the exception of the approval and review of its Licensing Policy and the making of Early Morning Restriction Orders, and late night refreshment exemptions decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. Applications which do not attract relevant representations will be granted by officers under delegated powers. Where such representations are received the application will be determined by Members of the Licensing Committee. The Licensing Committee will receive regular reports regarding licences determined by officers under delegated powers, in order to maintain an overview of the general situation.

### **The Need for Licensed Premises**

- 1.34 There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

### **Cumulative Impact of a Concentration of Licensed Premises**

- 1.35 “Cumulative impact” means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a licensing authority to consider in developing its licensing policy statement.
- 1.36 The Licensing Authority acknowledges that a concentration of licensed premises in a particular area can result in an increased number of people walking through or congregating in streets during the night with the potential impact of an increase in crime, anti-social behaviour, noise pollution and other disturbance to residents, together with an increase in littering or fouling. In such cases the amenity of local residents can be placed under severe pressure but may not be attributable to any individual premises.

- 1.37 The Licensing Authority will only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area are resulting in unacceptable levels of crime and disorder or public nuisance.

**1.38 The Licensing Authority, having regard to the evidence currently available, considers that there is no particular part of the district causing a cumulative impact on any of the licensing objectives.**

- 1.39 However, the cumulative impact of licensed premises in a particular area may, at a future time, on representation from residents or businesses or a responsible authority, trigger the consideration of whether any additional licences or substantial variations to existing licences, to increase such aspects as capacity or operating hours, would lead to an unacceptable saturation in an area. The onus will be on the objector to provide evidence that additional licences or the variation of existing licences will produce the cumulative impact claimed.

#### Late night refreshment exemptions

The provision of late night refreshment is regulated primarily because it is often linked to alcohol-fuelled crime and disorder in the night-time economy, such as at fast-food takeaways where late-night drinkers congregate. However, these safeguards may not be needed everywhere or for every type of late night refreshment business. Paragraph 2A of Schedule 2 to the 2003 Act (as inserted by the Deregulation Act 2015) gives licensing authorities powers to exempt premises, in certain circumstances, from the requirement to have a licence to provide late night refreshment.

The powers therefore allow licensing authorities to choose to apply an exemption specifically where they think it will be helpful to businesses and where there are no problems with antisocial behaviour or disorder associated with the night time economy.

The powers allow a relevant licensing authority to exempt the supply of late night refreshment if it takes place:

- a) on or from premises which are wholly situated in a designated area;
- b) on or from premises which are of a designated description; or
- c) during a designated period (beginning no earlier than 11.00 p.m. and ending no later than 5.00 a.m.).

When choosing to designate particular categories of premises as exempt, a licensing authority can only exempt types of premises set out in the regulations. These are:

- Motorway service areas;
- petrol stations;

- local authority premises (except domestic premises) unless there is an event taking place at which more than 500 people are present;
- schools (except domestic premises) unless there is an event taking place at which more than 500 people are present;
- hospitals (except domestic premises);
- community premises (church, chapel, village, parish or community hall or other similar building) unless there is an event taking place at which more than 500 people are present;
- licensed premises authorised to sell by retail alcohol for consumption on the premises between the hours of 11pm and 5am.

Licensing authorities do not have to use the exemptions at all and can continue to require all late night refreshment providers to be licensed. However, licensing authorities should consider deregulation where appropriate.

When deciding which exemption to use, if any, the relevant licensing authority should always first consider what the risks are in terms of the promotion of the licensing objectives. The late night refreshment exemptions are not made on a case by case basis and there is no recourse to bring an individual premises back into the licensing regime if there is a problem with that particular premises. In such cases the licensing authority would have to take a decision about the entire exemption and apply it across the whole area.

The Licensing Authority having regard to the evidence available at this time does not consider it necessary to make any exemptions.

## **Advice and Guidance**

- 1.40 The Licensing Authority recognises the valuable cultural, social and business importance that premises and events requiring a licence under the Licensing Act provide and welcomes the diversity of activities that are provided by licence holders. For this reason, pre-application discussions will be encouraged to assist applicants to develop their operating schedule. The Licensing Authority, Environmental Health, Essex Police and/or Essex County Fire and Rescue Service will offer as much advice and guidance to applicants, as resources permit.
- 1.41 The Licensing Authority will also seek to liaise with applicants and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved, wherever possible and where resources permit. Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that the applicant discuss his proposal with the licensing department/section and those from who they think representations are likely prior to submitting their application. Once an application has been lodged, there are statutory time scales imposed upon



the application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

## **Reviews**

- 1.42 Where possible and appropriate all Responsible Authorities will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.
- 1.43 Responsible authorities and/or others can trigger a review of a premises licence but an evidentiary basis would be required to be presented to the Licensing Authority and would ordinarily be expected to substantiate their complaints at a hearing.
- 1.44 No more than one review from persons other than responsible authorities will be normally permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances.
- 1.45 This Authority will not consider anonymous representations. However, the Licensing Authority accepts that in exceptional circumstances, a member of the public may not wish to provide their personal details to the licence or certificate holder. In those circumstances the member of the public might consider providing the relevant Responsible Authority with details of how they consider the licensing objectives are being undermined so that the Responsible Authority can apply for a review.

## **Enforcement**

- 1.46 The Council delivers a wide range of enforcement services aimed at safeguarding the environment and the community and at providing a 'level playing field' on which businesses can fairly trade. The administration and enforcement of the licensing regime is one of these services. The Council is subject to the provisions of the Regulators Code which is designed to ensure effective and efficient public protection services. Specifically, the Licensing Authority is committed to accord with the principles of good enforcement practice by carrying out its regulatory functions in a proportionate, open and consistent manner.
- 1.47 The Council will base any enforcement action on the principles that businesses should:

- Be clear about the issues that have made enforcement action necessary
  - receive clear explanations from enforcers of what they need to do and by when;
  - have opportunities to resolve differences before enforcement action is taken - unless immediate action is needed;
  - receive an explanation of their rights of appeal
- 1.48 The Licensing Authority recognises the interests of both citizens and businesses and will work closely, with partners, to assist licence holders to comply with the law and the four licensing objectives it seeks to promote. However, proportionate but firm action will be taken against those who commit serious offences or consistently break the law.
- 1.49 The Licensing Authority will establish an enforcement protocol with Essex Police, Essex County Fire and Rescue Service, Essex County Licensing Authority Trading Standards, Environmental Health and the council's Enforcement Team on enforcement issues. This protocol will provide for the targeting of resources towards high-risk premises and activities that require greater attention, while providing a lighter touch in respect of low risk premises that are well operated. A draft of the protocol can be viewed on the Licensing Authority's website: [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk). Hard copies are available on request.

## 2.0 LICENSING OBJECTIVES

- 2.1 The following sections set out the Licensing Authority's Policy relating specifically to the four licensing objectives:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 2.2 In each section relating to the objectives, the Licensing Authority has defined its intended outcome (in bold type). Each section then lists the influencing factors on the achievement of that objective but, because of the wide variety of premises and activities to which this policy applies, the lists provided are not exhaustive. **Applicants should know their premises best and should consider all aspects relevant to the individual style and characteristics of their premises and events.**
- 2.3 Further, in each section, a list of possible control measures is provided, to be of assistance to applicants, but again is not intended to be an exhaustive list. Many control measures achieve more than one objective but have not necessarily been listed under each objective. Similarly, applicants need not mention a control measure more than once in their operating schedule.

- 2.4** The selection of control measures, referred to in 2.3 above, should be based upon a risk assessment of the premises, events, activities and the customers expected to attend (e.g. their age, number, etc.). Whilst the Licensing Authority cannot require such risk assessments to be undertaken or documented, (other than where required by other legislation), it considers such documentation to be good practice and a useful tool in the instruction and training of staff, as well as a sound basis for review by the licence holder, in the event of requiring to make application for variation or in response to changing circumstances/conditions at the premises.
- 2.5** Additional measures may be appropriate on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended to, or likely to attract larger audiences and/or audiences of a different nature, and which can have a significant impact on the promotion of the licensing objectives. If representations are made the Licensing Authority will expect to see **reference to be made in an applicant's operating schedule, where applicable, to such occasions and the additional measures that are planned in order to achieve the licensing objectives.**
- 2.6** The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of personnel engaged on the premises and the adoption of best practice to be amongst the most essential control measures for the achievement of all the licensing objectives. **For this reason** If representations are made the Licensing Authority will expect to see, **these elements specifically considered and addressed within an applicant's operating schedule.**
- 2.7** In addition, the occupancy capacity for premises, and events as appropriate, is also considered to be an essential factor in the achievement of the promotion of the four licensing objectives, (except in respect of premises licensed for the consumption of food and/or alcohol off the premises). If representations are made the Licensing Authority will expect **the issue of occupancy capacity to be considered and addressed, where appropriate, within an applicant's operating schedule.**
- 2.8** The design and layout of premises are important in determining capacity, as is the availability and size of exits within recommended travel distances. Other factors should also be considered when assessing the appropriate capacity for premises or events. These include:
- (a) the nature of the premises or event
  - (a) the nature of the licensable activities being provided
  - (b) the provision or removal of such items as temporary structures, such as a stage, or furniture

- (c) the number of staff available to supervise customers both ordinarily and in the event of an emergency
- (d) the age of the customers
- (e) the attendance by customers with disabilities, or whose first language is not English
- (f) availability of suitable and sufficient sanitary accommodation
- (g) nature and provision of facilities for ventilation

**2.9** The agreement to a capacity for premises or events should not be interpreted as a requirement to also provide permanent monitoring arrangements such as doorstaff, attendance clickers or maintenance of attendance records. The Licensing Authority recognises that the person in charge at the premises can often readily assess the capacity of premises without resort to such measures. **However,** If representations are made the Licensing Authority will expect that **where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.**

**2.10** The Licensing Authority will consider applications for minor variations to premises licences, provided that the Authority is satisfied that the variation will not adversely impact on any of the licensing objectives and the Licensing Authority will consult with such of the Responsible Authorities as it deems appropriate to make such assessment.

### **3.0 PREVENTION OF CRIME AND DISORDER**

**3.1** The Council is committed to further improving the quality of life for the people of the District of Uttlesford by continuing to reduce crime and the fear of crime.

**3.2** Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on Uttlesford District Council, Essex Police, Essex County the Licensing Authority and others to consider crime and disorder reduction in the exercise of all their duties. The Act reinforces this duty for local authorities.

**3.3** The prevention of crime includes the prevention of immigration crime, and the Licensing Authority will work with Home Office Immigration Enforcement in respect of these matters.

The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. If representations are made to the Licensing Authority **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 reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.**

**3.4** When addressing the issue of crime and disorder, the applicant should consider those factors that impact on crime and disorder. These may include:

- Underage drinking
- Drunkenness on premises
- Public drunkenness
- Drugs
- Violent behaviour
- Anti-social behaviour
- Illegal working

#### Control Measures

**3.5** 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:

- (a) Effective and responsible management of premises
- (b) Training and supervision of staff
- (c) Adoption of best practice guidance (e.g. Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by BBPA, Security in Design published by BBPA and Drugs and Pubs, published by BBPA)
- (d) Acceptance of accredited 'proof of age' cards e.g. PASS, locally approved 'proof of age' cards e.g. 'Prove It' and/or 'new type' driving licences with photographs or adoption of industry best practice (e.g. Challenge 25 policy)
- (e) Provision of effective CCTV and mirrors in and around premises
- (f) Employment of Security Industry Authority licensed Doorstaff
- (g) Provision of toughened or plastic drinking vessels
- (h) Provision of secure, deposit boxes for confiscated items ('sinbins')
- (i) Provision of litterbins and other security measures, such as lighting, outside premises
- (j) Membership of local 'Pubwatch' schemes or similar organisations
- (k) Right to work checks on staff and retention of documents

## Designated Premises Supervisor

- 3.6** Within the operating schedule for premises from which alcohol will be sold, save for certain community premises, a Premises Supervisor must be designated ('Designated Premises Supervisor' DPS). The Licensing Authority will normally expect the DPS to have been given the day to day responsibility for running the premises by the premises licence holder. Mandatory conditions under the Act impose express duties upon the DPS and the premises licence holder with regard to irresponsible drinks promotions, the pouring of alcohol into the mouth of a third party, the supply of tap water and the availability of alcoholic drinks in small measures. In addition to the DPS holding a personal licence, the Licensing Authority would strongly encourage the DPS to undergo additional training, and to have experience commensurate with the nature and style of entertainment provided and the capacity of the premises.
- 3.7** Whilst the Licensing Act 2003 requires each sale of alcohol (other than in certain community premises) to be made or authorised by a personal licence holder there is no requirement for every sale to be made by a personal licence holder or for them to be personally present at every transaction. In determining whether the real authorisation was given, the Guidance issued by the Secretary of State encourages the practice of a written authorisation to make supplies of alcohol being given by personal licence holders to persons not holding a personal licence.
- 3.8** In the case of community premises (church halls, chapel halls, village halls, parish halls, community halls or other similar buildings) run by a management committee, providing the Licensing Authority does not consider that the conditions requiring there to be a DPS and for all sales to be made or authorised by a personal licence holder appropriate for the promotion of the crime prevention objective, then these conditions can be replaced by a condition that all sales must be made or authorised by the management committee. On an application for a new licence for such premises requesting the alternative condition, if representations are made the alternative condition must be included in the licence if the Licensing Authority is satisfied that the management arrangements are adequate and it does not consider that the conditions requiring there to be a DPS and for all sales to be made or authorised by a personal licence holder appropriate for the promotion of the crime prevention objective.

## 4.0 PUBLIC SAFETY

- 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:
- (a) the occupancy capacity of the premises
  - (b) the age, design and layout of the premises, including means of escape in the event of fire
  - (c) 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 activities are of a temporary or permanent nature
  - (d) the hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different)
  - (e) customer profile (e.g. age, disability)
  - (f) the use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.
  - (g) Compliance with the Disability Discrimination Act etc

### Control Measures

- 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:
- (a) Suitable and sufficient risk assessments
  - (b) Effective and responsible management of premises
  - (c) Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
  - (d) Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons including the use of CCTV system
  - (e) 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 the BBPA))
  - (f) Provision of effective CCTV in and around premises
  - (g) Provision of toughened or plastic drinking vessels
  - (h) Implementation of crowd management measures
  - (i) Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety

## 5.0 PREVENTION OF PUBLIC NUISANCE

- 5.1 Licensed premises have a significant potential to adversely impact on communities through public nuisances that might 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 controls and measures in place or proposed to prevent public nuisance, may be suitable for 24-hour opening.
- 5.4 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless representations are made and there are exceptional reasons relating to disturbance or disorder.
- 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:



- (a) the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship
- (b) the hours during which the licensable activities will be carried out particularly between 23.00 and 07.00
- (c) A “wind down period” between the end of the licensable activities and closure 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 premises
- (d) the design and layout of premises and in particular the presence of noise limiting features
- (e) the occupancy capacity of the premises
- (f) the availability of public transport
- (g) A last admission time

**5.8** 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:

- (a) Effective and responsible management of premises
- (b) Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, e.g. to ensure customers leave quietly
- (c) Control of operating hours for all or parts (e.g. garden areas) of premises, including such matters as deliveries and clearing up
- (d) Provision of effective CCTV in and around the premises
- (e) Adoption of best practice guidance (e.g. Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics, Licensed Property: Noise, published by BBPA)
- (f) Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices
- (g) Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises
- (h) Liaison with public transport providers
- (i) Siting of external lighting, including security lighting
- (j) Management arrangements for collection and disposal of litter
- (k) Effective ventilation systems to prevent nuisance from odour

## **6.0 PROTECTION OF CHILDREN FROM HARM**

**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 of harm 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.

**6.3** The protection of children from harm includes the protection of children from moral, psychological, and physical harm and in relation to the exhibition of films, or transmission of programmes or videos, this includes the protection of children from exposure to strong language and sexual expletives. In certain circumstances children are more vulnerable and their needs will require special consideration. Examples would include topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and the lack of understanding of danger.

**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 complete bans on access to children. If representations are made then in exceptional circumstances, conditions restricting access or excluding children completely may be considered appropriate. Where no licensing restriction is appropriate, admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a temporary event 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.**

**6.6** Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. When addressing the issue of protecting children from harm, the applicant should consider those factors that impact on harm to children. Areas that will give particular concern in respect of children include:

- (a) where entertainment or services of an adult or sexual nature are commonly provided
- (b) where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- (c) with a known association with drug taking or dealing
- (d) where there is a strong element of gambling on the premises, and

- (e) where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

## Control Measures

**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 that representations are received, having regard to their particular type of premises and/or activities. These examples can be adopted in any combination:

- (a) Effective and responsible management of premises
- (b) Provision of a sufficient number of people employed or engaged to secure the protection of children from harm
- (c) Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
- (d) Adoption of best practice guidance (Public Places Charter, The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks)
- (e) Limitations on the hours when children may be present, in all or parts of the premises
- (f) Limitations or exclusions by age when certain activities are taking place
- (g) Imposition of requirements for children to be accompanied by an adult
- (h) Measures to ensure children do not purchase, acquire or consume alcohol
- (i) Measures to ensure children are not exposed to incidences of violence or disorder
- (j) Acceptance of accredited “proof of age” cards and/or “new type” driving licences with photographs

## Film Exhibitions

**6.8 In the case of film exhibitions, If representations are made, the Licensing Authority will expect licence and certificate holders and those who have given notice of a temporary event within the terms of the 2003 Act to implement measures that restrict children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the Licensing Authority. In the case of a film exhibition that has not been classified, the Licensing Authority will expect the licensee not to permit children to view the film unless it has been approved by the Licensing Authority applying British Board of Film Classification standards.**

- 6.9** The Licensing Authority expects that when a licensable activity is held exclusively for children and young persons, that there will be enough staff available who have undertaken an enhanced disclosure check with the DBS, to ensure the safety of those children. This does not require each member of staff to have undergone this level of check, but the Licensing Authority expects that there should be sufficient members that have, who are then able to supervise others, e.g there will be one person at the main entrance to the premises who has been subject of advanced disclosure responsible for supervising the searching and checking of children by those who have not.

## **7. TEMPORARY EVENTS**

- 7.1. Certain temporary events are not required to be licensed but can be notified to the Licensing Authority using the Temporary Event Notice procedure. However, depending on the nature and location of such events, these can have serious crime and disorder and/or public nuisance implications. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable to enable the police, environmental health, and the Licensing Authority to work with them to identify and reduce the risk of crime and disorder.
- 7.2. There are 2 categories of temporary event, “standard temporary events” and “late temporary events”.
- 7.3. A standard temporary events notice must be served at least 10 working days before the event is to take place. Organisers of these events should be aware that if a counter notice is served this has the effect of preventing the event from going ahead unless the counter notice is overturned on appeal. The appeal process is likely to take several months and unless the standard temporary events notice is served well in advance of the proposed event there may not be sufficient time for an appeal to be brought.
- 7.4. A late temporary event notice may be served between 5 and 9 working days before the event. Organisers of these events should be aware that in the event of a counter notice being served the event may not go ahead There is no right of appeal against a counter notice in response to late temporary events notice.
- 7.5. Event organisers should also be aware that either the police or the council’s Environmental Health Department can object to temporary events notice (either a standard or late notice) on the basis that to permit the event to go ahead would undermine **ANY** of the licensing objectives. Where such an objection is received in respect of a late temporary events notice the Licensing Authority must serve a counter notice and the event cannot take place. Where a counter notice relates to standard temporary events notice then the Licensing Authority must hold a hearing in order to

determine the issue. At a hearing into objections to a standard temporary events notice any conditions on a premises licence or club premises certificate may be attached to the temporary events notice if the Licensing Authority consider it appropriate for the promotion of the licensing objectives unless the conditions would effectively prevent the event going ahead

- 7.6. If TENs must be made with the minimum amount of permitted notice given, it must be understood that the requirements for 5 or 10 clear working days does not include the day the notice was received or the day of the event. If the period includes a bank holiday the notice must be extended by 1 working day for each bank holiday. The Council has no ability to waive or reduce the legal notification periods.

## **8. THE ROLE OF THE LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY**

- 8.1. As a responsible authority the Licensing Authority may make representations on applications for the grant or variation of a premises licence or club premises certificate and may also seek a review of a licence or certificate
- 8.2. Without imposing any limitations on its power to make such representations or to call for a review it is the view of the Licensing Authority that the other responsible authorities are generally better placed to determine whether representations are appropriate or whether a review should be called for. The Licensing Authority is therefore likely to exercise its powers in the capacity of a responsible authority only in exceptional circumstances. This in no way inhibits the right of the other departments of the Council which are responsible authorities in their own right (namely Environmental Health and Planning) to make representations or to apply for reviews if they consider it appropriate to do so
- 8.3. To ensure that the Licensing Committee are able to conduct a hearing impartially and to reach a conclusion on its merits the power of the Licensing Authority to make representations and to seek reviews has been delegated to the Licensing Enforcement Officer.

## **9. PERSONAL LICENCES**

9.1 Much of the foregoing policy relates to premises licences and club premises certificates. However, the Licensing Authority will also be responsible for issuing personal licences authorising individuals to supply alcohol or to authorise the supply of alcohol, in accordance with a premises licence.

9.2 Provided that an applicant fulfils the requirements of Section 120 (2) (a), (b) and (c), of the Act, a licence will be granted unless the applicant has a relevant conviction or a foreign conviction as defined in the Act. In the event of such a conviction, the application will be referred to the Police, and if the Police give an objection notice, a hearing will generally be held.

Whilst each application and objection will be considered on its merits, the application will normally be rejected if the Licensing Authority considers this appropriate for the crime prevention objective.

9.3 From 6 April 2017 the Licensing Authority has the power to revoke or suspend personal licences where they become aware of relevant conviction, foreign offence, or civil penalties for immigration matters. In making their decision the Licensing Authority will have regard to the crime prevention objective

9.4 From the 1<sup>st</sup> of April 2015 the requirement to renew a personal licence has been removed. As a result of that amendment a personal licence will no longer have an expiry date.

9.5 The Immigration Act 2016 requires that personal licences may only be granted to individuals if they have provided evidence of their lawful immigration status and proven their eligibility to undertake work relating to the carrying on of licensable activity in line with the requirements of the legislation and guidance. Licences issued after 6 April 2017 automatically lapse if and when the licence holder's lawful leave or permission to work ends.

## **APPENDIX (Outline of the District)**

Uttlesford is a rural area in northwest Essex and is geographically the second largest district in the County. It has a population of approx. 85100 (2015). There are four main centers of population, Great Dunmow, Saffron Walden, Stansted and Thaxted. The remainder of the district consists of numerous villages and hamlets. In the south of the District is Britain's fourth largest airport, Stansted. A survey carried out for the Mail in 2014 stated that Uttlesford was in the top 10 rural places to live in Britain. Its pleasant rural setting attracts many visitors from day trippers to those staying for longer periods many of whom will make use of licensed facilities within the district.

Currently there are 306 premises within the District licensed to sell alcohol for consumption on and/or off the premises. Of these premises 76 are on sales only, 54 for off sales only, 144 authorize sales both on and off the premises and 32 that do not permit the supply of alcohol. In addition there are some bars airside at the airport which are not subject to the Licensing Acts by virtue of government designation.