



Public Document Pack

Uttlesford District Council

Chief Executive: Peter Holt

Licensing Panel Hearing

Date: Thursday, 29th June, 2023

Time: 1.00 pm

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

A panel of three members from the membership of the Licensing and Environmental Health Committee:

Chairman: Councillor A Armstrong

Members: Councillors M Ahmed, M Coletta, J Davey, A Dean, **G Driscoll (Vice-Chair)**, J Moran, **A Reeve**, B Regan and M Tayler

Substitutes: Councillors **S Barker**, N Church, M Foley, R Freeman and J Loughlin

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 Full Variation of a Premises Licence - 3 - 75 Chater's General Store, Café and Aperitivo Bar, 17 Church Street Saffron Walden

To consider the application for a full variation of a Premises Licence at Chater's General Store, Café and Aperitivo Bar, 17 Church Street, Saffron Walden.

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Email: Committee@uttlesford.gov.uk

General Enquiries

Council Offices, London Road, Saffron Walden, CB11 4ER

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Website: www.uttlesford.gov.uk

Committee: Licensing and Environmental Health Committee

Date: 29 June 2023

Title: Application for a full variation of a Premises Licence

Applicant: Chaterco Ltd

Premises: Chater's General Store, Café & Aperitivo Bar 17 Church Street Saffron Walden Essex CB10 1JW

Report Author: Sharon Bartram, Licensing Support Officer

SUMMARY

1. The Licensing Sub Committee consider an application made by Chaterco Ltd under section 34 of the Licensing Act 2003 ("The Act") to vary a premises licence in respect of Chater's General Store, Café & Aperitivo Bar, 17 Church Street, Saffron Walden, Essex CB10 1JW. This application has received relevant representations during the consultation period and therefore this matter has been referred to the Sub Committee for adjudication. The Sub Committee is requested to determine what steps, if any, it considers are appropriate to promote the Licensing Objectives for the overall interests of the community.
2. In carrying out its licensing functions, the Sub Committee should give appropriate weight and consideration to:
 - a) The Licensing Act 2003 ("The Act")
 - b) Secondary regulations issued under the Act
 - c) Section 182 guidance issued to local authorities under the Act
 - d) UDC's Statement of Licensing Act 2003 Policy 2017 – 22
 - e) The steps that are appropriate to promote the licensing objectives
 - f) The application to vary the premises licence
 - g) Relevant representations (and any supporting evidence) submitted by all parties.

RECOMMENDATIONS

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

FINANCIAL IMPLICATIONS

4. None

BACKGROUND

Appendices

- Appendix A Premises Licence
- Appendix B Variation Application
- Appendix C Revised Plan of the Premises
- Appendix D Temporary Event Notice
- Appendix E Representation Essex Police (Support)
- Appendix F Representation Environmental Health (Object)
- Appendix G Representation Mr Scott Riley – Neighbour (Object)
- Appendix H Representation Mr Sean Kelleher – Neighbour (Object)
- Appendix I Representation Mr S Ulph – Adjacent Landlord (Object)
- Appendix J Representation Mr Michael Chappell – Neighbour (Support)
- Appendix K Representation Suzanna and Paul Doyle Neighbours (Support)
- Appendix L Representation F Mayer & A Felber Neighbours (Support)
- Appendix M Representation Sally Roper – Customer (Support)
- Appendix N Representation Samuel La Roche – Customer (Support)

5. Acting in the capacity of the Licensing Authority, Members must seek to promote the Licensing Objectives. Where Members consider that matters have engaged one or more of the Objectives, they may exercise their discretion. The Licensing Objectives as set out in the Licensing Act 2003 are:

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

6. There is no hierarchy of importance among the objectives, and all must be given equal weight.

7. Where appropriate, options available to the Sub Committee under section 35(4) of the Act in relation to an application to vary the premises licence for the promotion of the licensing objectives are:

- To grant the application as applied for
- To modify the application by inserting conditions
- To reject the whole or part of the application

and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

8. Chater's General Store, Café and Aperitivo Bar at 17 Church Street is situated in the town of Saffron Walden leading off Church Street. This premises is a warehouse converted into a café and provisions shop with a small aperitivo bar. The premises has a gated entrance which leads off the main street down a 3-metre-wide alleyway to the entrance of the premises on the right.

9. The building is two storeys with a mezzanine floor. Only the ground floor is used by patrons. The premises is situated next to residential dwellings that pre-date this business.
10. The proprietors of Chater's are Max Chater and his wife Maire. The Designated Premises Supervisor is Max Chater.
11. The premises licence 22/1279/LAPREM was originally granted on 29 June 2022 under the Licensing Act 2003 by a Sub Committee with conditions imposed by the police. **Appendix A**
12. The licensable activities granted are:
 - Retail of Alcohol Monday to Sunday 09:00 – 23:00
 - Playing of Recorded Music Monday to Sunday 09:00 - 23:00
13. On 21 March 2023 the Licensing Team was served with a Temporary Event Notice ("TEN") for the premises. The TEN received no objections from the relevant authorities and the Birthday party event was held on 15 – 16 April 2023 from 18:00 – 01:00. The TEN permitted licensable activities beyond the existing premises licence. No relevant objections were received by the Licensing department. **Appendix D**

Application

14. A valid application was submitted by Chaterco Ltd on 10 May 2023 under section 34 of the Licensing Act 2003 to vary the premises licence in respect of Chater's General Store Café and Aperitivo Bar. **Appendix B**
15. The variations sought are as follows:

1. To remove condition - Annexe 2 Condition 3
At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises into the outside area and conspicuous signage (of a minimum size of 200mm x 148mm) shall be displayed, at each ingress/egress point explain this policy.
1. (of a minimum size of 200mm x 148mm) shall be displayed, at each ingress/egress point explain this policy.
2. To remove condition – Annexe 2 Condition 4
No tables, chairs or furniture in the outside area.
3. To remove condition – Annexe 2 Condition 5
The outside area to the side of the premises is only to be used as a smoking area.
4. To expand the current licensed area to incorporate the area detailed in the new proposed floor plan.

16. A plan was also submitted with the application which detailed the proposed extension of the licensable area to a small internal area which would be a seated tasting room and dining room (4.2m X 5.7m)
17. The plan also included an external licensable area of private land which would be a seated area for food and drinks (3m x 12m).
18. In accordance with the Licensing Act 2003 regulations, public notices have been displayed and published. Responsible authorities were notified of the application. The consultation period ended on 8 June 2023.

ISSUES/PROPOSALS

19. The proposal is for tables and chairs to be placed on the private land outside the premises doors halfway down the alleyway, away from the entrance at the top end of the alley near Church Street and residential properties. The aim is that the outside area will appeal to customers who wish to sit outside particularly mothers with children and pushchairs and dog walkers, who may find it easier to stop for refreshments outside, particularly in the summer months.

Consultation

20. Essex Police and Environmental Health responded in their capacity as Responsible Authorities. **Appendix E**
21. The representation from Essex Police was a positive one following negotiations with Max Chater. It was agreed that the proposed licensable area would be reduced to include only the inside area. and this area would remain unlicensed.
22. A revised plan was submitted by Mr Chater to incorporate this amendment and only the inside 'tasting' room was included as an extension to the licensable area. **Appendix C**
23. It was also agreed that the outside area would close at 21:00 every night.
24. The representation from Environmental Health objects on the grounds of prevention of Public Nuisance. **Appendix F**
25. Discussions between Environmental Health and the applicant about limiting evening hours by updating the existing noise management plan was agreed. There was no objection from Environmental Health regarding the extension of the licensable area inside the premises.
26. Three representations with objections on the grounds of prevention of public nuisance were received. Two objections from neighbours, one of whom has consistently complained numerous times about noise and various issues which are not relevant to the licensing objectives and one neighbour has never complained at all. The third objection is from the landlord of these two neighbours who lives in Dunmow. **Appendices G, H, I**

27. There are seven further representations from close neighbours and customers supporting the application. One close neighbour, Michael Chappell objected to the original application anticipating possible noise but now supports the business as a regular customer. **Appendices J, K, L M, N**

28. The applicant and all other parties that made representations have been sent the statutory Notice of Hearing, inviting them to attend this hearing with or without representation.

Determine the application

29. Any decision is to be made regarding the Licensing Act 2003, the Secretary of State's Revised Guidance issued under Section 182 of the Licensing Act 2003, and the Council's adopted Statement of Licensing Policy.

30. Members are reminded that should any conditions be added or modified, they should be practical, enforceable, and appropriate to promote the Licensing Objectives.

Secretary of State's Revised Section 182 Guidance for the Licensing Act 2003

31. The Sub Committee's attention is directed towards Chapter 9 'Determining applications' and Chapter 10 'Conditions attached to premises licences and club premises certificates' and Chapter 16 'Regulated Entertainment' in the Section 182 Guidance

32. Para 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning...

33. Para 9.4 ...There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

34. Para 9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

35. Para 9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from

responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

36. Para 9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
37. Para 9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters...
38. Para 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 may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.
39. Para 10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

Legal Considerations

40. Members should provide reason(s) for any decision taken and should set out the reasoning where they determine to depart in any way from the Policy or Guidance.
41. In addition to determining the application in accordance with the legislation, the Sub Committee must have regard to the:
 - a) common rules of natural justice
 - b) provisions of the Human Rights Act 1998
 - c) considerations in Section 17 of the Crime and Disorder Act 1998
42. The Human Rights Act 1998, which requires authorities to take into account the rights of individuals to respect for their private and family life (Article 8), a right to a fair trial/hearing (Article 6) and to protection of their property (Article 1, Protocol 1).
43. There is a statutory obligation placed on the Local Authority under section 17 of the Crime and Disorder Act 1988 to exercise its various functions doing all that it can to prevent Crime and Disorder, and Anti-Social Behaviour, behaviour adversely affecting the environment as well as the misuse of drugs, alcohol and re-offending in the Local Environment.

44. Under section 181 and Schedule 5 of the Licensing Act 2003, there is a right of appeal for the applicant or a party to the hearing against a decision of the Licensing Sub Committee to the Magistrate's Court within 21 days of being notified.

Financial Implications

A. None

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. If 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 | Saffron Walden being the ward within which the premises are situated |
| Workforce/workplace | None |

| Risk | Likelihood | Impact | Mitigating Actions |
|--|---|---|--|
| 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 any 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

Council Offices London Road
Saffron Walden Essex CB11 4ER

Appendix A

Premises Licence Licence No: PL0472 Electronic Reference: 22/1279/LAPREM

Licensing Act 2003

Part 1 - Premises Details

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

Chater's General Store And Aperitivo Bar

17 Church Street
Saffron Walden
Essex
CB10 1JW

Where the licence is time limited the dates

Not applicable

Licensable Activities Authorised by the Licence

- Playing of Recorded Music
- Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities

Playing of Recorded Music(Indoors)

Monday to Sunday 09:00 23:00

Sale by Retail of Alcohol(Indoors)

Monday to Sunday 09:00 23:00

The opening hours of the premises

| | | |
|----------------------|-------|-------|
| Wednesday | 09:00 | 17:00 |
| Thursday to Saturday | 09:00 | 22:00 |

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

Alcohol is supplied for consumption both on and off the Premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Chatersco Ltd

17 Church Street, Saffron Walden, Essex, CB10 1JW

Email: max@chatters.uk

Mobile: [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

13882345

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Max Chater

[REDACTED]

Email: max@chatters.uk

Mobile: [REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: WEA/LN000009554

Licensing Authority: Wealden

Annexe 1 - Mandatory Conditions

- 1) No supply of alcohol may be made under the premises licence
 - at a time when there is no designated premises supervisor in respect of the premises licence or
 - at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

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

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

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

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

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

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

 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

6. The responsible person must ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

8. For the purposes of the condition set out in paragraph 8 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(a).

9. Where the permitted price given by Paragraph (b) of paragraph 9 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

10. - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 9 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

Annexe 2 - Conditions Consistent with Operating Schedule

1. All customers will be seated at all times and alcohol will only be served until 22:00
2. In the evening all children must be accompanied by an adult
3. At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises into the outside area and conspicuous signage (of a minimum size of 200mm x 148mm) shall be displayed, at each ingress/egress point explaining this policy.
4. No tables, chairs or furniture in the outside area.
5. The outside area to the side of the premises is only to be used as a smoking area.
6. CCTV - The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the following requirements i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality (in all lighting conditions) particularly facial recognition, ii. CCTV cameras shall cover all entrances (and exits) and the areas where alcohol sales take place, iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 28 days.
7. Upon the reasonable request of the Police or Licensing Authority staff, within 48 hours viewable copies of CCTV recordings will be provided
8. Signs must be displayed at all entrances (and exits) advising Customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148mm and clearly legible at all times when the premises conducts licensable activities
9. 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 to be carried out at least once every 6 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.
10. 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 at least 12 months and made immediately available to Police or Licensing Authority staff upon request
11. Challenge 25 Scheme - A Challenge 25 Scheme shall be operated, whereby any person who appears to be under the age of 25 years old is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth with either a holographic mark or ultraviolet feature) and is either a i. Proof of age card bearing the PASS hologram ii. Photocard driving licence iii. passport or iv. Ministry of Defence Identity card.
12. The premises shall clearly display signs at 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

13. Incident Log - An incident log shall be kept on the premises and made immediately available to Police or Licensing Authority staff upon request. The log must be completed as soon as 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 or disorder, d. any incidents of disorder, e. any seizures of drugs or offensive weapons, e. all seizures of drugs or offensive weapons, f. any faults in the CCTV system, searching equipment or scanning equipment mandated as a condition of the licence.
14. 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 last entry
15. 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.
16. 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 the Police, Trading standards or Licensing Authority staff upon reasonable request
17. The refusals record shall either be electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry

Annexe 3 - Conditions imposed Following a Hearing

1. A Noise Management Plan shall be submitted to the Licensing Authority within 28 days from the date hereof for approval by the Licensing Authority. any event involving amplified music shall not take place without the Licensing Authority approval of the Noise Management Plan. The noise Management Plan shall include details on measures, controls and actions to ensure the playing of amplified music does not cause a public nuisance. Measures, controls and actions will include an approach to monitoring that also assesses the impact of any noise on neighbouring premises at the start of the regulated entertainment and periodically throughout the regulated entertainment and take action to ensure compliance with the Management Plan. The Management Plan shall ensure a telephone number is available for local residents to contact in the case of disturbance from noise or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to the Management who are in control during opening hours. A record will be kept of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be available for inspection either by any Responsible Authority throughout the trading hours of the premises.

2. The Premises Licence Holder must comply with the agreed Noise Management Plan at all times during regulated entertainment

3. The Premises Licence Holder shall within 28 days of receiving instructions by the Licensing Authority install a noise limiting device to the approval and satisfaction of the Licensing Authority. A noise limiting device (the specification and design to be agreed with Uttlesford District Council's Environmental Health Service) shall be fitted so that all regulated entertainment is channelled through the device(s). The maximum noise levels will be set by agreement with Uttlesford District Council's Environmental Health Service and will be reviewed from time to time as appropriate. The noise limiting device shall be kept at the settings approved by the Council through an authorised officer of the Uttlesford District Council's Environmental Health service. The Premises Licence Holder or nominated person shall ensure that the noise limiting device is sealed after commissioning so that sound operators cannot override the system during the performance of live and recorded music. If deemed necessary the noise limiting device shall only be reset to a level approved by the Council through an authorised officer of the Uttlesford District Council's Environmental Health Service within 7 days of notification.

Annexe 4 - Plan of Premises

1. See separate attachment.

Peter Holt

For and On Behalf Of Chief Executive

This section has been left blank.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Chatersco Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

| |
|--|
| Premises licence number PL0472 |
|--|

Part 1 – Premises Details

| | | | |
|--|-------|----------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description 17 Church Street Saffron Walden | | | |
| Post town | Essex | Postcode | CB10 1JW |

| | |
|---|------------|
| Telephone number at premises (if any) | [REDACTED] |
| Non-domestic rateable value of premises | £5500 |

Part 2 – Applicant details

| | | | |
|---|-----------------|----------|--|
| Daytime contact telephone number | [REDACTED] | | |
| E-mail address (optional) | max@chatters.uk | | |
| Current postal address if different from premises address | | | |
| Post town | | Postcode | |

Part 3 - Variation

Please tick as appropriate

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

If not, from what date do you want the variation to take effect? DD MM YYYY

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- To remove conditions Annexe 2 Condition 3:-
At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises into the outside area and conspicuous signage (of a minimum size of 200mm x 148mm) shall be displayed, at each ingress/egress point explaining this policy.
- To remove condition Annexe 2 Condition 4 :-
No tables, chairs or furniture in the outside area
- To remove Annexe 2 Condition 5 which says:
The outside area to the side of the premises is only to be used as a smoking area.
- To expand the current licensed area to incorporate the area detailed in the new proposed floor plan.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

| |
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| |
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Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 8) | | | Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Sat | | | | | |
| Sun | | | | | |

B

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|--|-------|--------|---|----------|--------------------------|
| Films Standard days and timings (please read guidance note 8) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Sat | | | | | |
| Sun | | | | | |

C

| | | | |
|---|-------|--------|--|
| Indoor sporting events Standard days and timings (please read guidance note 8) | | | <u>Please give further details</u> (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| Tue | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6) |
| | | | |
| Wed | | | |
| | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7) |
| | | | |
| Fri | | | |
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| Sat | | | |
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D

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|---|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 8) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Sat | | | | | |
| Sun | | | | | |

E

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|---|-------|--------|---|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 8) | | | Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
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| Sun | | | | | |
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F

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|---|-------|--------|---|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 8) | | | Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| | | | | | |
| Tue | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) | | |
| | | | | | |
| Wed | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

G

| Performances of dance Standard days and timings (please read guidance note 8) | | | Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
|--|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Sat | | | | | |
| Sun | | | | | |

H

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|--|-------|--------|--|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Sun | | | | | |

I

| | | | | | |
|--|-------|--------|---|----------|--------------------------|
| Late night refreshment Standard days and timings (please read guidance note 8) | | | <u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Sat | | | | | |
| Sun | | | | | |

J

| | | | | | |
|---|-------|--------|--|------------------|--------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 8) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 9) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <p><u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)</p> <p><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p> | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

K

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| <p>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 10).</p> |
|--|

L

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 8) | | | <u>State any seasonal variations</u> (please read guidance note 6) |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | |
| Wed | | | |
| Thur | | | |
| Fri | | | |
| Sat | | | <u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) |
| Sun | | | |
| | | | |

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

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

We believe since opening in August 2022 we have upheld all four of the licensing objectives.

Please see original application and conditions attached to our current licence.

b) The prevention of crime and disorder

Please see original application and conditions attached to our current licence.

c) Public safety

Please see original application and conditions attached to our current licence.

d) The prevention of public nuisance

Please see original application and conditions attached to our current licence.

e) The protection of children from harm

Please see original application and conditions attached to our current licence.

Checklist:

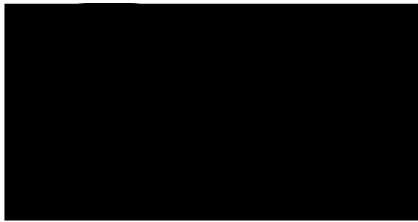
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, 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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|-----------|---|
| Signature |  |
| Date | 02/05/2023 |
| Capacity | DPS |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

| | | | |
|--|--|------------------|--|
| Post town | | Post code | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

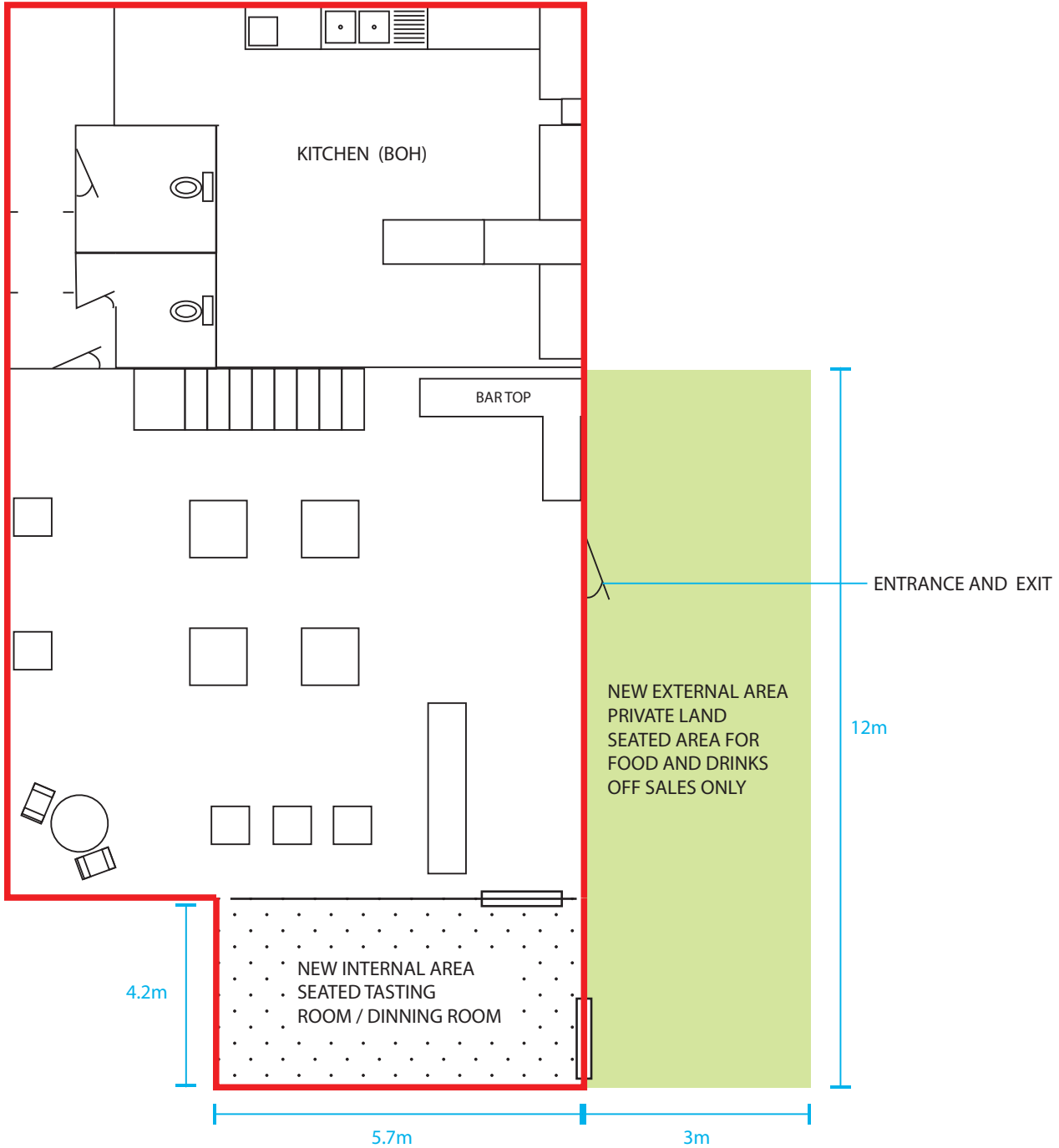
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.


- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

CHATERS / VAULT APERITIVO - 17 CHURCH STREET SAFFRON WALDEN

GROUND FLOOR - CHATER'S



 NEW LICENSED AREA TO BE ADDED

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

| | |
|---|--|
| 1. The personal details of premises user (Please read note 1) | |
| 1. Your name | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) MR |
| Surname | CHATER |
| Forenames | MAX |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) |
| Surname | |
| Forenames | |
| 3. Your date of birth | |
| 4. Your place of birth | |
| 5. National Insurance Number | |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below) | |
| [REDACTED] | |
| Post town | [REDACTED] |
| Postcode | [REDACTED] |
| 7. Other contact details | |
| Telephone numbers Daytime | |
| Evening (optional) | |
| Mobile (optional) | [REDACTED] |
| Fax number (optional) | |
| E-Mail address (if available) | MAX@CHATERS.UK |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you) | |

| | |
|--|----------|
| | |
| Post town | Postcode |
| 9. Alternative contact details (if applicable) | |
| Telephone numbers: Daytime | |
| Evening (optional) | |
| Mobile (optional) | |
| Fax number (optional) | |
| E-Mail address (if available) | |

| | |
|---|--------|
| 2. The premises | |
| Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2) | |
| <p style="text-align: center;">CHATER'S 17 CHURCH STREET SAFFRON WALDEN</p> | |
| Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below. | |
| Premises licence number | PL0472 |
| Club premises certificate number | |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3) | |
| <p style="text-align: center;">THE CURRENT LICENSED SPACE</p> | |
| Please describe the nature of the premises below. (Please read note 4) | |
| <p style="text-align: center;">LICENSED CAFE AND RESTAURANT</p> | |
| Please describe the nature of the event below. (Please read note 5) | |
| <p style="text-align: center;">The event is for a regular customer's 40th birthday celebration.</p> | |

| |
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| 3. The licensable activities | |
|---|---|
| Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6) | |
| The sale by retail of alcohol | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club | <input type="checkbox"/> <input type="checkbox"/> |
| The provision of regulated entertainment (Please read note 7) | <input type="checkbox"/> |
| The provision of late night refreshment | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| Are you giving a late temporary event notice? (Please read note 8) | <input type="checkbox"/> |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9) | |
| 15-04-2023 / 16-04-2023 | |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10) | |
| <p style="text-align: center;">23:00 - 01:00</p> We are licensed until 23:00 already | |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11) | 50 |
| If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12) | On the premises only <input type="checkbox"/> |
| | Off the premises only <input type="checkbox"/> |
| | Both <input checked="" type="checkbox"/> <input type="checkbox"/> |

| |
|--|
| <p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> <p>The guest has requested the use of a keyboard for singing. This is an extra and not essential for the TENS. We could limit the use of the live music to pre 23:00.</p> |
|--|

| 4. Personal licence holders (Please read note 14) | | |
|---|--|--------------------------------|
| Do you currently hold a valid personal licence? (Please tick) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below. | | |
| Issuing licensing authority | Wealden District Council | |
| Licence number | WEA/LN/000009554 | |
| Date of issue | | |
| Any further relevant details | | |

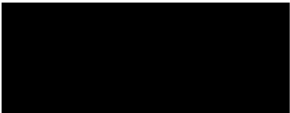
| 5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you) | | |
|--|---------------------------------|---|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year | | |
| Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

| 6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you) | | |
|--|---------------------------------|---|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year. | | |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year. | | |

| | | |
|--|---------------------------------|---|
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|--|---------------------------------|---|

| 7. Checklist (Please read note 17) | |
|--|-------------------------------------|
| I have: (Please tick the appropriate boxes, where applicable) | |
| Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated | <input type="checkbox"/> |
| Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | <input type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority | <input type="checkbox"/> |
| If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police | <input type="checkbox"/> |
| If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions | <input type="checkbox"/> |
| Made or enclosed payment of the fee for the application | <input checked="" type="checkbox"/> |
| Signed the declaration in Section 9 below | <input checked="" type="checkbox"/> |

| 8. Condition (Please read note 18) |
|---|
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| 9. Declarations (Please read note 19) | |
|--|---|
| The information contained in this form is correct to the best of my knowledge and belief. | |
| I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both. | |
| Signature |  |

| | |
|------------------------|------------|
| Date | 21/03/23 |
| Name of Person signing | MAX CHATER |

For completion by the licensing authority

| | |
|---|--------------------------------------|
| 10. Acknowledgement (Please read note 20) | |
| I acknowledge receipt of this temporary event notice. | |
| Signature | On behalf of the licensing authority |
| Date | |
| Name of Officer signing | |

Notes for Guidance

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times or, for event periods occurring wholly or partly in 2022 or 2023, 20 times a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days or, for event periods (or any part of those periods) occurring in 2022 or 2023, 26 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or

- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (subject to an unlimited fine on conviction);
- allowing the sale of alcohol to children under 18 (subject to an unlimited fine on conviction);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (subject to an unlimited fine, on conviction);
- allowing disorderly behaviour on the premises (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- the sale of alcohol to a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- obtaining alcohol for a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (subject to a fine not exceeding level 1 on the standard scale, on conviction); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (subject to a fine not exceeding level 3 on the standard scale, on conviction).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”.

Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities

throughout the entire 48-hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 13

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment — see note 6 above). A temporary event notice may be given for this purpose.

Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices for each year. However, only one notice needs to be given. The limits are:

- i. for event periods occurring wholly or partly in 2022 or 2023, up to 20 times in the calendar year for each premises;
- ii. for other event periods, 15 times in a calendar year for each premises;
- iii. for event periods (or any part of a period) occurring in 2022 or 2023, 26 days in the calendar year for each premises;

- iv. for other event periods, 21 days in a calendar year for each premises;
- v. 50 per personal licence holder each calendar year; and
- vi. 5 for non-holders each calendar year.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 16 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 16 below sets out the definition of an “associate”.

Note 16

An “associate” of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 18

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 19

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and an unlimited fine.

Note 20

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

Ronan McManus 42080692

From: Max Chater <max@chaters.uk>
Sent: 30 May 2023 14:59
To: Ronan McManus 42080692
Subject: Re: FW: EXTERNAL -
Attachments: Variation License Plan .pdf

Hello Ronan,

Thank you for detailing our call. All agreed and it makes sense. We had a meeting today with EHO and Licensing to discuss our variation. It seems all departments are in agreement, the only point which needs to be mediated on is at what time the external area will be closed.

Please find attached the updated floor plan with just the new internal area enclosed with the RED line.

Cheers
Max

On Fri, 26 May 2023 at 13:26, Ronan McManus 42080692 <Ronan.McManus@essex.police.uk> wrote:

Good afternoon Max ,

Thank you for your time this afternoon , we spoke about the following aspects of your application :

- To remove conditions Annexe 2 Condition 3:- At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises into the outside area and conspicuous signage (of a minimum size of 200mm x 148mm) shall be displayed, at each ingress/egress point explaining this policy. – No issues

- To remove condition Annexe 2 Condition 4 :- No tables, chairs or furniture in the outside area - Not licensable so, no issues

- To remove Annexe 2 Condition 5 which says:

The outside area to the side of the premises is only to be used as a smoking area. - To expand the current licensed area to incorporate the area detailed in the new proposed floor plan –

Can you submit an updated premises plan highlighted in red the area you are seeking to licence .

You have agreed to NOT have the outside area licensed but used for off sales only .

The outside area to be closed from 21:00 each evening .

If you are in agreement can you supply the updated premises plan and state your agreement to the conditions above .

Thank you



Ronan McManus (80692)

Senior Licensing Officer

☎ 101 (Ext: 406363) 📞 [REDACTED]

📍 Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

[Local Policing Support Unit - Home \(sharepoint.com\)](#)

From: Ronan McManus 42080692
Sent: 25 May 2023 14:43
To: Max Chater <max@chaters.uk>
Subject: RE: EXTERNAL -

Good afternoon Mr Chater ,

Can you let me know when you would be available for a telephone conversation regarding your recent variation application , I would like clarification about :

- The outside area
- Timings for the outside area
- Have you considered off sales for the outside area
- Will there be an extension to the building

I look forward to hearing from you



Ronan McManus (80692)

Senior Licensing Officer

☎ 101 (Ext: 406363) 📞 [REDACTED]

📍 Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

[Local Policing Support Unit - Home \(sharepoint.com\)](#)

From: Max Chater <max@chaters.uk>
Sent: 23 May 2023 07:56
To: Ronan McManus 42080692 <Ronan.McManus@essex.police.uk>
Subject: EXTERNAL -

CAUTION: This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe. It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Good morning Ronan

I'm very sorry for missing our meeting at Chater's yesterday. I hope your trip wasn't completely wasted.

How would you like to proceed from here?

Cheers

Max Chater
Chater's Saffron Walden
Café, General Store, Aperitivo Bar
CB101JW

www.chaters.uk

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Max Chater
Founder / Distiller



Objection to application for variation to the premises licence in respect of Chatersco Ltd, 17 Church Street, Saffron Walden, CB10 1JW: removal of conditions 3-5 of Annexe 2. Premises Licence No: PL0472

As Senior Environmental Health Officer (Protection) at Uttlesford District Council I am making a representation to the application because I consider there is potential for a public nuisance to occur should the application be approved.

Background

Chaters is located down an alleyway leading off of Church Street, Saffron Walden. Residential flats are in close proximity and this department is currently investigating a recent noise complaint regarding alleged loud music internally and patron noise both externally from the alleyway and from within the building itself due to alleged poor sound insulation. This has not been determined but we are in contact with both the complainant and the applicant. The premises must be operated with sensitivity to the amount of noise which may be produced from amplified music and from customers at or leaving the premises.

Whilst I can understand the applicant's business case for the outside use, particularly during the summer months, the applicant seeks to fully remove certain current conditions contained in Annex 2 of the premises licence PL0472. The original conditions were imposed to ensure the licensing objective of preventing public nuisance is met for current and any future licence holder.

It is accepted that since opening occasional complaints about Chaters have been received from one near neighbour, although supported by another. These have been dealt with informally and are primarily around alleged loud music and patron noise.

Removal of conditions in Annex 2. Premises Licence No: PL0472

Considering the specific conditions which the application seeks to remove:

- To remove conditions Annexe 2 Condition 3:-

At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises into the outside area and conspicuous signage (of a minimum size of 200mm x 148mm) shall be displayed, at each ingress/egress point explaining this policy.

Chaters has a premises licence to serve drinks and play recorded music from 09:00-23:00 every day. By restricting the location and hours when drinks can be consumed outside, the condition limits the potential for raised voices and/or rowdy behaviour causing a disturbance to neighbours. The likelihood of disturbance would be increased by allowing outside drinking until closing time on any evenings and full removal is

therefore not supported. Following discussions with the applicants they are not averse to a licence condition being imposed by the Committee limiting evening hours of use and have agreed to reflect this by updating the existing noise management plan within an agreed time frame following any hearing. A large degree of buy in will be needed from complainants on this matter and the onus would be on the applicant to manage patrons and make this work.

- To remove condition Annexe 2 Condition 4:-

No tables, chairs or furniture in the outside area

It is not possible to contain noise from an outside walled area. Encouraging patrons to possibly use the outside area during operating hours, within a residential area, has the potential to cause widespread disturbance to neighbours. Use of the outdoor area can lead to patrons using the area for extended periods and therefore removal of this condition is not supported.

- To remove Annexe 2 Condition 5 which says:

The outside area to the side of the premises is only to be used as a smoking area.

As with condition 4, it is not possible to contain noise from an outside walled area. Encouraging patrons to possibly use the outside area during operating hours, within a residential area, has the potential to cause widespread disturbance to neighbours. Use of the outdoor area for table and chairs can lead to patrons using the area for extended periods and therefore removal of this condition is not supported. Also, with the addition of tables and chairs it is likely smokers will use a different area to smoke and this may bring them closer to residential properties whereby the smoke odour may become noticeable.

- To expand the current licensed area to incorporate the area detailed in the new proposed floor plan.

No objection is raised on this point.

Conclusion

The existing conditions control the risk of public nuisance and although the level of complaints relating to noise are low consideration should be given to the possibility that other residents have tolerated a degree of disturbance in the knowledge that operational timings and noise controls are in place.

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. It is important to note that the prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. This service maintains that the current conditions are considered reasonable and intended to ensure there is no unreasonable interference in the use and enjoyment of neighbouring land. This is in keeping with the requirements of licensing guidance as the approach to public nuisance should be one of prevention.

As stated previously, if the Committee is minded to approve the variation in whole or part a large degree of by in will be needed from complainants and the onus would be on the applicant to manage patrons and make this work.

Andy Bonham

Snr Environmental Health Officer (Protection)

Uttlesford District Council

7/6/2023

Form Submission PDF

Consultation response to a premises licence application

Before you start

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- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

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Further information on [the different types of alcohol licences available and guidance on how to apply for them](#) is available on GOV.UK.

We'll also ask for your:

- name
- address
- phone number
- email address

You will need to submit a separate form for each premises application that you want to comment on.

Your information

How we handle your information

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Which premises licence application are you commenting on?

| | |
|-----------------------|------------------|
| Premises name | Chatersco Ltd |
| Building and street | 17 Church Street |
| Building and street 2 | |
| Town or city | Saffron Walden |
| Postcode | CB10 1JW |

What is your name?

Full name Scott Riley

What is your address for correspondence?

Building and street

Building and street 2

| | |
|--|----------------|
| Town or city | |
| Postcode | |
| Your telephone number | |
| What is your email? | |
| Email address | |
| Who are you? | |
| I am a: | local resident |
| If you answered 'other', please give details | |

Do your comments relate to one of the licensing objectives?

For your comments to be valid, they must relate to one of the 4 licensing objectives. These are either:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

| | |
|--|-----|
| I can confirm my representation meets one of the 4 licensing objectives | Yes |
|--|-----|

Do you want to make a representation under the prevention of crime and disorder?

| | |
|---|----|
| I want to make a representation under the prevention of crime and disorder | No |
|---|----|

| | |
|---|--|
| If you are making a representation under the prevention of crime and disorder, please state why. | |
|---|--|

Do you want to make a representation under public safety?

| | |
|--|----|
| I want to make a representation under public safety | No |
|--|----|

| | |
|--|--|
| If you are making a representation under public safety, please state why. | |
|--|--|

Do you want to make a representation under the prevention of public nuisance?

| | |
|---|--|
| I want to make a representation under the prevention of public nuisance | Yes |
| If you are making a representation under the prevention of public nuisance, please state why. | As per previous correspondence with environmental health, this new business is having a detrimental effect to my family, due to noise levels (music levels and vocals of customers) resonating through our building when they are open. On top of this, disruption to sleep from people being noisy outside when arriving / leaving and when customers smoke outside the premises it drifts into the children's bedroom, which will only get worse throughout summer months with windows open. With news of a planned extension I can only fear this environment will worsen and cause further upset to family life. |
| Do you want to make a representation under the protection of children from harm? | |
| I want to make a representation under the protection of children from harm | No |
| If you are making a representation under the protection of children from harm, please state why. | |

| | |
|---|---|
| Comments | |
| Your may give any additional positive or negative comments about the application, below but they will not be considered by the committee | As per previous correspondence to the team at Uttlesford DC. The detrimental impact this business has to my family due to ongoing noise levels in my property has not been thought through upon giving licence to such premises which are essentially attached in a warehouse. I also have safety fears due to the locality of the establishment. |

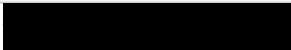
| | |
|---|--|
| Accept and send | |
| By submitting this application you are confirming that, to the best of your knowledge, the details you are providing are true and that if you knowingly or recklessly make a false statement or omit relevant information you may be liable to prosecution. | |


Form Submission PDF

Consultation response to a premises licence application

| Before you start | |
|--|--|
| <p>You should use this form to comment on any application to amend an existing premises licence or a new application for a licence.</p> <p>If you want to comment, you must do so within 28 days of the consultation starting - we'll tell you when this when we publish the application. Your comments must not be vexatious or frivolous and should relate to one of the 4 licensing objectives:</p> <ul style="list-style-type: none"> • the prevention of crime and disorder • public safety • the prevention of public nuisance • the protection of children from harm <p>You should refer to our Licensing Act Policy and the Revised guidance issued under section 182 of the Licensing Act 2003 on GOV.UK for more information.</p> <p>Further information on the different types of alcohol licences available and guidance on how to apply for them is available on GOV.UK.</p> <p>We'll also ask for your:</p> <ul style="list-style-type: none"> • name • address • phone number • email address <p>You will need to submit a separate form for each premises application that you want to comment on.</p> | |
| Your information | |
| <p>How we handle your information</p> | <p>Information you provide will be treated in accordance with the General Data Protection Regulation (GDPR) (EU) 2016/679. Your contact details will be used solely for the purpose of contacting you about your application. You should refer to our Licensing Privacy Notice for an explanation as to what we do with your personal information, how long we keep it and your right to withdraw your consent at any time you choose.</p> |

| Which premises licence application are you commenting on? | |
|---|------------------|
| Premises name | Chartesco |
| Building and street | 17 Church Street |
| Building and street 2 | |
| Town or city | Saffron Walden |
| Postcode | Cb101JW |

| What is your name? | |
|--|---|
| Full name | Sean Kelleher |
| What is your address for correspondence? | |
| Building and street |  |
| Building and street 2 | |

| | |
|--|--|
| Town or city |  |
| Postcode | |
| Your telephone number | |
| What is your email? | |
| Email address | |
| Who are you? | |
| I am a: | local resident |
| If you answered 'other', please give details | |

| | |
|---|--|
| Do your comments relate to one of the licensing objectives? | |
| <p>For your comments to be valid, they must relate to one of the 4 licensing objectives. These are either:</p> <ul style="list-style-type: none"> • the prevention of crime and disorder • public safety • the prevention of public nuisance • the protection of children from harm | |
| I can confirm my representation meets one of the 4 licensing objectives | Yes |
| Do you want to make a representation under the prevention of crime and disorder? | |
| I want to make a representation under the prevention of crime and disorder | No |
| If you are making a representation under the prevention of crime and disorder, please state why. | |
| Do you want to make a representation under public safety? | |
| I want to make a representation under public safety | No |
| If you are making a representation under public safety, please state why. | |
| Do you want to make a representation under the prevention of public nuisance? | |
| I want to make a representation under the prevention of public nuisance | Yes |
| If you are making a representation under the prevention of public nuisance, please state why. | Under the current licence arrangements where drinks / food are only allowed to be served internally there has already been a number of complaints of noise late at night. the relaxation of only recently included restrictions on external usage will inevitably lead to significant increases in noise levels and general disruption to myself at 17b. My flat is the second floor of the building used by this company. |
| Do you want to make a representation under the protection of children from harm? | |

| | |
|--|----|
| I want to make a representation under the protection of children from harm | No |
| If you are making a representation under the protection of children from harm, please state why. | |

| Comments | |
|---|---|
| Your may give any additional positive or negative comments about the application, below but they will not be considered by the committee | I trust that previous noise complaints will be looked at when deciding this application. I also note that there is a significant increase in illegal parking on Church Street during opening hours which, in turn, causes traffic issues for the entire street. |

| Accept and send |
|---|
| By submitting this application you are confirming that, to the best of your knowledge, the details you are providing are true and that if you knowingly or reckless make a false statement or omit relevant information you may be liable to prosecution. |

LUTTRELLS, GRANGE LANE, LITTLE DUNMOW, ESSEX CM6 3HY.
Tel: 01371 820187.

19th May 2023.

The Licensing Authority,
Uttlesford District Council,
Council Offices,
London Road ,
Saffron Walden,
Essex CB11 4ER.

Dear Sirs,

Chatersco Ltd., 17 Church Street, Saffron Walden, Essex CB10 1JW. Application for a Proposed Variation to the Premises Licence.

I write as the co-owner of the freehold of the principal building of No 17 Church Street Saffron Walden. Behind our building and attached to it is the cafe/restaurant to which this application refers.

The Conditions which the applicant wishes to remove were obviously applied in recognition that the site is partly residential. No 17, our building facing Church Street contains two flats, namely No 17A and 17B, both of which are occupied by families containing children.

There has been ongoing noise disturbance to both of these flats since the cafe opened from music playing late into the night and of which we have raised concerns both with the cafe owners and their freeholders.

If permission to remove the current restrictions in the existing Licence were to be granted this would enable the cafe to operate in the open air just below the two flats with no possible method of controlling the noise level arising; in effect making the two flats incapable of occupation. Currently even the noise level arising internally has been unreasonable.

The restrictions are clearly still necessary as there has been no change of circumstances that would warrant their removal.

I therefore hope that this application is refused in full.

Yours faithfully



M.S.Ulph.

Form Submission PDF

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- name
- address
- phone number
- email address

You will need to submit a separate form for each premises application that you want to comment on.

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Which premises licence application are you commenting on?

| | |
|-----------------------|------------------|
| Premises name | Chaters |
| Building and street | 17 Church Street |
| Building and street 2 | |
| Town or city | Saffron Walden |
| Postcode | CB10 1JW |


What is your name?

Full name Michael Chappell

What is your address for correspondence?

Building and street

Building and street 2

| | |
|--|--|
| Town or city |  |
| Postcode | |
| Your telephone number | |
| What is your email? | |
| Email address | |
| Who are you? | |
| I am a: | local resident |
| If you answered 'other', please give details | |

| | |
|---|--|
| Do your comments relate to one of the licensing objectives? | |
| <p>For your comments to be valid, they must relate to one of the 4 licensing objectives. These are either:</p> <ul style="list-style-type: none"> • the prevention of crime and disorder • public safety • the prevention of public nuisance • the protection of children from harm | |
| I can confirm my representation meets one of the 4 licensing objectives | Yes |
| Do you want to make a representation under the prevention of crime and disorder? | |
| I want to make a representation under the prevention of crime and disorder | Yes |
| If you are making a representation under the prevention of crime and disorder, please state why. | I am an immediate next door neighbour to Chaters and, despite objecting to their initial licence application, am now a regular customer and supporter of the business. It has brought an exciting and interesting new premises to the town. It is efficiently and effectively run and, in all the time it has been open, there have been no reports of criminality or public disorder arising from its operations. I have certainly not experienced any such activities. I know the licensee will ensure this does not change with the extension to cover outdoor seating. |
| Do you want to make a representation under public safety? | |
| I want to make a representation under public safety | Yes |
| If you are making a representation under public safety, please state why. | On my frequent visits to the premises, both during the day and in the evenings, there has never been any overcrowding, everyone is seated at tables, and people without reservations are turned away if there are no tables available. Fire safety precautions are obvious and well signed and I, and anyone I have spoken to, feels the premises are nothing but safe. The outside extension of the licence will not create a public safety issue. |

| Do you want to make a representation under the prevention of public nuisance? | |
|---|---|
| I want to make a representation under the prevention of public nuisance | Yes |
| If you are making a representation under the prevention of public nuisance, please state why. | As an immediate neighbour I was obviously concerned about the potential for nuisance and disturbance from the operation of Chaters but my fears were unfounded. I have experienced no disturbances from people going to or leaving the premises, no noise from the music, and no nuisance from car parking or deliveries. Chaters operate an over 25 policy and this is reflected in the mature behaviour of their customers. I do not think the extension of the licence to include outdoor seating will have a detrimental effect on the area and, being well managed by the current licensee, will not create a public nuisance. |
| Do you want to make a representation under the protection of children from harm? | |
| I want to make a representation under the protection of children from harm | Yes |
| If you are making a representation under the protection of children from harm, please state why. | The licensee has a young family and is patently aware of the protection of children. This is evidenced by the number of families using Chaters who would not be doing so if they felt the premises or business were unsafe. This will obviously not change with the addition of outdoor seating. |
| Comments | |
| Your may give any additional positive or negative comments about the application, below but they will not be considered by the committee | Despite my initial reservations I now have nothing but admiration and praise for Chaters and fully support their application to amend their licence to cover outdoor seating. |
| Accept and send | |
| By submitting this application you are confirming that, to the best of your knowledge, the details you are providing are true and that if you knowingly or recklessly make a false statement or omit relevant information you may be liable to prosecution. | |

To whom it may concern,

As long-standing residents of Church Street, we wish to register our support for the recent application submitted by Chater's cafe to extend its license to allow for seating outdoors.

Having lived on Church Street for more than 24 yrs, we have seen the area change quite considerably over that time - mostly for the better.

In particular, we've been delighted to see that since opening last year, Chater's has become a much valued addition to the street. It is a popular destination for people of all ages, dog-walkers, 'home-workers', local business people, tourists, young families and others. We gather here for the best coffee in town, delicious homemade food and their own unique aperetivos.

We have always found owners Máire and Max Chater to be consistently charming hosts. They are unfailingly welcoming, helpful, engaging and interested in their customers and local opinions. As a former food business owner myself, I admire their dedication and professionalism in running a licensed premises, providing a safe environment for all their guests and successfully preventing any form of nuisance that could disadvantage their neighbours. For example, when visiting in the evenings, we've noted the vigilance of staff in ensuring guests leave quietly and by closing time. We can also testify to never having witnessed or heard from our property any anti-social behaviour or loud music. Indeed Chater's is a venue one visits for conversation and a relaxed and convivial atmosphere.

Given our experiences of living with Chater's on our doorstep we wish to add our wholehearted support to its application to provide outdoor seating for those who wish to enjoy the summer weather both during the day and evenings. We are confident this would be a wonderful complement to the existing premises and, under the management of Máire and Max, will continue to enhance the environment of Church Street and Saffron Walden as a whole.

We hope the licensing committee will consider these comments when making its decision.

Suzanna and Paul Doyle

Support for the extension of outdoor dining and drinking license for Chater's (Max and Maire Chater)

We are writing you to express our strongest support for the extension of the outdoor dining and drinking license for Chater's. We have moved to Saffron Walden around a year ago and as residents of Church St, we have personally witnessed the positive impact this establishment has had on our community, and we believe that granting them the license extension would be a great benefit for all of us.

Chater's has become a local spot for our community. It has not only enhanced the culinary landscape of Saffron Walden but has also created a vibrant and welcoming atmosphere that brings people together. People enjoy coffee and cake in the morning, a light lunch in the afternoon or going out for dinner at night. With its changing menu offerings and a warm ambiance, it has quickly become a favourite destination for both residents and visitors alike.

One of the most significant advantages of supporting a local business like Chater's is the positive effect it has on our local economy. By choosing to dine or having a drink at this establishment, we are directly contributing to the growth and sustainability of Saffron Walden. They only employ local staff, source local produce and produce local drinks. It can't get more sustainable than that.

We live right next door to Chater's and our flat is in close proximity. We can see people visiting the café daily and never felt annoyed by anything. In fact, we enjoy it when we hear people talking, laughing and having a good time. They have talked to us numerous times to understand if their business was too loud for us or if they could do things differently, but there has been no reason to suggest it was too noisy. We never get any negative behaviour from people visiting Chater's and this is also because Max and Maire wouldn't tolerate such behaviour in their establishment.

As neighbours, we have had numerous interactions with the owners and staff of Chater's and we can see that they are consistently prioritising to build relationships with residents. They have demonstrated a dedication to providing exceptional service and creating an inclusive and safe environment for everyone. The customers at Chater's consist of people of all ages and during the day especially of a lot of young families with children. A look at the mix of customers tells you right away that Chater's is a place where everybody feels welcome, no matter how young or old.

In light of the above, we kindly request your careful consideration and support for granting the extension of the outdoor dining and drinking license for Chater's. The positive impact it has on our community's cultural, social, and economic well-being cannot be understated. This new extension would help to foster a thriving neighbourhood that supports local businesses and celebrates the sense of community we all cherish.

Thank you for your time and consideration. If you require any additional information or would like to discuss this further, please do not hesitate to reach out.

Florian Mayer and Annalena Felber



To whom it may concern,

Below is a statement for the application for Chaters to extend their license to outside....

When I think of Chaters what does it mean to me?

Good coffee, quality products, delicious food, quality drinks, a calm and relaxing environment, a creative space and lovely staff. Chaters has been a great addition to Saffron Walden. Bring together creative like minded people who enjoy a relaxing space and who have a great appreciation for good food and drink. It is the perfect place to take myself for a switch off from the world, as well as a place to meet my Mum for a catch up over coffee, meet great friends for dinner or a quick treat for my kids after school. Max and Máire really have brought that sense of community to Saffron Walden and I am very much in favour of their application to extend into the outside area. They are positive people doing positive things.

Thanks

Sally Roper.

Hi,

I wanted to send this email in support of the application of variation for Chater's licensing.

I am a regular customer at Chater's and the atmosphere is very welcoming. I work there on my laptop during the week sometimes and also bring in my children at the weekend.

I like it because it is a family run business who cares about the environment, both in terms of the world and climate change but also the local environment in terms of using local produce and caring for their neighbours. The staff are always friendly and approachable.

I believe that allowing Chater's to have an outside seating area would be of benefit to the local community in a very sociable way. You can tell by the relaxed nature of the current environment.

The cost of the beverages and food would certainly not promote under age drinking.

I believe allowing the license to Chater's would be a real asset to the local community as somewhere local people could go for an outdoor meal in the summer.

Regards

Samuel La Roche
Saffron Walden Resident
CB114BJ