

LICENSING SUB COMMITTEE HEARING



AGENDA

Date: Friday 29th September 2017

Time: 10.00am

Venue: Committee Room 1, Causeway House, Bocking End, Braintree

Membership:

Councillor Mrs J Allen
Councillor J Baugh
Councillor A Hensman
Councillor B Rose

Members are requested to attend this meeting, to transact the following business:-

1. **Appointment of Chairman.** To appoint a Chairman to conduct the business of this Hearing.
2. **Apologies for Absence.**
3. **Declarations of Interests.** To declare the existence of any interests relating to items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice (where necessary) before the meeting.
4. To consider an application under the Licensing Act 2003 for a Premises Licence in respect of **CRESSING TEMPLE BARN, WITHAM ROAD, CRESSING** (Report and application attached).

If you require any further information relating to this Agenda, or you wish to forward your apologies for absence, please contact Alison Webb on (01376) 552525 Ext. 2614 or e-mail

alison.webb@braintree.gov.uk

Emma Wisbey
Governance and Member Manager

APPLICATION FOR A PREMISES LICENCE CRESSING TEMPLE BARNS, WITHAM ROAD, CRESSING, ESSEX, CM77 8PD		Agenda No: 4
Portfolio	Environment and Place	
Corporate Outcome:	A sustainable environment and a great place to live, work and play A prosperous district that attracts business growth and provides high quality employment opportunities Residents live well in healthy and resilient communities where residents feel supported	
Report presented by:	Alexandra Maschas, Licensing Officer	
Report prepared by:	Alexandra Maschas, Licensing Officer	
Background Papers:		Public Report
<ol style="list-style-type: none"> 1. Application for a Premises Licence & plan (Appendix 1) 2. Mandatory Conditions and Conditions to be attached to the licence in accordance with the Operating Schedule and agreed conditions with Essex Police (Appendix 2) 3. Plans of the location (Appendix 3) 4. Representations (Appendix 4) 5. Licensing Act 2003 6. Revised Guidance issued under section 182 of the Licensing Act 2003 – April 2017 		Key Decision: No
Executive Summary:		
<p>Members of the Licensing Sub-Committee are requested to consider an application for the grant of a new Premises Licence having regard to the representations received and the requirement to promote the four licensing objectives:</p> <ol style="list-style-type: none"> a) The prevention of crime and disorder b) Public safety c) The prevention of public nuisance d) The protection of children from harm 		
Decision:		
<p>Members are advised that they have the following options when determining this application for Cressing Temple Barns, Witham Road, Cressing, Essex, CM77 8PD:</p> <ol style="list-style-type: none"> 1. To Grant the application for a Premises Licence, on the terms and conditions applied for, as set out in Appendix 2. 2. To Grant the application for a Premises Licence, on the terms and conditions 		

<p>applied for, as set out in Appendix 2, modified to such extent as considered appropriate to promote the Licensing Objectives.</p> <p>3. To Grant the application for a Premises Licence with amended activities or times.</p> <p>4. To Refuse the application for a Premises Licence.</p> <p>The Licensing Sub-Committee is asked to give full reasons for its decision.</p> <p>The Sub-Committee is reminded that the applicant or any person making representation in relation to this matter may appeal the decision of the Council to the Magistrates' Court.</p>	
<p>Purpose of Decision:</p> <p>Members of the Licensing Sub-Committee are requested to consider the application made by Essex County Council.</p>	
<p>Any Corporate implications in relation to the following should be explained in detail.</p>	
Financial:	None
Legal:	The Licensing Sub-Committee is required to give reasons for its decision and any party who is dissatisfied may appeal to the Magistrates' Court within 21 days. If such an appeal is made by the premises licence holder then any decision taken is stayed until such time as an appeal is heard.
Safeguarding:	None
Equalities/Diversity:	The decision of the Licensing Sub-Committee may affect the business operations of the proposed licence holder.
Customer Impact:	The application has been advertised in accordance with statutory timescales.
Environment and Climate Change:	None
Consultation/Community Engagement:	A statutory 28 day consultation period has taken place. A public notice has been displayed at the premises and in a locally circulated publication.
Risks:	None
Officer Contact:	Alexandra Maschas
Designation:	Licensing Officer
Ext. No:	2229
E-mail:	Alexandra.maschas@braintree.gov.uk

1. Application

1.1 Premises

Cressing Temple Barns
Witham Road
Cressing
Essex
CM77 8PD

1.2 Applicant

Essex County Council
Cressing Temple Barns
Witham Road
Cressing
Essex
CM77 8PD

1.3 Designated Premises Supervisor

Ms Jennie Duffy
9 Bishop Road
Chelmsford
Essex
CM1 1PX

2. Details

- 2.1 An application was received from Essex County Council on 7th August 2017 for the grant of a new Premises Licence at Cressing Temple Barns, Witham Road, Cressing, Essex, CM77 8PD. The application was deemed valid on 7th August 2017 and the consultation started.

The purpose of the new application is to include:

Sale by retail of alcohol for consumption on and off the premises:

Everyday 08:00 to 00:00

Provision of regulated entertainment

Recorded Music – Indoors

Everyday 10:00 to 00:00

Live Music – Indoors

Every day 10:00 to 00:00

Plays – Indoors & Outdoors

Everyday 10:00 to 23:00

Films – Indoors & Outdoors

Everyday 10:00 to 23:00

Performance of Dance – Indoors

Everyday 10:00 to 00:00

Anything of a similar description – Indoors
Everyday 10:00 to 00:00

Late Night Refreshment – Indoors & Outdoors
Everyday 23:00 to 00:00

Opening Hours
Everyday 08:00 to 00:30

- 2.2 Following the deregulation of live music under the Live Music Act 2012, and the deregulation of recorded music under the Deregulation Act 2015 if the premises is authorised for the sale of alcohol for consumption on those premises the regulated entertainment under certain conditions, as set out below, would not require a licence:
- 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 does not have a licence, provided that the audience does not exceed 500.
 - 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.
- 2.3 It must be noted that the revised guidance, dated April 2017, issued under section 182 of the Licensing Act 2003 states that
- “16.8 - Of course, anyone involved in the organisation or provision of entertainment activities – whether or not any such activity is licensable under the 2003 Act – must comply with any applicable duties that may be imposed by other legislation relevant to the event (e.g. in areas such as crime and disorder, fire, health and safety, noise, nuisance and planning). Any such person should take steps to be aware of relevant best practice, and may find responsible authorities a useful source of expert support and advice”.
- 2.4 The application has been properly made in accordance with the Licensing Act 2003, and all procedures correctly followed. The completed application form is attached as Appendix 1.
- 2.5 Additional measures proposed by the applicant to promote the licensing objectives, including mandatory conditions, have been reproduced in Appendix 2. These conditions have been taken from the Operating Schedule submitted by the applicant and these conditions are required to be attached to any licence granted by the Members.

3. Background

- 3.1 Cressing Temple is situated on the Witham Road between Cressing, Silver End and White Notley. As well as medieval barns, which are among the oldest timber barns and few surviving Templar buildings in England, and historical buildings, it also includes a Wilkin & Sons Tiptree tearoom and many gardens. The premises hosts a variety of events for the public such as murder mystery evenings, food and drink festivals and medieval weekends. It also delivers educational days for both children and adults. In addition to public events the site offers their unique facilities for private functions such as weddings and corporate events. Both the Templar barns and the Tudor Walled Garden are licensed for wedding ceremonies, partnerships and renewal of vows.
- 3.2 The site is surrounded by fields with four residential properties in close proximity.
- 3.3 The site does have a current premises licence, however this application is for a new licence which, it is believed, will supersede the existing one if granted.
- 3.4 Plans indicating the location of the premises and the surrounding area are attached as Appendix 3.
- 3.5 There have been previous complaints regarding noise from the premises. The last one recorded was on 27th May 2015 prior to that, one for 26th July 2014 and 19th June 2014. There have been the following noise complaints prior to 2014: one in 2008, two in 2007 and one in 2006 and 2005.

4. Representations

- 4.1 The Section 182 Guidance for the Licensing Act 2003 states that relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body, or business that has grounds to do so.
- 4.2 Following the 28 day consultation period under the Licensing Act 2003, the Licensing Authority received one representation from an interested party on the grounds of Prevention of Public Nuisance (Appendix 4). The representation highlights the following:
- Loud intrusive music, the Barns are not sound proof and dependent on the type of music and other environmental factors it can cause a disturbance to the objector.
 - Concerns regarding the “drinking up time” and the noise when guests are leaving the venue following the events.
- 4.3 During the course of this application, notice was given to all the responsible authorities. Representations have been received from Essex Police on the grounds of Public Safety and from Environmental Health on the grounds of Prevention of Public Nuisance (Appendix 4).
- 4.4 On 6th September 2017 Essex Police withdrew their representation following a meeting with the applicant and conditions having being agreed. These

conditions are shown in Appendix 2 and must be attached to the licence if granted.

5 Statement of Licensing Policy

5.1 There are no specific issues arising from this application relevant to the Council's statement of licensing policy.

5.2 The following extracts from the Council's statement of licensing policy are brought to the general attention of Members:

(1.2) When assessing applications, other than personal licences, the Licensing Authority must be satisfied that the measures proposed in the applicant's operating schedule aim to achieve the four licensing objectives.

(1.6) In respect of each of the four licensing objectives, applicants will need to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to attract, larger audiences.

(1.19) When considering applications, the Licensing Authority will have regard to

- the Licensing Act 2003, as amended and the licensing objectives
- Government guidance issued under Section 182 of the Licensing Act 2003, as amended
- any supporting regulations
- this statement of licensing policy

(1.20) This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

(1.21) When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from its functions as the local planning authority.

(1.31) Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgements as to whether conditions may need to be attached to various authorisations and others in possession of relevant authorisations, to secure achievement of the licensing objectives. Any conditions arising from the operating schedule or as a result of representations will primarily focus on the

direct impact of the activities taking place at licensed premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned and will cover matters that are within the control of individual licensees.

(1.34) The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premise, in order to avoid the imposition of disproportionate and other burdensome conditions on those premises. Standard conditions, other than mandatory conditions, will therefore be avoided and no condition will be imposed that cannot be shown to be necessary for the promotion of the licensing objectives.

[Insert name and address of relevant licensing authority and its reference number (optional).]

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Essex County Council

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Cressing Temple Barns Witham Road Cressing			
Post town	Braintree	Postcode	CM77 8PD
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		£24750	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input checked="" type="checkbox"/> | please complete section (B) |

- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Essex County Council
Address Cressing Temple Barns Witham Road Cressing Braintree CM77 8PD
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) County Council
Telephone number (if any) [REDACTED]
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
A	S	A	P				

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

Cressing Temple is of supreme interest for its unique buildings and gardens. Given to the Knights Templar in 1137, its Grade 1-listed Barley and Wheat Barns, built in the 13th Century, are among the oldest timber barns and few surviving Templar buildings in England.

As well as medieval barns and historical buildings it also includes a popular Wilkin & Sons Tiptree tea room and many stunning gardens, one of which is one of the few reconstructed Tudor gardens left in the Country.

The premises hosts a variety of events for the public such as murder mystery evenings, food and drink festivals and medieval weekends. It also delivers educational days for both children and adults; providing the perfect setting for children to explore their chosen period of history and offering traditional building skills and conservation training for adults.

In addition to public events the site offers their unique facilities for private functions such as weddings and corporate events. Both the stunning Templar barns and the Tudor Walled Garden are licensed for wedding ceremonies, partnerships and renewal of vows.

Cressing Temple is an important heritage site and by offering both public and private events allows the upkeep and maintenance to ensure it remains at the heart of the community.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |

- f) recorded music (if ticking yes, fill in box F) ☒
- g) performances of dance (if ticking yes, fill in box G) ☒
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) ☒

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	23.00			
			<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 5)		

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon	10.00	23.00		
Tue	10.00	23.00		
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)	
Wed	10.00	23.00		
Thur	10.00	23.00		
			<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 5)	
Fri	10.00	23.00		
Sat	10.00	23.00		
Sun	10.00	23.00		

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	10.00	00.00		
Tue	10.00	00.00		
			State any seasonal variations for the performance of live music (please read guidance note 4)	
Wed	10.00	00.00		
Thur	10.00	00.00		
			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 (please read guidance note 5) Live amplified music in the Barley Barn and Wheat Barn to finish at 18.00	
Fri	10.00	00.00		
Sat	10.00	00.00		
Sun	10.00	00.00		

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon	10.00	00.00		
Tue	10.00	00.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)	
Wed	10.00	00.00	<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 5)	
Thur	10.00	00.00	Recorded music in the Barley Barn and Wheat Barn to finish at 18.00	
Fri	10.00	00.00		
Sat	10.00	00.00		
Sun	10.00	00.00		

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon	10.00	00.00		
Tue	10.00	00.00		
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)	
Wed	10.00	00.00		
Thur	10.00	00.00		
			<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 5)	
Fri	10.00	00.00		
Sat	10.00	00.00		
Sun	10.00	00.00		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	10.00	00.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10.00	00.00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	10.00	00.00			
Thur	10.00	00.00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	10.00	00.00			
Sat	10.00	00.00	<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 5)		
Sun	10.00	00.00			



I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input checked="" type="checkbox"/>
Mon	23.00	00.00	<u>Please give further details here</u> (please read guidance note 3)	
Tue	23.00	00.00		
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)	
Thur	23.00	00.00		
Fri	23.00	00.00	<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 5)	
Sat	23.00	00.00		
Sun	23.00	00.00		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)			
Mon	08.00	00.00				
Tue	08.00	00.00				
Wed	08.00	00.00				
Thur	08.00	00.00	<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 5)			
Fri	08.00	00.00				
Sat	08.00	00.00				
Sun	08.00	00.00				

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

Name Jennie Duffy	
Address 	
Postcode	
Personal licence number (if known) 13/00710/LAPER	
Issuing licensing authority (if known) Chelmsford	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	00.30	<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 5)
Tue	08.00	00.30	
Wed	08.00	00.30	
Thur	08.00	00.30	
Fri	08.00	00.30	
Sat	08.00	00.30	
Sun	08.00	00.30	

M Describe the steps you intend to take to promote the four licensing objectives:

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

b) The prevention of crime and disorder

When identified as being required, SIA approved security staff on duty at evening events

Fully alarmed buildings linked to control centre response service

Zero tolerance towards drugs

c) Public safety

Full compliance with fire, health and safety and building regulations and safety standards

All site staff qualified in First Aid at Work first aid training

d) The prevention of public nuisance

The North facing door of the craft barn shall remain closed while amplified live or recorded music is being played.

Signage to be displayed notifying guests to leave quietly

A suitably briefed member of staff shall carry out subjective checks of noise audibility at the site boundary to determine whether it is likely to be intrusive in residential dwellings, and take action to reduce the noise levels if deemed necessary.

Provide nearby residents with a noise complaint number.

e) The protection of children from harm

The premises shall operate Challenge 25

Documented checks carried out on external bodies selling alcohol on site for compliance

Only photo ID will be accepted

All Children must be accompanied by an appropriate adult

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	Jennie Duffy
Date	02/08/2017
Capacity	Area Manager

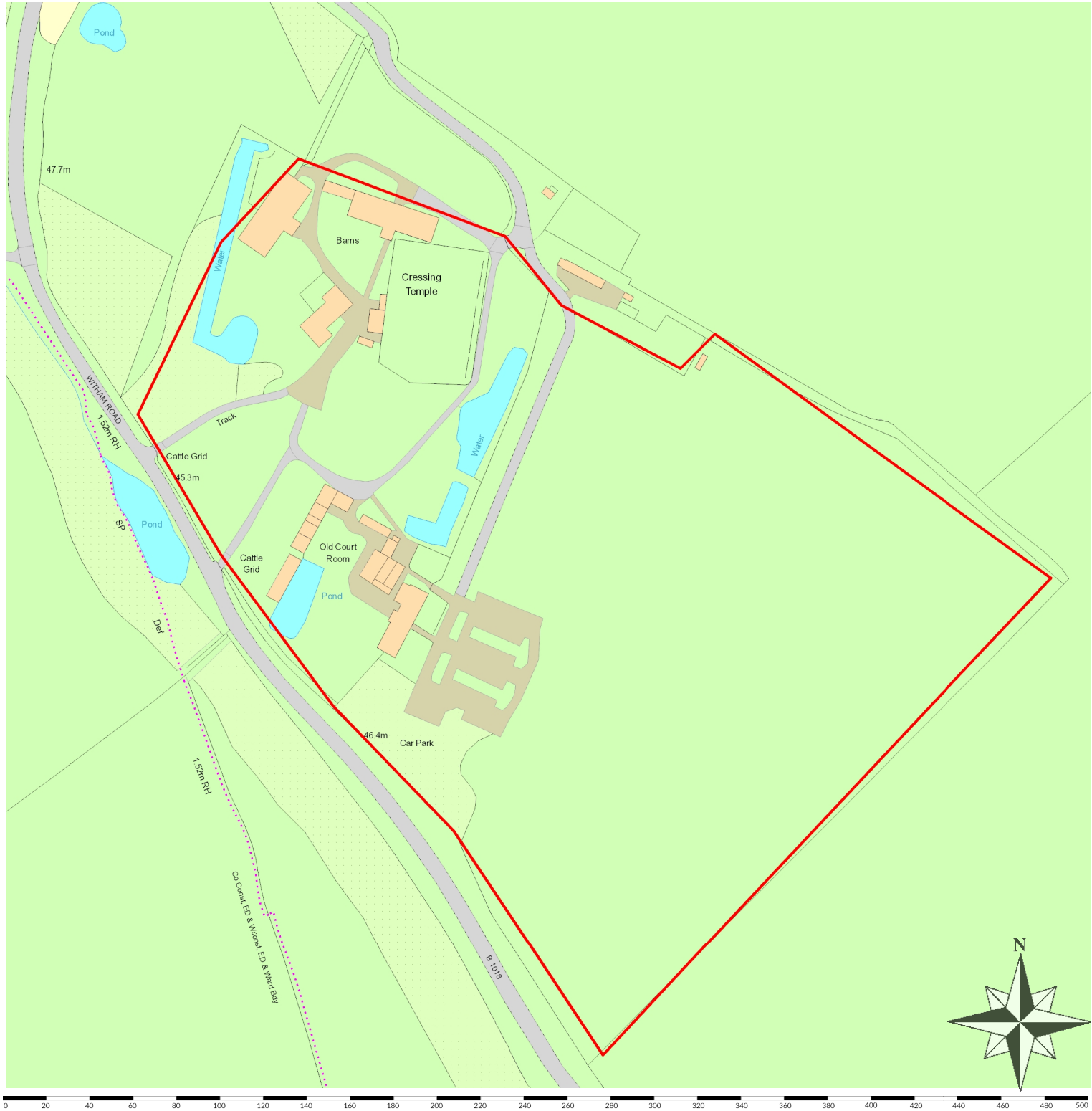
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Chris Cornish [REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Scale: 1:2500 | Area 25Ha | Grid Reference: 580018,218619 | Paper Size: A3

Annex 1 – Mandatory Conditions

All supplies of alcohol

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

Exhibition of films

3. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section:

Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

Where-

- (a) The film classification body is not specified in the licence, or
- (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section-

‘children’ means persons aged under 18; and
 ‘film classification body’ means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39)(authority to determine suitability of video works for clarification).

Door supervision

4. (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

- (b) be entitled to carry out that activity by virtue of section 4 of the Act.
- (2) But nothing in subsection 1. Requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising films or under a gaming licence, or
 - (ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.
- (3) For the purposes of this section:
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act,
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Irresponsible drinks promotions

- 5. (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
6. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

Age verification policy

7. (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 designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- (a) a holographic mark or
 - (b) an ultraviolet feature

Alcoholic drink measures

8. The responsible person shall 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
 - (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.

The sale of alcohol below the cost of duty plus VAT

9. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula –

$$P = D + (DXV)$$

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

Annex 2 – Conditions consistent with the operating Schedule**The Prevention of Crime and Disorder**

1. Fully alarmed buildings linked to control centre response service
2. Zero tolerance towards drugs

Public Safety

3. All site staff qualified in First Aid at Work first aid training

The Prevention of Public Nuisance

4. The North facing door of the craft barn shall remain closed while amplified live or recorded music is being played.
5. Signage to be displayed notifying guests to leave quietly
6. A suitably briefed member of staff shall carry out subjective checks of noise audibility at the site boundary to determine whether it is likely to be intrusive in residential dwellings, and take action to reduce the noise levels if deemed necessary.
7. Provide nearby residents with a noise complaint number.

The Protection of Children from harm

8. Documented checks carried out on external bodies selling alcohol on site for compliance

Conditions agreed with Essex Police

1. The Essex Police Licensing Team shall be provided on the 1st day of each calendar month a schedule of the forthcoming events. This notice shall include full details of the nature of the event and the promoter and be e-mailed to licensing.applications@essex.pnn.police.uk or other address subsequently provided by Essex Police.

2. A Wedding Hiring Agreement will include but is not limited to:

- SIA security
- List of responsible persons
- Requirement to provide a complaints phone number
- Maximum number of attendees
- Requirement for a personal licence holder to be present
- Drugs policy
- Dispersal Policy

This agreement will be reviewed annually and a copy submitted to Essex Police and the Local Licensing Authority for consultation

3. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
 - i. The day and date when door supervisors were deployed;
 - ii. The name and SIA registration number of each door supervisor on duty at the premises; and
 - iii. The duty start and end time for each door supervisor.

This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.

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

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

- (a) {all crimes reported to the venue}
- (b) {all ejections of patrons}
- (c) {any complaints received concerning crime and disorder}
- (d) {any incidents of disorder}
- (e) {all seizures of drugs or offensive weapons}

5. A 'Challenge 25' scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Passport;
- European Union photo card driving licence;
- Ministry of Defence Identity Card;
- Proof of age card bearing the PASS Hologram;
- National identity card issued by a member of the European Economic Area or Switzerland; or
- Biometric immigration document.

b. The premises shall clearly display signs at the 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 200 x 150mm.

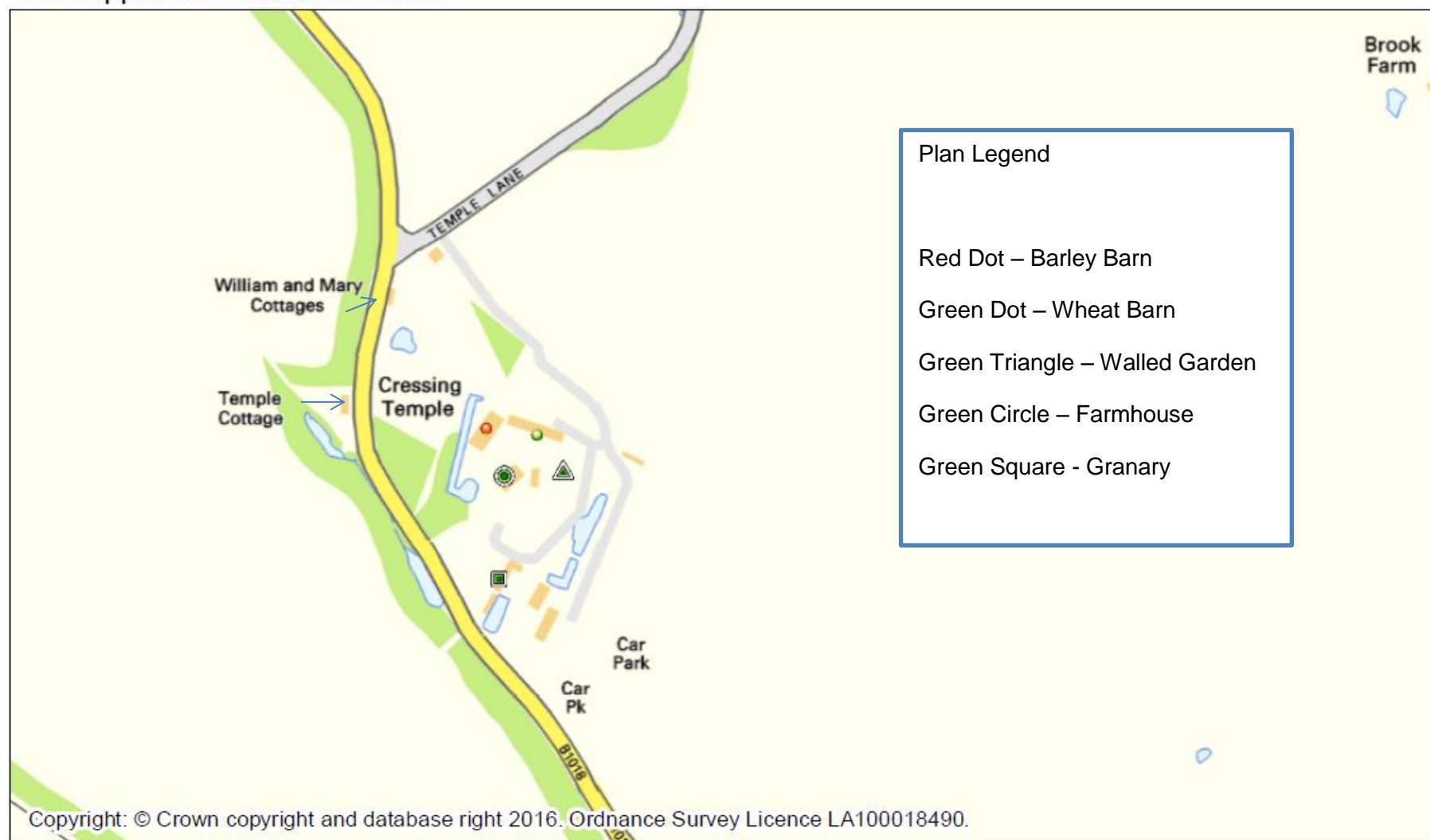
6. A refusals record shall be maintained at the premise which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police or licensing authority staff upon reasonable request.
7. No person under the age of 16 years of age shall be permitted to enter or remain on the premises unless they are accompanied by an adult when the sale or supply of alcohol takes place.
8. Where an event exceeds 1000 persons, an Event Safety Management Plan will be submitted to the Licensing Authority and Police no later than 12 weeks prior to any event.

As a minimum requirement this should include but not limited to:

Event Overview
 Noise Management Plan
 Traffic Management Plan
 Emergency Plan
 Detailed Site Plan

9. The License holder or an appointed representative with control of the event will also attend a Safety Advisory Group (SAG) meeting if requested to do so and the events management plan will include any other such matters that the SAG deem necessary to meet the licensing objectives for that particular event

Title: Appendix 3 Immediate Area



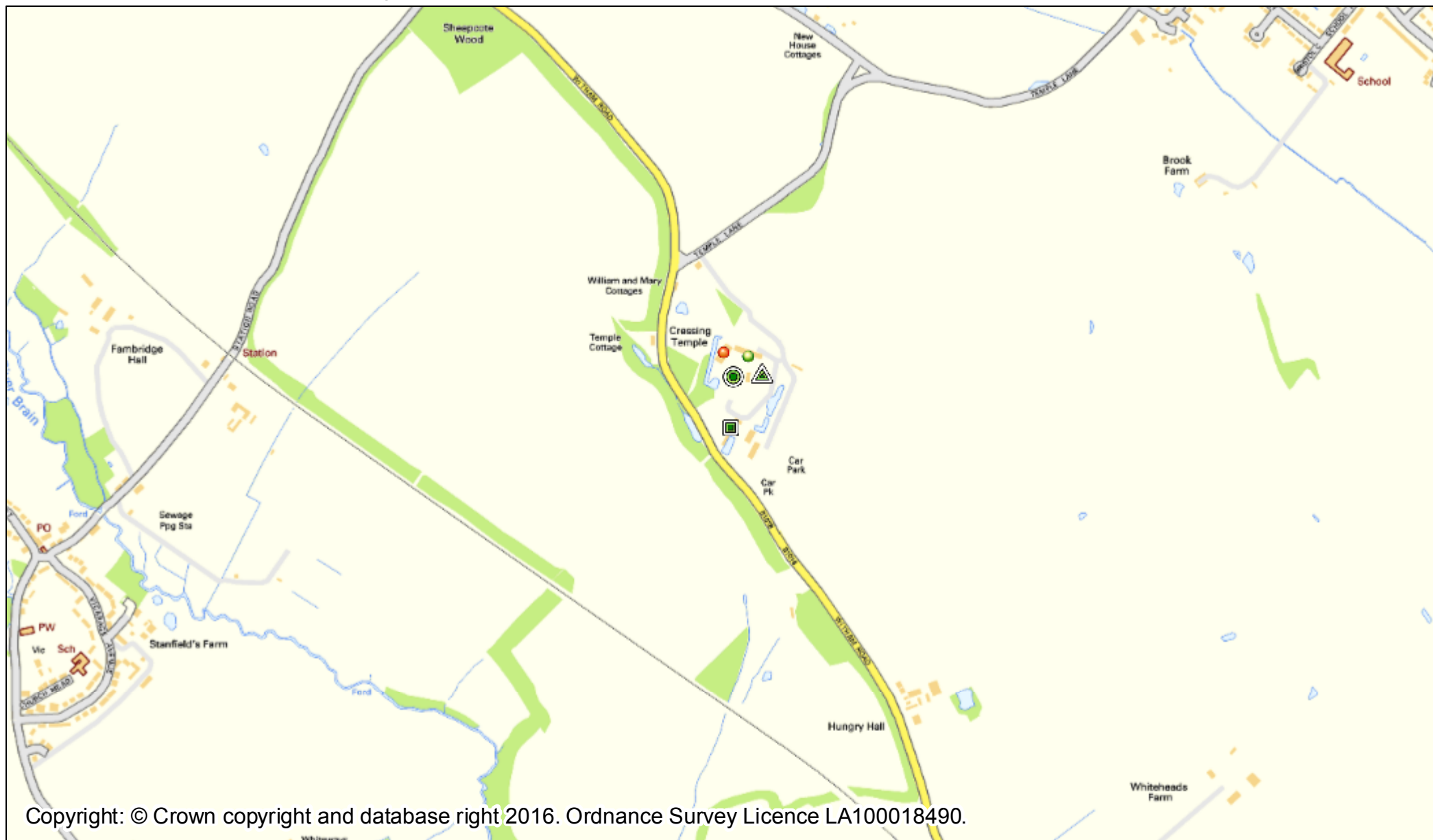
Date: 06 Sep 2017

Author: Web AppBuilder for ArcGIS

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Scale: 1:5,000



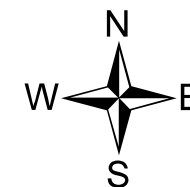


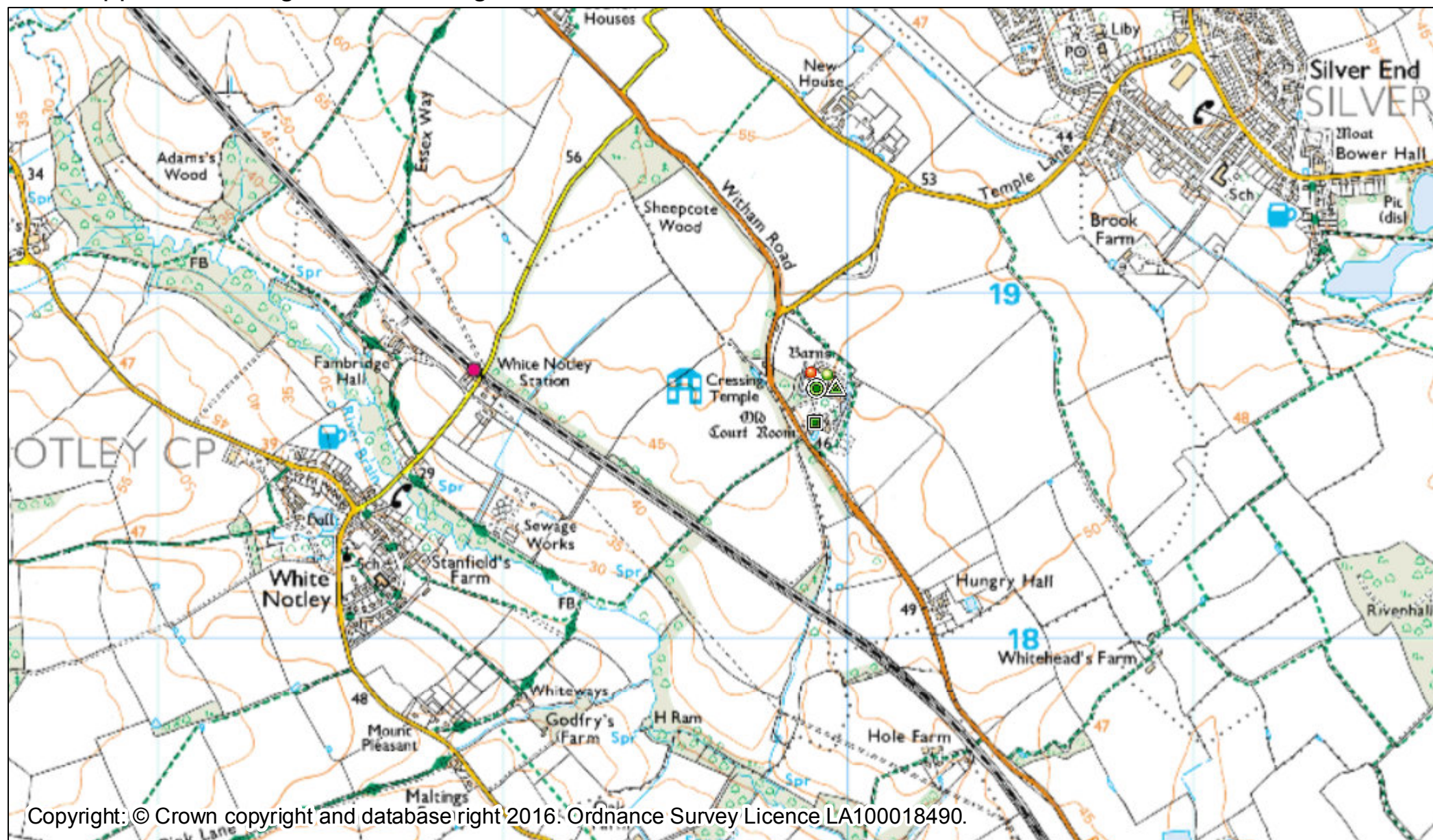
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Author: Web AppBuilder for ArcGIS

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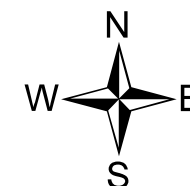


Date: 06 Sep 2017

Author: Web AppBuilder for ArcGIS

0 95 190 380 570 760 Meters

Scale: 1:15,000



Webb, Alison

From: John Wenlock [REDACTED]
Sent: 31 August 2017 17:05
To: Licensing
Subject: New Premises Licence Application 17/01302/LAPREM/LA
Importance: High

31st August 2017

By

Licensing Officer
 Braintree District
 Council
 Mail and Email
 Causeway House,
 Bocking End
 Braintree,
 Essex
 CM7 9HB

Attention Licensing Officer

Dear Sirs. I write to make representation with regards to a New Premises Licence Application ref 17/01302/LAPREM/LA made by Essex County Council at Cressing Temple Barns, Witham Road, Cressing, Essex CM77 8PD.

My property and home adjoin Cressing Temple and as such all activities that take place at the site impacts directly and immediately on our lifestyle and living space.

The terms and conditions of the current licence stemmed from an analysis of the noise from music events (mostly weddings) made by the Environmental Department of Braintree District Council and the subsequent Hearing. We wish you to review the past information since the content of this application is in close similarity to the current application with the significant difference that the Applicant wishes the music events with associated alcohol consumption to extend until midnight.

Loud intrusive music is our main complaint. The Barns are as musically leaky as a sieve. It all depends on the type of music, live, amplified and surrounding environmental factors as was demonstrated in the past. For example the sound received on the 28th August 2017 was not acceptable, whereas we made no complaint for the distant sounds from the Wedding event on the 27th August, the previous night, the noise was acceptable.

As in the past the excessive noise seems to relate to Wedding Celebrations. It would seem that Essex County Council now employ a wedding planner, Victoria Pearson who owns a firm Pink Butterfly and manages the events as a Director of Cressing Barns Ltd. It appears to me that whilst the licence to hold such events is divested in Essex County Council the events are operated and managed by Cressing Barns Ltd/Pink Butterfly, a clear conflict of interest. Essex County Council and Victoria Pearson are not fiscally connected. Essex County Council entrust her to manage these events presumably in accordance with the licence conditions whereas she is contractually committed to providing a service to her Company's clients for profit. Her main focus is on the success of the Wedding celebrations and not on the problem of extra loud music nor the informal extensions in time.

It is with this backdrop that we are making representation against extending the music and alcohol consumption to midnight. If the music were to stop at midnight there would be "drinking up time" and clearing the site, vehicle noise and perhaps merriment until 01:00 – 0:200 in the early hours.

If this were the case it would transform the historic Cressing Temple site into a night club without the attendant management, security and other services and facilities that such a venue requires.

We believe the current terms and conditions work, they balance the needs of Essex County Council, the nearby neighbours and maintain the status which the historic site deserves. An extension to the licensing hours will be counterproductive and only serve to cause irritation to the wider social and public Services.

I trust this letter provides you with a clear insight into our reasons behind making representation against this application

Yours faithfully.

John Wenlock

Braintree District Council**Environmental Services****MEMORANDUM****To: Licensing Authority****Your Ref: 17/01302/LAPREM/LA****From: Environmental Health
(Housing and Pollution section)****Date: 4th September 2017****RE: PREMISES LICENCE APPLICATION CRESSING TEMPLE, WITHAM ROAD, CRESSING, ESSEX**

I refer to the above application made on 7th August 2017.

As a responsible authority, I confirm that Environmental Health is making a representation in respect of the above application for the following reasons.

The application seeks to extend the hours of regulated entertainment and sale of alcohol from 2300 until 0000 (midnight) seven days per week. In promoting the licensing objectives the applicant has presented the following information.

The North facing door of the craft barn shall remain closed while amplified live or recorded music is being played.

Signage to be displayed notifying guests to leave quietly

A suitably briefed member of staff shall carry out subjective checks of noise audibility at the site boundary to determine whether it is likely to be intrusive in residential dwellings, and take action to reduce the noise levels if deemed necessary.

Provide nearby residents with a noise complaint number.

Amplified music in the Barley Barn and Wheat Barn to finish at 18.00

The above is not considered sufficient to prevent public nuisance.

Environmental Health has communicated with the agent for the applicant (Essex County Council) in an attempt to agree conditions that may control activities to make the application more acceptable and to prevent public nuisance.

Environmental Health suggested a condition related to ensuring that live and recorded music did not give rise to reasonable cause for complaint and requiring that such noise was not audible after 2300 hours. The applicant's agent would not agree to the post 2300 hour clause and wished to change the wording of the first part of the condition to not intrusive (interpreted by the agent to mean intrude internally) thereby not protecting the garden areas of the nearby residential property. The agent later agreed to protect the garden areas with the condition but would not agree to the post 2300 clause. Therefore no noise control condition has been agreed at the current time.

Environmental Health also suggested a condition to restrict regulated music entertainment to be restricted to the Craft Barn.

In the past the use of the wheat and barley barns for amplified music particularly in the evening has resulted in complaints. It was agreed that wedding receptions with amplified music would not be held in the barns going forward. Through the current premises licence amplified music is restricted to be no later than 1800 hours within the wheat and barley barns and this restriction is being continued for this application.. The use of the craft barn for wedding reception music entertainment was agreed as a possible location which could be tested through the temporary event notice route. I am aware that during 2017 the craft barn has been used by the Pink Butterfly company to host weddings. I have suggested that regulated entertainment in connection with weddings be restricted to the craft barn. The agent has stated that

'With regards to comments pertaining to correspondence in 2014. Discussions concluded that the use of the craft barn as the primary venue for post ceremony regulated entertainment was preferable.

Since that time I understand that some of the wedding customers have specifically requested to have a marquee for the reception and this has been successfully executed as far as I am aware and ECC would like to retain the flexibility to meet these customer requests.'

The agent has stated *' We still maintain that within a marquee or other similar structure, we would like a finish time of 23.30hrs for regulated entertainment (see above comment re the status of marquees as indoor venues). The TENs I alluded to were for weddings and consequently regulated entertainment were held in the Marquees. You should have a record of these TENs as you would have been consulted on them as a responsible authority. No objections were made to these TENs and no complaints were received.'*

This statement would appear to indicate that the applicant would wish to hold regulated entertainment in connection with wedding receptions within marquees which in theory may be anywhere on the site. I have checked the more recent Temporary Event Notice applications for 2017 and all the wedding receptions sought to use the craft barn for regulated entertainment. Therefore a possible move to deviate away from the understanding to use the craft barn for regulated entertainment in connection with weddings with the extension of hours does not promote the prevention of public nuisance.

Environmental Health also sought information from the applicant on the likely frequency and nature of events which are likely to finish late evening and whether the events are likely to be concentrated over warmer summer months. There was no direct answer to this question only *'that each event is considered individually and an assessment made as to the nature of the event and the potential impact on the surrounding area.'* No evidence is provided within the application to explain how this will be done and therefore does not promote the prevention of public nuisance.

Environmental Health also has concerns that the later end times for regulated entertainment and sale of alcohol will result in later leaving times for most night time events. I respect that the opening hours remain the same. At the current time the Temporary Event Notice process limits the number of late night events. With a full licence there will be no limit on the number of events. The application includes no information on traffic management and as all traffic enters and leaves the site via the

drive, the entrance of which is adjacent residential property then the proposal to extend hours of regulated activities is likely to increase the risk of public nuisance occurring. There is no information submitted as to how disturbance may be prevented, if it realistically can be.

In conclusion, the above information provides examples of how the applicant has not demonstrated how the site events will be competently managed and controlled to prevent public nuisance and why Environmental Health as a responsible authority wishes to raise representation.

Signed *Pam Sharp*

Miss P Sharp
Environmental Health Officer
Tel 01376 551414 ext 2224

Webb, Allison

From: Licensing
Sent: 04 September 2017 16:52
To: Maschas, Alexandra
Subject: FW: Representation against Essex County Council - Cressing Temple (application for a New Premise Licence) by Essex Police
Attachments: ATT00001.txt

From: Joanne Stainsbury 42075739 [REDACTED]
Sent: 04 September 2017 4:51 PM
To: Licensing
Subject: Representation against Essex County Council - Cressing Temple (application for a New Premise Licence) by Essex Police

Good Afternoon

Essex Police are making representations under the Licensing Act 2003 objective Public Safety Against Essex County Council Cressing Temple.

The premise has not been able to show clearly how they will effectively control the ingress and egress to large events held at the venue, thus protecting the safety of the public.

Past events at the venue have caused Essex Police concern for not only drivers of vehicles but also pedestrians. These events do not have appropriate Event Management Plan which would include a comprehensive Road Traffic Management Plan which would satisfy Essex Police.

Further backing information will be forwarded in due course.

Kind regards

Jo

Joanne Stainsbury 75739
 Essex Police County Licensing Officer
 Internal Extn [REDACTED]
 Hub Direct Dial: [REDACTED]
 Email: licensing.applications@essex.pnn.police.uk
 Essex Police Licensing Team (Alcohol)
 Braintree Police Station
 Blyths Meadow
 Braintree
 Essex
 CM7 3DJ

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate.

Webb, Allison

From: Joanne Stainsbury 42075739 [REDACTED]
Sent: 06 September 2017 09:00
To: Licensing
Subject: FW: Crossing Temple Conditions
Attachments: Crossing Temple Conditions.docx; ATT00001.txt

Good Morning Alex

Essex Police have now agreed the attached conditions with Essex county Council in respect of the New application for a Premise Licence at Crossing Temple Barns.

Essex Police are satisfied that the conditions agreed will for fill the expectations of the Licensing Act 2003 objective Public Safety and therefore we wish to withdraw our representation.

Kind regards

Jo

Joanne Stainsbury 75739
Essex Police County Licensing Officer
Internal Extn: [REDACTED]
Hub Direct Dial [REDACTED]
Email: licensing.applications@essex.pnn.police.uk
Essex Police Licensing Team (Alcohol)
Braintree Police Station
Blyths Meadow
Braintree
Essex
CM7 3DJ

From: Kate Pearsall [REDACTED]
Sent: 06 September 2017 08:50
To: Joanne Stainsbury 42075739
Cc: Jennie Duffy, Area Manager; Gemma Clayton, Customer Liaison Officer; Chris Cornish;
alexandra.maschas@braintree.gov.uk
Subject: Crossing Temple Conditions

Dear Jo,

I can confirm that Essex County Council agree to the attached conditions that you have proposed.

Kind regards

Kate Pearsall

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the

1. The Essex Police Licensing Team shall be provided on the 1st day of each calendar month a schedule of the forthcoming events. This notice shall include full details of the nature of the event and the promoter and be e-mailed to licensing.applications@essex.pnn.police.uk or other address subsequently provided by Essex Police.

2.A Wedding Hiring Agreement will include but is not limited to:

- SIA security
- List of responsible persons
- Requirement to provide a complaints phone number
- Maximum number of attendees
- Requirement for a personal licence holder to be present
- Drugs policy
- Dispersal Policy

This agreement will be reviewed annually and a copy submitted to Essex Police and the Local Licensing Authority for consultation

3. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:

- i. The day and date when door supervisors were deployed;
- ii. The name and SIA registration number of each door supervisor on duty at the premises; and
- iii. The duty start and end time for each door supervisor.

This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.

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

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

- (a) {all crimes reported to the venue}
- (b) {all ejections of patrons}
- (c) {any complaints received concerning crime and disorder}
- (d) {any incidents of disorder}
- (e) {all seizures of drugs or offensive weapons}

5. A 'Challenge 25' scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- **Passport;**
- **European Union photo card driving licence;**
- **Ministry of Defence Identity Card;**
- **Proof of age card bearing the PASS Hologram;**
- **National identity card issued by a member of the European Economic Area or Switzerland; or**
- **Biometric Immigration document.**

b. The premises shall clearly display signs at the 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 200 x 150mm.

6. A refusals record shall be maintained at the premise which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police or licensing authority staff upon reasonable request.

7. No person under the age of 16 years of age shall be permitted to enter or remain on the premises unless they are accompanied by an adult when the sale or supply of alcohol takes place.

8. Where an event exceeds 1000 persons, an Event Safety Management Plan will be submitted to the Licensing Authority and Police no later than 12 weeks prior to any event.

As a minimum requirement this should include but not limited to:

Event Overview

Noise Management Plan

Traffic Management Plan

Emergency Plan

Detailed Site Plan

9. The License holder or an appointed representative with control of the event will also attend a Safety Advisory Group (SAG) meeting if requested to do so and the events management plan will include any other such matters that the SAG deem necessary to meet the licensing objectives for that particular event

**FULL HEARING PROCEDURE FOR APPLICATIONS FOR PREMISES LICENCES/CLUB
PREMISES CERTIFICATES WHERE ALL PARTIES PRESENT**

1. Welcome and Introduction

- [1] The Chairman welcomes the people who are present and introduces the Members. He/she will ask the Members to confirm that they have no declarations of interest to declare in respect of the application.
- [2] The Chairman asks the Applicant to introduce himself/herself and then asks the Responsible Authorities and Objectors to introduce themselves.
- [3] The Chairman then confirms that the hearing will be conducted in accordance with this procedure. If any party wishes to rely upon any evidence that has not been disclosed prior to the hearing, they must ask for the Chairman's permission at this point.

2. The Applicant's Case

- [1] The Chairman asks the Applicant or his/her representative to present his/her application for a licence.
- [2] The Applicant or his/her representative can then call any witnesses and/or give evidence in support of his/her application.
- [3] The Responsible Authorities or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [4] The Objector[s] or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [5] The Chairman or any Member of the Sub- Committee can ask questions of the Applicant and any witnesses.
- [6] If there any witnesses, the Applicant or his representative will then be given a final opportunity of asking any further questions of any witnesses to clear up any points raised in the earlier questioning.

3. The Responsible Authorities Case

- [1] The Responsible Authorities will give their reasons for objecting to the application.
- [2] The Responsible Authorities will then call any witnesses in support of their objection.
- [3] The Applicant or his representative may then question the Responsible Authorities and any witnesses.
- [4] The Chairman or any member of the Sub-Committee may ask questions of the Responsible Authorities and any witnesses.
- [5] The Responsible Authorities will then be given a final opportunity of asking any further questions of any witnesses to clear up any points raised in the earlier questioning.

4. The Objector[s] Case

- [1] The Objector[s] will give their reasons for objecting to the application.
- [2] The Objector[s] or his representative will then call any in support of their objection.
- [3] The Applicant or his representative may then question the Objector[s] [if he has given evidence] and any witnesses.
- [4] The Chairman or any member of the Sub-Committee may ask questions of the Objector[s] and any witnesses.
- [5] The Objector or his representative will then be given a final opportunity of asking any further questions of any witnesses to clear up any points raised in the earlier questioning.

5. Closing Statement

- [1] By or on behalf of the Responsible Authorities. The Responsible Authorities can summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- [2] By or on behalf of the Objectors. The Objectors can summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- [3] By or on behalf of the Applicants. The Applicants can summarise any points they wish to make and comment briefly on the Objector's replies to questions. They cannot introduce new issues.
- [4] The Chairman will then ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is closed. The Sub-Committee will then retire to a separate room with the Legal Adviser and Democratic Services Officer to deliberate.
- [5] If the Legal Adviser gives legal advice to Members then this advice will be repeated in summary form when the Sub-Committee reconvenes the hearing.

6. Decision Making

- [1] The Chairman will then announce the Sub-Committee's decision and ask the Legal Adviser to read out the details including their reasons.
- [2] Before closing the hearing, the Chairman will notify the Applicant of the rights of appeal available to the parties should they disagree with the decision. Such appeal should be made within 21 days of receiving written notification of the Sub-Committee's decision.