

LICENSING SUB COMMITTEE HEARING



AGENDA

Date: Tuesday 24th May 2022

Time: 10.00am

Venue: Council Chamber, Causeway House, Bocking End, Braintree CM7 9HB

Membership:

Councillor Mrs J Beavis
Councillor Mrs M Cunningham
Councillor Mrs I Parker
Councillor W 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 **UNIT 10, MIDDLETON HALL FARM, MIDDLETON ROAD, MIDDLETON** (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

Agenda Item: 4

Report Title: Application for a Premises Licence - Unit 10A, Middleton Hall Farm, Middleton Road, Middleton	
Report to: Licensing Sub-Committee	
Date: 24th May 2022	For: Decision
Key Decision: No	Decision Planner Ref No: N/A
Report Presented by: John Meddings, Principal Licensing Officer	
Enquiries to: John Meddings, Principal Licensing Officer	

1. Purpose of the Report

- 1.1 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:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

2. Recommendations

- 2.1 Members are advised that they have the following options when determining this application for Unit 10A, Middleton Hall Farm, Middleton Road, Middleton, Sudbury, CO10 7LL

- 1. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application.
- 2. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application, modified to such extent as considered appropriate to promote the licensing objectives.
- 3. To **Grant** the application for a Premises Licence with amended activities or times.
- 4. To **Refuse** the application for a Premises Licence.

The Licensing Sub-Committee is asked to give full reasons for its decision.

The Licensing Sub-Committee is reminded that the applicant or any person making a representation in relation to this matter may appeal against the decision of the Council to the Magistrates' Court.

3. Summary of Issues

3.1 Premises

Unit 10A
Middleton Hall Farm
Middleton Road
Middleton
Sudbury
CO10 7LL

3.2 Applicants

Peter Brady

Adrian Hensby

3.3 Proposed Designated Premises Supervisor

Peter Brady

3.4 Application

The application was received on 31st March 2022 for the grant of a new Premises Licence at Unit 10A, Middleton Hall Farm, Middleton Road, Middleton, Sudbury. The application was subsequently deemed valid on 31st March 2022 and consultation started.

The purpose of the new application is to include:

Sale by retail of alcohol for consumption on the premises:

Monday to Sunday – 10:00 to 22:00

3.5 The applicant has detailed a number of steps within the operating schedule to promote the four licensing objectives.

3.6 The application has been properly made in accordance with the Licensing Act 2003 and all procedures have been followed correctly. The completed application form is attached as Appendix 1. A plan of the premises is attached at Appendix 2.

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 During the 28 day consultation period under the Licensing Act 2003, the Licensing Authority received representations from seven interested parties (Appendix 3).

5. Options

1. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application.
2. To **Grant** the application for a Premises Licence on the terms and conditions described within the operating schedule to the Premises Licence application, modified to such extent as considered appropriate to promote the licensing objectives.
3. To **Grant** the application for a Premises Licence with amended activities or times.
4. To **Refuse** the application for a Premises Licence.

6. Financial Implications

- 6.1 None arising from this report

7. Legal Implications

- 7.1 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.

8. Equality and Diversity Implications

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 8.3 The Equality Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

9. List of Appendices

1. Appendix 1 - Application for a Premises Licence
2. Appendix 2 - Plan
3. Appendix 3 - Representations

10. Background Papers

1. [Licensing Act 2003](#)
2. [Revised Guidance issued under section 182 of the Licensing Act 2003 – April 2018](#)

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 Peter Brady & Adrian Hensby

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Unit 10A Middleton Hall Farm Middleton Road			
Post town	Sudbury	Postcode	CO10 7LL

Telephone number at premises (if any)	01473898506
Non-domestic rateable value of premises	£0

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <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 type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐
- I am making the application pursuant to a
- statutory function or ☐
- a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	5	2	0	2	2

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

DD		MM		YYYY			

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

The premises consist of a

- Reception area marked in Green
- Golf Shop marked in Yellow
- Office marked in White
- Café marked in Blue
- Bar marked in Purple
- Sim room marked in Lime Green
- Golf Club build studio

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <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) ☐

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5) none		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur					
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 6)		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	22:00			
Tue	10:00	22:00			
Wed	10:00	22:00			
			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 (please read guidance note 6)		
Thur	10:00	22:00			
Fri	10:00	22:00			
Sat	10:00	22:00			
Sun	10:00	22:00			

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

Name Peter Brady	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

**Hours premises are open to the public
Standard days and timings (please read guidance note 7)**

Day	Start	Finish
Mon	10:00	23:00
Tue	10:00	23:00
Wed	10:00	23:00
Thur	10:00	23:00
Fri	10:00	23:00
Sat	10:00	23:00
Sun	10:00	23:00

State any seasonal variations (please read guidance note 5)

N/A

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- 1. The premises licence holder shall adopt a 'Challenge 25' proof of age scheme. The premises licence holder shall operate a requirement for the production of a passport, driving licence or other bona fide form of identity carrying a photographic image, where the individual requesting the supply of alcohol appears to be under the age of 25.**
- 2. CCTV shall be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas and all areas where the sale/supply of alcohol occurs. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in date order, numbered sequentially and kept for a period of 28 days and made available to Police on demand. The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a viewable format on disc or storage device to the Police/Local Authority within 36 hours of a request. The recording equipment and discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational log report must be maintained endorsed by signature, indicating the system has been checked and is compliant on every day the premises is open to the public. In the event of any failings of the CCTV system, actions taken are to be recorded. In the event of technical failure of the CCTV equipment the Premises Licence Holder/DPS shall report the failure to the Police and Licensing Authority immediately. It should be noted that any retention, use or disclosure of personal information caught on CCTV must be carried out in line with data protection principles which shall override any conflicting element of this condition**

b) The prevention of crime and disorder

3. The premises licence holder shall take all reasonable steps and precautions to minimise the risk of disturbance or nuisance to local residents caused by events or attendees at the licensed premises (whether through people noise, entertainment noise, vehicular noise, waste disposal, event set-up or breakdown, littering or noxious odour).
4. Monitoring shall take place both inside and outside of the licensed premises and due regard shall be had to whether the activities may lead to excessive noise at neighbouring properties. Appropriate remedial steps shall be taken, and recorded, in the event of any excessive noise levels being experienced.
5. Staff on duty shall monitor the activity of patrons leaving the premises and assist with a managed departure. Persons leaving shall be reminded to act in a responsible manner and leave the immediate area with consideration to the needs of the local community.
6. No illegal drugs shall be permitted on the premises, and all hirers/users made aware of a zero tolerance to drugs on the premises. Notices shall be prominently displayed and maintained in respect of this matter.

c) Public safety

7. The premises licence holder shall ensure that notices detailing emergency evacuation procedures shall be prominently displayed and maintained on the licensed premises. Adequate arrangements shall be in place to ensure the safe evacuation of any disabled persons on the premises.

d) The prevention of public nuisance

8. Lighting and emergency lighting shall be installed and maintained so as to ensure that good levels of visibility are maintained whilst the premises are being used for licensable activities and the public are on the premises. External lighting should be of such specification and positioning so as to meet this objective without causing any public nuisance by light pollution.
9. Patrons shall not be permitted to leave the premises with opened bottles or glassware. The premises licence holder shall ensure that

customers are not permitted to consume alcoholic drinks outside the premises – which includes whilst they are observing smoke free regulations.

e) The protection of children from harm

1. There shall be no 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.
2. Children shall only be permitted in areas of the premises being used for licensed activities or events where accompanied and under the supervision of an adult. Where events or activities are intended primarily or exclusively for persons under the age of 18, the premises licence holder shall ensure that no alcohol is available for sale or supply and that all alcohol is removed or secured so it is not available for viewing or unauthorised supply.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION,

ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	28/02/2022
Capacity	Managing Director

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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'.
9. 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.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.

- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A birth or adoption certificate issued in the UK, **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may

stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

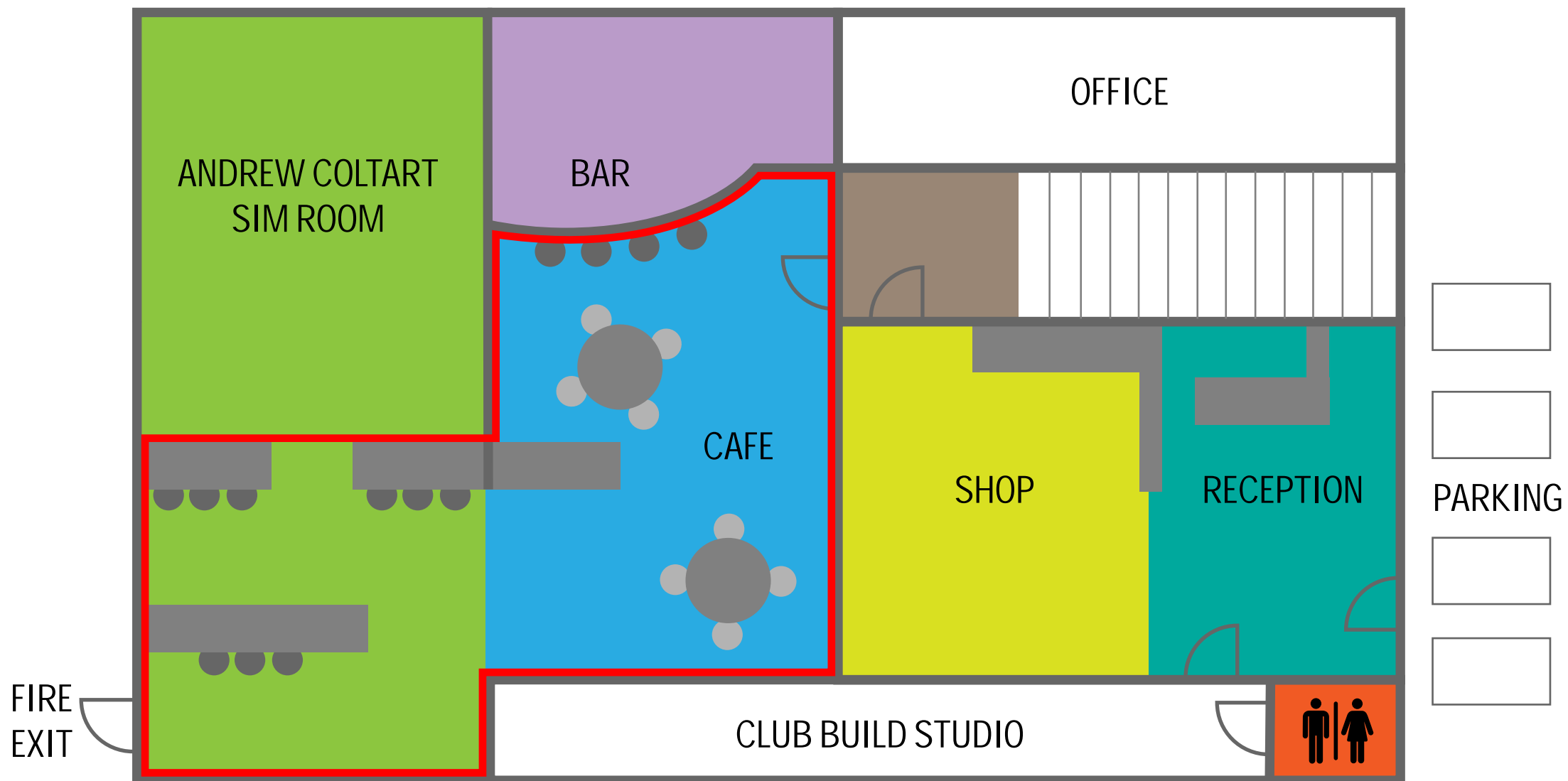
Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.



14 April 2022

**To : The Licensing Officer
Braintree District Council
Causeway House
Bocking End
Braintree
Essex CM7 9HB**

Dear Sir

I am writing to object to the application from The Golfing Hub, Unit 10A Top Yard, Middleton Hall Farm, Middleton Road, Sudbury, Suffolk, for the supply of alcohol Monday- Sunday 10am – 11pm. I object because I am convinced that this is quite unsuitable for a quiet country location where it will inevitably cause noise and disturbance. More important, it will also cause a considerable increase in road traffic on Middleton Road, which is already dangerously narrow and winding and carries more heavy traffic than is safe. Moreover there is a danger that at least some of the traffic will be driven by drivers who have drunk at least some alcohol. Please reject this application on environmental and road safety grounds.

Yours faithfully

Mrs Ann de Peyer

Licensing Officer
Braintree District Council
Causeway House
Bocking End
Braintree CM7 9HB

25 April 2022

Dear Sir/Madam,

Re: Alcohol licensing application by the Golf Hub at Middleton Hall Farm

I am objecting to the above licensing application on the following grounds:

- increased traffic
- pollution and noise it will bring to the hamlet of Middleton
- our local pub, Henny Swan, will lose trade.

Middleton Road is already overburdened with traffic. The road is narrow, has a blind curve and no footpaths for pedestrians. Pedestrians have to walk on the road at the blind corner and a ways down Middleton Road before the pavement begins. This is dangerous without the addition of potentially enebriated drivers from the Golf Hub.

The Golf Hub is not a golf course but a golf simulator. It would be the same as having alcohol served at a driving range or putting green – unnecessary!

Yours faithfully,

Mrs S. R. Dix

Webb, Alison

From: Keith Hughes
Sent: 19 April 2022 10:42
To: Licensing
Subject: Application for a Premises Licence - Unit 10A Middleton Hall Farm Middleton Road
Middleton Essex CO10 7LL

Dear Sir

We are unable to take up your offer to inspect the above application in Braintree.

From the headlines of the application available in your publication, & as a Resident of Middleton I would raise the following points of objection.

Site suitability.

Access is via a minor road, with dangerous bends on the approach from Suffolk: increasing traffic will increase the danger.

The site is on a diversified farmyard: the current use mix being; agricultural, building, engineering: adding alcoholic drinks is not appropriate.

Traffic & disturbance: will both be increased.

The hamlet of Middleton has planning constraints due to its Rural designation: the application is contrary to these constraints.

Middleton residents contributed to a Village Design Statement: <https://www.braintree.gov.uk/directory-record/6368/middleton-village-design-statement> which will give you a useful context for your determination of the application.

Yours faithfully
Keith Hughes

Comments for Licensing Application 22/00584/LAPREM/LA

Application Summary

Application Number: 22/00584/LAPREM/LA

Address: Unit 10A Top Yard Middleton Hall Farm Middleton Road Middleton Essex CO10 7LL

Proposal: Premises Licence

Case Officer: Wendy Baxter

Customer Details

Name: Mr Brian Joy

Address:

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 14/04/2022 8:24 PM Sirs

As a member of the local village community I would like to make the following comments on this application.

The roads around the entrance to Middleton Farm Hall are becoming extremely congested and any further traffic that the grant of this licence may cause will add to the current unacceptable and dangerous situation that we have.

There is a local public house just down the road (Henny Swan) and this licence application may have a detrimental impact on that business that is already challenged by the current economic climate.

Any potential additional lighting or noise pollution in this very rural area would be unacceptable.

The developments taking place at Middleton Hall Farm are causing a regular public nuisance with the increase in traffic and I do not believe the council should continue to encourage this.

Yours sincerely

Brian Joy

Webb, Alison

From:
Sent: 18 April 2022 20:26
To: Licensing; Cllr Wendy Scattergood
Subject: 22/00584/LAPREM/LA Unit10, Middleton Hall Farm

Dear Officers,

I wish to object to the above alcohol application on the following grounds:

1) The roads immediately around the entrance to Middleton Hall Farm are unsuitable for any additional traffic. Towards Sudbury there is a nasty, narrow blind corner, and the entrance to Middleton village has a nasty turn with poor visibility down the road towards Henny. An alcohol licence is inevitably going to increase the number of slightly inebriated drivers negotiating these turns and consequent car accidents. Some friends of ours were recently hit on the blind corner by a boy racer driver, fortunately nobody was hurt, but there was expensive damage. .

The road has also been affected negatively by the number of vast lorries which go into and out of Middleton Hall Farm. I myself was confronted at night by an invisible vehicle covered with huge searchlights, and had to back quite a long way down the road around about Grove House. It was a horrible experience. The lorry, when I walked up to it to see what it was turned out to be huge. I cannot understand how Middleton Hall Farm has been given permission to keep enormous lorries which then use these narrow roads to the detriment of other vehicles.

The junction of Middleton Road with Middleton has also been made dangerous (skiddable) by the constant flow of mud and stones which have been dropped by lorries coming from the field opposite where I believe they have been digging out gravel. As well as unsightly, this makes the corner more dangerous, and the more traffic there is, the more dangerous.

2) I have not been able to view the full application but I understand that floodlights will need to be on at night, causing light pollution,. One of the delights of Middleton is the absence of public lighting. There are bats in the Church and Churchyard. The light pollution would negatively affect the bats, owls, and other nocturnal wildlife.. Has a bat assessment been carried out at the farm?. More lighting at the Farm would damage wildlife on its fringes, and as you know, English biodiversity is collapsing for multiple reasons associated with human activity. Please do not let this be another cause of wildlife decline.

3) I am concerned that the golf hub will expand and cause noise and disturbance to the village. I am also concerned that the Farm has been turned into an unattractive industrial estate without the local community having any chance to voice its views to Planners or Councillors on this deterioration of the environment at the gateway to the village. A huge building was put up a couple of years ago, apparently to be a grain store, but instead seems to be used for all manner of businesses, including quite possibly, the Golf Hub.

Thank you for taking these comments into account. I would be grateful if you could keep my name and address private for obvious reasons.

Yours faithfully,

Webb, Allison

From:
Sent: 20 April 2022 21:53
To: Licensing
Subject: Notice of Application for a Premises Licence under Section 17 of the Licensing Act 2003

Dear Sir

Reference: 22/00584/LAPREM/LA

Applicant(s): Mr Peter Brady & Mr Adrian Hensby

Premises Address:

Unit 10A
Middleton Hall Farm
Middleton Road
Middleton
Essex
CO10 7LL

Please find this observation on the above application for consideration by the licensing authority. Access to and egress from the above unit where the golf hub is based is on the apex of a bend where two roads converge on a "blind corner" and any increase in traffic flow on this already busy junction would increase the hazard risk which may need to be managed.

Yours faithfully

Martin North

20th April 2022

**Licencing Officer, Braintree District Council,
Causeway House, Bocking End,
Braintree CM7 9HB**

Dear Sir,

**Re: Application for Licence to sell alcohol at the Golfing
Hub, Unit 10A Top Yard, Middleton Hall Farm, Middleton
Road, Middleton, Sudbury CO10 7LL**

**Regarding the Public Notice about the above, we object to
granting this licence for the following reasons:**

- 1. There will be a need for floodlights resulting in light
pollution for domestic dwellings close to the farm;**
- 2. There will be an increase in traffic on a very busy
narrow road, leading to increased pollution in our village;**
- 3. The local pub, the Henny Swan, will lose trade;**
- 4. The farm is already horrendously busy with
pantechnican lorries, farm machinery and gravel
excavation and it is not a suitable place for alcohol to be
consumed.**

Yours faithfully,

John and Jill Symonds

**HEARING PROCEDURE FOR PREMISES LICENCES/CLUB PREMISES CERTIFICATES
WHERE APPLICANT AND OBJECTORS ARE 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 Objectors to introduce himself/herself/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 may then call any witnesses and/or give evidence in support of his/her application.
- [3] The Objector[s] or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [4] The Chairman or any Member of the Sub-Committee may ask questions of the Applicant and any witnesses.
- [5] If there are any witnesses, the Applicant or his representative will then be given a final opportunity of asking any further questions of the witnesses to clear up any points raised in the earlier questioning.

3. The Objector[s] Case

- [1] The Objector[s] will give their reasons for objecting to the application.
- [2] The Objector[s] or their representative will then call any witnesses in support of their objection.
- [3] The Applicant or his representative may then question the Objector[s] [if they have 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] If there are any witnesses, the Objector[s] or their representative will then be given a final opportunity of asking any further questions of the witnesses to clear up any points raised in the earlier questioning.

4. Closing Statements

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

5. Decision

- [1] The Chairman will then announce the Sub-Committee's decision and ask the Legal Adviser to read out the details including the reasons.
- [2] Before closing the hearing, the Chairman will notify the Applicant and the Objector[s] 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.

November 2010