

LICENSING SUB COMMITTEE HEARING



AGENDA

Date: Friday 21st May 2021

Time: 10.00am

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

Membership:

Councillor J Baugh
Councillor A Hensman
Councillor R Wright
Councillor (Reserve Vacancy)

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 **OLD ESSEX BARN, CRANES LANE, KELVEDON** (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 OLD ESSEX BARN, CRANES LANE, KELVEDON		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:	John Meddings, Principal Licensing Officer	
Report prepared by:	John Meddings, Principal Licensing Officer	
Background Papers:	Public Report	
<ol style="list-style-type: none"> 1. Application for a Premises Licence (Appendix 1) 2. Plan (Appendix 2) 3. Representations (Appendix 3) 4. Licensing Act 2003 5. Revised Guidance issued under section 182 of the Licensing Act 2003 – April 2018 	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 Old Essex Barn, Cranes Lane, Kelvedon, Essex, CO5 9AX:</p> <ol style="list-style-type: none"> 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, 		

<p>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 Old Essex Barn Ltd.</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. This includes a public notice being displayed at the premises and on the Council's website. A notice was also placed in a locally circulated publication.
Risks:	None
Officer Contact:	John Meddings
Designation:	Principal Licensing Officer
Ext. No:	2213
E-mail:	john.meddings@braintree.gov.uk

1. Application

1.1 Premises

Old Essex Barn
Cranes Lane
Kelvedon
Essex
CO5 9AX

1.2 Applicant

Old Essex Barn Ltd
Cranes Lane
Kelvedon
Essex
CO5 9AX

1.3 Designated Premises Supervisor

Mr Alan Peter Barnard

2. Application Details

- 2.1 The application was received on 23rd March 2021 for the grant of a new Premises Licence at Old Essex Barn, Cranes Lane, Kelvedon. The application was subsequently deemed valid on 25th March 2021 and the consultation started.

The purpose of the new application is to include:

Sale by retail of alcohol for consumption on the premises:

Monday to Sunday – 08:00 to 23:00

Provision of regulated entertainment:

Live music and recorded music

Monday to Sunday – 10:00 to 00:00

- 2.2 The applicant has detailed a number of steps within the operating schedule to promote the four licensing objectives.
- 2.3 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.

3. Background

- 3.1 Records indicate that the premises had previously been a wedding venue and held a premises licence. The licence was surrendered on 14th January 2019.

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 valid representations from four interested parties (Appendix 3). The representations relate to the Prevention of Public Nuisance licensing objective.

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.

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, Phillip Barton-Wright

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			
Old Essex Barn Cranes Lane Kelvedon			
Post town	Essex	Postcode	CO5 9AX
Telephone number at premises (if any)	01376 570338		
Non-domestic rateable value of premises	£ 12,500.00		

Part 2 - Applicant details

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

- | | |
|--|-------------------------------|
| a) an individual or individuals * | please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | please complete section (B) ✓ |
| ii as a partnership (other than limited liability) | please complete section (B) |
| iii as an unincorporated association or | please complete section (B) |
| iv other (for example a statutory corporation) | please complete section (B) |
| c) a recognised club | please complete section (B) |
| d) a charity | please complete section (B) |
| e) the proprietor of an educational establishment | please complete section (B) |

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
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)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		

Date of birth	I am 18 years old or over	Please tick yes
Nationality		
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	OLD ESSEX BARN LTD
Address	CRABBS FARM CRANES LANE KELVEDON CO5 9AX
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.) Owner of venue	COMPANY
Telephone number (if any) N/A	
E-mail address (optional) N/A	info@oldessex barn.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	06	2021

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

DD	MM	YYYY

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

The premises is a wedding and event venue with guest accommodation. The venue has a main barn with a bar and a pavilion where drinks will be sold and served. There is an outside bar area where guests will be able to purchase and consume drinks. Customers will be able to consume alcohol in their B&B rooms.

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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E) ✓
- f) recorded music (if ticking yes, fill in box F) ✓
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (a), (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	Will the performance of a play take place indoors or outdoors or both - please tick	Indoors	
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timings (please read guidance note 7)			(please read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
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	
Day	Start	Finish		Outdoors	
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)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			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 (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both -- please tick (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Both			
Tue			Please give further details here (please read guidance note 4)			
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur				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)		
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon	10:00	24:00	Please give further details here (please read guidance note 4)	Both	X	
Tue	10:00	24:00				
Wed	10:00	24:00		State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	10:00	24:00				
Fri	10:00	24:00		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 6)		
Sat	10:00	24:00				
Sun	10:00	24:00				

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	
Day	Start	Finish		Outdoors	
Mon	10:00	24:00	Please give further details here (please read guidance note 4)	Both	X
Tue	10:00	24:00			
Wed	10:00	24:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	10:00	24:00			

Fri	10:00	24:00	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	10:00	24:00	
Sun	10:00	24:00	

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Mon				Outdoors	
			Both		
Tue			Please give further details here (please read guidance note 4)		

Wed			
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)
Fri			
Sat			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 (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	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and	Will the supply of alcohol be for consumption – please tick (please read	On the premises	X
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timings (please read guidance note 7)			guidance note 8)	Off the premises	
Day	Start	Finish		Both	
Mon	08:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00		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)	
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00			

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	Alan Peter Barnard
Date of birth	██████████
Address	██████████ ██████████ ██████████
Postcode	██████████
Personal licence number (if known)	1100
Issuing licensing authority (if known)	Thurrock Council

K.

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

N/A

L.

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p> <p>The wedding and event venue will be open from 7am until 12 midnight but the guest accommodation will be open to guests 24 hours a day.</p>
Day	Start	Finish	<p>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)</p>
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

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)

Nothing beyond existing health and safety/fire safety etc requirements

b) The prevention of crime and disorder

Nothing beyond existing health and safety/fire safety etc requirements

c) Public safety

Nothing beyond existing health and safety/fire safety etc requirements

d) The prevention of public nuisance

Nothing beyond existing health and safety/fire safety etc requirements

e) The protection of children from harm

Nothing beyond existing health and safety/fire safety etc requirements

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	
Capacity	

Part 3 - Signature (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • I/We/it is/are a/are not a/are not a British citizen/are not a British citizen and I/we/it do not have the entitlement to live and work in the UK (or I/We/it are subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and therefore Home will become liable if I/We/it are to be entitled to live and work in the UK (please read guidance note 13). • The DVU named in this application form is entitled to work in the UK (and is not subject to conditions preventing the holder 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 13)
Signature	
Date	
Capacity	

For joint applications, signature of 1st applicant or 2nd applicant's partner or other authorized agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

[Redacted Signature]

26/12/21
Owner.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

[Redacted Name]

Old Street Barn
Exotic Lane

Post town	Kelvedon	Postcode	CM5 9AX
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

[Redacted Email Address]

— LICENSABLE AREA
 --- CONSUMPTION AREA



GROUND FLOOR PLAN AS EXISTING 1:200



NUSSLIER ENGINEERING CONSULTANTS LTD
 RIBA Chartered Practice

PROJECT: []
 DRAWING NO: []
 DATE: []

DATE	5	9	04
SCALE	1:200		



FIRST FLOOR PLAN AS EXISTING 1:200



From: john elliott (EMAIL ADDRESS REDACTED)
Sent: 17 April 2021 16:16
To: Licensing
Subject: REF: 21/00253/LAPREM/LA Old Essex Barn Ltd

Dear Sir/Madam,

I wish to make formal objection to the aforesaid application because of the close proximity of the venue to the residential properties in the London Road, Church Street and in particular those in Cranes Lane. I am not aware if Officers have received formal objections from Cranes Lane residents, but I sincerely hope that the owners of the Essex Barn Ltd have the manners and good grace to consult them directly.

The committee may already be aware that the Barn was once used as a wedding venue, and that the playing of live and recorded music was indeed permitted. It must be understood however that the noise created by the events hosted was mostly at the weekend, and not every day as will be the case if the current application is granted. The open countryside surrounding the venue must also be taken into consideration as it is very open and flat with few hedges, trees or any rising ground to absorb the sound that will be created.

The playing of live and recorded music between 10:00 & 23:59 seven days a week is not acceptable, and I am certain that the existence of such a venue will undoubtedly cause considerable disturbance to local residents. The levels of excessive noise will no doubt increase during the summer months as those attending events at Essex Barn Ltd will move outside into the surrounding grounds.

I therefore respectfully ask that the Licensing Committee refuse the application.

I am willing to address the Licensing Committee directly if necessary.

Yours faithfully

John Elliott Esq

Address and Telephone Number Redacted

From: paul elliott (EMAIL ADDRESS REDACTED)
Sent: 17 April 2021 21:13
To: Licensing
Subject: Fw: REF: 21/00253/LAPREM/LA Old Essex Barn Ltd

To The Braintree District Council Licensing Committee.

I would like to object to this application on the following grounds:

1. The close proximity of my home to Essex Barn Ltd, and the excessive noise and disturbance that will affect both myself and others.
2. The playing of live and recorded music between 10:00 & 23:59 seven days a week is not appropriate for the location, and I am very distressed at the possibility that such a licence might be granted.
3. Increased traffic flow both in and out of the inadequate and dangerous entrance to Cranes Lane it being located at the end of the busy slip road leading off the A12.
4. I was not aware of this application until a neighbour of mine was kind enough to inform me of it. I am very disappointed that the owners of Essex Barn Ltd did not have the foresight or manners to consult me about what they propose to do.
5. Members of the committee may also know that several years ago the Barn was used to host weddings. I had no objection to this because the noise was usually at the weekend. I do however object to the potential for excessive noise and disturbance seven days a week between 10:00 & 23:59.
6. Finally, I would also like to complain with regard to the positioning of the so-called public notice. It is in a location where hardly anyone whom the proposals principally affect is likely walk past it.

I ask that the Licensing Committee refuse the application.

[Redated] and I do not have the facility to attend any meeting via Zoom.

Yours sincerely,

Mr Paul Elliott

Address and Telephone Number Redacted

Address Redacted

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

Dear Sir/Madam

Application from Philip Barton-Wright

Old Essex Barn Ltd, Crabb's Barn, Crane's Lane, Kelvedon, Colchester, Essex, CO5 9AX

Reference: 21/00253/LAPREM/LA

As a local resident living close to Crabb's Barn, I am concerned about the transfer of noise from loud music for the period from 10.00 am to midnight for all days of the week, Monday to Sunday.

The period of time is extensive covering a 14 hour period and all days of the week, if the noise is excessively loud it could disturb sleep, especially during the summer months when windows are left open overnight.

The extent of the noise will be dependent on whether it is amplified and the number of people attending the event.

I would welcome a limit on the number of days that live music could be played, to Friday and Saturdays.

Kind Regards

Helen Shreeve

From: kevin staerck (EMAIL ADDRESS REDACTED)
Sent: 19 April 2021 10:09
To: Licensing
Subject: Crabs Barn, Cranes Lane - Application Ref: 21/00253

Good morning I have been made aware that the above have made an application to Licensing Committee of Braintree District Council for an alcohol licence and live & recorded music 7 days a week 10am till midnight, which I wish to provide an objection in respect to live and recorded music 7 days a week all day which will have a detrimental effect to the peace and tranquility of the area and thought must be given to the residents who have children and work shifts.

Regards

Kev Staerck



**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.