

# LICENSING SUB COMMITTEE HEARING



## AGENDA

**Date:** Tuesday 22nd August 2017

**Time:** 10.00am

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

### Membership:

Councillor M Banthorpe
Councillor A Hensman
Councillor H Johnson
Councillor Mrs L Walters

**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 the Variation of the Premises Licence in respect of **PANNERS COFFEE BAR, PANNERS PARADE, PRIORY LANE, GREAT NOTLEY** (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](mailto:alison.webb@braintree.gov.uk)

Emma Wisbey  
Governance and Member Manager

<b>APPLICATION FOR A VARIATION OF PREMISES LICENCE FOR PANNERS COFFEE BAR, PANNERS PARADE, PRIORY LANE, GREAT NOTLEY</b>		<b>Agenda No: 4</b>
<b>Portfolio Corporate Outcome:</b>	<b>Environment and Place</b> <b>A sustainable environment and a great place to live, work and play</b> <b>A prosperous district that attracts business growth and provides high quality employment opportunities</b> <b>Residents live well in healthy and resilient communities where residents feel supported</b>	
<b>Report presented by:</b>	<b>John Meddings, Principal Licensing Officer</b>	
<b>Report prepared by:</b>	<b>John Meddings, Principal Licensing Officer</b>	
<b>Background Papers:</b>		<b>Public Report</b>
<ol style="list-style-type: none"> <li>1. Application for a variation of premises licence (Appendix 1)</li> <li>2. Representations (Appendix 2)</li> <li>3. Panners Coffee Bar Premises Licence (Appendix 3)</li> <li>4. Licensing Act 2003</li> <li>5. Revised Guidance issued under section 182 of the Licensing Act 2003 – April 2017</li> </ol>		<b>Key Decision: No</b>
<b>Executive Summary:</b>		
<p>Members of the Licensing Sub-Committee are requested to consider an application for the variation of a premises licence following representations that have been received from interested parties.</p>		
<b>Decision:</b> To determine one of the following options -		
<p>In determining this application for Panners Coffee Bar, Panners Parade, Priory Lane, Great Notley, the Licensing Sub-Committee can make one of the following decisions:</p> <ol style="list-style-type: none"> <li>1. To Grant the application to vary the Premises Licence with conditions as described within the existing operating schedule to the Premises Licence.</li> <li>2. To Grant the application to vary the Premises Licence with additional conditions deemed necessary to promote the four licensing objectives.</li> <li>3. To Grant the application to vary the Premises Licence with amended activities or times.</li> <li>4. To Refuse the application to vary the Premises Licence.</li> </ol> <p>The Licensing Sub-Committee is asked to give full reasons for its decision.</p>		

<b>Purpose of Decision:</b>	
Members of the Licensing Sub-Committee are requested to consider the application made by Leanne Davies t/a Panners Coffee Bar.	
<b>Corporate Implications</b>	
<b>Financial:</b>	None
<b>Legal:</b>	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.
<b>Safeguarding:</b>	None
<b>Equalities/Diversity:</b>	The decision of the Licensing Sub-Committee may affect the business operations of the proposed licence holder.
<b>Customer Impact:</b>	The application has been advertised in accordance with statutory timescales.
<b>Environment and Climate Change:</b>	None
<b>Consultation/Community Engagement:</b>	A statutory 28 day consultation period has taken place. A public notice has been displayed at the premises and in a locally circulated publication.
<b>Risks:</b>	None
<b>Officer Contact:</b>	John Meddings
<b>Designation:</b>	Principal Licensing Officer
<b>Ext. No:</b>	2213
<b>E-mail:</b>	john.meddings@braintree.gov.uk

## **1. Application**

### **1.1 Premises**

Panners Coffee Bar  
Panners Parade  
Priory Lane  
Great Notley  
Braintree  
Essex  
CM77 7AE

### **1.2 Applicant**

Leanne Davies t/a Panners Coffee Bar  
Panners Parade  
Priory Lane  
Great Notley  
Braintree  
Essex  
CM77 7AE

### **1.3 Designated Premises Supervisor**

Leanne Davies  
Panners Parade  
Priory Lane  
Great Notley  
Braintree  
Essex  
CM77 7AE

## **2. Details**

- 2.1 An application was received and validated from Leanne Davies t/a Panners Coffee Bar on 29 June 2017 for a variation of a premises licence at Panners Coffee Bar, Panners Parade, Priory Lane, Great Notley (Appendix 1). The application was deemed valid on 29 June 2017 and the consultation started.

The purpose of the variation application is to:

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

**Monday to Sunday            12:00 to 23:00**

**Provision of regulated entertainment**

**Live Music – Indoors**

**Monday to Saturday        19:00 to 23:00**

**Sunday                        14:00 to 21:00**

- 2.2 If the premises is authorised for the sale of alcohol for consumption on those premises, regulated entertainment hours requested will no longer require to be licensed.

This will mean that if the audience does not exceed 500, live and recorded music between 08:00 and 23:00 would not require a licence.

- 2.3 In accordance with the Licensing Act 2003, a notice was displayed on the premises for a period of no less than 28 days.
- 2.4 Within the operating schedule attached to this application, the applicant has described a number of steps which she intends to take to promote the four licensing objectives; these will become conditions of the licence if granted.

### **3. Representations**

- 3.1 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.
- 3.2 Following the 28 day consultation under the Licensing Act 2003, the Licensing Authority received eight representations from interested parties (Appendix 2). These are split into six opposing the application and two supporting the application.

### **4. History**

- 4.1 The premises currently benefits from a premises licence which was first issued in May 2015 after the application was determined at a meeting of the Licensing Sub-Committee.
- 4.2 On 10 November 2016 the premises licence was transferred to the existing holder, Leanne Davies t/a Panners Coffee Bar.



**Braintree**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact

Telephone: 01376 557790

\* required information

**Section 1 of 17**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

panners coffee bar

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

leanne

\* Family name

davies

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?

☐ Yes☒ No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK?

☐ Yes☒ No

Business name

panners coffee bar

If your business is registered, use its registered name.

VAT number

-

Put "none" if you are not registered for VAT.

Legal status

Sole Trader

Continued from previous page...

Your position in the business

owner

Home country

United Kingdom

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

panners parade

Street

priory lane

District

gt notley

City or town

braintree

County or administrative area

essex

Postcode

cm777ae

Country

United Kingdom

**Section 2 of 17**

**APPLICATION DETAILS**

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

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

b11/831

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

panners coffee bar

Street

priory lane

District

great notley

City or town

braintree

County or administrative area

essex

Postcode

cm777ae

Country

United Kingdom

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable  
value of premises (£)

7,300

### Section 3 of 17

#### VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the  
introduction of the late night levy?

☒ Yes

☐ No

You do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.

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

#### Describe Briefly The Nature Of The Proposed Variation

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.

its a coffee/sandwich shop with a bar and serves alcohol mainly on a thursday and friday eve where i would like a licence to 11pm

### Section 4 of 17

#### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to  
vary is successful?

☐ Yes

☒ No

### Section 5 of 17

#### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to  
vary is successful?

☐ Yes

☒ No

### Section 6 of 17

#### PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if  
this application to vary is successful?



Continued from previous page...

☐ Yes

☒ No

### Section 7 of 17

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes

☒ No

### Section 8 of 17

#### PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start 19:00

End 23:00

Start

End

Provide 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.

##### TUESDAY

Start 19:00

End 23:00

Start

End

##### WEDNESDAY

Start 19:00

End 23:00

Start

End

##### THURSDAY

Start 19:00

End 23:00

Start

End

##### FRIDAY

Start 19:00

End 23:00

Start

End

##### SATURDAY

Start 19:00

End 23:00

Start

End

##### SUNDAY

Start 14:00

End 21:00

Start

End

*Continued from previous page...*

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors      ☐ Outdoors      ☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

live music on certain evenings which will include a solo or up to small group singing

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

#### **Section 9 of 17**

##### **PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes      ☒ No

#### **Section 10 of 17**

##### **PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes      ☒ No

#### **Section 11 of 17**

##### **PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes      ☒ No

Continued from previous page...

## Section 12 of 17

### PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes

☒ No

## Section 13 of 17

### SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Provide 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.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

##### SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the sale of alcohol be for consumption?

☐ On the premises      ☐ Off the premises      ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

#### Section 14 of 17

##### ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

#### Section 15 of 17

##### HOURS PREMISES ARE OPEN TO THE PUBLIC

###### Standard Days And Timings

###### MONDAY

Start

End

Start

End

###### TUESDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

WEDNESDAY

Start 09:00

End 23:00

Start

End

THURSDAY

Start 09:00

End 23:00

Start

End

FRIDAY

Start 09:00

End 23:00

Start

End

SATURDAY

Start 09:00

End 23:00

Start

End

SUNDAY

Start

End 21:00

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

the extra hours i want are for a thursday and friday eve and last orders to be done before 11pm and on a saturday evening for private partys till 11pm as well and close by midnight

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

☐ I have enclosed the premises licence

*Continued from previous page...*

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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**Section 16 of 17**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

--

b) The prevention of crime and disorder

--

c) Public safety

--

d) The prevention of public nuisance

--

e) The protection of children from harm

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**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Continued from previous page...

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£) 190.00

## ATTACHMENTS

### AUTHORITY POSTAL ADDRESS

#### Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

### DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

*Continued from previous page...*

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/braintree/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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





**Clerk: Suzanne Walker**  
**Tel: 01376 331251**  
**E-mail: [greatnotleyclerk@gmail.com](mailto:greatnotleyclerk@gmail.com)**

7 Mallard Close,  
Great Notley  
Braintree  
Essex  
CM77 7YD

25<sup>th</sup> July 2017

Dear Sirs,

**Re: Unit 3 Panner's Parade, Great Notley**  
**17/01052/LAPREM/LA**

The Parish Council considered the above licensing application at the meeting held on 24<sup>th</sup> July 2017 and would like to make the following representations in relation to the issue –

1. The Parish Council has noted that there are differing views from residents with some opposing the application and others who are in favour.
2. The Parish Council has noted that within the application form the applicant has failed to deal with the questions relating to the four licensing objectives thus for the Parish Council to make more substantive comments and for the application to be properly considered it needs to be known what steps she would take to satisfy those objectives.
3. The application request that the licensing hours for music are from 7pm to 11pm Monday to Saturday and 7pm to 10pm on a Sunday and for an alcohol license from 9am to 11pm Monday to Saturday and to 9pm on a Sunday, yet the narrative of the application asks for extra hours on Thursdays, Fridays and Saturdays. The Parish Council has noted that the coffee shop is in close proximity to a number of residential properties and to effectively comment on this matter the Parish Council would wish there to be clarity in exactly what the applicant is proposing rather than making what seems to be a 'blanket' application.

The Parish Council would be grateful if these comments could be taken into consideration.

Yours Faithfully,

Suzanne Walker  
Clerk to Great Notley Parish Council

To:  
The Licensing Officer  
Braintree District Council.

ENVIRONMENTAL  
HEALTH

I wish to raise an objection to the proposed extension of the permitted hours of the premises licence on the grounds of nuisance, but your website will not allow me to access the application in order to make comment.

I note representations have to be made by 27th July 2017.

I live at [REDACTED] one of the nearer residential properties to the premises.

The premises was set up as a coffee bar, not a pub which it seems to be moving towards.

We suffer from late night noise nuisance already when the premises is open late, and particularly so in the summer, when windows are open and people congregate outside.

The particular nuisance is from people gathering on the paved area outside of the premises where there are tables, when people leave the premises after closing either going to their cars and making a lot of noise while they leave (doors slamming, loud voices) or walking past our home talking loudly or shouting.

This is a residential area and many people have young children.

I don't object to the principle of the premises being allowed to open and to host music events, but I think that 23.00 each day for alcohol consumption with 23.00 Monday to Saturday for music and 21.00 on Sunday is too late given the residential setting of the premises and the close proximity of homes.

My suggestion is that a reasonable and sensible compromise given the location of the premises would be 21.00 every day, except Saturday when 22.00 would be reasonable in respect of both alcohol and music. In view of the nuisance already caused, if a compromise isn't possible, I ask that the application is refused.

Regards,

Mr and Mrs R. Greenwood.



Webb, Allison

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From: Paul Korten [REDACTED]  
 Sent: 17 July 2017 18:59  
 To: Licensing  
 Subject: Unit 3 Panners Parade

Paul Korten



Dear Sir/Madam

I would like to strongly object to the application for variation of premises licence made by the coffee shop unit 3 on Panners Parade Great Notley.

We live behind the coffee shop and purchased our home from plans fifteen years ago. There was never any plans to build a three storey building. We were informed of a single storey craft shop. Then by magic a three storey premises was erected bringing unwanted noise and traffic.

The coffee shop already makes more noise than I feel is acceptable, late at night already noise and disruption until at least 23.00 the music and noise from customers in the evening is loud and we have to close our windows to bring the volume down. Even then we can still hear it.

I do not have a problem with them selling coffee and cakes during the day but I feel very strongly that they should not only be disallowed to extend their licence but it should be restricted to daytimes only.

I have recently invested £150,000 in my property and the prospect of unwanted noise not only makes me not want to live here anymore it will undoubtedly devalue my home.

We already have to put up with the deliveries to the coop, the cooking smells from the Chinese restaurant and now the thought of unwanted music and noise. With alcohol comes problems and there will be an unnecessary disruption of a once peaceful neighbourhood.

I was only made aware by a concerned neighbour, the application is tucked away in the side alleyway of the premises which I also feel is very underhand, I personally would never walk through the alleyway so potentially would never have been made aware of this infringement of my peace.

I work very long hours and rely on the few hours of sleep I can get, this would certainly affect my quality of life as well as the effect to the resale of my property.

I will be putting this in writing to you.

**Webb, Alison**

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**From:** Planning Comments  
**Sent:** 17 July 2017 16:14  
**To:** Licensing  
**Subject:** FW: Variation to Premises Licence Unit 3 Panners Parade CM77 7AE

For you, thanks

Josie Samicka  
Planning Admin Officer  
Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB  
01376 552525 Ext. 2784 | [www.braintree.gov.uk](http://www.braintree.gov.uk) | [jossa@braintree.gov.uk](mailto:jossa@braintree.gov.uk)

-----Original Message-----

**From:** Steven McSorley [REDACTED]  
**Sent:** 16 July 2017 4:31 PM  
**To:** Planning Comments  
**Subject:** Variation to Premises Licence Unit 3 Panners Parade CM77 7AE

**To:**  
The Licensing Officer  
Braintree District Council.

I wish to raise an objection to the proposed extension of the permitted hours of the premises licence on the grounds of nuisance, but your website will not allow me to access the application in order to make comment.

I note representations have to be made by 27th July 2017.

I live at [REDACTED] one of the nearer residential properties to the premises.

The premises was set up as a coffee bar, not a pub which it seems to be moving towards.

We suffer from late night noise nuisance already when the premises is open late, and particularly so in the summer, when windows are open and people congregate outside.

The particular nuisance is from people gathering on the paved area outside of the premises where there are tables, when people leave the premises after closing either going to their cars and making a lot of noise while they leave (doors slamming, loud voices) or walking past our home talking loudly or shouting.

This is a residential area and many people have young children.

I don't object to the principle of the premises being allowed to open and to host music events, but I think that 23.00 each day for alcohol consumption with 23.00 Monday to Saturday for music and 21.00 on Sunday is too late given the residential setting of the premises and the close proximity of homes.

My suggestion is that a reasonable and sensible compromise given the location of the premises would be 21.00 every day, except Saturday when 22.00 would be reasonable in respect of both alcohol and music. In view of the nuisance already caused, if a compromise isn't possible, I ask that the application is refused.

Regards

Steven McSorley

Webb, Alison

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**From:** Phil Shears [REDACTED]  
**Sent:** 18 July 2017 09:13  
**To:** Licensing  
**Cc:** PAWS Consulting  
**Subject:** License application

Application to vary a premises licence - Coffee Company, Unit 3, Pannors Parade, Great Notley, Braintree, Essex CM77 7AE

Dear sirs

I would like to object to the variation of the licence for the following reasons.

1. Noise from the bar, we have experienced the noise on the nights they have had music. We can here in our homes the sound of people cheering.
2. Parking is very limited
3. Risk of anti social behaviour
4. Litter being spread around

This is a residential area not a night club i feel this will be detrimental to the neighbourhood.

Please acknowledge receipt of this email  
Many Thanks

Kind Regards

Phil Shears  
[REDACTED]  
[REDACTED]

Webb, Alison

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**From:** Sharon and Ian Wallace [REDACTED]  
**Sent:** 23 July 2017 13:08  
**To:** Licensing  
**Subject:** Application of a Variation of a Premises Licence Under Section 34 of the Licensing Act 2003

Dear Sirs

**PANNERS COFFEE BAR - Unit 3, Panners Parade, Great Notley, CM77 7AE**

With reference to the above application, we would like to object to the variation.

We feel that the current hours, 12 midday to 10pm are perfectly adequate for alcohol consumption for a coffee bar.

If the alcohol is not served after 10pm then by the time customers leave the premises it is in the region of 10pm to 11pm. If the licence is extended by an hour then this will be between the hours of 11pm to 0.00 am. Particularly as the owners do have the option to apply for the hours to be extended for private functions.

The Coffee Bar is situated in an area which is primarily residential and therefore the residents do need to be protected against excessive noise and disturbance from customers leaving the premises beyond the hours of 10.00pm

The Coffee Bar as it stands is not large enough for a substantial amount of customers and there is a need when busy for people to stand outside and for the doors to be open which then leads to noise and disturbance at a time which is clearly socially unacceptable for nearby residents.

With regard to the provision of live music, can this not be restricted to Friday and Saturday evenings. It does not seem reasonable for live music to be allowed on weekdays. We do not want to be in the position of not being able to open bedroom windows due to the level of noise.

The Coffee Bar serves the community more than adequately with the licencing hours and opening hours already in place. It would be a shame to make changes to the detriment of local residents and the community.

Kind regards

Sharon Wallace and the  
residents of [REDACTED]

**Webb, Alison**

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**From:** Sharon Howard [REDACTED]  
**Sent:** 20 July 2017 10:53  
**To:** Licensing  
**Subject:** Panners Coffee Bar Extended Licence Application

Ref: 17/01052/LAPREM/LA

I would like to support the application for extended licence. Panners Coffee Bar offers a much needed social venue in Great Notley and it is very much loved by members of our community.

It is my understanding that no crime, disorder or public nuisance has resulted from the current licence and welcome the application to increase it.

With kind regards  
Sharon



**Webb, Alison**

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**From:** Lisa Turley [REDACTED]  
**Sent:** 20 July 2017 10:36  
**To:** Licensing  
**Subject:** Panners coffee bar extended license application

Ref: 17/01052/LAPREM/LA.

I would like to support the license application for extended hours. Leanne Davies is providing an amazing venue for the community.

I am unaware of any incidents of crime, disorder or public nuisance.

I have no objections to the license and support the application.

I am aware another resident has sent onto BDC the thread of support being shown on Facebook and to date, there is not one single complaint and a tremendous amount of support for the business.

Regards,

Lisa Turley

B11/831

**PREMISES DETAILS**

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

**Coffee Company  
Unit 3 Panners Parade  
Essex**

**Post Town: Great Notley**

**Post Code: CM77 7AE**

**Telephone number**



**Where the Licence is time limited the dates**

**N/A**

**Licensable activities authorised by the Licence**

**a) The sale by retail of alcohol for consumption on the premises.**

**Provision of Regulated Entertainment consisting of:**

**b) Recorded music – Indoors**

**The times the Licence authorises the carrying out of licensable activities**

**a) The sale by retail of alcohol for consumption on the premises.**

**Monday to Sunday 12:00 to 22:00**

**Provision of Regulated Entertainment consisting of:**

**b) Recorded music – Indoors**

**Monday to Friday 08:45 to 22:00**

**Saturday 08:30 to 22:00**

**The opening hours of the premises**

**Monday to Friday 08:45 to 17:00**

**Saturday 08:30 to 16:00**

**Non Standard Timing:**

**Until 22.00 hours if alcohol is being served**

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

**On Sales Only**

**Name, (registered) address of Holder of Premises Licence**

**LEANNE MARIE DAVIES**

**Panners Parade**

**Unit 3 Priory Lane**

**Great Notley**

**CM77 7AE**

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

**N/A**

**Name of Designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol**

**LEANNE MARIE DAVIES**

**State whether access to the premises by children is restricted or prohibited**

**Children are to be supervised by an adult at all times.**

**Under 18's will not be allowed in the premises after 17:00 hours alone.**

## Premises Licence

Premises Licence number:

16/02123/LADPS B11/831

### Part 1 – Premises Details

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

Coffee Company  
Unit 3 Panners Parade  
Great Notley  
Essex

Post Town: Braintree

Post Code: CM77 7AE

Telephone number at premises

[REDACTED]

Where the Licence is time limited the dates

N/A

Licensable activities authorised by the Licence

a) The sale by retail of alcohol for consumption on the premises.

Provision of Regulated Entertainment consisting of:

b) Recorded music – Indoors

The times the Licence authorises the carrying out of licensable activities

a) The sale by retail of alcohol for consumption on the premises.

Monday to Sunday 12:00 to 22:00

**Provision of Regulated Entertainment consisting of:**

**b) Recorded music – Indoors**

**Monday to Friday 08:45 to 22:00**

**Saturday 08:30 to 22:00**

**The opening hours of the premises**

**Monday to Friday 08:45 to 17:00**

**Saturday 08:30 to 16:00**

**Non Standard Timing:**

**Until 22.00 hours if alcohol is being served**

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

**On Sales Only**

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of Holder of Premises Licence**

**MRS LEANNE MARIE DAVIES**

**Panners Parade**

**Unit 3 Priory Lane**

**Great Notley**

**CM77 7AE**

**Telephone number:**

**e-mail:**

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

**N/A**

**Name, address and telephone number of Designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol**

**LEANNE MARIE DAVIES**

**Panners Coffee Bar**

**Unit 3 Panners Parade**

**Priory Lane**

**Braintree**

**Essex**

**CM77 7AE**

**B11/831**

**Personal Licence number and issuing authority of Personal Licence held by Designated Premises Supervisor where the Premises Licence authorises for the supply of alcohol**

**P1904 – Braintree District Council**



Corporate Director

14<sup>th</sup> December 2016

Date Granted

20<sup>th</sup> December 2016

Date of Issue

## **Annex 1 – Mandatory Conditions**

### **All supplies of alcohol**

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

### **Irresponsible drinks promotions**

- 3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises**
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:**
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or**
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise)**
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;**
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;**
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.**

- (e) **Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)**
- 4. **The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.**

#### **Age verification policy**

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

#### **Alcoholic drink measures**

- 6. **The responsible person shall ensure that:**
  - (a) **where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—**
    - (i) **beer or cider: ½ pint**
    - (ii) **gin, rum, vodka or whisky: 25 ml or 35 ml**
    - (iii) **still wine in a glass: 125 ml**
  - (b) **these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and**
  - (c) **where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.**

#### **The sale of alcohol below the cost of duty plus VAT**

- 7. (1) **A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.**
- (2) **For the purposes of the condition set out in paragraph 1 –**



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

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

$$P = D + (DXV)$$

Where –

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

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

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

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

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

(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

**Annex 2 – Conditions consistent with the operating Schedule**


**PROTECTION OF CHILDREN FROM HARM**

- 1. Anyone looking under the age of 25 will be asked for identification.**
- 2. Children are to be supervised by an adult at all times.**
- 3. Under 18's will not be allowed in the premises after 17:00 hours alone.**

**Annex 3 – Conditions attached after a hearing by the Licensing Authority**

**None**

# Annex 4 - Plans

 = LICENSABLE AREA



**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.