

# Licensing Act Sub-Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Monday 7 September 2015</b>
<b>Time:</b>	<b>4.00 pm</b>
<b>Venue:</b>	<b>Room GFR 13 West Suffolk House</b> Western Way Bury St Edmunds, IP33 3YU
	(The Sub-Committee will withdraw to the Mayor's Parlour to consider the decision on the application in private session)
<b>Full Members (3):</b>	Terry Buckle Sara Mildmay-White Clive Springett
<b>Substitutes:</b>	Frank Warby
<b>The membership of this Sub-Committee is drawn from Members of the full Licensing Committee and needs not to be politically balanced.</b>	
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
<b>Quorum:</b>	Three Members
<b>Committee administrator:</b>	<b>David Long</b> Committee Administrator & SEBC Scrutiny Support <b>Tel:</b> 01284 757120 <b>Email:</b> <a href="mailto:david.long@westsuffolk.gov.uk">david.long@westsuffolk.gov.uk</a>

# Agenda

Page No

## Procedural Matters

**1. Election of Chairman**

**2. Substitute**

The Member who is substituting for another Member should so indicate together with the name of the relevant absent Member.

**3. Apologies for Absence**

**4. The attached Hearing Procedure will be adopted in considering the undermentioned item:**

**1 - 2**

### Part 1 - Public

**5. Application for new Premises' Licence - 7 Guildhall Street, Bury St Edmunds**

**3 - 32**

Report No. **LSC/SE/15/005**

## Licensing: Procedures at Hearings

1. The Chairman will introduce Members of the Committee and Officers present and ask all parties to identify themselves to the Hearing.
2. The Chairman will outline the procedure to be followed and:-
  - (a) check that all parties have received copies of relevant representations;
  - (b) ask all parties whether they wish to amend or withdraw their application or representation;
  - (c) ask the Licensing officer whether any party has submitted additional supporting information (only if all parties agree shall the material be distributed to the Sub-Committee);
  - (d) if the Licensing Officer reports any requests for a witness to appear, decide whether to allow the witness to speak and ask whether there are any further declarations of interest;
  - (e) agree how much time each person will need to present their case; and
  - (f) the Sub-Committee will determine whether the Substitute Member is required to hear the application.
3. The Licensing Officer will present the Statement of Facts.
4. The Chairman will invite Members and other parties to the hearing to ask questions of the Licensing Officer about the Statement of Facts.
5. The Chairman will invite the Applicant or representative to present their case and respond to questions from Members, Officers and other parties to the hearing.
6. The Chairman will invite those that have made objections or relevant representations to present their case and respond to questions from Members, Officers and all the other parties.
7. The Chairman will invite all parties to sum up their case and to confirm they are satisfied that they have said all they wish to say. (Nb the applicant should sum up last).
8. Members and Officers may ask any final questions and the Chairman will then give all parties an opportunity to respond on those points (Nb the last word should be from the Applicant).
9. The Sub-Committee, accompanied by the legal advisor and Committee Administrator will retire to determine the application.
10. The Chairman or legal advisor will announce the decision together with the reasons for it and will also outline rights of appeal.

### General Notes:

- (i) The hearing may be adjourned at any time at the discretion of the Members.
- (ii) Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing.
- (iii) Members may exclude any person from the hearing if it appears to them to be in the public interest to do so or if that person is being disruptive.
- (iv) No parties will be allowed to cross examine unless Members agree that the procedure should be altered.
- (v) Any advice given in private session will be reported to all parties to the hearing.

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# Licensing Act Sub-Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Application for New Premises' Licence – 7 Guildhall Street, Bury St Edmunds</b>	
<b>Report No:</b>	<b>LSC/SE/15/005</b>	
<b>Decisions plan reference:</b>		
<b>Report to and date:</b>	<b>Licensing Act Sub-Committee</b>	7 September 2015
<b>Portfolio holder:</b>	Cllr Alaric Pugh Portfolio Holder for Planning and Growth <b>Tel:</b> 07930 460899 <b>Email:</b> alaric.pugh@stedsbc.gov.uk	
<b>Lead officer:</b>	Tom Wright Business Regulation and Licensing Manager <b>Tel:</b> 01638 719223 <b>Email:</b> tom.wright@westsuffolk.gov.uk	
<b>Purpose of report:</b>	To consider an application for a new Premises Licence for 7 Guildhall Street, Bury St Edmunds  Three 'Other Persons' have submitted objections which have been accepted and the Sub-Committee are, therefore, required to determine the application.	

<b>Recommendation:</b>		<p>The Sub-Committee is requested to determine the application having regard to the four Licensing Objectives, the Statement of Licensing Policy, the representations attached to this report and any further relevant information presented to the Sub-Committee on the day of the hearing and having regard to the above, take any of the steps set out below provided they are proportionate and appropriate for the promotion of the four Licensing Objectives:</p> <p>The steps may be:</p> <p>(a) Grant the licence as applied for, or</p> <p>(b) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the licensing objectives, or</p> <p>(c) Reject the whole or part of the application.</p>	
<b>Key Decision:</b>		No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<b>Consultation:</b>		The applicant is required to place a notice on the premises; and advertise the application in a locally circulating newspaper/periodical. The Licensing Authority advertises the application on the Council website. The application met the statutory requirements.	
<b>Alternative option(s):</b>		<ul style="list-style-type: none"> <li>N/A</li> </ul>	
<b>Implications:</b>			
Are there any <b>financial</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any <b>staffing</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any <b>ICT</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any <b>legal and/or policy</b> implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • See No 2.1 below	
Are there any <b>equality</b> implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)

<p>Any decision reached which is not in accordance with the Act and any regulations made under the Act may be considered ultra vires and could be subject to an application for Judicial Review.</p>	<p><b>High</b></p>	<p>The Sub-Committee, in determining the application, should have regard to its statement of licensing policy and any guidance issued under section 182 of the Licensing Act 2003, but may depart from these where reasons are given.</p>	<p><b>Low</b></p>
<p><b>Ward(s) affected:</b></p>		<p>Risbygate</p>	
<p><b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i></p>		<p>Licensing Act 2003</p> <p>S.182 Guidance  <a href="http://www.gov.uk/government/publications/revised-guidance-issued-under-section-182-of-the-licensing-act-2003">www.gov.uk/government/publications/revised-guidance-issued-under-section-182-of-the-licensing-act-2003</a></p> <p>St Edmundsbury Borough Council Statement of Licensing Policy</p>	
<p><b>Documents attached:</b></p>		<p><i>(Please list any appendices.)</i>  Appendix 1 – Application  Appendix 2 – Basic Location Plan  Appendix 3 – Accepted Representations</p>	

## **1. Key issues and reasons for recommendation(s)**

### **1.1 Key Issues**

1.1.1 An application has been received for a new premises' licence for 7 Guildhall Street, Bury St Edmunds. A copy of the application is attached as **Appendix 1.**

1.1.2 The application seeks the supply of alcohol for consumption on the premises an in accordance with the following times:

Monday 11.00 to 18.00  
Tuesday to Saturday 11.00 to 23.00  
Sunday 12.00 to 16.00

Opening hours are:

Monday 07.00 to 18.00  
Tuesday to Saturday 07.00 to 23.00  
Sunday 10.00 to 16.00

A basic location plan is attached as **Appendix 2.**

1.1.3 The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives.

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Nuisance
- Protection of Children from Harm

### **1.1.4 Relevant Representations**

(a) The application has been advertised, both at the premises and in a local newspaper. Details are also available on the Council's website.

(b) Three accepted representations have been received and are attached as **Appendix 3.**

### **1.1.5 Matters for consideration**

(i) Section 17 of the Crime and Disorder Act 1998 imposes a duty on each local authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area.

(ii) If the Licensing Authority decides that this application should be refused, it will need to show that to grant the licence would:

- (a) undermine the promotion of the licensing objectives; and



- (b) that appropriate conditions would be ineffective in preventing the problems involved.

If the Licensing Authority cannot show the above, the application should be granted.

In making their decision, Members are advised to consider the Licensing Act 2003, the Guidance on the Act and the Council's Statement of Licensing Policy.

#### 1.1.6 **Other options considered**

No other relevant options were available.

### **2. Additional supporting information**

#### 2.1 **Legal and policy implications**

2.1.1 The Sub-Committee may take any of the steps set out below, provided they are proportionate and appropriate for the promotion of the Licensing Objectives:

- (a) Grant the licence as applied for, or
- (b) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the Licensing Objectives, or
- (c) Reject the whole or part of the application.

A condition is modified where it is altered or omitted or any new condition is added.

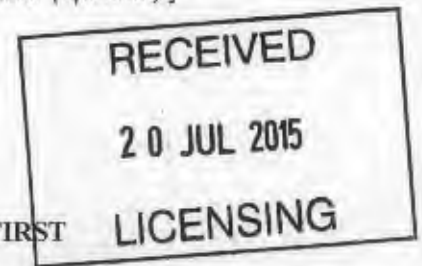
2.1.2 Each application should be considered on its own merits, having regard to the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.

2.1.5 The decision may be appealed against, by the applicant or any other party to the hearing, within 21 days of written notification of the determination made by the Sub-Committee. The Sub-Committee should state in reaching its determination those matters which it considered relevant, those matters which it did not consider as they were irrelevant, and its reasons for the decision.

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

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



**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We BUTTERWORTH AND SON LTD

*(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 <b>7 GUILDHALL STREET</b>			
Post town	BURY ST. EDMUNDS	Postcode	IP33 1PR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£11,000</b>

**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  please complete section (B)
  - ii. as a partnership  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:

Please tick yes

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(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 BUTTERWORTH AND SON LTD
Address MORETON HALL BURY ST. EDMUNDS SUFFOLK IP32 7BS
Registered number (where applicable) COMPANY NUMBER 1268555
Description of applicant (for example, partnership, company, unincorporated association etc.) LTD. COMPANY
Telephone number (if any) 01284767969
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	5	082015

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

DD	MM	YYYY
1	1	1111

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

SMALL CAFÉ & BAR CLOSE TO BUTTERMARKE  
 AREA IS MOSTLY COMMERCIAL WITH LIGHT RESIDENTIAL  
 THE PROPERTY IS SEMI-DETACHED WITH SMALL WALLED GARDEN AREA TO REAR  
 THE BUILDING COMPRISES A GROUND FLOOR, 2 FIRST FLOOR OFFICES AND A  
 BASEMENT (NOT IN USE)

COFFEE, TEA, SOFT DRINKS, WINE, BEER & COCKTAILS, PASTRIES, SANDWICHES &  
 CHARCUTERIE WILL BE SERVED

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

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

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

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- 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 (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

**A**

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

**B**

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



C

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

**D**

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

**E**

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

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	0700	1800	<b>Please give further details here</b> (please read guidance note 3)		
Tue	0700	2300			
Wed	0700	2300	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	0700	2300			
Fri	0700	2300	<b>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</b> (please read guidance note 5)		
Sat	0700	2300			
Sun	1000	1600			

**G**

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

# H

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

**I**

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	1100	1800			
Tue	1100	2300			
Wed	1100	2300			
	1100				
Thur	1100	2300			
Fri	1100	2300			
Sat	1100	2300			
Sun	1200	1600			
			<b>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</b> (please read guidance note 5)		

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

Name NICHOLAS ARMITAGE	
Address TOAD'S HOUSE THE STREET CULFORD	
Postcode	IP28 6DP
Personal licence number (if known) LN/005736	
Issuing licensing authority (if known) ST. EDMUNDSBURY BOROUGH 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 8).**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0700	1800	<p><b>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</b> (please read guidance note 5)</p>
Tue	0700	2300	
Wed	0700	2300	
Thur	0700	2300	
Fri	0700	2300	
Sat	0700	2300	
Sun	1000	1600	

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

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

-WELL TRAINED STAFF TO RUN THE PREMISES WITH A RESPONSIBLE APPROACH TO THE SALE OF ALCOHOL.  
-ALL STAFF ADVISED, IN WRITING, ON THE LICENSING LAWS.  
-ALL STAFF TRAINING TO BE RECORDED.

**b) The prevention of crime and disorder**

-ALARM FITTED  
-MANAGE CAPACITY  
-SHARING OF INFORMATION  
-EJECT OR REFUSE ENTRY IF NEEDED  
-STAFF & PRIVATE AREAS KEPT LOCKED  
-DAILY & WEEKLY STAFF BRIEFINGS TO IMPROVE WORKING PRACTICES

**c) Public safety**

-FULL RISK ASSESMENT TO IDENTIFY POTENTIAL HAZARDS  
-FIRST AID BOXES  
-QUALIFIED FIRST AIDER ON SITE  
-OTHER STAFF TRAINED IN BASIC FIRST AID  
-DOCUMENTED CAPACITY  
-GLASS COLLECTION POLICY  
-CLEARLY MARKED EMERGENCY EXITS  
-INCIDENT BOOK

**d) The prevention of public nuisance**

-NOISE MANAGEMENT POLICY  
-EXIT NOTICES  
-RESTRICTED USE OF EXTERNAL AREAS  
-RESTRICT DISTURBANCES CAUSED BY DELIVERIES, REFUSE COOLECTIONS & DISPOSAL OF WASTE.

e) The protection of children from harm

-INTRODUCE AN AGE VERIFICATION POLICY & TRAIN ALL STAFF ON IT'S IMPLEMENTATION  
-PROXY SALES TRAINING AND INFORMATION  
-RESTRICT EVENING ACCESS FOR CHILDREN

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- 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. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	Nicholas Armitage
Date	17.07.2015
Capacity	Company Director

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

ROB BUTTERWORTH  
BUTTERWORTH & SON LTD  
MORTON HALL

Post town	<b>BURY ST. EDMUNDS</b>	Postcode	<b>IP32 7BS</b>
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Telephone number (if any)	01284 767969
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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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

# Basic Location Plan



Premises location

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**FAO The Licensing Services Team**

Dear Sir/Madam

We are writing in response to your public notice relating to a new premises licence application by Butterworth & Son relating to recorded music, alcohol sales and opening hours at 7 Guildhall Street.

7 Guildhall Street is opposite our home at 85 Guildhall Street.

Our concerns and our reasons for objecting to this application as it stands relate principally to noise and residential amenity in a location in which the council has been approving a growing number of conversions of commercial premises back to family residences.

We notice, in particular, that the application includes a plan to open late into most evenings (Tues - Sat).

Subject to proper control of the patrons' use of space outside the front of 7 Guildhall Street, we have no objection to the operation of a café at 7 Guildhall Street during business hours and recognise that this may well be very popular with both residents and commercial premise users in Guildhall Street. We do object, however, to a licenced premise opening in the evenings in an area which is increasingly residential and already suffers from very significant evening noise as patrons from nearby licenced premises in Bury St Edmunds leave these premises, either to go to other premises or simply to stand outside to smoke or, in warmer weather, to socialise.

We further note that parking in this section of Guildhall Street (i.e. west of Churchgate Street), where use of resident parking permits is not offered, is already massively under pressure, particularly in the evenings when residents are at home and patrons of other cafes, bars and restaurants in the town park in Guildhall Street.

Given our very significant concerns, we would ask that the Licensing Officer refuses this application as it stands.

Yours faithfully

Ian & Justine Horseman Sewell

Dear Sirs

We refer to your notice relating to a new premises licencing application at 7 Guildhall Street dated 23rd July 2015.

We live at 86 Guildhall Street immediately opposite 7 Guildhall Street. We are anxious and worried about the indicated proposal for use as a bar and proposed evening opening.

We accept that the proximity of our house to the town centre comes with a degree of noise and evening disturbance. Our bedroom is at the front immediately opposite the no.7 shop front. Listing precludes double glazing of the Victorian sashes and in spite of high quality secondary glazing we already suffer and tolerate a good deal of late evening disturbance. The extremely close proximity of the premises would make additional noise and disturbance inevitable.

This end of Guildhall Street is becoming progressively more residential with recent conversion both properties adjacent to us from commercial to residential with further conversion work underway at 88a and 88b Guildhall Street. The granting of another Premises Licence in a predominantly residential area will cause reoccurring distress and annoyance because of late night disturbance of patrons going-to, leaving and standing about outside the premises. The premises will attract people from the Cornhill end and increase the level of nuisance we already suffer. Ours' is not just a knee jerk 'not-in-our-back-yard' objection; our bedroom is literally 8m from the front of no7 immediately opposite and we already suffer from being able to hear normal conversational voices from the street, often with people standing about smoking and otherwise chatting from 10pm until after midnight. The disturbance becomes increasingly loud on Thursday, Friday and Saturdays evenings. There is no scope for us to introduce further noise insulation. There will also be increased scope for anti-social behaviour, a certain amount we already have to tolerate.

We also have misgivings over the ability to control and limit the general internal noise emanating from inside the premises which, because of its Listed Building Status, will significantly reduce the scope for employing sound reduction techniques. Please note that the shop front is literally only eight metres from our bedroom window and we are already subjected to the sound of normal conversational speech in the street outside.

We earnestly ask that this application is refused.

Yours faithfully  
Michael and Anna Smith



Dear Sirs,

As resident above the applicants premises ( No. 7A) I must strongly object to this application

No official notification of the application has been supplied to me personally.

The area is becoming increasingly residential, with recent planning applications granted for residential use of neighbouring properties.

Properties opposite the applicant's premises are residential, selling in excess of £1 million.

The area is already blighted by noise and antisocial behaviour along with damaged cars and regular broken windows, vomit and discarded takeaway food.

The expected noise from customers and music from the premises, along with smell of cooking food immediately below me would make my current residence uninhabitable

I urge you to reject this unsuitable application,

S D Webb

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