Licensing and Regulatory Sub-Committee



Title:	Agenda			
Date:	Monday 18 September 2017			
Time:	9.30am – Briefing for the Members of the Sub-Committee to be held in the Members' Room			
	10.00am - Hearing commences			
Venue:	Council Chamber District Offices College Heath Road Mildenhall			
Full Members (3):	Brian Harvey Carol Lynch Nigel Roman			
<u> </u>	of this Sub-Committee is drawn from Members of the full ttee and needs not to be politically balanced.			
Substitutes:	Named substitutes are not appointed			
Interests – Declaration and Restriction on Participation:	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.			
Quorum:	Two Members			
Committee administrator:	Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk			

<u>LICENSING ACT 2003 – HEARING PROCEDURE</u> Pre-Hearing Matters

- 1. Declaration of Interests
- 2. Chairman will introduce members of the Hearing Panel
- 3. Chairman will ask those present to introduce themselves in the following order:
 - Applicant and any person representing or assisting them (Confirmation also should be given that copies of the relevant representations to be considered at the Hearing have been received);
 - The Officer of the Licensing Authority, the Committee Administrator and the Legal Advisor to the Hearing Panel;
 - Responsible authorities that have made a relevant representation;
 - Interested parties who have made a relevant representation (Interested parties should confirm whether a spokesperson has been nominated and, if so identify them);
 - In the event of a review hearing, the respondent.
- 4. The Chairman will ask all parties to the Hearing whether they wish to withdraw their application or representation.
- 5. The Chairman will ask the Officer of the Licensing Authority to report:
 - Any requests from a party to the Hearing for permission for a witness to appear in support of their representation. Any such requests will be determined by the Hearing Panel.
 - Any documentary or other information that a party to the Hearing wishes to present. If there is any such material, the Chairman will ask all the other parties to the Hearing whether they consent to it being presented. If they agree, the material will be distributed. If not, the said material may not be distributed unless there are exceptional circumstances which in the Chairman's opinion render it necessary and appropriate for the said material to be presented to the Hearing Panel. In this regard the Chairman's decision will be final.
- 6. The Chairman will invite the applicant or his representative to estimate the time required to present their case and ask questions of other parties to the Hearing. He will then ask the other parties to the Hearing whether they will require a longer period to present their representation and question the applicant. The Hearing Panel will determine the maximum period of time allowed for each party to put their case. This decision will be final.

THE HEARING

Immediately the pre-Hearing matters have been dealt with the Hearing will commence.

- 1. The Chairman will ask the Officer of the Licensing Authority to summarise the matter under consideration.
- 2. The members of the Hearing Panel, the applicant, and those making representations may ask questions of the Officer of the Licensing Authority.
- 3. Starting with the applicant and, in the event of a review, concluding with the respondent, each party will exercise their rights within the identified maximum time, as follows:
 - Each party to present their case, including responding to any points of which the Licensing Authority has previously given notice, and call any approved witness or witnesses in support of their case.
 - If given permission by the Chairman, and only through the Chairman of the Hearing, each member of Sub Committee, office of the Licensing Authority or any party may raise questions of any other party or witness/witnesses.
- 4. Starting with the applicant and, in the event of a review hearing, concluding with the respondent, each party will be asked to sum up their case.
- 5. All those present, other than the members of the Hearing Panel, their Legal Advisor and the Committee Administrator, will be asked to leave the meeting to allow Members to determine the application.
- 6. All parties will be recalled. The Legal Advisor to the Hearing Panel will advise those present of any advice that has been provided during the determination. The Chairman will then:
 - either announce the decision, together with the reasons for it if it is a Hearing in relation to an application for which the Licensing Authority may make its determination at the conclusion of the Hearing; OR
 - advise all the parties that the Licensing Authority will make its determination within 5 working days, in which case notification of the determination will be sent out in writing (including the rights of appeal) to all relevant parties not later than 5 working days after the Hearing date.

- 7. In the event of the Licensing Authority making its determination at the conclusion of the Hearing the Chairman will outline the rights of appeal. The decision and rights of appeal will also be confirmed in writing by the Officer of the Licensing Authority forthwith.
- 8. Nothing within paragraph 6 above will preclude a Licensing Authority from making its determination at the conclusion of <u>any</u> Hearing, should the Hearing Panel so decide. It is entirely within the discretion of the Members of the said Panel whose decision in this regard will be final.

Agenda

Procedural Matters

Part 1 - Public

- 1. Apologies for Absence
- 2. Substitutes
- 3. Election of Chairman
- 4. Application for the Grant of a Premises Licence Black 1 66 Bess, 7 Rous Road, Newmarket

Report No: LSC/FH/17/002



Licensing and Regulatory Sub-Committee



Title of Report:	Application for the Grant of a Premises Licence – Black Bess, 7 Rous Road, Newmarket				
Report No:	LIC/FH/17/0	002			
Report to and date/s:	Licensing and Regulatory Sub- Committee	18 September 2017			
Portfolio holder:	Councillor Lance Stanbury Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: lance.stanbury@forest-heath.gov.uk				
Lead officer:	Sheila Gowans Licensing Officer Tel: 01638 719369 Email: sheila.gowans@westsuffolk.gov.uk				
Purpose of report:		= -			
Recommendation:	To determine an application for the grant of a premises licence under the Licensing Act 2003. It is recommended that, having regard to the four licensing objectives; Statement of Licensing Policy; the representations; any further relevant information presented on the day of the Hearing; Members take any of the steps set out below provided they are proportionate and appropriate for the promotion of the four licensing objectives: (1) Approve the application; or (2) Modify the conditions of the licence and approve the application; or (3) Reject the application.				

Key Decision:		· · · · · · · · · · · · · · · · · · ·	Yey Decision and, if so, under which				
	definitio						
	INO, IT IS	not a Key Decision - $oxtimes$	it a key Decision - 🛆				
Consultation:		See number 4 below					
Alternative option	(s):	N/A – the Council is duty	bound to determine				
Implications:		the application					
Are there any finan	cial	Yes □ No ⊠					
implications? If yes, details		TCS LI NO A					
Are there any staff	ing	Yes □ No ⊠					
implications? If yes, details	please give						
Are there any ICT in	mplications?	Yes □ No ⊠					
If yes, please give of	•						
Are there any legal		Yes ⊠ No □					
policy implications?	If yes,	See number 5 below					
please give details	1:4.,	Yes □ No ⊠					
Are there any equa implications? If yes,	-	res 🗆 No 🗵					
details	picase give						
Risk/opportunity	assessmen	t: (potential hazards or opport corporate, service or project					
Risk area	Inherent	Controls	Residual risk (after				
	level of risk (before controls)		controls)				
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	High	The Sub-Committee, should have regard to it's statement of licensing policy and any other guidance issued under section 182 of the Licensing Act 2003, but may depart from these where reasons are given.	Low				
Ward(s) affected:		All Saints					
Background paper	rs:	182-of-licensing- Forest Heath Statemen Policy http://www.forestheath	t of Licensing n.gov.uk/info/20006 street_trading/22/st				

	7
Documents attached:	(Please list any appendices.)
	Appendix 1 – Application
	Appendix 2 – Map of the immediate area
	Appendix 3 - Representation Kinnett
	Appendix 4 – Representation Anderson
	Appendix 5 – Representation Ryan
	Appendix 6 – Representation Haynes
	Appendix 7 – Representation Coombes
	Appendix 8 – Representation Cowell
	Appendix 9 – Representation
	Jackson/Cowell
	Appendix 10 – Representation Cook
	Appendix 10 Representation Cook Appendix 11 – Representation Long
	, , ,
	Appendix 12 – Representation Lanham
	Appendix 13 – Representation Jeffrey
	Appendix 14 – Representation Van Der
	Werff
	Appendix 15 – Representation Richer
	Appendix 16 – Representation Lewis
	Appendix 17 – Representation Martin
	Appendix 18 - Representation Bennett
	Appendix 18 – Representation Considine
	Appendix 20 – Representation Hornsby
	Appendix 21 – Representation Batten
	Appendix 22 – Petition

1. Key issues

- 1.1 An application has been received for the grant of a premises licence for Black Bess, 7 Rous Road, Newmarket. A copy of the application is attached which includes a plan of the premises as **Appendix 1.**
- 1.2 The application is for a coffee and craft beer micro pub/café specialising in the sale of beers brewed locally by small independent brewers and specialist coffee and tea from sustainable sources.

The licensable activities applied for are recorded music and the sale of alcohol for consumption on and off the premises.

The opening hours are Monday to Thursday 08.30 to 23.15, Friday and Saturday 08.30 to 23.30 and Sunday 08.30 to 23.00.

- 1.3 A map showing the immediate area is attached as **Appendix 2**.
- 1.4 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

2. Relevant Representations

- 2.1 The application has to be advertised, both at the premises and in a local newspaper. Details are also available on the Council website. This application was advertised in the Newmarket Journal on 27 July 2017.
- 2.2 **Responsible Authority** There are no representations from any responsible authority.
- 2.3 **Other Persons** Any representation made by these persons must be 'relevant' in that the representation relates to one or more of the licensing objectives. There have been a number of representations from other persons, which are attached as **Appendix 3 to 21**.

A petition has also been submitted and it is for the Members to decide what weight to give to this. Many of the signatories have submitted individual representations. Some signatories have not given their full address and the reasons for signing do not always relate to the possible undermining of the licensing objectives. This is attached as **Appendix 22**.

3. Matters for consideration

- 3.1 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.
- 3.2 The location of the premises is outside of the Cumulative Impact area of Newmarket.
- 3.3 If the Licensing Authority decides that this application should be refused, it will need to show that to grant the licence would:
 - 1. undermine the promotion of the licensing objectives; and
 - 2. that appropriate conditions would be ineffective in preventing the problems involved.

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

3.4 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.

4. Consultation

4.1 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.

5. Legal and policy implications

- 5.1 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) Approve the application; or

- b) modify the conditions of the licence and approve the application; or
- b) reject the whole or part of the application.

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

- 5.2 Section 6 of the Licensing Statement of Policy, paragraph 6.1, as set out below, is relevant and is brought to the attention of the Licensing Act Sub-Committee: "The Licensing Authority, through the exercise of its licensing functions once its discretion is engaged, shall not seek to restrict the trading hours of any particular premises unless it is considered necessary and proportionate to promote one or more of the licensing objectives. Each application will be considered individually on its own merits;"
- 5.3 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. Only the relevant parts of the representations should be taken into account, for example many of the representations refer to parking as a problem, Members should be mindful that this is outside of the licensing remit.
- 5.8 The licence application is made in accordance with the Licensing Act 2003 and the Licensing Statement of Policy. The decision may be appealed, by the applicant or any other party to the hearing, within 21 days of written notification of the determination made by the sub-committee.
- 5.9 When representations have been made the Council must hold a Hearing within 20 working days of the close of the consultation period. The Licensing Act 2003 (Hearings) Regulations 2005 allows the Licensing Authority the power to extend the time limit for a specific period, when it considers this to be necessary and in the public interest.



£190 pard

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/W	~ ~ ~ ~ ~ ~	Marcus Turpin							
(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 Black Bess 7 Rous Road Newmarket Suffolk									
Post	town	Newmarket			Postcode	CB8 8DH			
Tele	hone	number at premises (if any)							
Non-	domes	tic rateable value of premises	£ 9633						
Part	2 - Ap	plicant details							
Pleas	e state	whether you are applying for a p	premises licen	ce as	Please tick a	as appropriate			
a)	an in	dividual or individuals *		x	please comple	te section (A)			
b)	a per	son other than an individual *							
		as a limited company/limited lia	bility		please complete section (B)				
	partnership ii as a partnership (other than limited liability) please complete section (B)								
	iii	as an unincorporated association	or or		please complet	e section (B)			
	iv	other (for example a statutory co	rporation)		please complet	e section (B)			
c).	a rec	ognised club			please complet	e section (B)			
d)	a charity								

e)	the proprietor of an educational establishment							please com	plete section (E	3)
f)	a health serv	health service body						please com	plete section (E	s)
g)	Care Standar	ds Act	is registered under Part 2 of the s Act 2000 (c14) in respect of an ospital in Wales)
ga)	a person who is registered under Chapter 2 of Part please complete section (1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England)	
h) -	the chief officer of police of a police force in England and Wales Description Descripti)		
* If yo		g as a p	erson de	escribed	l in (a)	or (b) ple	ase c	onfirm (by tic	king yes to one	box
premis	arrying on or p	ble acti	vities; o	r	a busin	ess which	invo	lves the use of	f the	x
I am m	naking the app		-	nt to a						П
	statutory fundation dis			tue of H	Her Ma	iesty's pr	eroga	tive		
(A) IN	DIVIDUAL A		·							
								mid (0		
Mr	x Mrs		Miss		N	⁄Is 🔲		er Title (for nple, Rev)		
Surna	me		Miss		N	First na	exai	nple, Rev)		
Surna	me Furpin		Miss	I		First na	exai mes arcus	nple, Rev)	se tick yes	
Surnar Date of	me Furpin f birth	ittish	Miss	I		First na	exai mes arcus	nple, Rev)	se tick yes	
Surnar Date or over Nation Current address	me Furpin f birth	ittish	Miss			First na	exai mes arcus	nple, Rev)	se tick yes	
Surnar Date or over Nation Current address	me Furpin f birth ality Br t residential s if different fres address	ittish	Trumpii			First na	exai mes arcus	nple, Rev)	se tick yes	
Date of over Nation Current address premise	me Furpin f birth ality Br t residential s if different fres address	om Cambr	Trumpin	nton		First na	exai mes arcus	nple, Rev) x Plea	se tick yes	

Par	t 3 Operating Schedule	
Whe	en do you want the premises licence to start?	DD MM YYYY 0 1 □0 9 □2 0 1 7
	ou wish the licence to be valid only for a limited period, when you want it to end?	DD MM YYYY
Plea	se give a general description of the premises (please read guidance	e note 1)
brev	The premises will be a coffee and craft beer micro pub/café, special ved locally by small independent brewers and specialist coffee and cree	
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.	
Wha	at licensable activities do you intend to carry on from the premises?	?
(plea	ase see sections 1 and 14 and Schedules 1 and 2 to the Licensing A	ct 2003)
Prov	rision 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)	ď
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)	g)

Provision of late night refreshment (if ticking yes, fill in box I)				
Supply of alcohol (if ticking yes, fill in box J)	x			
In all cases complete boxes K, L and M				

Recorded music Standard days and timings (please read			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	x
guidance note 7)			(piease read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon	11.00	23.00	Please give further details here (please read guid	ance note 4)	
Tue	11.00	23.00			
	-				
Wed	11.00	23.00	State any seasonal variations for the playing of th	recorded musi	<u>c</u>
			, and the second		
Thur	11.00	23.00			
Fri	11.00	23.00	Non standard timings. Where you intend to use the playing of recorded music at different times	to those listed	
			the column on the left, please list (please read gui	dance note 6)	
Sat	11.00	23.00			
Sun	12.00	23.00			

Supply of alcohol Standard days and timings (please read			Will the supply of alcohol be for consumption — please tick (please read guidance note 8)	On the premises	
	guidance note 7)			Off the premises	
Day	Start	Finish		Both	х
Mon	11.00	23.15	State any seasonal variations for the supply of alguidance note 5)	lcohol (please r	ead
Tue	11.00	23.15			
Wed	11.00	23.15			
Thur	11.00	23.15	Non standard timings. Where you intend to use the supply of alcohol at different times to those licolumn on the left, please list (please read guidance)	isted in the	or
Fri	11.00	23.30			i
Sat	11.00	23.30			
Sun	11.00	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 Marcus	s Turpin			
Date of birtl	ı 21/11/1971			
The Lord By 22 Church La Trumpington Cambridge	ane			
Postcode	CB2 9LA			
Personal licence number (if known) CAM 001142				
	sing authority (if known) idge City			

1	11	
1		 1 1

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).

L

open t Standa timing	premises o the pub rd days ar s (please r ce note 7)	olic nd read	State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08.30	23.15	
Tue	08.30	23.15	
Wed	08.30	23.15	Non standard timings. Where you intend the premises to be ope
Thur	08.30	23.15	to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri	08.30	23.30	
Sat	08.30	23.30	·
Sun	08,30	23.00	

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)

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:a/ no selling of alcohol to underage peopleb/ no drunk and disorderly behavior on the premises areac/ vigilance in preventing the use and sale of illegal drugs at the retail aread/ no violent and anti-social behaviore.

- Operating Schedule providing the hours of operation and licensable activities during those hours.- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.- CCTV system installed with recording option available.

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. On a 2 week recording loop.

c) Public safety

Internal lighting fixed to promote the public safety objective. Training and implementation of underage ID checks. will be made. information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorized by the Licensing Act 2003 or associated legislation.

d) The prevention of public nuisance

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc. No children will be permitted unaccompanied unless with an adult and not after 21.30 hours.

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	Z
8	I have enclosed the plan of the premises.	A
•	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.	Q
8	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	
	[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 (please read note 15).	Z

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	• [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, if appropriate (please see note 15)
Signature	
Date	21-9-2017
Capacity	owner appreant.

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

Date	
Capacity	

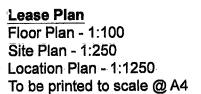
Contact name	(where not	previously	given)	and	postal	address	for	correspond	lence	associated	with
this application	n (please re	ad guidanc	e note	14)							
	_	_		·							

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

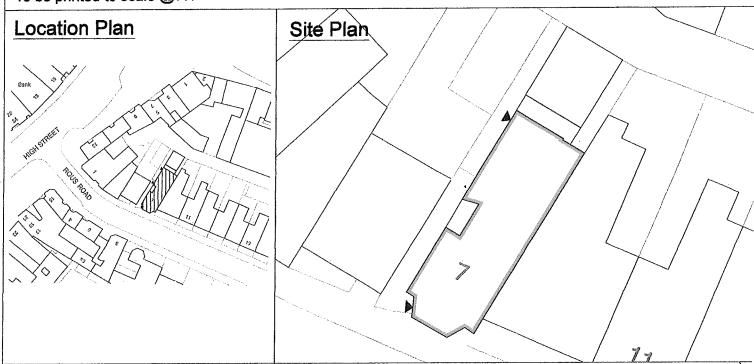
Notes for Guidance

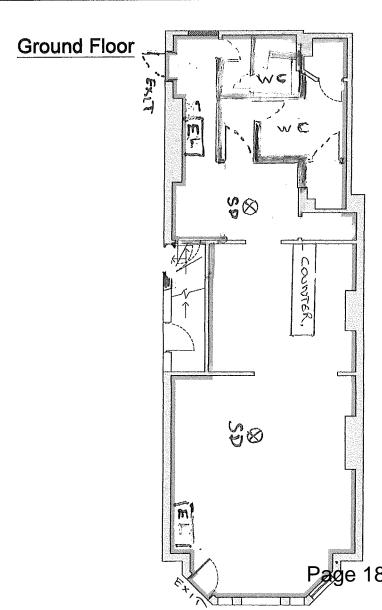
- 1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- 2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.





7 Rous Road Newmarket Suffolk CB8 8DH





Black Bess | @@@@@@@| | @@@@@@@@@| 10 m 20 ft The Manual Property of the Parket of the Par 6 0 Jubilee Ø Clock Tower Bank P Ç, IIII CHE THE HEAD 6 PH ηb 'nβ. ęγ CON TO ரு TCBs ςŅ o _{LB} ţ 6 ψ O Posts 'du El Sub Sta © Crown Copyright and database rights 2017 09 100023282. Forest Heath DC Scale: 1:600 St Edmundsbury BC Forest Heath & St Edmundsbury councils Θ Western Way College Heath Road Printed on: 7/8/2017 at 11:41 AM by SGowans Bury St Edmunds West Suffolk Mildenhall IP33 3YU **IP28 7EY** Page 19 $\ \ \, \ \ \,$ Crown Copyright and database rights 2017 OS 100023282/100019675. working together 01284 763233

www.westsuffolk.gov.uk



Gowans, Sheila

From: Lara Kinnett -

Sent: 15 August 2017 11:11

To: licensing

Subject: Licencing team - Black Bess - 7 Rous Rd, Newmarket - Representation

Hello

I am writing to represent myself, as the owner of the property neighbouring no.7. I own no. 5, 5a and 5b Rous Rd.

I am never against any small business wanting to improve our town but I have many concerns for this type of business next to my property and my own Business, Lara B. Lara B is a high end bridal boutique and has been in it's location for 12 years now. The type of business is a personal one, using calm relaxing music and it's location was chosen, as it is central but a quiet road. It is not a high footfall boutique and mainly by appointment only. I also have tenants in the property above and below. The tenants chose the location due it's it quiet surroundings too! I appreciate I can never be content with what is around me, but being a residential road and being surrounded by other higher end business, makes the location nice and quiet and more suitable. A pub style business is more suited when surrounded by other businesses, so it doesn't disrupt residents.

The concerns I have are not for the cafe application of Black Bess but the pub licence they are trying for. My business closes at 5pm most days, so my bridal business should not be affected much by the noise pollution this type of business will bring in an evening. However, I do have tenants as part of my business, who will be greatly affected. If I loose the tenants due to accelerated noise levels, then I also wont find new ones easily. Who wants to live next to a pub!

I have real concerns for crime too. I had a window smashed in June this year, due to a rowdy, drunken crowd, coming from the pubs off the high street. I had another a few years back too, so goodness knows how much of this I will get with a pub right next door. Even if the pub has a sophisticated clientele, it wont stop other's visiting, especially the hustle and bustle of Race nights and racing days. As the pub space isnt big inside they will drift onto the pavements and cause more noise and disruption locally. Alcohol causes disruption and I am very worried if this is an earlier disruption while my boutique is open. Their customers could start to linger outside and make noise and even lean on my railings, or sit on my steps of the shop. It has been seen before!

The nuisance of rowdy people and just crowds of people will cause the daily running of Lara B to loose it's high end experience to fail. The private nature of the running of the shop is perfect right now. I would have to some how change the format using maybe a 'shut door' policy and also make changes to the front large bay window to keep it more private. Race days will bring crowds of a certain clientele into the pub before it starts, in otherwise earlier in the day. This will disrupt my busiest day being Saturdays. The type of customer they are wanting to attract will need to spend more and so they will but they will also drink more as they will be able to afford it too! I am EXTREMELY concerned for the extra smoking too. The smoke will waft in, as it already does occasionally, due to the people standing outside while being at the pub. Then comes the butts left behind!

Public safety in a residential street with young families would mean the location of such a business completely unsuitable. I get young children/babies come to the shop too, so having crowds at times outside, will not be nice and could make people feel inferior and unsafe. I can't object on these terms really as it will not hopefully effect me badly but I make that case for the residents of the quiet street.

I wonder too how they will store their bins. Obviously bins with beer and food will smell! The passage running down the side of the property is already over run and crowded with bins by residents living above and around 7 Rous rd. There is only just enough room for residents to walk past the bins and larger bins will not fit? The back track down to 3-5 Rous rd is a 'Right of way' access to their parking and the corner parking at the back of 1-3 Rous rd, is private property, so there is no access at the back for bins and deliveries? With excessive parking issues along the street, I can't see how this type of business will be allowed. The local council, already have parking issues. Also where can the daily deliveries be made to such a business with no parking zones allocated to it? No clear drop off area's on a highly congested, narrow street??

I feel the pub part of this licence completely un-acceptable with my points above as reason. However, I have no objection for a cafe with closing hours being no later than 5.30pm of an afternoon.

I'd also like to highlight, that I have not been formally informed of this application. I actually found it by a Facebook link to the Cambridge news. Why has the local council not informed neighbours?

Please could you let me know you have received this representation.



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Name: Kevi	s ANDE	KSON_
Address:_		ROAD
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CBR	824	

Business Regulation and Licensing Team Forest Heath District Council College Heath Road, Mildenhall, Suffolk, IP28 7EY Phone: 01638 719733

email: licensing@westsuffolk.gov.uk

RE. BLACK BESS 7 ROUS ROAD, NEWMARKET CB8 8DH / GRANT OF A PREMISES LICENCE

To whom it may concern,

I / We object to the following licence application: Black Bess Coffee and Craft Beer Micro Pub/Café at 7 Rous Road Newmarket CB8 8DH.

Reason(s) for objections:

LICENSING OBJECTIVE	REASON FOR REPRESENTATION
PREVENTION OF CRIME AND DISORDER	ROUS ROAD IS BSENTIALLY A RESIDENTIAL STREET BOTSING OF ADRIAN BUSINESS HOURS TO IMPACT RESIDENTS TO RESIDENTS TO MEAN RESIDENTS TO MEAN ACCOUNTS TO MEAN ACCOUNTS TO ME EVENING
PREVENTION OF PUBLIC NUISANCE	
PROTECTION OF CHILDREN FROM HARM PUBLIC	-
PUBLIC SAFETY	

have submitted is true and correct.	_, hereby declare that all the information I
Signed:	-
Dated: [3 8 17	

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

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Business Regulation and Licensing Team Forest Heath District Council College Heath Road, Mildenhall, Suffolk, IP28 7EY Phone: 01638 719733

email: licensing@westsuffolk.gov.uk

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Reason(s) for objections:

LICENSING OBJECTIVE	REASON FOR REPRESENTATION	
PREVENTION OF CRIME AND DISORDER	His rost of laterial is in bood early not many could be seemed and a second and a laterial as the laterial and property of prior every and a prior every and a prior every and a prior every and prior every and a	: street
PREVENTION OF PUBLIC NUISANCE	siens of resting, restens now seed.	
PROTECTION OF CHILDREN FROM HARM PUBLIC	Children live in the road a will how in low sould passed, because of which a applicable.	<u>~</u> \\
PUBLIC SAFETY	Abose points. Those are other entry premises or High Street which are more suitable for this type of business (pub).	

Parking is already a luge issue, shore ase the patrons of a sisters to this business going to part Page 25

	ールシレッモ (mitted is true and		, hereby declare that all the information
Signed:	`		
Dated:	11/8/17	•	

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

Mr and Mrs Cameron Haynes
.. Rous Road, Newmarket
Suffolk CB8 8DH

Business Regulation and Licensing Team Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk, IP28 7EY
Phone: 01638 719733
email: licensing@westsuffolk.gov.uk

RE. BLACK BESS 7 ROUS ROAD, NEWMARKET CB8 8DH / GRANT OF A PREMISES LICENCE

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Reason(s) for objections:

LICENSING OBJECTIVE	REASON FOR REPRESENTATION	
OBJECTIVE		
PREVENTION OF CRIME AND DISORDER	We believe that a micro pub on our road will encourage drunk and disorderly behaviour on our doorstep. There are particular times of the year, for example during race weekends, horse sales and concert nights, when there is an increase in drunk revellers shouting, fighting and leaving cans, bottles and take away rubbish on our street. A micro pub on Rous Road will surely exacerbate the problem. The alleyway adjacent to the premises (7 Rous Road), which leads to the back of some of the houses on Rous Road, is another cause for concern. It could potentially be used	
	as a public toilet when the business closes. There is also the issue of security if it should become used as a frequent shortcut between Station Road and Rous Road.	
PREVENTION OF PUBLIC NUISANCE	There will be an increase in the level of noise due to music being played on the premises. The application to do so until 23:00 on weekdays and 23:30 on Fridays and Saturdays, will disturb the residents on what is otherwise a quiet road in the evenings. There could be an increase in anti-social behaviour as a result of alcohol being consumed on the premises. There is also the issue of smoking on Rous Road, as the business will find it very difficult to designate a smoking area, as the property has restricted outside space. This will result in the business's clients, spilling onto the road and alleyway. There will be litter as a result, and currently there is very poor street cleaning which means that further litter could become a problem.	
	The parking situation on Rous Road, which has failed to be resolved over the last few years, is also a cause for concern. As residents, we already find it difficult to park at all times of the day. There is potential for an increase in cars parking on Rous Road where we already suffer as a result of having no residential parking.	

	Large deliveries and or frequency of deliveries to the proposed business (Black Bess) will again impact on the parking situation when loading and unloading.
PROTECTION OF CHILDREN FROM HARM PUBLIC	There are a number of families with young children living on Rous Road. My own children have been sworn at by a group of drunk men during the day, when they were playing outside. My children have also previously felt threatened, by the behaviour of drunk individuals using Rous Road as a thoroughfare. The proprietor will not be able to guarantee that his customers, will not disturb the peace once they have left his establishment.
	The children of Rous Road need to feel safe where they live, and as parents we do not wish to expose them to anti-social behaviour resulting from the sale of alcohol on what is fundamentally a residential road.
PUBLIC SAFETY	Please see concerns above. Also, there are a number of other young, elderly and vulnerable residents of Rous Road. In particular those with health issues, that we as a community should be responsible for safeguarding.
	ron and Sarah Haynes, hereby e information I have submitted is true and correct.
Signed:_ ָ	
Dated:	8/2017

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

12/18/2017

1 8 AUG 2017
Mildenhall

Name: C , C	do MBK	S	
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Business Regulation and Licensing Team Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk, IP28 7EY
Phone: 01638 719733
email: licensing@westsuffolk.gov.uk

RE. BLACK BESS 7 ROUS ROAD, NEWMARKET CB8 8DH / GRANT OF A PREMISES LICENCE

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Reason(s) for objections:

LICENSING	REASON FOR REPRESENTATION	
OBJECTIVE		
PREVENTION	WE DON'T NEED AN OFF LICKNEE IN 150 NS 12 -	
OF CRIME AND DISORDER	THERE ARE ENINGH PNBS IN THE NEAR VIGINITY	1
DISORDER	THERE WILL BY LATE MIGHT NOISE AND WITH	
	ALCOHOL COMES DISCRDER. THE AREA WILL	
	BE WED ASITCITETE CALLS WILL BE	
PREVENTION	NANDALIJED, SHOUTING DRUNIEN BEHAVOIR,	
OF PUBLIC NUISANCE	LOWER TO WORKER EICH CARDENS MERTIL	
NOIDANGE	TO DUMP RYPRISH IT ALL FOLLOWS	
	MATERIA SCENIA COLORA DE LA COLORA DEL COLORA DE LA COLORA DEL COLORA DE LA COLORA DEL COLORA DEL COLORA DE LA COLORA DE LA COLORA DEL COLORA DE LA COLORA DE LA COLORA DE LA COLORA DEL COLOR	
	WHERE BOOZ IS EDNOFRIVED. WE ARE OLD	
PROTECTION OF	THAT WE DECERVE ATTAIS TIME IN OUR LIFE	حن.
CHILDREN	THAT WE DECERVE IT MIS TIME IN OUR LIVE	<u></u>
FROM HARM	THIS IS NOT THE RIGHT AREA TO OPIEM	
PUBLIC	THIS MICTO PUB.	
PUBLIC		
SAFETY	INT ALL DO NOT LIKE LOND ISNBEIGH	
	SO CALLED RUBBISH MUSIC AT ANY TIME	
	DAY OR NIGHT	
	0.70.01911	

AME C COUNTES	, hereby declare that all the information
have submitted is true and correct.	·
Signed:	_
Dated: 12 - 8 - 17	

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

Name:	Mr + Mrs	P	Cowell
Address:	Rou	s Ro	ad
_	Newwarh		
	Suffik	- CB	88DH.

Business Regulation and Licensing Team Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk, IP28 7EY
Phone: 01638 719733
email: licensing@westsuffolk.gov.uk

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Reason(s) for objections:

		エ
LICENSING OBJECTIVE	REASON FOR REPRESENTATION we are long term and now elderly residents on f lous Road - he neighbours to this property which was a heir lresses for years with normal business how strong	2
	was a harr bresses for years with normal business hours we strong	4 object
PREVENTION OF CRIME AND	The Potential problem (6) that come with	(and within
DISORDER	Drinking establishments in loff a main high st	Police Luts
	where there are many public houses already plus litter in the form of cigorettes, broken glass etc.	how Cen an extra public howse be polic
PREVENTION OF PUBLIC	As the adjoining property to No.7, the level of	
NUISANCE	horse from husto as well as people late at hight	
	would be un suitable due to the major lock of Sound pro	ofing
PROTECTION OF		\ \(\(\(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \(\) \\ \\ \(\) \\ \(\) \\ \(\) \\ \\ \(\) \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\
CHILDREN FROM HARM	very residential area, and safe area for dildren	
PUBLIC	very residential area, and Safe area for children and other members of the community public - we teel that another potentially loud & lete opening public house, Annt from the obsticus side effects which come	sould after
PUBLIC SAFETY		this.
	with groups of people driving in a Swall property which can lead to disputes, agression, fighting and general disorder, there is the physical during a that	
	which can lead to disputes, agression, fighting and	
	can be caused to parted vehicles and other property -	
	asuell as injuries from broken glass on public	
	highway and littering from discarded eigenettes.	
	Aswell as the page halfly of someone who has had	a ba a
	a few drivers accidently wondering in front of a cur or	MANA MANAMA

1/ W/É _	PATRICK	COWELL	COWELL, hereby declare that all the information I
have si	ubmitted is tru	e and correct.	
Signed	ر :		11/8/17
Dated:	11th f	tugust '	2017

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

V.S. There are many other aspects which should be Strong grounds to refuse the Change of use and licensing of this property but the main reason we heliwe this would be a but deciesion if gruted has to be not just the properties location which is residential above the ground floor, and residential to the left and to the right of the property, but also due to the Size of the Would raise public Safety & fire Safety concerns for a premises of this size and with the Bedsit' accomadation above could lead to a very unfortunate and dangerous Situation in the future, due to lack of fireage 32 etc. etc. P. T. O.

Also due to the nature of the alleyway and access at the back of the properties we from past experience wan sec. .

people using it as an area for public Convenience.

Plus there are plenting more & suitable properties on the high St. which not only would be more similable for a licensed establishment but also are better fit for the purpose.

1//8/17

Forest Heath DC

1 8 AUG 26;7

Mildenhall

1210812017

NAZJACKSON &
Name: PATRICK COWELL
Address: ROUS ROAD, NEWMARKET
SUFFOLK, CB8 BDL

Business Regulation and Licensing Team Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk, IP28 7EY
Phone: 01638 719733
email: licensing@westsuffolk.gov.uk

RE. BLACK BESS 7 ROUS ROAD, NEWMARKET CB8 8DH / GRANT OF A PREMISES LICENCE

To whom it may concern,

I / We object to the following licence application: Black Bess Coffee and Craft Beer Micro Pub/Café at 7 Rous Road Newmarket CB8 8DH.

Reason(s) for objections:

LICENSING	DEASON FOR REPRESENTATION IN HOUR & CON CONTROL OF CONTROL
OBJECTIVE	On Kous Kood, which we make sure Loss not ercroach
	on the residents lives in any negative way
DDF) (PAITTON	on the restriction of the Man.
PREVENTION OF CRIME AND	As seen often in Newmontest, when conspering
DISORDER	As seen often in Newmorket, when drinking acoust is involved, there is always land arguments,
DISCREEK	16 day and damage to Minde How pet 1 TWISO
	establishments should be kept on the trigh
	Smoot
PREVENTION	As a respectable and mostly residential neighbourhood, the late license for music and and alcohol well indefinitly cause frustration and
OF PUBLIC	115 w respectable with the first the
NUISANCE	neighbourhood, the late license for which
	and all shot in illinde in it cause this war on and
	intrusian into the residents of kais kood.
PROTECTION	
OF	[Children of Kous Kobel feel Safe playing in
CHILDREN	their front gardens and suffer from little
FROM HARM	disturbance from those who are on the
PUBLIC	losolo a book The cockellisher of the late leaves they could
	highstreet. This establishment will nodoubt change their safety.
PUBLIC	With groups of Deople Smoleing, drinleing
SAFETY	1201 Ch about 120 120 120 110 (1)
	and sementines arguing we are very
	Concerned for the residents softy especially
	ow pasents who live right next door to the
1	
	drunter than list acres on U

drunks, the list goes on. U Littering will become an issue, using the alleyway as a torlet will become on the issue, kosidents trying to sleep with the music on past I pm trying to sleep with the music on past I pm trans a week and the voices of punters too will be a huge

We PATRICK COMELL NAZ JACKSON, hereby declare that all the information have submitted is true and correct
Signed
Dated: 12 August 2017

Please send the completed form to the local authority area:

Business Regulation and Licensing Team Forest Heath District Council College Heath Road Mildenhall Suffolk IP28 7EY

APPENDIX 10

Gowans, Sheila

From:

Pat Cook

Sent:

19 August 2017 19:43

To:

licensing

Subject:

Representations re: Black Bess - 7 Rous Road, Newmarket

Dear Sir / Madam,

I write as a resident of Rous Road to set out my concerns in respect of the application by Mr Turpin for the proposed licence for Black Bess Coffee and Craft Beer Micro Pub / Cafe.

Whilst I am a supporter of small and local businesses, I am worried that a pub at the end of the road would affect the quality of life for local residents. The space where number 7 Rous Rd is is very small and I consider that it is likely that people smoking and drinking on the pavement outside the pub will make if difficult for people (especially the very young and the elderly) to pass as the pavement is already quite narrow. Additionally it is incredibly difficult to find parking as it is in Rous Road and I fear that further demand for parking spaces and additional traffic in the road will make things more difficult for the residents.

I am also worried that the consumption of alcohol and loud music late at night will inevitably cause nuisance and attendant anti social behaviour.

I would support the opening of a cafe serving teas and coffees (as set out in part of the application) but I am unable to support that premises serving alcohol for the reasons set out above. I understand that many of my neighbours share similar concerns to me.

I do hope that these representations will be taken in to account when considering this application.

Yours faithfully,

Patricia Cook. Rous Road CB8 8DL

Sent from my iPad



Gowans, Sheila

From:

James Long <James.Long@corneyandbarrow.com>

Sent:

21 August 2017 11:31

To:

licensing

Cc:

Gil Riggans

Subject:

RE: Premises License Application: Black Bess, 7 Rous Road, Newmarket, CB8 8DH

. F.

Dear Sirs

Following your response, we would like to re-submit our objections regarding this application as follows:

- The prevention of crime and disorder: As a residential area, this type of license could increase the possibility of crime and, with the association of alcohol, disorder would certainly be present and therefore a hazard for residents during and following the proposed opening times.
- Public safety could also be a risk if alcohol is being consumed in a residential area during and following the proposed opening times.
- The prevention of public nuisance: As mentioned above, any possible disorder from this style of venue could become a nuisance to residents. There would also be an increase in the noise of traffic and patrons attending the premises, not only during opening hours but also for deliveries etc.

Looking at all three of the above concerns, with the current cuts to services there is already insufficient police presence at present within this area. With the possible threat of increased crime levels, disorder and public nuisance, the Police Services may not have sufficient resources to govern an additional venue with its location being in a residential area. This gives great concern to residents and indeed the security of our own shop, Corney & Barrow, which can be accessed from the rear.

We trust that our concerns, along with the residents of Rous Road are taken into consideration with regards to this application.

With kind regards

James

JAMES LONG

Managing Director T +44 (0)1638 600000 M +44 (0)7836 230432

E james.long@corneyandbarrow.com

www.cornevandbarrow.com



INDEPENDENT WINE MERCHANTS-1780



Forest Heath DC

2 1 AUG 2017

Mildenhall

ROUS ROAD NEWMARKET SUFFORK CR 8 8 DL.

August 17th 2017

THE BUSINESS REGISTRATION + LICENING TEAMS
FUREST HEATH PURTAKT COUNCIL
COLLEGE HEATH ROAD
MILDENHALL IP 28 TEY

TO WHOM IT MAY CONCERM.

RE'BLACK BESS, 7, ROWS ROAD NEW TARKET

GRANT OF A PREMISES LICENCE.

WE WISH TO OBJECT TO THE ABOVE LICENCING.
APPLICATION ON THE FOLLOWING CARUMS.

() THE PREHISES IS ATTACHED TO A SUBSTANCIAL HOUSE IN WHAT IS MAINLY A RESIDENTIAL STREET,

B. THE ANTI-SOCIAL BEHAVIOUR WHICH WILL SCEUR IN NEARBY DOORWAYS T PASSAGEWAYS.

J. LOUD MUIL IN A RESIDENTIAL STREET 15 LINAUEPTABLE,



-	Forest Heath DC	
	1 8 AUG 2017	
-	Mildenhall	_

Name: MR	AND MR	S M VEFFERY
Address	Raus	ROAD
N	EWMARK	(ET
	B8 8D	oH

Business Regulation and Licensing Team Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk, IP28 7EY
Phone: 01638 719733
email: licensing@westsuffolk.gov.uk

RE. BLACK BESS 7 ROUS ROAD, NEWMARKET CB8 8DH / GRANT OF A PREMISES LICENCE

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Reason(s) for objections:

LICENSING OBJECTIVE	REASON FOR REPRESENTATION
PREVENTION OF CRIME AND DISORDER	ROWDINESS AND DISORDER CAUSED BY ACCOHOL COMSUMPTION LATE INTO THE NIGHT, POSSIBLE DAMAGE CAUSED TO RESIDENTS VEHICLES PARK ON ROUS ROAD
PREVENTION OF PUBLIC NUISANCE	PARKING PROBLEMS (WHICH WE ALREADY) MUCIC BEING PLAYED LATE LAVE AT NIGHT IN A RESIDENTIAL AREA.
	As this is a residential area there are children growing up. So there are the dampers of broken glass, people smaking, possibly drug taking, wither, cigenette ends. We connab believe this application is oven being considered.

I/ We MR & MRS M & SV JEFFERY have submitted is true and correct.	, hereby declare that all the information I
Signed	

Dated: 16 - 8 - 17

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

Forest Heath DC	į
2 1 1.UG 2017	
Mildenhall	

Name: MRS	5 Mil	7. VAIV	DFR	WERFF
Address:	ROUS	ROAD		
Nev	VMAR	KET		
CB8	8 DL	,		

Business Regulation and Licensing Team Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk , IP28 7EY
Phone: 01638 719733

email: licensing@westsuffolk.gov.uk

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Reason(s) for objections:

	\cdot
LICENSING OBJECTIVE	REASON FOR REPRESENTATION
PREVENTION OF CRIME AND DISORDER	This is a quiet, residential road. There is no need for another 'bear outlet cafe' when we have so many on the thigh sheet
PREVENTION OF PUBLIC NUISANCE	Music would g create a nuisance.
PROTECTION OF CHILDREN FROM HARM PUBLIC	Several young dislaren and elderly people live surthe road.
	The High Sheet end of Rous Road it al ready often blocked with cars parked illogally to access Rumbles Fish Shop on the High Sheet, so that we cann
ind on ccess, gr vis prob	emergency vehicle could not gain anting a licence would exacerbate lem, Page 45

I/ Wehave submitted is true and correct.	, hereby declare that all the information
Signed:	
Dated: 17th Angust 2015	

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

Forest Heath DC
2 1 AUG 2017
Mildenhall

Rous Road Newmarket Suffolk CB8 8DB 07961854013 01638 664 793

15th August 2017

Forest Heath District Council College Heath Road Mildenhall Bury St Edmunds Suffolk IP28 7EY www.westsuffolk.gov.uk

Dear Licensing Committee

RE: Applicant Marcus Turpin

Premises Address: Black Bess 7 Rous Road, Newmarket CB8 8DH Application Type: Grant of a Premises Licence Summary of Application:

I am writing with regard to the consultation on the above application. I am a resident of Rous Road with young children. I have no objection to the change of use of these premises to a café. However, I have grave reservations regarding the application of change of usage to a pub.

The reasons supporting my objections are as follows:

Newmarket has undergone an extensive analysis of the impact of a high concentration of licensed premises on its town centre. This resulted in the Cumulative Impact Policy in which it states that, "the Licensing Authority has resolved to adopt a policy which will seek to prevent a further increase in the number of licensed premises within the area outlined in red on the plan within this document (section 9.5)." I have attached a copy of the map to this letter. The applicant's premises fall just beyond the policies remit by a matter of metres. The policy does not include areas which were considered residential and thus unsuitable for licenced premises.

To grant the application would be in essence contravening the statement set out in section 9.9 of the Licensing Act 2003 Statement of Licensing Policy (4th Edition) 2014 – 2019 that "The Licensing Authority wishes to encourage the provision of a range of entertainment in the area and to reduce the dominance of pubs, bars and nightclubs. Any future expansion of licensed premises/night time economy should be consistent with the wider regeneration aspirations of the Council and its partners and should actively promote an inclusive town centre for all that is a safe and pleasant place to be in". This is further expanded in section 9.10 "The proposals in respect of the town centre are intended to target those premises that will increase the numbers of customers in the area and those premises serving alcoholic drinks and/or takeaway food after 11:00pm that can act as a flash point for crime and disorder and public nuisance. It is not intended to constrain the development of other entertainment uses which do not add to the problems being experienced in this area". In

section 9.11 it states that it "is the Licensing Authority's policy that there will be a rebuttable presumption that applications for new premises licences or club premises certificates, which are primarily drinking establishments and are premises used primarily or exclusively for the sale and consumption of alcohol, will be refused if relevant representations are received about the cumulative impact on the licensing objectives."

My second objection focuses on the cumulative impact (as defined by section 9 of the Licensing Act 2003 Statement of Licensing Policy (4th Edition) 2014 – 2019) that agreeing this license will have on a residential area. In daytime hours Rous Road forms part of the busy hub of Newmarket with the Rous Road car park and a few specialist shops as you enter the road from the high street. In the late afternoon, when the shops are closed, the nature of Rous Road changes. Although being next to the high street from the evening onwards it is a quiet residential road. The Cumulative Impact Policy covers up to Courtney and Barrow (a specialist off licence) the remainder of the road is not considered to part of the Newmarket night time or licencing economy. There is little foot traffic from the high street in the evening as the bars are secured, well monitored and contained on the High Street. Consequently, there is no draw for people engaging in the night time economy to enter Rous Road and it is unusual for people to do so. Introducing a pub will change the nature of the street irrevocably and alter the dynamic of the successful high street policy which protects the local community.

Parking in Rous Road is a continual difficulty and it is unlikely that the premises will impact on this significantly. However, the street near the premises is on a dangerous junction which is made more dangerous by the parking situation. Having a licenced premise and the increase in people will add to this congestion and impact significantly on the likelihood of accidents. In particularly for the young and older people of the area who may well feel uncomfortable being near a licenced premise when crossing the road.

I look forward to hearing your decision.

Yours faithfully

Dr Victoria Richer

APPENDIX 16

Gowans, Sheila

From:

Audrey Lewis <

Sent:

21 August 2017 13:11

To:

licensing

Subject:

Objection to: Black Bess. 7 Rous Road Newmarket, Suffolk, CB8 8DH

_ _ .

u l

From

Audrey Lewis

., Rous Road

Newmarket

Suffolk

CB8 8DH

The Business Regulation and Licencing Team.

I object to the above application on the grounds of your criteria.

1. Rous Road is a conservation area, suitable for 09.00 -17.30 /19.00 businesses.

for example, hair, beauty, offices, clothes, interiors. These types do not generate noise, flue stench, traffic nuisance or drunk and drug filled clientele as the proposed will do.

2. The former Pizza shop, all be it nice, had constantly boarded-up windows.

This was due to the drunks and unsavoury people it attracted with late opening. This will repeat if Black Bess is allowed to trade. This reflects badly on our businesses and residents. It is also very frightening.

3. There are several empty shops in the high street which are a more fitting place for Black Bess.

4. Anti social behaviour will be encouraged.

The weed ridden, uneven, broken tiled, unkempt adjacent side alley which leads to the rear of our properties - will become an area for urination, smoking, sexual acts and drug taking. The rear of our premises becoming vunerable to vandalism including our bins. A gate will be no deterrent.

5. All businesses in Rous Road are subject to closing by 7/8 pm to protect the well being, health and safety of the residents.

Why should Black Bess have special treatment when granting a licence will be so detrimental to our health etc and our children's safety?

6. Public nuisance.

I had rented the entire middle floor of 7, Rous Road for 4 years and for 26 yrs have lived and worked at no 25. THE WALLS ARE THINNER THAN YOU THINK!!! (Clients also often remark).

All these sounds can be heard from neighbouring properties:-

Switches - on/off, appliances (Note: professional coffee makers are especially noisy), boilers etc., cupboard doors opening / closing, ALL toilet functions - defecation and urination. (This is quite TRUE), laughter, raised voices (as bars fill-up music levels are raised & voices are raised too), fighting, music & musical instruments, doors closing / slamming, TVs, walking up stairs, wooden floors

It is fact that sound proofing does NOT work. (B.B.C. documentary 2016).

7. Emptying of bottles / rubbish to outside bins

This is very noisy and will be too close to our homes.

8. Sound carries at night and on the wind.

Rous Road is S/W facing and windy that side, all Black Bess noise / music will carry down the road, as does the Night Racing music, so it wold be too noisy for the residents

S/W facing = lots of summer heat from 11am. Our rooms stay hot. Windows must be opened.

9. Public noise on entering and leaving + music will be too noisy.

Whilst B/Bess's windows may be closed, doors are opened.

Please consider when we are ill and need quiet.

(You will be receiving a complaint, with an offer of compromise, regarding a near by pub relating to noise, therefore one in our road will always be a public nuisance etc.

10. The maintenance of no. 7 was always very poor - electrical and general.

I do not think a food and drink establishment is a safe environment. Check your records Sept 1989 to 1991 approx. The current condition of the alley way, doors and outer condition bears me out.

11. Licensing Extensions

Once established Christmas and New Year extensions will be applied for plus additional days.

12. Public Health.

The smell from Rumble's Fish Bar in the High Street and the Chinese take away in Old Station Road are nauseating at times. This spoils relaxation time in our gardens or if our windows are open. A food establishment in our

road will be very unpleasant as it will be just a few feet away.

13 General litter will increase.

As a member of The Retailers Association I know that businesses will not clear away their litter and bottles. Late night establishments attract this problem. I clear Rous Road at times. I do not wish to see more rubbish in the road.

14 Congestion = Public Safty.

Despite the car park in Rous Road, it is a known fact that people are lazy. They continually park, double park and pavement park on the corner by the high street and in front of no.7. Poor signage and policing contribute to this.

14a Black Bess will be serviced by large refrigerated lorries.

The extra vehicles will cause enormous congestion which will lead to dangerous situations to all who have to cross the road. The designated crossing area is often blocked. I have photo evidence. Existing businesses at this end add to this problem therefore Black Bess will be one too many = The Straw That Breaks The Camel's Back.

The cycle lane has escalated this problem.

15 The Disabled.

I have spoken to the blind citizens whom have to cross there. They are extremely worried at the prospect of more congestion. One such lady from Dutchess Drive said, "I have to struggle between the large vehicles, push out my stick and then take my life in my hands.

I am scared at the prospect service vehicles to Black Bess will cause." Guide dog owners echo this sentiment.

When accompanying minors, on foot or in a push chair, using shopping trolleys or motorised scooters it's impossible to cross there most times.

Please consider our blind users of Rous Road, other disabled citizens (wheel chair & motorised scooters), the elderly and our clients of whom some fall into this category.

Thank you.

Audrey Lewis (Miss).

Roudham East harling Norfolk NR16 2RL

22nd August 2017

Forest Heath District Council College Heath Road Mildenhall Bury St Edmunds Suffolk IP28 7EY

Dear Sir/Madam.

Re: Licence application 7 Rous Road, Newmarket

I am writing regarding the above application to grant a licence to sell alcohol at the above premises as I own a property in the road. Rous Road is a residential street just off the High Street. The High Street has many pubs, bars and cafes which cater for the needs of the town. There is no need to spoil a residential street by having premises that sells alcohol and will have opening hours late into the evening where families and children live.

Rous Road is not an appropriate site for this kind of business and I am sure there are more suitable sites available in Newmarket.

Yours faithfully,

Miss L Martin



Gowans, Sheila

From:

Audrey Lewis

Sent:

21 August 2017 18:11

To:

licensing

Subject:

BLACK BESS. 7, ROUS ROAD NEWMARKET SUFFLOK CB8 8DH

1 4 2

Julie Bennett
Dutchess Drive
Newmarket
Suffolk
CB8 8AQ
22nd August 2017

(Sent from the e-mail of) (Audrey Lewis.)

I object to the opening of a micro café/bar on the grounds of:-Prevention of public nuisance. Public safety.

I am a white cane user. Due to my disability, I dread the thought of a business operating that will cause added stress to my already troubled path down Rous Road.

Large vehicles tend to park on the pavement. This is especially difficult for me. It is more hazardous because the rubbish bins are always out and store wares which appear to be taking over the pavements. The official raised crossing area is often blocked.

In order to cross the road I have to squeeze past tightly parked vehicles. I place my cane ahead of me and pray that I can be seen.

The path outside the shop is narrow. Smokers / drinkers will accumulate outside. This will increase my difficulty to pass by and is very intimidating not just to me but to others.

Most of the businesses attract predominately a female clientele in Rous Road and such a premises could see a fall in trade for them.

A late night premise will increase litter. Bottles, especially broken ones are an extra hazard for me including users of wheel chairs and scooters.

Julie Bennett (Mrs.)



APPENDIX 19

Gowans, Sheila

From:

Tolly Considine

Sent:

21 August 2017 16:36

To:

licensing

Subject:

Black Bess 7 Rous Road, Newmarket CB8 8DH

Dear Sirs,

I write to you as the owner of . Rous Road Newmarket and the owner of TollysFlowers To object to this proposal of an alcohol license to the above address.

I see this as a damage to the residents and businesses of this road, (and particularly residents) it is a danger to have a late license for selling alcohol, when there are so many other places with in Newmarket that provided this service already. Alcohol consumption, smoking on the street, leading to excessive noise, causing obstacles to wheelchair users, children, the elderly and disabled, also crime, I know my neighbour Lara B bridal has had her windows broken twice by drunks in the early hours of the morning, due to alcohol and drunkenness.

Traffic is all ready a major issue for Rous Road, this application will on make the issue much, much worse if this is granted.

Your Sincerely.

Tolly Considine.
www.tollysflowers.co.uk
Sent from my iPad



17 / 7/2017

Forest Heath DC
2 2 AUG 2017

Mildenhall

Name:	Sarah Homshy
Address:	Ross Rd
	Nowmarkeller
	JUKKOLK
	CKT 8DV

Business Regulation and Licensing Team Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk, IP28 7EY
Phone: 01638 719733
email: licensing@westsuffolk.gov.uk

RE. BLACK BESS 7 ROUS ROAD, NEWMARKET CB8 8DH / GRANT OF A PREMISES LICENCE To whom it may concern,

I / We object to the following licence application: Black Bess Coffee and Craft Beer Micro Pub/Café at 7 Rous

Reason(s) for objections:

Road Newmarket CB8 8DH.

LICENSING	REASON FOR REPRESENTATION
OBJECTIVE	
PREVENTION OF CRIME AND DISORDER	Why use residential area when
	Newmakes has open shops along the
	High Sheek that would make great fors
PREVENTION OF PUBLIC NUISANCE	Poblic Houses shor, ever year
	Use these nor Gringing noise, trouble
PROTECTION OF CHILDREN FROM HARM	e.r.c to quer stracts.
PUBLIC	NU GN dow Space For smokes, so
PUBLIC SAFETY	would lead to filling partinags.
	Intimidating residents.,

along with noise, double parking e.tc.
NO Sorry this Page 57 recipe for disaster.

I/ We have submitt	ed is true and correct.	, hereby declare that all the information l
Signed:		
Dated:	17-7-12	

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

Name:	MR. D. H.	BATTEN	
Address:	, Rous	ROAD	_
	NEWMARK	(ET'	

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road, Mildenhall,
Suffolk, IP28 7EY
Phone: 01638 719733
email: licensing@westsuffolk.gov.uk

RE. BLACK BESS 7 ROUS ROAD, NEWMARKET CB8 8DH / GRANT OF A PREMISES LICENCE

To whom it may concern,

I / We object to the following licence application: Black Bess Coffee and Craft Beer Micro Pub/Café at 7 Rous Road Newmarket CB8 8DH.

Reason(s) for objections:

LICENSING OBJECTIVE	REASON FOR REPRESENTATION
PREVENTION OF CRIME AND DISORDER	A drinking establishment in a residential road will lead to drunken behavior, and probable vandalish to property and or transport
PREVENTION OF PUBLIC NUISANCE	Sucking in street - loud music keeping residents awake all right
PROTECTION OF CHILDREN FROM HARM PUBLIC	See above.
PUBLIC SAFETY	A publicate should be in the trigh street and not in a very sought after residential street like Rous Road. Property prices will almost certailly be her.

1/ We	DAVED	&A TTEN	, hereby declare that all the information I
have sul	omitted is tru	e and correct.	
Signed:_	_	11	
Dated:	21/8/2	2017	

Please send the completed form to the local authority area:

Business Regulation and Licensing Team
Forest Heath District Council
College Heath Road
Mildenhall
Suffolk
IP28 7EY

Petition summary and background	Black Bess 7 Rous Road, Newmarket CB8 8DH Application Type: Grant of a Premises Licence The premises will be a coffee and craft beer micro pub/café, specialising in small independently brewed beers and specialist coffee and teas. Licensable activities requested are: Recorded music Mon to Sat 11.00 to 23.00, Sun 12.00 to 23.00 Sale of Alcohol for consumption on and off the premises — Mon to Thurs 11.00 to 23.30 and Sun 11.00 to 23.00
Principle Contact	Cameron Haynes - Rous Road, Newmarket, CB8 8DH
Action petitioned for	We, the undersigned, are residents of Rous Road and are concerned by the proposed opening of a micro pub/café on our street and believe it will be detrimental to our quality of life. We question the suitability of the premises and oppose a licence application for its intended use.

Printed Name	Signature	Address	Comment	Date
1. RIGINNS		BELVOIR MOUSE	Ausidential + preximily min	15/08
P COOK		Rous Rond.	Residental	12/03.
Couley forjely.		Ros Road.	Resident.	15/08
M. Case		ROUS RD.	DERUPTION TO QUIET AREQ	desto-
N. JACKSON		ROUS RD.	This will indefinitly cause discuption to a quiet and hes pectodic reighbourhood with mostly efforts to howe prices for his	15/8/17 Hents.
g. Ignarsk 1	_	Rous Rd	Rosi dedia	15/8/17
P.V-L Comer		· Rous Rd	Relidential Area - Leek of Parling - Norse a extra litterete. et	15/3/17

Re. Premises <u>Licence</u> 7 Rous Road, <u>Newmarket</u>

Petition summary and background	Black Bess 7 Rous Road, Newmarket CB8 8DH Application Type: Grant of a Premises Licence The premises will be a coffee and craft beer micro pub/café, specialising in small independently brewed beers and specialist coffee and teas. Licensable activities requested are: Recorded music Mon to Sat 11.00 to 23.00, Sun 12.00 to 23.00 Sale of Alcohol for consumption on and off the premises — Mon to Thurs 11.00 to 23.15 Fri to Sat 11.00 to 23.30 and Sun 11.00 to 23.00	
Principle Contact	Cameron Haynes – Rous Road, Newmarket, CB8 8DH	
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•		

Printed Name	Signature	Address	Comment	Date
E. CIBMBES. S	·	, bods ich	Quiet resedential Street.	10/8/13
ISAAC HAYNES		Rous Road	Noise, unsuitable location	10/8/17
DON CANTILLEM		Rou's Romo	Noise, Litter AND QUICT RESIDONIAL RUMB	14/8/13
			·	
			,7€* \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	

Petition summary and	Black Bess 7 Rous Road, Newmarket CB8 8DH		
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	The premises will be a coffee and craft beer micro pub/café, specialising in small independently brewed beers and		
	specialist coffee and teas.		
	Licensable activities requested are:		
	Recorded music Mon to Sat 11.00 to 23.00, Sun 12.00 to 23.00		
	Sale of Alcohol for consumption on and off the premises —		
	Mon to Thurs 11.00 to 23.15		
	Fri to Sat 11.00 to 23.30 and Sun 11.00 to 23.00		
Principle Contact	Cameron Haynes - Rous Road, Newmarket, CB8 8DH		
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Printed Name	Signature	Address	Comment	Date
FTONES		RU PLOUS	censo Walk	14.8.17
M.A. VAN DER WERFF	:	Rous Road	Letter scut as	15.8.17
5. Litoristy		. Row Road	Not socialized Pobs	15/3
SHEILA JEFFERY	 - -	Rous Road	NOT SUITABLE AT ALL	16/8
M JEFFERY		1 ROW ROAD	. (5	16/8
L. MARTIN		- Rouse Rd.	, Mot suitable in this Rd at All	16/8

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Printed Name	Signature	Address	Comment Date
AND REAL LANGUAM		ROUS ROAD NEWYARKET	UNSUITABLE FOR 11/08/
		'	NO PUBLIC CONVENICE.
RAY			AVAILABLES
PHURSTON		do	do do
PATRICK		Rous ROAD	45 About , plus Health
COWELL		NEWMARKET	3 Septery, Fre Septery, 11/8
			public Safety - plus plathy of alternative properties and the
Consulacion		Rous Rokt	
COWELL		NEWMARKET	As Above 11/8
			Plus my husbard 13 V. Unwell
Sameo	va na	GlenmareHouse	10) " hartrebioses is no
Palmer		Exenin	treat Realy! 11/8
MHORY		· Samad &	adabre 1/1/5/
DREVINGUE		Newwest	1000
2achel Herre		. Pous Pol	Resident Wichilden 1117
THICA Lenn		1-2414 VAIR DA	limited parking, 1917

Petition summary and	Black Bess 7 Rous Road, Newmarket CB8 8DH	
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100 to 10	The premises will be a coffee and craft beer micro pub/caté, specialising in small independently brewed beers and	
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	Sale of Alcohol for consumption on and off the premises –	
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Printed Name		Address	Comment	Date
David Henera		pous bol	legidunt wichelder	17/8/14
A.P. LEWIS.		SEMBAKE S	_	11/8/17.
		0.0	PLAYES MUSIC AS WACES TO THE DRUNIKESS AS AT	N
ALAN		Gesant WKI	4 Not Needal	12/3 2d
A. BRAND		Rous RD	NOISE. & PARKING	13/8/2017
Dana Miller	e e e e e e e e e e e e e e e e e e e	. High Street Chareley	Not reeded	15/8/2007
Many Bries		12 MARTINE STO 12 MARTINE STO	ROSIDELITAL HEAT	15/8/202
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